

STATE OF NORTH DAKOTA

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# Journal of the Senate

of the

# Thirty-Fourth Session

of the

# Legislative Assembly

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January 4 to March 4, 1955

STATE CAPITOL  
BISMARCK, NORTH DAKOTA

C. P. DAHL  
Lieutenant Governor

OLIVER BILDEN  
President Pro Tempore

EDWARD LENO  
Secretary



## SENATE MEMBERS

| Dist. | County                                      | Names                        | Addresses    |
|-------|---|------------------------------|--------------|
| 1.    | Pembina                                     | Franklin Page                | Hamilton     |
| 2.    | Pt. Ward                                    | Glen R. Dolan                | Kenmare      |
| 3.    | Pt. Walsh                                   | Mrs. Harry O'Brien           | Park River   |
| 4.    | Pt. Walsh                                   | Clyde Kieley                 | Grafton      |
| 5.    | Pt. Grand Forks                             | Oliver E. Bilden             | Northwood    |
| 6.    | Pt. Grand Forks                             | Carroll E. Day               | Grand Forks  |
| 7.    | Pt. Grand Forks                             | J. B. Bridston               | Grand Forks  |
| 8.    | Traill                                      | Harvey B. Knudson            | Mayville     |
| 9.    | Pt. Cass                                    | Arthur C. Johnson            | Fargo        |
| 10.   | Pt. Cass                                    | John E. Yunker               | Durbin       |
| 11.   | Pt. Cass                                    | Harry W. Wadeson             | Alice        |
| 12.   | Pt. Richland                                | A. W. Luick                  | Fairmount    |
| 13.   | Sargent                                     | Gilman A. Klefstad           | Forman       |
| 14.   | Ransom                                      | Donald C. Holand             | Lisbon       |
| 15.   | Pt. Barnes                                  | P. L. Foss                   | Valley City  |
| 16.   | Griggs-Steele                               | L. A. Sayer                  | Cooperstown  |
| 17.   | Nelson                                      | Arlie I. Ferry               | Lakota       |
| 18.   | Cavalier                                    | O. S. Johnson                | Langdon      |
| 19.   | Rolette                                     | Philip A. Berube             | Belcourt     |
| 20.   | Benson                                      | John Leier                   | Esmoud       |
| 21.   | Ramsey                                      | Clyde Duffy                  | Devils Lake  |
| 22.   | Towner                                      | H. B. Baeverstad             | Cando        |
| 23.   | Stutsman                                    | R. E. Meidinger              | Jamestown    |
| 24.   | LaMoure                                     | Emil T. Nelson               | Edgeley      |
| 25.   | Dickey                                      | Clarence Welander            | Fullerton    |
| 26.   | Emmons                                      | Steve Thomas                 | Linton       |
| 27.   | Burleigh                                    | Milton Rue                   | Bismarck     |
| 28.   | Bottineau                                   | Duncan Fraser                | Omeme        |
| 29.   | Pt. Ward                                    | Ernest C. Livingston         | Minot        |
| 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                             | John Davis                   | McClusky     |
| 36.   | McIntosh-Logan                              | Gail H. Hernet               | Ashley       |
| 37.   | Pt. Richland                                | Nick Schmit, Jr.             | Wyndmere     |
| 38.   | Pt. Barnes                                  | Selmer Gilbertson            | Nome         |
| 39.   | Billings-Bowman-<br>Golden Valley-<br>Slope | Gust Wog                     | Belfield     |
| 40.   | Burke-Divide                                | Ralph Dewing                 | Columbus     |
| 41.   | McKenzie                                    | Orville W. Hagen             | Arnegard     |
| 42.   | Pierce                                      | Eugene Tuff                  | Barton       |
| 43.   | Renville                                    | Reinhart Krenz               | Sherwood     |
| 44.   | Mountrail                                   | Axel Olson                   | Parshall     |
| 45.   | Williams                                    | Iver Solberg                 | Ray          |
| 46.   | McLean                                      | E. C. Stucke, Deceased       | Garrison     |
| 47.   | Grant-Sioux                                 | William Kamrath              | Leeds        |
| 48.   | Mercer-Oliver-<br>Dunn                      | John Kusler                  | Beulah       |
| 49.   | Adams-Hettinger                             | Lavern Schoeder              | Reeder       |
| 46.   | McLean                                      | Walter Fiedler, Senate Elect | Ryder        |

# HOUSE MEMBERS

| Dist. | County          | Names               | Addresses     |
|-------|-----------------|---------------------|---------------|
| 1.    | Pembina         | A. J. Christopher   | Pembina       |
|       |                 | F. M. Einarson      | Mountain      |
|       |                 | John Sommer         | Cavalier      |
| 2.    | Pt. Ward        | Walter Dahlund      | Kenmare       |
| 3.    | Pt. Walsh       | Isaac Isakson       | Edinburg      |
|       |                 | George R. Berntson  | Edinburg      |
| 4.    | Pt. Walsh       | Ralph H. Adamsen    | Grafton       |
| 5.    | Pt. Grand Forks | Howard Bye          | Gilby         |
| 6.    | Pt. Grand Forks | George Saumur       | Grand Forks   |
| 7.    | Pt. Grand Forks | Targie Trydahl      | Thompson      |
| 8.    | Traill          | Oscar J. Sorlie     | Buxton        |
|       |                 | Elmer Strand        | Portland      |
|       |                 | Harvey G. Wambheim  | Hatton        |
| 9.    | Pt. Cass        | E. E. Simonson      | Fargo         |
|       |                 | Jacque Stockman     | Fargo         |
|       |                 | Murray A. Baldwin   | Fargo         |
|       |                 | Lee F. Brooks       | Fargo         |
|       |                 | K. A. Fitch         | Fargo         |
| 10.   | Pt. Cass        | A. J. Anderson      | Rte. 2, Fargo |
|       |                 | Carl G. Simenson    | Kindred       |
| 11.   | Pt. Cass        | Ogden E. Rose       | Ayr           |
|       |                 | Arthur E. Laske     | Leonard       |
| 12.   | Pt. Richland    | Vernon Anderson     | Dwight        |
|       |                 | Walter Fleenor      | Wahpeton      |
| 13.   | Sargent         | Iner E. Brekke      | Milnor        |
|       |                 | Chas. O. Dewey      | Forman        |
| 14.   | Ransom          | Lawrence Dick       | Englevale     |
|       |                 | Hjalmar C. Nygaard  | Enderlin      |
| 15.   | Pt. Barnes      | John T. Heimes      | Valley City   |
| 16.   | Griggs-Steele   | Frank E. Kloster    | Sharon        |
|       |                 | Thomas L. Snortland | Sharon        |
|       |                 | Gillman C. Olson    | Cooperstown   |
| 17.   | Nelson          | Guy A. Engen        | McVille       |
|       |                 | Alex Miller         | Michigan      |
| 18.   | Cavalier        | Carl G. Tollefson   | Osnabrock     |
|       |                 | Dan Power           | Langdon       |
|       |                 | Harry G. Renfrow    | Calvin        |
| 19.   | Rolette         | Orin Dunlop         | Rolla         |
|       |                 | Oscar Solberg       | Mylo          |
| 20.   | Benson          | C. H. Hofstrand     | Leeds         |
|       |                 | James O. Fine       | Sheyenne      |
| 21.   | Ramsey          | Nels Overbo         | Hampden       |
|       |                 | Raymond Lee         | Devils Lake   |
|       |                 | Louis Leet          | Webster       |
| 22.   | Towner          | Jack M. Currie      | Cando         |
|       |                 | Harry H. Heller     | Calvin        |
| 23.   | Stutsman        | T. W. Hoffer        | Streeter      |
|       |                 | Clifford Lindberg   | Jamestown     |
|       |                 | Ralph Scott         | Spiritwood    |
|       |                 | Adolph Spitzer      | Kensal        |
| 24.   | LaMoure         | Milo Knudsen        | Edgeley       |
|       |                 | Fred E. Rickford    | LaMoure       |
| 25.   | Dickey          | Ed. N. Davis        | Monango       |
|       |                 | L. C. Mueller       | Oakes         |

|   |                       |              |
|---|-----------------------|--------------|
| 26. Emmons                                      | Adam Gefreh           | Linton       |
|   | E. A. Tough           | Strasburg    |
| 27. Burleigh                                    | Fay Brown             | Bismarck     |
|   | Guy F. Larson         | Bismarck     |
|   | Harry A. Thompson     | Bismarck     |
| 28. Bottineau                                   | Oliver Magnuson       | Souris       |
|   | Jerroll P. Erickson   | Eckman       |
|   | Martin E. Vinje       | Bottineau    |
| 29. Pt. Ward                                    | C. W. Baker           | Minot        |
|   | Bert A. Balerud       | Minot        |
|   | Brynhild Haugland     | Minot        |
|   | Stanley Saugstad      | Minot        |
| 30. Morton                                      | Carl Knudson          | Almont       |
|   | Matt M. Schmidt       | Flasher      |
|   | C. G. (Gus) Fristad   | Mandan       |
| 31. Stark                                       | George Gress          | Dickinson    |
|   | Albert Schmalenberger | Hebron       |
|   | Leo Sticka            | New England  |
| 32. Eddy-Foster                                 | Kenneth L. Anderson   | New Rockford |
|   | A. C. Langseth        | Carrington   |
| 33. Wells                                       | R. H. Hornbacher      | Harvey       |
|   | Gorden Paulson        | Harvey       |
| 34. McHenry                                     | Floyd Ettestad        | Drake        |
|   | George Hammer         | Velva        |
|   | Bencer Kjos           | Drake        |
| 35. Kidder-Sheridan                             | Harry W. George       | Steele       |
|   | Gottlieb Frank        | Kief         |
| 36. McIntosh-Logan                              | Ben J. Wolf           | Zeeland      |
|   | Eldon L. Goebel       | Lehr         |
|   | T. E. Schuler         | Streeter     |
| 37. Pt. Richland                                | H. A. Petterson       | Lidgerwood   |
|   | Willard Strege        | Lidgerwood   |
| 38. Pt Barnes                                   | Arthur C. Sortland    | Litchville   |
| 39. Billings-Bowman-<br>Golden Valley-<br>Slope | Albert Homelvig       | Amidon       |
|   | Leland Roen           | Bowman       |
|   | Roy M. Snow           | Beach        |
| 40. Burke-Divide                                | Ivan Erickson         | Crosby       |
|   | Gunnar Gagnum         | Bowbells     |
|   | R. H. Lynch           | Fortuna      |
| 41. McKenzie                                    | Halvor Rolfsrud       | Watford City |
|   | Arthur A. Link        | Alexander    |
| 42. Pierce                                      | Andrew Benson         | Barton       |
|   | Joe Gumeringer        | Esmond       |
| 43. Renville                                    | Ray J. McLain         | Mohall       |
| 44. Mountrail                                   | J. N. Mollet          | Powers Lake  |
|   | T. O. Rohde           | New Town     |
| 45. Williams                                    | Lloyd Bjella          | Epping       |
|   | Lloyd Esterby         | Appam        |
|   | Clarence Poling       | Grenora      |
| 46. McLean                                      | Denver Roseberg       | Washburn     |
|   | Richard J. Thompson   | Underwood    |
|   | Harold Ziegler        | Emmet        |
| 47. Grant-Sioux                                 | Ralph Beede           | Elgin        |
|   | Joseph Wicks          | Cannon Ball  |
| 48. Mercer-Oliver-<br>Dunn                      | Ernest R. Hafner      | Beulah       |
|   | Walter Kitzmann       | Hannover     |
|   | Fred Mahlmann         | Fayette      |
| 49. Adams-Hettinger                             | I. E. Bratcher        | Mot          |
|   | Elmer Hegge           | New England  |



# SENATE OFFICERS AND EMPLOYEES

| Name                      | Position                    | Address       |
|---------------------------|-----------------------------|---------------|
| Edward Leno.....          | Secretary .....             | Tuttle        |
| V. L. Gilbreath.....      | Asst. Secretary .....       | Bismarck      |
| Mrs. Vera M. Geng.....    | Desk Reporter .....         | Bismarck      |
| Emory Cote.....           | Bill Clerk .....            | Willow City   |
| Ludger Kadlec.....        | Sgt.-at-Arms .....          | Pisek         |
| Joe Davis.....            | Ass't. Sgt.-at-Arms .....   | Belcourt      |
| Mrs. C. E. Murry.....     | Sec'y. to Lt. Gov. ....     | Bismarck      |
| Mrs. P. J. Curtis.....    | Enr. and Eng. and Pay. .... | Bismarck      |
| Mrs. Alice A. Knoll.....  | Enr. and Eng. ....          | Bismarck      |
| Lorraine Wahl.....        | Stenographer .....          | Bismarck      |
| Mrs. Wendelin Scherr..... | Stenographer .....          | Bismarck      |
| Mary Austin.....          | Stenographer .....          | Bismarck      |
| Myrtle Steen.....         | Stenographer .....          | Bismarck      |
| Mrs. John Harmes.....     | Stenographer .....          | Bismarck      |
| Henry Lundene.....        | Proofreader .....           | Adams         |
| Stan Sharkey.....         | Proofreader .....           | Bismarck      |
| Claudia M. McCulloch..... | Postmistress .....          | Bismarck      |
| Elmer M. Sundlie.....     | Chart Room .....            | Forman        |
| T. A. Crawford.....       | Chart Room .....            | Minot         |
| R. M. Lundberg.....       | Chart Room .....            | Washburn      |
| Elsie Bill.....           | Calendar Clerk .....        | Hamilton      |
| Joe Coghlan.....          | Committee Clerk .....       | Bismarck      |
| R. Paul Krenz.....        | Committee Clerk .....       | Sherwood      |
| C. S. Wiley.....          | Committee Clerk .....       | Velva         |
| Norin Korsmo.....         | Committee Clerk .....       | Northwood     |
| Harvey Knudson, Jr.....   | Committee Clerk .....       | Mayville      |
| J. H. Engh.....           | Committee Clerk .....       | Bismarck      |
| Reuben L. Olson.....      | Committee Clerk .....       | Parshall      |
| Lloyd B. Omdahl.....      | Committee Clerk .....       | Bismarck      |
| Fred A. Shipman.....      | Messenger to Gov. ....      | Watford City  |
| Gerald Vincent.....       | Messenger to House .....    | Hettinger     |
| Edna Mae Leno.....        | Page .....                  | Tuttle        |
| Verline Deloris Just..... | Page .....                  | Mercer        |
| James Klesalek.....       | Page .....                  | Parshall      |
| Darrell Sorenson.....     | Page .....                  | McKenzie      |
| Nels Noben.....           | Doorkeeper .....            | Bismarck      |
| J. B. Fisher.....         | Doorkeeper .....            | Jamestown     |
| Jacob Albrecht.....       | Doorkeeper .....            | Steele        |
| Martin Kilwein.....       | Bill Room Clerk .....       | Dickinson     |
| Mrs. Victoria Stucke..... | Bill Room Clerk .....       | Bismarck      |
| Lloyd Iverson.....        | Bill Room Clerk .....       | Epping        |
| Ray Unzelman.....         | Mailing Clerk .....         | Bismarck      |
| T. B. Etland.....         | Mailing Clerk .....         | Stanley       |
| George Hegland.....       | Mailing Clerk .....         | New Rockford  |
| Melvin Forthun.....       | Mailing Clerk .....         | Bismarck      |
| O. J. Saunders.....       | Mailing Clerk .....         | Leith         |
| Christ Geier.....         | Mailing Clerk .....         | Hazelton      |
| Ed Richter.....           | Committee Rm. Att. ....     | Sykeston      |
| John Lindeman.....        | Committee Rm. Att. ....     | Golden Valley |
| E. Wilson Willoughby..... | Cloak Rm. Att. ....         | Grace City    |
| J. R. Tangen.....         | Supply Room Clerk .....     | Lakota        |
| John N. Feist.....        | Night Watchman .....        | Bismarck      |
| Echo Hamilton.....        | Telephone Attendant .....   | Bismarck      |

## MEMBERS OF THE SENATE, 1955

| Dist.<br>No. | NAME                | ADDRESS     | BUSINESS OR<br>OCCUPATION | MEMBER DURING<br>SESSION OF           |
|--------------|---------------------|-------------|---------------------------|---------------------------------------|
|              | Lt. Gov. C. P. Dahl | Cooperstown | Farmer                    | 1939-41-51; Lt. Gov. 1945-47-49-53-55 |
| 1            | Franklin Page       | Hamilton    | Farmer and Banker         | 1941-43-45-47-49-51-53-55             |
| 2            | Glen Dolan          | Kenmare     | Dry Cleaner               | 1955                                  |
| 3            | Mrs. Harry O'Brien  | Park River  | Newspaper Publisher       | 1953-55                               |
| 4            | Clyde Kieley        | Grafton     | Electrical Contractor     | 1955                                  |
| 5            | Oliver Bilden       | Northwood   | Drug Store Owner          | 1937-39-41-43-45-47-49-51-53-55       |
| 6            | Carrol E. Day       | Grand Forks | Lawyer                    | 1943-45-47-49-51-53-55                |
| 7            | J. B. Bridston      | Grand Forks | Business                  | 1939-41-43-45-47-49-51-53-55          |
| 8            | Harvey B. Knudson   | Mayville    | Lawyer                    | 1951-53-55                            |
| 9            | Arthur C. Johnson   | Fargo       | Contractor                | 1953-55                               |
| 10           | John E. Yunker      | Durbin      | Farmer                    | 1955                                  |
| 11           | Harry W. Wadeson    | Alice       | Farmer                    | 1953-55                               |
| 12           | A. W. Luick         | Fairmount   | Farmer                    | 1951-53-55                            |
| 13           | Gilman A. Kiefstad  | Forman      | Farmer and Banker         | 1953-55                               |
| 14           | Donald C. Holand    | Lisbon      | Lawyer                    | 1955                                  |
| 15           | P. L. Foss          | Valley City | Druggist                  | 1941-53-45-47-49-51-53-55             |
| 16           | L. A. Sayer         | Cooperstown | Banking-Loans-Insurance   | 1953-55                               |
| 17           | Arlie I. Ferry      | Lakota      | Farmer                    | 1953-55                               |
| 18           | O. S. Johnson       | Langdon     | Real Estate-Insurance     | 1955                                  |
| 19           | Philip A. Berube    | Belcourt    | Farmer                    | 1953-55                               |
| 20           | John Leiter         | Esmond      | Farmer                    | 1955                                  |
| 21           | Clyde Duffy         | Devils Lake | Lawyer                    | 1949-51-53-55                         |
| 22           | H. B. Baeverstad    | Cando       | Farm Manager              | 1951-53-55                            |
| 23           | R. E. Meidinger     | Jamestown   | Business                  | 1953-55                               |
| 24           | Emil T. Nelson      | Edgeley     | Farmer                    | 1955                                  |
| 25           | Clarence Welander   | Fullerton   | Farmer                    | 1953-55                               |

## MEMBERS OF THE SENATE, 1955—(Continued)

| Dist.<br>No. | NAME                 | ADDRESS      | BUSINESS OR<br>OCCUPATION | MEMBER DURING<br>SESSION OF                 |
|--------------|----------------------|--------------|---------------------------|---|
| 26           | S. C. Thomas         | Linton       | Creamery Manager          | 1951-53-55                                  |
| 27           | Milton Rue           | Bismarck     | Contractor                | 1941-43-45-47-49-51-53-55                   |
| 28           | Duncan Fraser        | Omemece      | Farmer                    | 1949-51-53-55                               |
| 29           | Ernest C. Livingston | Minot        | Farmer                    | 1953-55                                     |
| 30           | Richard E. Wolf      | New Salem    | Farmer and Contractor     | 1947-49-55                                  |
| 31           | Amos Freed           | Dickinson    | Merchant                  | 1949-51-53-55                               |
| 32           | C. W. Schrock        | New Rockford | Chiropractor              | 1943-45-47-49-51-53-55                      |
| 33           | R. M. Streibel       | Fessenden    | Farmer                    | 1937-39-41-43-45-47-49-51-53-55             |
| 34           | Emil Torno           | Towner       | Retired County Judge      | 1947-49-51-53-55                            |
| 35           | John Davis           | McClusky     | Banker                    | 1953-55                                     |
| 36           | Gail H. Hernet       | Ashley       | Banker                    | 1955  |
| 37           | Nick Schmit, Jr.     | Wyndmere     | Contractor-Mover          | 1953-55                                     |
| 38           | Selmar Gilbertson    | Nome         | Farmer                    | 1955  |
| 39           | Gust Wog             | Belfield     | Farmer                    | 1921-47-53-55                               |
| 40           | Ralph Dewing         | Columbus     | Farmer                    | 1951-53-55                                  |
| 41           | Orville W. Hagen     | Arnegard     | Farmer                    | 1953-55                                     |
| 42           | Eugene Tuff          | Barton       | Farmer                    | 1955  |
| 43           | Reinhard Krenz       | Sherwood     | Farmer                    | 1945-47-49-51-53-55                         |
| 44           | Axel Olson           | Parshall     | Farmer                    | 1937-39-41-43-45-47-49-51-53-55             |
| 45           | Iver Solberg         | Ray          | Farmer                    | 1941-43-49-51-53-55                         |
| 46           | *E. C. Stucke        | Garrison     | Retired Physician         | 1931-33-35-37-39-41-43-45-47-49-51-53-55*   |
| 47           | William Kamrath      | Leith        | Farmer                    | 1929-31-33-35-37-39-41-43-45-47-49-51-53-55 |
| 48           | John Kusler          | Beulah       | Farmer                    | 1951-53-55                                  |
| 49           | Lavern Schoeder      | De-Sart      | Farmer                    | 1949-51-53-55                               |
| 46           | Walter Fiedler       | Ryder        | Farmer                    | 1955, Elected Mid-session                   |

\*Died First Week of Session.

# Journal of the Senate



## Thirty-fourth Legislative Assembly

### FIRST DAY

Bismarck, January 4, 1955

At the hour of twelve o'clock noon on the fourth day of January, 1955, according to the Constitution of the State of North Dakota, the Legislative Assembly of the State of North Dakota, the hold-over members and members elected to the Senate of the Thirty-fourth Legislative Assembly, assembled in the North Dakota State Capitol Building at Bismarck, North Dakota, were called to order by Ed. Leno, Secretary of the Thirty-third Legislative Assembly of the State of North Dakota.

The following communication was received from the Secretary of State:

#### STATE OF NORTH DAKOTA

Department of State

Bismarck, January 4, 1955

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

| Dist. | County          | Names             | Addresses    |
|-------|-----------------|-------------------|--------------|
| 2.    | Pt. Ward        | Glenn R. Dolan    | Kenmare      |
| 4.    | Pt. Walsh       | Clyde Kieley      | Grafton      |
| 6.    | Pt. Grand Forks | Carroll E. Day    | Grand Forks  |
| 8.    | Trail           | Harvey B. Knudson | Mayville     |
| 10.   | Pt. Cass        | John E. Yunker    | Durbin       |
| 12.   | Pt. Richland    | A. W. Luick       | Fairmount    |
| 14.   | Ransom          | Donald C. Holand  | Lisbon       |
| 16.   | Griggs-Steele   | L. A. Sayer       | Cooperstown  |
| 18.   | Cavalier        | O. S. Johnson     | Langdon      |
| 20.   | Benson          | John Leier        | Esmond       |
| 22.   | Towner          | H. B. Baeverstad  | Cando        |
| 24.   | LaMoure         | Emil T. Nelson    | Edgeley      |
| 26.   | Emmons          | Steve Thomas      | Linton       |
| 28.   | Bottineau       | Duncan Fraser     | Omamee       |
| 30.   | Morton          | Richard E. Wolf   | New Salem    |
| 32.   | Eddy-Foster     | C. W. Schrock     | New Rockford |
| 34.   | McHenry         | Emil Torno        | Towner       |
| 36.   | McIntosh-Logan  | Gail H. Hernet    | Ashley       |

| Dist. | County             | Names             | Addresses |
|-------|--------------------|-------------------|-----------|
| 38.   | Pt. Barnes         | Selmer Gilbertson | Nome      |
| 40.   | Burke-Divide       | Ralph Dewing      | Columbus  |
| 42.   | Pierce             | Eugene Tuff       | Barton    |
| 44.   | Mountrail          | Axel Olson        | Parshall  |
| 46.   | McLean             | E. C. Stucke      | Garrison  |
| 48.   | Mercer-Oliver-Dunn | John Kusler       | Beulah    |

In Witness Whereof, I have hereunto set my hand and affixed the Great Seal of the State of North Dakota, this 4th day of January, A. D., 1955.

Respectfully yours,  
 BEN MEIER,  
 Secretary of State

STATE OF NORTH DAKOTA  
 Department of State

Bismarck, January 4, 1955

Secretary of the Senate  
 Thirty-fourth Legislative Assembly  
 Bismarck, North Dakota

Dear Sir:

I hereby certify that the following are hold-over Senators, having been elected at the General Election in 1952 and were duly qualified by the Thirty-third Legislative Assembly:

| Dist. | County                              | Names                | Addresses   |
|-------|-------------------------------------|----------------------|-------------|
| 1.    | Pembina                             | Franklin Page        | Hamilton    |
| 3.    | Pt. Walsh                           | Mrs. Harry O'Brien   | Park River  |
| 5.    | Pt. Grand Forks                     | Oliver E. Bilden     | Northwood   |
| 7.    | Pt. Grand Forks                     | J. B. Bridston       | Grand Forks |
| 9.    | Pt. Cass                            | Arthur C. Johnson    | Fargo       |
| 11.   | Pt. Cass                            | Harry W. Wadeson     | Alice       |
| 13.   | Sargent                             | Gilman A. Klefstad   | Forman      |
| 15.   | Pt. Barnes                          | P. L. Foss           | Valley City |
| 17.   | Nelson                              | Arlie I. Ferry       | Lakota      |
| 19.   | Rolette                             | Philip A. Berube     | Belcourt    |
| 21.   | Ramsey                              | Clyde Duffy          | Devils Lake |
| 23.   | Stutsman                            | R. E. Meidinger      | Jamestown   |
| 25.   | Dickey                              | Clarence Welander    | Fullerton   |
| 27.   | Burleigh                            | Milton Rue           | Bismarck    |
| 29.   | Pt. Ward                            | Ernest C. Livingston | Minot       |
| 31.   | Stark                               | Amos Freed           | Dickinson   |
| 33.   | Wells                               | R. M. Streibel       | Fessenden   |
| 35.   | Kidder-Sheridan                     | John Davis           | McClusky    |
| 37.   | Pt. Richland                        | Nick Schmit, Jr.     | Wyndmere    |
| 39.   | Billings-Bowman-Golden Valley-Slope | Gust Wog             | Belfield    |
| 41.   | McKenzie                            | Orville W. Hagen     | Arnegard    |
| 43.   | Renville                            | Reinhart Krenz       | Sherwood    |
| 45.   | Williams                            | Iver Solberg         | Ray         |
| 47.   | Grant-Stoux                         | William Kamrath      | Leith       |
| 49.   | Adams-Hettinger                     | Lavern Schoeder      | Reeder      |

In Witness Whereof, I have hereunto set my hand and affixed the Great Seal of the State of North Dakota, this 4th day of January, A. D., 1955.

Respectfully yours,  
 BEN MEIER,  
 Secretary of State

Senator Sayer moved that a committee of three be appointed by the Secretary 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 Sayer, Wog and O'Brien.

Senator Dewing moved that the Secretary appoint a committee of three to escort the Chief Justice Burke 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 Dewing, Berube and Davis.

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

Chief Justice Burke then administered the oath of office to newly elected Senators, and requested them to subscribe to the oath of office.

Prayer by the Chaplain, Reverend G. Adolph Johns, 1st Lutheran Church of Bismarck, North Dakota.

The roll was called the following members were present:

#### ROLL CALL

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schoeder |
| Davis      | Klefstad          | Schrock  |
| Day        | Knudson           | Solberg  |
| Dewing     | Krenz             | Streibel |
| Dolan      | Kusler            | Stucke   |
| Duffy      | Leier             | Thomas   |
| Ferry      | Livingston        | Torno    |
| Foss       | Luick             | Tuff     |
| Fraser     | Meidinger         | Wadeson  |
| Freed      | Nelson            | Welander |
| Gilbertson | O'Brien           | Wog      |
| Hagen      | Olson             | Wolf     |
| Hernett    | Page              | Yunker   |
| Holand     |                   |          |

Senator Solberg moved that Edward Leno of Kidder County be elected Secretary of the Senate.

#### ROLL CALL

The question being on the election of Edward Leno as Secretary, the roll was called and there were ayes 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schoeder |
| Davis      | Klefstad          | Schrock  |
| Day        | Knudson           | Solberg  |
| Dewing     | Krenz             | Streibel |
| Dolan      | Kusler            | Stucke   |
| Duffy      | Leier             | Thomas   |

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|            |            |          |
|------------|------------|----------|
| Ferry      | Livingston | Torno    |
| Foss       | Luick      | Tuff     |
| Fraser     | Meidinger  | Wadeson  |
| Freed      | Nelson     | Welander |
| Gilbertson | O'Brien    | Wog      |
| Hagen      | Olson      | Wolf     |
| Hernett    | Page       | Yunker   |
| Holand     |            |          |

Edward Leno 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 Wolf moved that Jessie McCormick of Morton County be elected Desk Reporter.

Senator Duffy made the substitute motion that Dagny Olson of Ramsey County be elected Desk Reporter.

## ROLL CALL

The question being on the election of desk reporter, the roll was called; Dagny Olson received 23, and Jessie McCormick 26 votes; absent and not voting, 0.

McCormick:

|                   |          |          |
|-------------------|----------|----------|
| Berube            | Kamrath  | Streibel |
| Bilden            | Kusler   | Stucke   |
| Day               | O'Brien  | Thomas   |
| Dewing            | Olson    | Tuff     |
| Ferry             | Page     | Welander |
| Fraser            | Schmit   | Wog      |
| Gilbertson        | Schoeder | Wolf     |
| Hagen             | Schrock  | Yunker   |
| Johnson, Cavalier | Solberg  |          |

Olson:

|            |               |           |
|------------|---------------|-----------|
| Baeverstad | Holand        | Luick     |
| Bridston   | Johnson, Cass | Meidinger |
| Davis      | Kieley        | Nelson    |
| Dolan      | Klefstad      | Rue       |
| Duffy      | Knudson       | Sayer     |
| Foss       | Krenz         | Torno     |
| Freed      | Leier         | Wadeson   |
| Hernett    | Livingston    |           |

Jessie McCormick was declared elected as Desk Reporter of the Senate, the President then administered the oath of office to the Desk Reporter elect.

Senator O'Brien moved that Ludger Kadlec of Walsh County be elected Sergeant-at-Arms of the Senate.

## ROLL CALL

The question being on the election of Ludger Kadlec as Sergeant of Arms, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schoeder |
| Davis      | Klefstad          | Schrock  |
| Day        | Knudson           | Solberg  |
| Dewing     | Krenz             | Streibel |
| Dolan      | Kusler            | Stucke   |

|            |            |         |
|------------|------------|---------|
| Duffy      | Leier      | Thomas  |
| Ferry      | Livingston | Torno   |
| Foss       | Luick      | Tuff    |
| Fraser     | Meidinger  | Wadeson |
| Freed      | Nelson     | Welande |
| Gilbertson | O'Brien    | Wog     |
| Hagen      | Olson      | Wolf    |
| Hernett    | Page       | Yunker  |
| Holand     |            |         |

Ludger Kadlec was declared elected as Sergeant-at-Arms of the Senate.

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

Senator Olson moved that the president of the Senate 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 Olson, Hagen and Knudson.

Senator Leier 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 Leier, Livingston and Schmit.

Senator Streibel requested that the Senate be at ease for a few minutes until the above committees returned to the Senate, which request was granted.

Senator Streibel moved that the Rules of the 33rd Legislative Assembly be adopted for the Temporary Rules of the Senate, with the exception of Rule 39, which motion prevailed.

Senator Page moved that the Committee on Committees be seven in number and consist of Senators Day, Streibel, O'Brien, Dewing and three members to be selected by the ROC faction.

Senator Duffy made the substitute motion that the Committee on Committees be selected in the manner prescribed by Rule 39 of the 1953 Senate Rules, to-wit: The Senate shall elect the Committee of Committees to consist of seven members of which the President of same will be Chairman.

#### ROLL CALL

The question being on the substitute motion of Senator Duffy to select the Committee on Committees in manner prescribed by Rule 39 of the 1953 Senate Rules, the roll was called and three were: Ayes, 22; nays, 27; absent and not voting, 0.

Those voting in the affirmative were:

|            |               |           |
|------------|---------------|-----------|
| Baeverstad | Holand        | Luick     |
| Bridston   | Johnson, Cass | Meidanger |
| Davis      | Kieley        | Nelson    |
| Dolan      | Klefstad      | Rue       |
| Duffy      | Knudson       | Sayer     |
| Foss       | Krenz         | Torno     |
| Freed      | Livingston    | Wadeson   |
| Hernett    |               |           |



Those voting in the negative were:

|                   |          |          |
|-------------------|----------|----------|
| Berube            | Kamrath  | Solberg  |
| Bilden            | Kusler   | Streibel |
| Day               | Leier    | Stucke   |
| Dewing            | O'Brien  | Thomas   |
| Ferry             | Olson    | Tuff     |
| Fraser            | Page     | Welander |
| Gilbertson        | Schmit   | Wog      |
| Hagen             | Schoeder | Wolf     |
| Johnson, Cavalier | Schrock  | Yunker   |

So the motion of Senator Duffy was declared lost.

The President announced that the question was now on the motion of Senator Page that the Committee on Committees be seven in number and consist of Senators Day, Streibel, O'Brien, Dewing and three members to be selected by the minority faction, which motion prevailed.

#### MESSAGE TO THE SENATE

Bismarck, January 4, 1955

Mr. President: I have the honor to transmit:

House Concurrent Resolution "A".

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

KENNETH L. MORGAN, Chief Clerk.

Senator Fraser moved that the President of the Senate appoint a committee of three to make arrangements for the Senate Committee rooms, which motion prevailed and the President appointed Senators Fraser, Foss and Yunker.

Senator Solberg moved that the President appoint a temporary committee of five to serve as a committee on employment during the session, which motion prevailed and the President appointed Senators Solberg, Hagen, Thomas, Foss and Meidinger.

Senator Dewing moved that the President appoint a temporary committee of three to act on Revision and Correction of the Journal, which motion prevailed and the President appointed Senators Schoeder, Klefstad and Freed on this committee.

Senator Duffy made a motion that at this time they take up for consideration the concurrent Resolution sent over by the House of Representatives.

The President announced that the Senate would be on the twelfth order of business, and the Secretary of the Senate read the Resolution.

Senator Knudson made the motion that the House Concurrent Resolution "A" be adopted, which motion prevailed.

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

The Senate reconvened pursuant to recess taken.

Senator Duffy moved that the presiding officer appoint a committee of three to meet and work with a like committee from the House to arrange the orientation program that was covered by the Joint Resolution and that the presiding officer be Chairman of that Committee, which motion pre-

vailed, and the President appointed Senators Duffy and Streibel.

Senator Page made a motion that the committee appointed to arrange for committee rooms be authorized to contract with the Patterson Hotel for Room 200 for the Appropriations Committee.

#### ROLL CALL

The question being on the motion of Senator Page for a room for the appropriations committee at the Patterson Hotel, the roll was called and there were: Ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schoeder |
| Davis      | Klefstad          | Schrock  |
| Day        | Knudson           | Solberg  |
| Dewing     | Krenz             | Streibel |
| Dolan      | Kusler            | Thomas   |
| Duffy      | Leier             | Tornio   |
| Ferry      | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     | Page              |          |

Absent and not voting:

|      |        |
|------|--------|
| Foss | Stucke |
|------|--------|

So the motion of Senator Page prevailed.

Senator Streibel moved that the Senate recess until 1:00 P.M., January 5, 1955, which motion prevailed and the Senate stood recessed.

EDWARD LENO, Secretary of the Senate.

FIRST DAY AFTER RECESS  
AND SECOND DAY

Bismarck, January 5, 1955

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

Senator Solberg moved that the following be employed by the Senate, to-wit:

|                           |                               |
|---------------------------|-------------------------------|
| Mrs. P. J. Curtis.....    | Enrolling and Engrossing      |
| Mrs. Anton A. Knoll.....  | Enrolling and Engrossing      |
| Mrs. C. E. Murry.....     | Secretary to the Lt. Governor |
| Joe Davis.....            | Assistant Sergeant-at-Arms    |
| Emery Cote.....           | Calendar Clerk                |
| Harrison Miller.....      | Bill Clerk                    |
| Claudia M. McCulloch..... | Postmistress                  |
| Lorraine Wahl.....        | Stenographer                  |

ROLL CALL

The question being on the motion of Senator Solberg, the roll was called and there were: Ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |

Absent and not voting:

Stucke

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 moved that the President appoint a Committee of three to serve on the Committee on Stationery, Supplies and Printing, which motion prevailed. The President appointed Senators O'Brien, Klefstad, and Tuff.

Senator Day moved that the President appoint a Committee of two to serve as a Committee on Arrangements for Chaplains which motion prevailed. The President appointed Senators Solberg and Baeverstad.

Senator Day moved that the President appoint a Committee of three to act as a Committee to arrange for telephone service for the Senate, which motion prevailed. The President appointed Senators Kusler, Wadeson, and Welander.

Senator Day moved that there be a Committee on Temporary Rules to consist of Senators Streibel, Page, Day, Duffy, Olson, Krenz, Davis, Leier, and Yunker, which motion prevailed.

Senator Page:

In the remarks of the Senator from Ramsey yesterday, he tried to tell the Senate what my motives were, when I made a motion to elect a committee on committees that did not include the Lt. Gov. as Chairman.

I did not reply at the time, as I never pay much attention to anything he has to say since he saw fit a few years ago to write a long opinion defending the legality of Otto Krueger's actions giving away over a million dollars of insurance funds and wrecking the Hail Insurance Department.

But I did read in the morning paper that he said the motion was made as a personal affront to the Lt. Gov., or something like that.

He was about as close to the real reason then as usual.

I have always been opposed to the Lt. Gov., any Lt. Gov., serving on any Senate Committee.

Our Republican form of Government is based on the complete separation of the Executive, Legislative and Judicial branches.

Every Republic in history that has not kept them separate has run into trouble.

The Lt. Gov. is not a member of the Senate in North Dakota and our Supreme Court has so ruled. He is a part of the Executive Dept. and his sole duty is to be an impartial presider over the sessions of the Senate.

There is no more reason why he should be Chairman of the Committee on Committees than there is that the Chief Justice of the Supreme Court should be Chairman of the Judiciary Committee, or the Governor Chairman of the State and Federal Government Committee or the Tax Commissioner Chairman of the Tax Committee.

I want the Legislature of North Dakota to be the Legislature and not just a tool of the Executive Department.

If Senator Streibel, or Day or O'Brien or Duffy were Lt. Governor I would make the same motion if I thought there were 24 Senators that would vote with me.

I will never waste the time of the Senate making motions just for the record, if I know the motion will be defeated before it is made.

I want North Dakota to keep a Republican form of government. I want it to be an honest, efficient, economical government, dictated over by no one.

When you allow one step to be taken, no matter how small, that tends to break down the complete separation of the Executive, Legislative and Judicial branches of the government, you are asking for trouble.

If some of our "would-be" politicians would spend a little time reading Plato's Republic once in a while, instead of spending all their time trying to build up candidates for Governor and Senator and what have you, we might have a little better management of State finances and affairs than we have now or have had in the past.

Senator Page requested that his remarks be printed in the Journal.

Senator Streibel moved that the Senate be now adjourned, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

## SECOND DAY

Bismarck, January 5, 1955

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

Prayer by Chaplain Rev. Roy Wiegand, First Baptist Church, Bismarck.

Roll Call: All Senators present except Senator Stucke.

### ROLL CALL

#### Present:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |

#### Absent:

Stucke

A quorum was declared present by the President.

The Committee on Revision and Correction of 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 approved.

LAVERN SCHOEDER, Chairman.

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

A Committee from the House was received, which Committee announced that the House was now ready to receive the Senate in joint session.

WEDNESDAY, JANUARY 5, 1955

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Senator Streibel moved that the Senate do now recess until 1 p. m., January 6, 1955, which motion prevailed, and the Senate stood recessed until 1:00 p.m., January 6, 1955.

EDWARD LENO, Secretary.

SECOND DAY AFTER RECESS  
AND THIRD DAY

Bismarck, January 6, 1955

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

Senator Dewing moved that the President appoint a Committee of three to serve on the Committee on Mileage and Per Diem, which motion prevailed. The President appointed Senators Kusler, Livingston and Johnson of Cavalier.

Senator Streibel moved that the Journal show that Jessie McCormick has resigned as Desk Reporter, and that the Senate accept her resignation. Motion prevailed.

Senator Streibel moved that Mrs. Vera M. Geng be employed as Desk Reporter. There were no further nominations.

ROLL CALL

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

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cavalier | Rue      |
| Berube     | Kamrath           | Sayer    |
| Bilden     | Kieley            | Schmit   |
| Davis      | Klefstad          | Schoeder |
| Day        | Knudson           | Schrock  |
| Dewing     | Krenz             | Solberg  |
| Dolan      | Kusler            | Streibel |
| Duffy      | Leier             | Thomas   |
| Ferry      | Livingston        | Torno    |
| Floss      | Luick             | Tuff     |
| Fraser     | Meidinger         | Wadeson  |
| Freed      | Nelson            | Welander |
| Hagen      | O'Brien           | Wog      |
| Hernett    | Olson             | Wolf     |
| Holand     | Page              | Yunker   |

Absent and not voting:

|          |            |               |
|----------|------------|---------------|
| Bridston | Gilbertson | Johnson, Cass |
| Stucke   |            |               |

So the motion of Senator Streibel prevailed and Mrs. Vera M. Geng was declared elected as Desk Reporter and was sworn in by the Lieutenant Governor.

Senator Solberg moved that the following be employed by the Senate, to-wit:

|                           |                             |
|---------------------------|-----------------------------|
| Edna Leno.....            | Page                        |
| Verline Just.....         | Page                        |
| Mrs. Wendelin Scherr..... | Stenographer                |
| Ray Unzelman.....         | Mailing Clerk               |
| T. B. Etland.....         | Mailing Clerk               |
| George Hegland.....       | Mailing Clerk               |
| Joe Coghlan.....          | Committee Clerk             |
| R. Paul Krenz.....        | Committee Clerk             |
| Elmer M. Sundlie.....     | Chart Room, Chief Clerk     |
| T. A. Crawford.....       | Chart Room, Assistant Clerk |
| R. M. Lundberg.....       | Chart Room, Assistant Clerk |
| Fred A. Shipman.....      | Messenger to the Governor   |

ROLL CALL

The question being on the motion of Senator Solberg, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cavalier | Rue      |
| Berube     | Kamrath           | Sayer    |
| Bilden     | Kieley            | Schmit   |
| Davis      | Klefstad          | Schoeder |
| Day        | Knudson           | Schrock  |
| Dewing     | Krenz             | Solberg  |
| Dolan      | Kusler            | Streibel |
| Duffy      | Leier             | Thomas   |
| Ferry      | Livingston        | Torno    |
| Foss       | Luick             | Tuff     |
| Fraser     | Meidinger         | Wadeson  |
| Freed      | Nelson            | Welander |
| Hagen      | O'Brien           | Wog      |
| Hernett    | Olson             | Wolf     |
| Holand     | Page              | Yunker   |

Absent and not voting:

|            |               |        |
|------------|---------------|--------|
| Bridston   | Johnson, Cass | Stucke |
| Gilbertson |               |        |

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 Streibel nominated Senator Bilden, 6th District, as President Pro Tem. Nomination was seconded by Senator Rue. Senator Duffy moved the nominations cease, which motion prevailed.

ROLL CALL

The question being on the motion of Senator Streibel, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 4; pass, 1.

Those voting in the affirmative were:

|            |            |          |
|------------|------------|----------|
| Baeverstad | Kamrath    | Sayer    |
| Berube     | Kieley     | Schmit   |
| Davis      | Klefstad   | Schoeder |
| Day        | Knudson    | Schrock  |
| Dewing     | Krenz      | Solberg  |
| Dolan      | Kusler     | Streibel |
| Duffy      | Leier      | Thomas   |
| Ferry      | Livingston | Torno    |



|                   |           |          |
|-------------------|-----------|----------|
| Foss              | Luick     | Tuff     |
| Fraser            | Meidinger | Wadeson  |
| Freed             | Nelson    | Welander |
| Hagen             | O'Brien   | Wog      |
| Hernett           | Olson     | Wolf     |
| Holand            | Page      | Yunker   |
| Johnson, Cavalier | Rue       |          |

Pass:

Bilden

Absent and not voting:

Bridston

Gilbertson

Johnson, Cass

Stucke

So the motion of Senator Streibel prevailed and Senator Bilden was declared elected as President Pro Tem.

Senator Duffy moved that Senator Bilden address the Senate and that his remarks be printed in the journal. Motion prevailed.

Senator Bilden: Gentlemen, You know I am not much in speaking. That has not been one of my faults, I hope, but I wish to thank you Senators for your votes, and hope you will bear with all my shortcomings when I am presiding. Thank you.

Senator Dewing moved that the absent senators be excused, which motion prevailed.

Senator Page moved that the President appoint a Committee of two to arrange for a date for the Senate to tour the Refinery in Mandan. Motion prevailed. The President appointed Senators Page and Wolf.

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

### THIRD DAY

Bismarck, January 6, 1955

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

Prayer by Chaplain Rev. Roy Wiegand, First Baptist Church, Bismarck.

The roll was called and all members were present except: Senators Bridston, Hernett, Johnson of Cass 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 after recess and the Second day and recommends that the same be corrected as follows:

Page 10, Line 24, correct the spelling of the word "opinion" from "o inion".

And when so corrected recommends that the same be approved.

LAVERN SCHOEDER, Chairman.

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

REPORT OF COMMITTEE ON CHAPLAINCY  
SCHEDULE OF CHAPLAINCY

Thirty-fourth Legislative Assembly  
State of North Dakota

January 4, to March 4, 1955

The following schedule of dates for the Chaplaincy of the Thirty-fourth Legislative Assembly, State of North Dakota, is submitted by a Committee of the Bismarck Ministerial Association:

| SENATE                                    | DATE                |
|---|---------------------|
| Roy Wiegand, (Bis. 2842).....             | Jan. 4, 5, 6        |
| 1st Baptist, Bismarck                     |                     |
| G. Adolph Johns, (Bis. 659).....          | Jan. 7, 8, 9        |
| 1st Lutheran, Bismarck                    |                     |
| Magnus Lutness, (Bis. 678).....           | Jan. 10, 11, 12     |
| Trinity Lutheran, Bismarck                |                     |
| Frank Rumer, (Mandan 3350).....           | Jan. 13, 14, 15     |
| Burns Methodist, Mandan                   |                     |
| A. E. Smith, (Bis. 1340).....             | Jan. 16, 17, 18     |
| St. Geo. Episcopal, Bismarck              |                     |
| Isaac Scherpenisse, (Man. 8296).....      | Jan. 19, 20, 21     |
| Presbyterian, Mandan                      |                     |
| Kenneth E. Olson, (Bis. 2688).....        | Jan. 22, 23, 24     |
| Assembly of God, Bismarck                 |                     |
| G. Schnaidt, (Bis. 3272).....             | Jan. 25, 26, 27     |
| American Lutheran, Bismarck               |                     |
| Geo. Sherbondy, (Bis. 3620).....          | Jan. 28, 29, 30     |
| 7th Day Adventist, Bismarck               |                     |
| S. C. Taylor, (Bis. 1296).....            | Jan. 31, Feb. 1, 2  |
| Nazarene, Bismarck                        |                     |
| Wm. F. Garvin, (Bis. 252).....            | Feb. 3, 4, 5        |
| Cathedral, Bismarck                       |                     |
| F. V. Tannehill, (Bis. 556).....          | Feb. 6, 7, 8        |
| McCabe Methodist, Bismarck                |                     |
| Robert Feind, (Bis. 1472).....            | Feb. 9, 10, 11      |
| Evan. U. B., Bismarck                     |                     |
| A. G. Hewitt, (Bis. 3616-W).....          | Feb. 12, 13, 14     |
| Evan. Free, Bismarck                      |                     |
| K. T. Anderson, (Bis. 521).....           | Feb. 15, 16, 17     |
| Salvation Army, Bismarck                  |                     |
| Pastor 1st Presbyterian, (Bis. 2721)..... | Feb. 18, 19, 20     |
| Presbyterian, Bismarck                    |                     |
| Carsten F. Brien, (Man. 2683).....        | Feb. 21, 22, 23     |
| 1st Lutheran, Mandan                      |                     |
| R. A. Feehan, (Bis. 760).....             | Feb. 24, 25, 26     |
| St. Mary's, Bismarck                      |                     |
| John E. Grygo, (Bis. 1056).....           | Feb. 27, 28, Mar. 1 |
| Bis. Baptist, Bismarck                    |                     |
| A. J. Galowitch, (Man. 657).....          | Mar. 2, 3, 4        |
| St. Joseph's, Mandan                      |                     |

The chaplain will report to the Presiding Officer of the House or Senate shortly before two o'clock on the days of his assignment. On his last day he will please call the pastor who will serve the following day.

FRANCIS V. TANNEHILL, Chairman  
G. ADOLPH JOHNS  
ROBERT FEIND, Secretary

Senator Solberg moved that the report of the Committee on Chaplaincy be accepted and the Committee dismissed.

## ROLL CALL

The roll was called on the motion of Senator Solberg and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

|            |            |          |
|------------|------------|----------|
| Baeverstad | Kamrath    | Sayer    |
| Berube     | Kieley     | Schmit   |
| Bilden     | Klefstad   | Schoeder |
| Davis      | Knudson    | Schrock  |
| Day        | Krenz      | Solberg  |
| Dewing     | Kusler     | Streibel |
| Dolan      | Leier      | Thomas   |
| Duffy      | Livingston | Torno    |
| Ferry      | Luick      | Tuff     |
| Foss       | Meidinger  | Wadeson  |
| Fraser     | Nelson     | Welander |
| Freed      | O'Brien    | Wog      |
| Gilbertson | Olson      | Wolf     |
| Hagen      | Page       | Yunker   |
| Holand     | Rue        |          |

Absent and not voting:

|                   |         |               |
|-------------------|---------|---------------|
| Bridston          | Hernett | Johnson, Cass |
| Johnson, Cavalier | Stucke  |               |

So the motion of Senator Solberg prevailed and the report of the Committee on Chaplaincy was accepted.

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, January 6, 1955

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "A".

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

Senator Knudson moved that Senator Day compute his mileage as is customary when traveling by train, and not as the crow flies. Motion prevailed.

Senator Streibel moved that the Senate do now recess until 1:00 p.m., January 7, 1955, which motion prevailed, and the Senate stood recessed until 1:00 p.m., January 7, 1955.

EDWARD LENO, Secretary.

THIRD DAY AFTER RECESS  
AND FOURTH DAY

Bismarck, January 7, 1955

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

Senator Hagen:

I find it necessary to refresh the memory of my colleague from Ramsey and remind him of how true it is that "history repeats itself".

The Senator stated that we were setting a bad precedent when we voted to elect a Committee on Committees that did not include the Lieutenant-Governor. I wish to remind him of the 1927 session when Walter Maddock was Lt. Governor. The precedent he speaks of was set at that time, and strange and unjust or unconstitutional as it may appear to him, I find among those voting on the prevailing side, the name of Senator Brunsdale, who is today our Honorable Governor. We are merely repeating the action he took 28 years ago.

The vote was on the adoption of the list of committee appointments. The list submitted by the Lt.-Governor was voted out 26-23, and a new set of committees was presented and adopted 27-22.

The Lt.-Governor has never been anything more than a figure-head.

Senator Solberg moved that the remarks of Senator Hagen be printed in the journal. Senator Duffy seconded the motion, and so the motion prevailed.

Senator Solberg requested that a roll call be taken to determine if a quorum was present.

The roll was called and all members were present except Senators: Baeverstad, Bridston, Dolan, Foss, Gilbertson, Hernet, Holand, Johnson of Cass, Johnson of Cavalier, Kieley, Klefstad, Knudson, Krenz, Kusler, Livingston, Luick, Nelson, O'Brien, Sayer, Schmit, Stucke, Torno and Wadeson.

A quorum was declared present by the President Pro Tem.

Senator Solberg moved that the following be employed by the Senate, to-wit:

|                     |                 |
|---------------------|-----------------|
| C. S. Wiley.....    | Committee Clerk |
| Melvin Forthun..... | Mailing Clerk   |
| J. B. Fisher.....   | Doorman         |
| Jacob Albrecht..... | Doorman         |

|                           |                          |
|---------------------------|--------------------------|
| Christ Geier.....         | Mailing Clerk            |
| O. J. Saunders.....       | Mailing Clerk            |
| Norin Korsmo.....         | Committee Clerk          |
| Harold C. Kiesz.....      | Committee Clerk          |
| Henry Lundene.....        | Proofreader              |
| Stan Sharkey.....         | Proofreader              |
| Martin Kilwein.....       | Bill Room Clerk          |
| Victoria Stucke.....      | Bill Room Clerk          |
| Gerald Vincent.....       | Messenger to the House   |
| E. Wilson Willoughby..... | Cloak Room Attendant     |
| Ed Richter.....           | Committee Room Attendant |

## ROLL CALL

The question being on the motion of Senator Solberg, the roll was called and there were ayes, 26; nays, 0; absent and not voting, 23.

Those voting in the affirmative were:

|        |           |          |
|--------|-----------|----------|
| Berube | Hagen     | Solberg  |
| Bilden | Kamrath   | Streibel |
| Davis  | Leier     | Thomas   |
| Day    | Meidinger | Tuff     |
| Dewing | Olson     | Welander |
| Duffy  | Page      | Wog      |
| Ferry  | Rue       | Wolf     |
| Fraser | Schoeder  | Yunker   |
| Freed  | Schrock   |          |

Absent and not voting:

|               |                   |         |
|---------------|-------------------|---------|
| Baeverstad    | Johnson, Cavalier | Nelson  |
| Bridston      | Kieley            | O'Brien |
| Dolan         | Klefstad          | Sayer   |
| Foss          | Knudson           | Schmit  |
| Gilbertson    | Krenz             | Stucke  |
| Hernett       | Kusler            | Torno   |
| Holand        | Livingston        | Wadeson |
| Johnson, Cass | Luick             |         |

So the motion of Senator Solberg carried and the above named employees were declared elected.

Senator Solberg moved that those employees present be administered the oath of office today, and those not present be sworn in on Monday, January 10, 1955. Motion prevailed.

The President Pro Tem then administered the oath of office to the employees who were present.

Senator Page moved that the absent members of the Senate be excused. Motion prevailed.

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

## FOURTH DAY

Bismarck, January 7, 1955

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

Prayer by Chaplain Rev. G. Adolph Johns, First Lutheran Church, Bismarck, N. Dak.

The roll was called and all members were present except: Senators Baeverstad, Bridston, Dolan, Foss, Gilbertson, Her-

nett, Holand, Johnson of Cass, Johnson of Cavalier, Kieley, Kiefstad, Krenz, Kusler, Livingston, Luick, Nelson, O'Brien, Olson, Sayer, Schmit, Stucke, Torno and Wadeson.

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

Mr. President Pro Tem: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Second Day after Recess and Third Day and finds the same correct.

LAVERN SCHOEDER, Chairman.

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

Senator Welander moved to excuse the absent Senators, which motion prevailed.

Senator Streibel moved that the Senate adjourn to reconvene on Monday, January 10, 1955, at 1:30 p.m., which motion prevailed.

EDWARD LENO, Secretary.

## SIXTH DAY

Bismarck, January 10, 1955

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

Prayer by Chaplain Rev. G. Adolph Johns, First Lutheran Church, Bismarck, N. D.

The roll was called and all members were present except: Senators Bilden, Bridston, Klefstad and Stucke.

## MESSAGE TO THE SENATE

Bismarck, January 10, 1955

Mr. President: I have the honor to transmit:

House Concurrent Resolution "B".

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

KENNETH L. MORGAN, Chief Clerk.

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

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

And recommends that the same be approved.

LAVERN SCHOEDER, Chairman.

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

Senator Day moved that a permanent Committee on Revision and Correction of the Journal be appointed, consisting of Senator Leier, Chairman, and Senators Klefstad and Tuff, which motion prevailed.

Senator Hagen moved that the following be employed by the Senate, to-wit:

V. L. Gilbreath—Assistant Secretary of Senate  
 Harvey Knudson, Jr.—Committee Clerk  
 Darrell Sorenson—Page  
 James Klesalek—Page  
 John Lindeman—Committee room Attendant  
 J. R. Tangen—Supply Room Clerk  
 John N. Feist—Night Watchman

## ROLL CALL

The question being on the motion of Senator Hagen, the

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

Those voting in the affirmative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Johnson, Cass     | Rue       |
| Berube     | Johnson, Cavalier | Sayer     |
| Davis      | Kamrath           | Schmit    |
| Day        | Kieley            | Schoeder  |
| Dewing     | Knudson           | Schrock   |
| Dolan      | Krenz             | Solberg   |
| Duffy      | Kusler            | Streibel  |
| Ferry      | Leier             | Thomas    |
| Foss       | Livingston        | Torno     |
| Fraser     | Luick             | Tuff      |
| Freed      | Meidinger         | Wadeson   |
| Gilbertson | Nelson            | Welanders |
| Hagen      | O'Brien           | Wog       |
| Hernett    | Olson             | Wolf      |
| Holand     | Page              | Yunker    |

Absent and not voting:

|          |          |        |
|----------|----------|--------|
| Bilden   | Klefstad | Stucke |
| Bridston |          |        |

Senator Solberg requested that those employees accepted on Friday, January 7, 1955, but not sworn in, be sworn in at this time. Such employees were, therefore, asked to step forward. 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 Duffy moved that the absent members of the Senate be excused. Motion prevailed.

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

EDWARD LENO, Secretary.

## SEVENTH DAY

Bismarck, January 10, 1955

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

Prayer by Chaplain Rev. G. Schnaidt, American Lutheran Church, Bismarck, N. D.

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

Senator Solberg moved that the name of Harold C. Kiesz, Committee Clerk, be deleted from the record. Motion prevailed.

Senator Streibel moved that a Committee of one be appointed to contact the Board of Administration to improve the lighting situation, which motion prevailed.

The President appointed Senator Day as a Committee of one to contact the Board of Administration with reference to the lighting in the Senate chambers.

Senator Streibel moved that the Senate do now recess until 1:30 p.m., January 11, 1955, which motion prevailed, and the Senate stood recessed until 1:30 p.m., January 11, 1955.

EDWARD LENO, Secretary.



SEVENTH DAY AFTER RECESS  
AND EIGHTH DAY

Bismarck, January 11, 1955

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

FIRST READING OF HOUSE BILLS

House Concurrent Resolution "B". A concurrent resolution commending county, state and national organizations of the foundation for infantile paralysis and the march of dimes campaign.

The rules were suspended and the Resolution was adopted upon the motion of Senator Streibel.

MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, January 11, 1955

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "B".

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

An invitation from the State Hospital, Jamestown, North Dakota, was read, inviting the members of the Senate to visit the State Hospital during the legislative assembly.

Senator Streibel moved that the invitation be printed in the Journal, which motion prevailed.

STATE HOSPITAL  
Jamestown, North Dakota

R. O. SAXVIK, M. D.  
Superintendent

January 10, 1955

Hon. C. P. Dahl  
Lieutenant Governor  
State Capitol  
Bismarck, North Dakota

Dear Mr. Dahl:

Would you be so kind as to extend my invitation to all members of the Senate to visit the State Hospital during this legislative assembly. We are much interested in having as many of the Senators as possible making an inspection

of these facilities and to see our many improvements as well as our deficiencies.

Particularly, I wish to acknowledge with my personal appreciation the substantial support given by the last legislative session. This forthright action has done so much to improve patient care and treatment. We can now justly say that we are offering a good psychiatric service which is benefiting a very large number of people.

Sincerely yours,  
Russell O. Saxvik, M. D.  
Superintendent

Senator Berube moved that the absent senators be excused, which motion prevailed.

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

#### EIGHTH DAY

Bismarck, January 11, 1955

The Senate convened at 2:00 p.m., the President presiding. Prayer by Chaplain Rev. G. Schnaidt, American Lutheran Church, Bismarck, No. Dak.

The roll was called and all members were present except: Senators Day and Stucke.

A quorum was declared 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 sixth day and the seventh day and finds the same correct.

JOHN LEIER, Chairman.

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

#### MESSAGE FROM THE HOUSE

House Chamber  
Bismarck, January 11, 1955

Mr. President: I have the honor to transmit:

House Concurrent Resolution "A".

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Concurrent Resolution "A".

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

Senator Streibel moved that the Senate do now recess until 1:00 p.m., January 12, 1955, which motion prevailed, and the Senate stood recessed.

EDWARD LENO, Secretary.

**EIGHTH DAY AFTER RECESS  
AND NINTH DAY**

Bismarck, January 12, 1955

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

**MESSAGE TO THE HOUSE**

Senate Chamber  
Bismarck, January 12, 1955

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "A"

Which the President has signed.

EDWARD LENO, Secretary.

Senator Duffy: With reference to the Journal, on Page 5 appears the selection of the Committee on Committees which included four names in the resolution and three to be selected by the ROC. I wish to announce for the purpose of the Journal that the ROC caucus elected three members, Senators Rue, Foss, and Meidinger, and, therefore, the Journal should show the complete Committee consisting of Senators Day, Streibel, O'Brien, Dewing, Rue, Foss, and Meidinger.

Senator Hagen moved that the following be employed by the Senate, to-wit:

|                    |                     |
|--------------------|---------------------|
| Echo Hamilton..... | Telephone Attendant |
| J. H. Engh.....    | Committee Clerk     |
| Mary Austin.....   | Stenographer        |
| Lloyd Iverson..... | Bill Room Clerk     |

**ROLL CALL**

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

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Davis      | Kielely           | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |

|            |           |           |
|------------|-----------|-----------|
| Fraser     | Luick     | Wadeson   |
| Freed      | Meidinger | Welandner |
| Gilbertson | O'Brien   | Wog       |
| Hagen      | Olson     | Wolf      |
| Hernett    | Page      | Yunker    |
| Holand     |           |           |

Absent and not voting:

|          |        |        |
|----------|--------|--------|
| Bridston | Nelson | Stucke |
|----------|--------|--------|

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 moved that the special Committee on Lights be complimented for its efforts, and dismissed. Motion prevailed.

Senator Streibel moved that the President appoint a Committee of two to meet with the Committee on Lights from the House, to see what can be done to improve the lighting situation in the Senate and House chambers. Motion prevailed.

The President appointed Senators Streibel and Duffy to serve on the Committee on Lights.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Temporary Committee on Rules recommends that Rule 39 of the Temporary Rules of the Senate be the same as Senate Rule 39, of the 33rd Legislative Assembly, except that the first sentence to the first comma thereof shall be amended to read as follows:

"The Senate shall elect a Committee on Committees to consist of seven members of the Senate,"

R. M. STRIEBEL, Chairman.

Senator Striebel moved that the report be adopted.

Senator Duffy made a substitute motion that Senate Rule 39 as printed in the Rule Book of the 1953 Session, be adopted.

#### ROLL CALL

The question being on the motion of Senator Duffy, the roll was called and there were ayes, 22; nays, 26; absent and not voting, 1.

Those voting in the affirmative were:

|            |               |           |
|------------|---------------|-----------|
| Baeverstad | Holand        | Luick     |
| Bridston   | Johnson, Cass | Meidinger |
| Davis      | Kieley        | Nelson    |
| Dolan      | Klefstad      | Rue       |
| Duffy      | Knudson       | Sayer     |
| Foss       | Krenz         | Torno     |
| Freed      | Livingston    | Wadeson   |
| Hernett    |               |           |

Those voting in the negative were:

|                   |          |           |
|-------------------|----------|-----------|
| Berube            | Kamrath  | Solberg   |
| Bilden            | Kusler   | Streibel  |
| Day               | Leier    | Thomas    |
| Dewing            | O'Brien  | Tuff      |
| Ferry             | Olson    | Welandner |
| Fraser            | Page     | Wog       |
| Gilbertson        | Schmit   | Wolf      |
| Hagen             | Schoeder | Yunker    |
| Johnson, Cavalier | Schrock  |           |

Absent and not voting:

Stucke

So the motion was declared lost.

#### ROLL CALL

The question being on the original motion of Senator Streibel, the roll was called and there were ayes, 27; nays, 21; absent and not voting, 1.

Those voting in the affirmative were:

|             |                   |          |
|-------------|-------------------|----------|
| Berube      | Johnson, Cavalier | Schrock  |
| Bilden      | Kamrath           | Solberg  |
| Day         | Kusler            | Streibel |
| Dewing      | Leier             | Thomas   |
| Ferry       | O'Brien           | Tuff     |
| Foss        | Olson             | Welander |
| Fraser      | Page              | Wog      |
| Gillbertson | Schmit            | Wolf     |
| Hagen       | Schoeder          | Yunker   |

Those voting in the negative were:

|            |               |           |
|------------|---------------|-----------|
| Baeverstad | Holand        | Luick     |
| Bridston   | Johnson, Cass | Meidinger |
| Davis      | Kieley        | Nelson    |
| Dolan      | Klefstad      | Rue       |
| Duffy      | Knudson       | Sayer     |
| Freed      | Krenz         | Tornio    |
| Hernett    | Livingston    | Wadeson   |

Absent and not voting:

Stucke

Motion prevailed.

Senator Knudson moved that the remarks of Senator Duffy be printed in the Journal, which motion prevailed.

Senator Duffy:

At the opening of this session I protested the action of the coalition in striking the lieutenant governor from the committee on committees. Now by the adoption of a revised rule you propose to validate and perpetuate the mistake.

Friday, the senator from McKenzie asserted that the 1927 senate had done just what the coalition did and that Governor Brunsdale had then voted for it. The senator, I know, did not intend to mislead this body, but he evidently took the word of someone ill informed instead of looking up the record himself. He was just 1000% wrong.

Instead of leaving Lieutenant Governor Maddock off the committee, the majority named him on the committee along with Senators Murphy, Ployhar, Atkins and Ettestad. The lieutenant governor refused to serve on the committee. He claimed the constitutional right to name the several committees, as is done by the speaker in the House. He submitted his own assignments, which were rejected by the senate, and the senate then approved the report of the committee on committees.

It may be of interest to note that the veteran league senators—Dave Hamilton, Dell Patterson, Ole Ettestad, and Judge Sathre then insisted that the lieutenant governor was entitled not merely to be a member of the committee but that he alone was entitled to pick the committees.

I do not claim your action is illegal. I assert it is unwise. It does not affect your majority or your absolute

control over the selection of the committees. It accomplishes nothing except to deprive the lieutenant governor of a recognition he has always heretofore enjoyed.

When I spoke the other day I assumed that the motion had been made as a slap at the lieutenant governor. The following day, the distinguished senator from Pembina said he paid no attention to what I said. That is his privilege—and his loss. For there are none of us here so dumb and none of us so bright that we cannot learn something from one another if we do pay attention.

He further stated that I had misrepresented his reasons for leaving the lieutenant governor off the committee. If I did in any way misinterpret his views, I am very sorry. I would not intentionally misrepresent the position of any member of this body. But if I was mistaken in his reason, I feel certain that many others sitting in this chamber were likewise mistaken. The fact that it took the senator 24 hours to decide that I was mistaken would indicate there may have been some confusion in his own mind.

Certainly there were extenuating circumstances for any mistake I made, if I made any mistake.

In the first place, various remarks made by the senator have tended to indicate that his esteem for the lieutenant governor and his desire for that gentleman's further political advancement are under severe control.

In the second place, it did not appear possible that he was motivated by some great constitutional principle. One would not expect that a constitutional lawyer would have sat silent in this chamber for 14 years while the constitution was being flaunted. For remember that the practice I advocated and now advocate has been followed in every session that the senator has been here—and not until now has he voiced a word of protest.

In the third place, I had a right to assume that if he were motivated by a great constitutional or political principle, he would have stated it on the floor of this senate. Candor and fair play demanded that. How can this senate intelligently act on important principles if we are denied the right to hear the pros and cons thereon.

Having been denied the other day an opportunity to discuss these principles because of the senator's strange silence, I propose to discuss them today.

The senator says he wanted the lieutenant governor barred from the committee because he is part of the executive branch of government and no part of the legislative branch. A constitutional lawyer should know better than that.

By the constitution of North Dakota the lieutenant governor is made the presiding officer of the senate and he is given the right to vote on procedural questions in case of a tie. It is well established that the lieutenant governor, like the vice president, occupies a dual position. While a part of the executive branch he has no executive duties whatsoever until called upon to fill the governor's office. Until then, his duties are entirely in the legislative branch.

In *State vs Stearns*, 75 N. W. 210, the supreme court of Minnesota said this:

"A senator, therefore, when he becomes lieutenant governor because he happens to be president pro

tem of the senate, is not called to discharge any executive duties. All of his new duties properly belong to the legislative department and there is no reason why his senatorial office should become vacant."

Therefore, it is clear there was nothing unconstitutional, nothing improper in the precedents that have been followed in this state for 65 years.

And Mr. President, may I call your attention to the fact that during those 65 years there have sat in this chamber many of the ablest lawyers of North Dakota. They saw nothing dangerous in the precedent. But the senator from Pembina presumes to teach them all lessons in constitutional law.

But the senator has another crutch for his motion. He bottoms his action upon the political principles of Plato's Republic. Now if you accept those principles, then you can justify a great many things which I cannot accept. But before your Nonpartisan and Democratic members of the coalition vote to endorse the political principles of Plato's disciple, I hope you, unlike my learned friend, will pay some attention to what I am about to say.

The basic philosophy of Plato's Republic is that a state must be run—not by common, ordinary men—but it must be run by the intellectual elite—by an aristocracy of brains—by a caste of superior people; and that this superior strata of society shall be specially trained and educated to rule while the ordinary people are trained either as soldiers or workers. And now lest some one comes forward tomorrow to insist that I am misinterpreting the book, I will read you a few excerpts.

At page 124, you will find this:

"We shall tell our people, in mythical language: You are doubtless all brethren, as many as inhabit the city, but the God who created you mixed gold in the composition of such of you as are qualified to rule, which gives them the highest value; while in the auxiliaries he made silver an ingredient, assigning iron and copper to the cultivators of the soil and other workmen. Therefore, inasmuch as you are all related to one another, although your children will generally resemble their parents, yet sometimes a golden parent will produce a silver child, and a silver parent a golden child, and so on, each producing any. The rulers therefore have received this in charge first and above all from the gods to observe nothing more closely in their character of vigilant guardians, than the children that are born to see which of these metals enters into the composition of their souls; and if a child be born in their class with an alloy of copper or iron, they are to have no manner of pity upon it, but giving it the value that belongs to its nature, they are to thrust it away into the class of artisans or agriculturists; and if again among these a child be born with an admixture of gold or silver, when they have assayed it, they are to raise it either to the class of guardians or to that of auxiliaries; because there is an oracle which declares that the city shall then perish when it is guarded by iron or copper."

How do you like that? How many of us are fitted to be senators? How many of us were born with gold in our veins? Out ye farmers and artisans, for Plato says the

state perishes when guarded by such as you. But all is not lost. We are saved. We have the Gold Dust Twins to rule the senate, while the rest of us lesser mortals serve in menial fields.

Or shall I put in Plato's own words when he says: "In our city we made the auxiliaries, like sheep dogs, subject to the rulers, who are as it were the shepherds of the state."

And again to emphasize this position, Plato says:

"But when one whom nature has made an artisan or a producer of any other kind, is so elated by wealth, or a large connection, or bodily strength, or any similar advantage, as to intrude himself into the class of the warriors; or when a warrior intrudes himself into the class of the senators and guardians, of which he is unworthy, - - I imagine you will agree with me, that such change and meddling among these will be ruinous to the state."

And again he says:

"Then it is the knowledge residing in its smallest class or section, that is to say, in the predominant and ruling body, which entitles a state, organized agreeably to nature, to be called wise as a whole - - ."

And so you see spelled out the Plato theory that the right to rule must be left with the select few—the aristocracy—the elite—the noble class.

And here is another principle which Plato spells out in clear language. Again I quote:

"It is probable that our rulers will be compelled to have recourse to a good deal of falsehood and deceit for the benefit of their subjects."

Do you wish to endorse that principle of political philosophy? And how do you like that term "subjects"? To me it is quite inappropriate.

Are these startling doctrines to some of you? Well there are more startling doctrines in Plato's Republic. Here is one that I know you will not endorse and neither will the senator from Pembina, in spite of what he said the other day. Again I quote:

"For if by a good education they be made reasonable men, they will readily see through all these questions, as well as others which we pass by for the present, such as the relations between the sexes, marriage, and the procreation of children; in all which things they will see that the proverb ought, as far as possible, to be followed, which says that 'among friends everything is common property'."

And don't think for a moment that Plato didn't mean just what he there suggests, that women and children should be held in common. He devotes several pages explaining his plan in detail. He says:

"It follows from what has been already granted, that the best of both sexes ought to be brought together as often as possible, and the worst as seldom as possible, and that the issue of the former unions ought to be reared, and that of the latter abandoned, if the flock is to attain to first rate excellence; and these proceedings ought to be kept secret from all but the magistrates themselves, if the herd of guardians is also to be as free as possible from internal strife."



"We must therefore contrive an ingenious system of lots, I fancy, in order that those inferior persons, of whom I spoke, may impute the manner in which couples are united, to chance, and not to the magistrates."

And so you see the benign Plato had proposed the breeding of a superior people long before Hitler attempted it.

I apologize for speaking at this length. But the issue now is far more important than it was when I thought only an affront to the lieutenant governor was intended. By the announcement of the senator from Pembina the issue is squarely stated. Do you endorse the philosophy of Plato's Republic? I put that issue to you men of iron and copper—to you producers of every kind, who according to that philosophy are not fitted to govern but only to follow and to serve.

I hope you will vote yes on my substitute motion and thus reject a philosophy which I think is wholly alien to America.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Committees recommend that the following standing committees be appointed to serve in the 34th Legislative Assembly.

**AGRICULTURE**—Fraser, Chairman; Kamrath, Vice-Chairman; Baeverstad, Berube, Ferry, Gilbertson, Krenz, Kusler, Livingston, Luick, Nelson, Schoeder, Stucke, Tuff, Wadeson.

**APPROPRIATIONS**—Page, Chairman; Stucke, Vice-Chairman; Day, Dewing, Duffy, Foss, Freed, Hagen, Johnson (Cass), Knudson, Leier, Livingston, Luick, Olson, Streibel, Welander, Wolf.

**EDUCATION**—Schrock, Chairman; Bilden, Vice-Chairman; Berube, Dolan, Ferry, Fraser, Kieley, Klefstad, Kusler, Meidinger, Hernet, O'Brien, Sayer, Thomas, Torno.

**FINANCE AND TAXATION**—Dewing, Chairman; Olson, Vice-Chairman; Baeverstad, Bridston, Davis, Hernet, Johnson (Cavalier), Page, Rue, Schrock, Solberg, Wadeson, Wog, Wolf, Yunker.

**JUDICIARY**—Day, Chairman; Streibel, Vice-Chairman; Bilden, Davis, Duffy, Freed, Holand, Knudson, Meidinger, O'Brien, Schmit, Solberg, Thomas, Wog, Yunker.

**STATE AND FEDERAL GOVERNMENT**—Hagen, Chairman; Schoeder, Vice-Chairman; Bridston, Foss, Gilbertson, Johnson (Cass), Johnson (Cavalier), Kamrath, Klefstad, Leier, Rue, Sayer, Schmit, Tuff, Welander.

**GENERAL AFFAIRS**—Schoeder, Chairman; Welander, Vice-Chairman; Baeverstad, Dewing, Foss, Fraser, Gilbertson, Hagen, Johnson (Cass), Kamrath, Livingston, Sayer, Tuff.

**INDUSTRY AND BUSINESS**—Kusler, Chairman; Berube, Vice-Chairman; Bridston, Freed, Hernet, Johnson (Cavalier), Meidinger, O'Brien, Page, Rue, Schoeder, Wolf, Yunker.

**LABOR RELATIONS**—Schmit, Chairman; Day, Vice-Chairman; Dolan, Duffy, Holand, Kieley, Kusler, Olson, Sayer, Schoeder, Solberg, Thomas, Yunker.

**NATURAL RESOURCES**—Solberg, Chairman; Yunker, Vice-Chairman; Dolan, Fraser, Hagen, Kamrath, Klefstad, Knudson, Krenz, Leier, O'Brien, Welander, Wog.

**POLITICAL SUBDIVISIONS**—Thomas, Chairman; Gilbertson, Vice-Chairman; Berube, Dewing, Dolan, Ferry, Holand, Kieley, Klefstad, Schrock, Tuff, Wadeson, Wolf.

**SOCIAL WELFARE**—O'Brien, Chairman; Wolf, Vice-Chairman; Bilden, Day, Krenz, Kusler, Leier, Meidinger, Nelson, Schrock, Thomas, Torno, Wadeson.

**TRANSPORTATION**—Wog, Chairman; Johnson (Cavalier), Vice-Chairman; Baeverstad, Bilden, Davis, Ferry, Gilbertson, Holand, Leier, Luick, Nelson, Olson, Schmit.

**VETERANS AND MILITARY AFFAIRS**—Welander, Chairman; Ferry, Vice-Chairman; Bilden, Bridston, Davis, Dewing, Johnson (Cavalier), Krenz, Rue, Schmit, Schrock, Stucke, Torno.

**DELAYED BILLS**—Streibel, Chairman; Dewing, Vice-Chairman; Davis, Day, Page.

**EMPLOYMENT**—Solberg, Chairman; Hagen, Vice-Chairman; Foss, Meidinger, Thomas.

**ENROLLED AND ENGROSSED BILLS**—O'Brien, Chairman; Thomas, Vice-Chairman; Baeverstad, Davis, Schoeder.

**MILEAGE AND PER DIEM**—Kusler, Chairman; Johnson (Cavalier), Livingston.

**REVISION AND CORRECTION OF JOURNAL**—Leier, Chairman; Tuff, Vice-Chairman; Klefstad.

**RULES**—Streibel, Chairman; Page, Vice-Chairman; Davis, Day, Duffy, Kamrath, Krenz, Olson, Yunker.

CARROLL E. DAY, Chairman

MILTON RUE

P. L. FOSS

R. E. MEIDINGER

RALPH DEWING

R. M. STREIBEL

ROSAMOND O'BRIEN

Senator Day: I would like to say for the record that the minority members of the Committee on Committees were given a list of the Committee preferences submitted by their own men, and the number of positions available on each committee for their appointment, and that after consideration the minority members of the Committee submitted the assignments for their own faction, and those requests were granted in every case except one, where a mistake was made and they requested the assignment of more of their men to a particular committee than was possible. Therefore, they agreed one had to be stricken so that the minority members of the Senate will find those names in this report were assigned by their own faction. I move, Mr. President, that the Report of the Committee on Committees be printed in the Journal, and action laid over one legislative day, which motion prevailed.

Senator Berube moved that the absent senators be excused, which motion prevailed.

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

## NINTH DAY

Bismarck, January 12, 1955

The Senate convened at 2:00 p.m., the President presiding. Prayer by Chaplain Rev. G. Schnaidt, American Lutheran Church, Bismarck, N. Dak.

The roll was called and all members were present except Senators Ferry and Stucke.

A quorum was declared 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 Seventh Day after Recess and Eighth Day and finds the same correct.

JOHN LEIER, Chairman.

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

## MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 12, 1955

Mr. President: I have the honor to inform you that the House has appointed a Committee of two, consisting of the Chairmen of the Committee on Appropriations and the Committee on Finance and Taxation, to meet with a like committee from the Senate to arrange for one or more joint meetings of the above named committees with like committees of the Senate.

Very respectfully,

KENNETH L. MORGAN, Chief Clerk.

Senator Streibel moved that a Committee of three be appointed to meet with a like Committee from the House, to arrange for a tour of the Garrison Dam, which motion prevailed.

The President appointed Senators Stucke, Hagen and Kusler to serve on such Committee.

Senator Olson moved that a committee of one be appointed to escort former Senator Albert Nelson, Renville, to the rostrum, which motion prevailed.

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

The President appointed Senator Olson as such committee. Senator Nelson was escorted to the rostrum by Senator Olson, and introduced to the Senators.

Senator Nelson: I certainly did not expect to be asked to come up here today, as it has been a long time since I was here in the 1941, 1943 and Special Session of 1944. However, I am pleased very much and it is a great privilege for me to be here and look at you. I am glad to see there are quite a number of older members who were here during my time. They are really a hard-working bunch and that is very fine. I don't think people appreciate fully what they are doing, spending their time, and efforts, and money to do something to make this country a better place to live in. It is not easy, I know that from what little experience I had. I am sorry to know that there are a number of men who were here at that time who have now passed on, but that is the way of

life. We all have to go that way, and I am sure thankful that I have had this opportunity to meet you all and say hello. I hope you have a successful session, and good luck to you all. Thank you.

Senator Fraser moved that the report of the Committee on Committee Rooms be printed in the Journal, which motion prevailed.

REPORT OF COMMITTEE ON COMMITTEE ROOMS

|  |               |
|--|---------------|
| Agriculture .....  | 207           |
| Appropriations — Patterson Hotel .....                             | 200           |
| Education .....  | 204           |
| Finance and Taxation .....   | G1            |
| Judiciary .....  | G1            |
| State and Federal Government<br>(Wenesday and Thursday a.m.) ..... | G2            |
| General Affairs .....  | 204           |
| Industry and Business .....  | 205           |
| Labor Relations .....  | 205           |
| Natural Resources .....  | 203           |
| Political Subdivisions .....                                       | 205           |
| Social Welfare .....   | 207           |
| Transportation .....   | 203           |
| Veteran and Military Affairs .....                                 | 205           |
| Delayed Bills .....  | 205           |
| Enrolling and Engrossing .....                                     | 102           |
| Revision and Correction of Journal .....                           | 102           |
| Legislative Research Committee .....                               | Senate Lounge |

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

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

## TENTH DAY

Bismarck, January 13, 1955

The Senate convened at 2:00 p.m., the President presiding.  
Prayer by Chaplain Rev. Isaac Scherpenisse, Presbyterian Church, Mandan, N. Dak.

The roll was called and all members were present except Senators Holand and Stucke.

A quorum was declared 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 Eighth Day after Recess and Ninth Day and finds the same correct.

JOHN LEIER, Chairman.

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

Senator Kusler moved that the reading of the report of the Committee on Mileage and Per Diem be dispensed with, and that the report be printed in the Journal and action laid over one legislative day. Motion prevailed.

## REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Mileage and Per Diem presents the following report:

| DIST. | NAME AND ADDRESS                     | TOTAL<br>MILEAGE<br>ALLOWED |
|-------|--------------------------------------|-----------------------------|
| 1.    | Franklin Page, Hamilton .....        | 700                         |
| 2.    | Glen R. Dolan, Kenmare .....         | 486                         |
| 3.    | Mrs. Harry O'Brien, Park River ..... | 672                         |
| 4.    | Clyde Kieley, Grafton .....          | 648                         |
| 5.    | Oliver E. Bilden, Northwood .....    | 540                         |
| 6.    | Carroll E. Day, Grand Forks .....    | 544                         |
| 7.    | J. B. Bridston, Grand Forks .....    | 544                         |
| 8.    | Harvey B. Knudson, Mayville .....    | 500                         |
| 9.    | A. C. Johnson, Fargo .....           | 400                         |
| 10.   | John Yunker, Durbin .....            | 375                         |
| 11.   | Harry Wadson, Alice .....            | 400                         |
| 12.   | A. W. Luick, Fairmont .....          | 550                         |
| 13.   | Gilman A. Klefstad, Forman .....     | 450                         |
| 14.   | Donald C. Holand, Lisbon .....       | 398                         |
| 15.   | P. L. Foss, Valley City .....        | 280                         |

| DIST. | NAME AND ADDRESS                   | TOTAL MILEAGE ALLOWED |
|-------|------------------------------------|-----------------------|
| 16.   | L. A. Sayer, Cooperstown .....     | 346                   |
| 17.   | Arlie I. Ferry, Lakota .....       | 628                   |
| 18.   | O. S. Johnson, Langdon .....       | 752                   |
| 19.   | Philip A. Berube, Belcourt .....   | 510                   |
| 20.   | John Leier, Esmond .....           | 430                   |
| 21.   | Clyde Duffy, Devils Lake .....     | 484                   |
| 22.   | H. B. Baeverstad, Cando .....      | 460                   |
| 23.   | R. E. Meidinger, Jamestown .....   | 204                   |
| 24.   | Emil F. Nelson, Edgeley .....      | 300                   |
| 25.   | Clarence Welander, Fullerton ..... | 394                   |
| 26.   | Steve Thomas, Linton .....         | 132                   |
| 27.   | Milton Rue, Bismarck .....         | 2                     |
| 28.   | Duncan Fraser, Willow City .....   | 560                   |
| 29.   | Ernest C. Livingston, Minot .....  | 394                   |
| 30.   | Richard E. Wolf, New Salem .....   | 70                    |
| 31.   | Amos Freed, Dickinson .....        | 212                   |
| 32.   | C. W. Schrock, New Rockford .....  | 324                   |
| 33.   | R. M. Streibel, Fessenden .....    | 476                   |
| 34.   | Emil Torno, Towner .....           | 466                   |
| 35.   | John E. Davis, McClusky .....      | 130                   |
| 36.   | G. H. Hernet, Ashley .....         | 240                   |
| 37.   | Nick Schmit, Jr., Wyndmere .....   | 500                   |
| 38.   | Selmer Gilbertson, Nome .....      | 340                   |
| 39.   | Gust Wog, Belfield .....           | 288                   |
| 40.   | Ralph Dewing, Columbus .....       | 220                   |
| 41.   | Orville W. Hagen, Arnegard .....   | 430                   |
| 42.   | Eugene Tuff, Barton .....          | 504                   |
| 43.   | Reinhart Krenz, Sherwood .....     | 558                   |
| 44.   | Axel Olson, Parshall .....         | 300                   |
| 45.   | Iver Solberg, Ray .....            | 480                   |
| 46.   | E. C. Stucke, Garrison .....       | 160                   |
| 47.   | William Kamrath, Leith .....       | 216                   |
| 48.   | John Kusler, Beulah .....          | 144                   |
| 49.   | Lavern Schoeder, Reeder .....      | 346                   |

JOHN KUSLER, Chairman.

Senator Streibel moved that the President appoint a committee of two to meet with a like committee from the House to arrange for a joint meeting of the Committee on Appropriations and the Committee on Finance and Taxation, which motion prevailed.

The President appointed Senators Page and Dewing to act on said Committee.

Senator Day moved that the report of the Committee on Committees, which was presented yesterday, be approved, which motion prevailed.

FIRST READING OF  
SENATE CONCURRENT RESOLUTION

Senators Hagen, Solberg, Schoeder, Berube, Dewing, Fraser, and Knudson introduced:

Senate Concurrent Resolution "D". A Concurrent Resolution requesting the secretary of Agriculture of the United States to suspend acreage controls on durum wheat during 1955.

Was read the first time.

Senator Streibel moved that Senate Concurrent Resolution "D" be adopted, which motion prevailed.

Senator Streibel moved that we reconsider the action taken on adopting Senator Concurrent Resolution "D", which motion prevailed.

Senator Streibel moved that Senate Concurrent Resolution "D" be referred to the Committee on Agriculture, which motion prevailed.

Senator Streibel moved that the President appoint a committee of four to make arrangements for the funeral of Senator Stucke, which motion prevailed.

The President appointed Senators Kamrath, Wog, Bilden and Foss.

Senator Streibel moved that the Senate arise and stand for a moment in respect to the passing of Senator Stucke, which motion prevailed.

Senator Streibel moved that the Senate do now recess until 1:00 p.m., January 14, 1955, which motion prevailed, and the Senate stood recessed.

EDWARD LENO, Secretary.

TENTH DAY AFTER RECESS  
AND ELEVENTH DAY

Bismarck, January 14, 1955

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

Senator Thomas moved that the President appoint a committee of three to arrange for an official photographer for the Senate for the 34th Legislative Assembly, which motion prevailed.

The President appointed Senators Thomas, Hagen, and Hernettt to act on such Committee.

Senator Hagen moved that the following be employed by the Senate, to-wit:

|                   |  |
|-------------------|--|
| Myrtle Steen..... | Secretary to Senate Appropriations Committee |
| Nels Noben.....   | Doorman                                      |
| Reuben Olson..... | Committee Clerk                              |

ROLL CALL

The question being on the motion of Senator Hagen, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cavalier | Sayer    |
| Berube     | Kamrath           | Schmit   |
| Bilden     | Kieley            | Schoeder |
| Davis      | Klefstad          | Schrock  |
| Day        | Leier             | Streibel |
| Dewing     | Livingston        | Thomas   |
| Dolan      | Luick             | Torno    |
| Duffy      | Meidinger         | Tuff     |
| Ferry      | Nelson            | Wadeson  |
| Foss       | O'Brien           | Welander |
| Fraser     | Olson             | Wog      |
| Freed      | Page              | Wolf     |
| Hagen      | Rue               | Yunker   |
| Hernettt   |                   |          |

Absent and not voting:

|            |               |         |
|------------|---------------|---------|
| Bridston   | Johnson, Cass | Kuslar  |
| Gilbertson | Knudson       | Solberg |
| Holand     | Krenz         | Stucke  |

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 Hagen moved that the salary of Myrtle Steen be made retroactive to the eighth day. Motion prevailed.

Senator O'Brien moved that the secretary be authorized to purchase a new Seal for the Senate.

#### ROLL CALL

The question being on the motion of Senator O'Brien, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

|                   |            |          |
|-------------------|------------|----------|
| Baeverstad        | Kamrath    | Schmit   |
| Berube            | Kieley     | Schoeder |
| Bilden            | Klefstad   | Schrock  |
| Davis             | Knudson    | Solberg  |
| Day               | Kusler     | Streibel |
| Dewing            | Leier      | Thomas   |
| Dolan             | Livingston | Torno    |
| Duffy             | Luick      | Tuff     |
| Foss              | Meidinger  | Wadeson  |
| Fraser            | Nelson     | Welander |
| Freed             | O'Brien    | Wog      |
| Hagen             | Olson      | Wolf     |
| Hernett           | Rue        | Yunker   |
| Johnson, Cavalier | Sayer      |          |

Absent and not voting:

|            |               |        |
|------------|---------------|--------|
| Bridston   | Holand        | Page   |
| Ferry      | Krenz         | Stucke |
| Gilbertson | Johnson, Cass |        |

So the motion prevailed.

#### FIRST READING OF SENATE BILLS

The Committee on Appropriations introduced:

Senate Bill No. 1. A Bill for an Act to appropriate money for the expenses of the executive, legislative and judicial departments of the State Government, and for all of the subdivisions thereof, and for public schools, specifying the amount and time for which such appropriations shall be available, and repealing all acts, or parts of acts, insofar as the same shall relate to appropriations conflicting herewith or to appropriations for the same matters or purposes provided for herein, and declaring an emergency.

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

The Committee on Appropriations introduced:

Senate Bill No. 2. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, and equipment, of the School for the Deaf at Devils Lake, North Dakota.

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

The Committee on Appropriations introduced:

Senate Bill No. 3. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, and miscellaneous items of the School for the Blind at Bathgate, North Dakota.

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

The Committee on Appropriations introduced:

Senate Bill No. 4. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous items, and new buildings and special projects for the Grafton State School at Grafton, North Dakota.

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

The Committee on Appropriations introduced:

Senate Bill No. 5. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, and special projects for the Tuberculosis Sanatorium at San Haven, North Dakota.

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

The Committee on Appropriations introduced:

Senate Bill No. 6. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous items and new buildings and special projects for the State Hospital for the Insane at Jamestown, North Dakota.

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

The Committee on Appropriations introduced:

Senate Bill No. 7. A Bill for an Act making an appropriation for the general maintenance, improvement and repairs, equipment, miscellaneous expenses, and new buildings and special projects for the State Training School at Mandan, North Dakota.

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

The Committee on Appropriations introduced:

Senate Bill No. 8. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous expenses, and new building of the State Penitentiary.

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

The Committee on Appropriations introduced:

Senate Bill No. 9. A Bill for an Act making an appropriation for the general maintenance and operation of the North Dakota State Farm, Bismarck, North Dakota.

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

The Committee on Appropriations introduced:

Senate Bill No. 10. A Bill for an Act making an appropriation for the general maintenance and operation of the Tag and Sign Plant and the Coffin Factory at the State Penitentiary.

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

The Committee on Appropriations introduced:

Senate Bill No. 11. 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.

The Committee on Appropriations introduced:

Senate Bill No. 12. 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.

The Committee on Appropriations introduced:

Senate Bill No. 13. A Bill for an Act making an appropriation for the enforcement and administration of the Attorney General Licensing Department.

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

The Committee on Appropriations introduced:

Senate Bill No. 14. A Bill for an Act making an appropriation for Vocational Agriculture, Vocational Home Economics, Occupational Information and Guidance, Business Education, and Trade and Industrial Education.

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

The Committee on Appropriations introduced:

Senate Bill No. 15. 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, the administrative expenses and the teaching preparation scholarships of the teacher preparation scholarship plan, and two agricultural schools on the basis of enrollment.

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

The Committee on Appropriations introduced:

Senate Bill No. 16. 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. 17. A Bill for an Act making an appropriation for the administrative expenses of the State School Construction Fund and State School Construction Board.

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

The Committee on Appropriations introduced:

Senate Bill No. 18. A Bill for an Act making an appropriation for the use of special education of exceptional children.

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

The Committee on Appropriations introduced:

Senate Bill No. 19. A Bill for an Act making an appropriation for operation and maintenance of the Auto Transportation Division.

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

The Committee on Appropriations introduced:

Senate Bill No. 20. A Bill for an Act making an appropriation for salaries and expenses of the Livestock Dealer's Division.

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

The Committee on Appropriations introduced:

Senate Bill No. 21. A Bill for an Act making an appropriation for salaries and expenses for the State Seed Department.

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

The Committee on Appropriations introduced:

Senate Bill No. 22. 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.

The Committee on Appropriations introduced:

Senate Bill No. 23. A Bill for an Act making appropriations for the Divisions of Vocational Rehabilitation and Vocational Education.

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

The Committee on Appropriations introduced:

Senate Bill No. 24. 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.

The Committee on Appropriations introduced:

Senate Bill No. 25. 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.

The Committee on Appropriations introduced:

Senate Bill No. 26. A Bill for an Act making an appropriation for the operation, maintenance and miscellaneous expenses of the Poultry Improvement Board.

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

The Committee on Appropriations introduced:

Senate Bill No. 27. A Bill for an Act making an appropriation for the operation and maintenance of the State Hail Insurance Department.

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

The Committee on Appropriations introduced:

Senate Bill No. 28. A Bill for an Act making an appropriation for the purpose of operating and maintaining the State Fire and Tornado Fund.

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

The Committee on Appropriations introduced:

Senate Bill No. 29. A Bill for an Act making an appropriation for the purpose of operating and maintaining the State Bonding Fund.

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

The Committee on Appropriations introduced:

Senate Bill No. 30. A Bill for an Act making an appropriation for the salaries and miscellaneous expenses of the High School Correspondence Study.

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

The Committee on Appropriations introduced:

Senate Bill No. 31. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Bank of North Dakota.

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

The Committee on Appropriations introduced:

Senate Bill No. 32. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the State of North Dakota doing business as the North Dakota Mill and Elevator Association.

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

Senator Streibel moved that after Senate Bills No. 1 through 32 were read, the Senate stand recessed for fifteen minutes, which motion prevailed, and the Senate stood recessed for fifteen minutes.

The Senate reconvened at the call of the Chair.

#### FIRST READING OF SENATE BILLS

The Legislative Research Committee introduced:

Senate Bill No. 33. A Bill for an Act relating to drainage projects; providing for the establishment of drainage boards and drainage districts and the operations thereof; and providing a penalty; and repealing chapter 61-21 of the North Dakota Revised Code of 1943, as amended.

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

The Legislative Research Committee introduced:

Senate Bill No. 34. A Bill for an Act to amend and reenact subdivisions 5b3 and 5c and subsection 6 of section 65-0102; and sections 65-0109, 65-0201, 65-0205, 65-0425, 65-0427, 65-0505, 65-0511, 65-0513, 65-0517, 65-0801, and 65-1103 of the North Dakota Revised Code of 1943 as amended; and to repeal section 65-0518 of the North Dakota Revised Code of 1943 and section 10 of chapter 344 of the North Dakota Session Laws of 1951, relating to Workmen's Compensation.

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

The Legislative Research Committee introduced:

Senate Bill No. 35. A Bill for an Act relating to the admission, custody, and release of patients at the state hospital, amending and reenacting section 25-0309 of the North

Dakota Revised Code of 1943 and section 25-03071 of the 1953 Supplement to the North Dakota Revised Code of 1943, providing for the admission of alcoholics, drug addicts, and persons suffering from mental illness, and repealing section 25-0308 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. 36. A Bill for an Act to correct clerical, typographical or printing errors in sections of the North Dakota Revised Code of 1943 or the 1953 Supplement thereto, and amending sections 26-2315, 35-2302, 40-0105, 40-2501, of the North Dakota Revised Code of 1943, and sections 24-0128 and 40-3802 of the 1953 Supplement to the North Dakota Revised Code of 1943.

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

The Legislative Research Committee at the request of the Judicial Council introduced:

Senate Bill No. 37. A Bill for an Act to amend and reenact section 12-5313 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to imposition and suspension of sentences in certain criminal cases.

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

The Legislative Research Committee introduced:

Senate Bill No. 38. A Bill for an Act to amend and reenact section 54-2601 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the state census.

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

The Legislative Research Committee introduced:

Senate Bill No. 39. A Bill for an Act to amend and reenact section 57-1516 and subsection 1 of section 57-1517 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to tax levies for building funds in school districts and the use thereof.

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

The Legislative Research Committee introduced:

Senate Bill No. 40. A Bill for an Act to amend and reenact section 16-1703 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to petitions to place the names of candidates for precinct committeemen on the ballot.

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

The Legislative Research Committee introduced:

Senate Bill No. 41. A Bill for an Act to amend and reenact section 5-0520 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to penalties for violation of alcoholic beverage licensing and regulatory laws.

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

The Legislative Research Committee introduced:

Senate Bill No. 42. A Bill for an Act to repeal chapter 57-29 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to mineral rights privilege tax.

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

The Legislative Research Committee, by request, introduced:

Senate Bill No. 43. A Bill for an Act to amend and reenact section 54-1404 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to claims against the state of North Dakota.

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

The Legislative Research Committee introduced:

Senate Bill No. 44. A Bill for an Act to amend and reenact section 30-1933 of the North Dakota Revised Code of 1943 relating to orders to mortgage by county courts.

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

The Legislative Research Committee introduced:

Senate Bill No. 45. A Bill for an Act to amend and reenact section 20-0125 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to the management of lands in the Heart Butte area and the expenditure of revenue derived therefrom.

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

The Legislative Research Committee introduced:

Senate Bill No. 46. A Bill for an Act authorizing the game and fish commissioner to cooperate with the army corps of engineers in planting replacement cover along the Garrison Dam reservoir.

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

Senators Bridston and Rue introduced:

Senate Bill No. 47. A Bill for an Act authorizing and directing the workmen's compensation bureau to construct an office building upon the capitol grounds for the use of the bureau, and making an appropriation therefor.

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

Senators Freed, Wadson, Solberg and Schmit introduced:

Senate Bill No. 48. A Bill for an Act to amend and reenact Subsection 3 of Section 39-1204 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to length limitations on vehicles; exceptions.

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

Senators Freed, Wadson, Solberg and Schmit introduced:

Senate Bill No. 49. A Bill for an Act to amend and reenact Section 39-1208 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to penalties for violating width, height, length, and load limitations.

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

Senators Duffy and Leier introduced:

Senate Bill No. 50. A Bill for an Act to amend and reenact subsection 1 of section 39-04A06 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to exceptions to the additional fee for motor vehicles engaged in the transportation of property.

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

Senators Duffy and Knudson introduced:

Senate Bill No. 51. A Bill for an Act to amend and reenact subdivisions b and i of subsection 2 of section 57-3711 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to terminable interests and interests in property considered as passing from a decedent, and declaring an emergency.

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

Senators Duffy and Hernettt introduced:

Senate Bill No. 52. A Bill for an Act to amend and reenact section 21-0607 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to investment by political subdivisions of surplus fund moneys in government bonds.

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

Senator Duffy introduced:

Senate Bill No. 53. A Bill for an Act to amend and reenact sections 43-2202, 43-2205, and 43-2208 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to registration of oil and gas brokers, and certification of their employees and agents, and declaring an emergency.

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

Senator Duffy introduced:

Senate Bill No. 54. A Bill for an Act providing for an increased penalty where an offender is convicted of any crime within a five-year period in which he has already been convicted of three or more misdemeanors.

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

Senator Duffy introduced:

Senate Bill No. 55. A Bill for an Act to amend and reenact section 47-1905 of the North Dakota Revised Code of 1943 relating to the recording of deeds.

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

Senator Duffy introduced:

Senate Bill No. 56. A Bill for an Act to amend and reenact section 31-1206 of the North Dakota Revised Code of 1943 relating to the application of Chapter 31-12 where other provision is made by the decedent.

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



## FIRST READING OF SENATE RESOLUTIONS

The Legislative Research Committee introduced:

Senate Concurrent Resolution "A". A Concurrent Resolution for an amendment of section 93 of the Constitution of the state of North Dakota.

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

The Legislative Research Committee introduced:

Senate Concurrent Resolution "B". A Concurrent Resolution memorializing congress to authorize the bureau of reclamation and the army corps of engineers to resell surplus lands above the normal pool level of water impoundments in North Dakota to the original land owners.

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

The Legislative Research Committee introduced:

Senate Concurrent Resolution "C". A Concurrent Resolution requesting the army corps of engineers to provide for the development of recreational areas along the Garrison Dam Reservoir and authorizing the state historical society to explore avenues of cooperation in the management and maintenance of such areas.

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

Senators Duffy and Schrock introduced:

Senate Concurrent Resolution "E". A Concurrent Resolution providing for the amendment of the Constitution of the state of North Dakota relating to election of certain county officers.

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

Senator Streibel introduced:

Senate Resolution No. 1. A Resolution providing copies of the 1953 Session Laws of North Dakota and the 1953 Supplement to the North Dakota Revised Code of 1943, for the use of the various committees of the Senate.

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

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, January 14, 1955

Mr. Speaker: I have the honor to inform you that the Senate has complied with the request of the House and the president has appointed:

Senators Page and Dewing to act with a like Committee of the House to arrange joint meetings of the Appropriations and Finance and Taxation Committees.

EDWARD LENO, Secretary.

## MESSAGE TO THE SENATE

House Chamber  
Bismarck, January 14, 1955

Mr. President: I have the honor to transmit:

House Concurrent Resolution "B"

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

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

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

#### ELEVENTH DAY

Bismarck, January 14, 1955

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

Prayer by Chaplain Rev. Scherpenisse, First Presbyterian Church, Mandan, N. Dak.

The roll was called and all members were present except Senators Bridston, Gilbertson, Holand, Johnson (Cass), Krenz, Stucke.

A quorum was declared 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 Ninth day and recommend that the same be corrected as follows:

Page 38, Line 7, address of Philip A. Berube corrected from Rolla to Belcourt.

Page 38, Line 30, address of Eugene Tuff corrected from Rugby to Barton.

And when so corrected recommend that the same be approved.

JOHN LEIER, Chairman.

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

#### MESSAGE TO THE SENATE

House Chamber  
Bismarck, January 14, 1955

Mr. President: I have the honor to transmit:

House Concurrent Resolution "E"

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

KENNETH L. MORGAN, Chief Clerk.

#### REPORT OF STANDING 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 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 newspaper 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, farmers' organizations, 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 therefore 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 1949 session.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted.

#### ROLL CALL

The question being on the motion of Senator O'Brien, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Johnson, Cavalier | Sayer     |
| Berube     | Kamrath           | Schmit    |
| Bilden     | Kieley            | Schoeder  |
| Davis      | Klefstad          | Schrock   |
| Day        | Kusler            | Solberg   |
| Dewing     | Leier             | Streibel  |
| Dolan      | Livingston        | Thomas    |
| Duffy      | Luick             | Torno     |
| Ferry      | Meidinger         | Tuff      |
| Foss       | Nelson            | Wadeson   |
| Fraser     | O'Brien           | Welandner |
| Freed      | Olson             | Wog       |
| Hagen      | Page              | Wolf      |
| Hernett    | Rue               | Yunker    |

Absent and not voting:

|            |               |        |
|------------|---------------|--------|
| Bridston   | Johnson, Cass | Krenz  |
| Gilbertson | Knudson       | Stucke |
| Holand     |               |        |

So the motion prevailed.

Senator Kusler moved that the report of the committee on Mileage and Per Diem be corrected to show the mileage for Senator Dewing as 440 instead of 220, which motion prevailed.

Senator Kusler moved that the rules be suspended and the report of the Committee on Mileage and Per Diem be adopted as amended on the floor.

## ROLL CALL

The question being on the motion of Senator Kusler, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cavalier | Sayer    |
| Berube     | Kamrath           | Schmit   |
| Bilden     | Kieley            | Schoeder |
| Davis      | Klefstad          | Schrock  |
| Day        | Kusler            | Solberg  |
| Dewing     | Leier             | Streibel |
| Dolan      | Livingston        | Thomas   |
| Duffy      | Luick             | Torno    |
| Ferry      | Meidinger         | Tuff     |
| Foss       | Nelson            | Wadeson  |
| Fraser     | O'Brien           | Welander |
| Freed      | Olson             | Wog      |
| Hagen      | Page              | Wolf     |
| Hernett    | Rue               | Yunker   |

Absent and not voting:

|            |               |        |
|------------|---------------|--------|
| Bridston   | Johnson, Cass | Krenz  |
| Gilbertson | Knudson       | Stucke |
| Holand     |               |        |

Motion prevailed.

## FIRST READING OF SENATE BILLS

Senators Duffy and Page introduced:

Senate Bill No. 57. A Bill for an Act to amend and reenact sections 6-0125, 11-2501, 15-2113, 15-2526, subsection 5 of section 15-2912, sections 21-0101, 21-0102, 40-0101 by creating subsection 6, 40-1705, and 54-2709 of the North Dakota Revised Code of 1943, and section 40-1706 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the preparation and issuance of warrants by the state of North Dakota and its political subdivisions.

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

Senator Freed introduced:

Senate Bill No. 58. A Bill for an Act authorizing the state board of higher education to convey five acres, more or less, of a tract of land situated in the northwest quarter of section four, township one hundred thirty-nine north, range ninety-six west of the fifth principal meridian, in the city of Dickinson, Stark County, North Dakota.

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

FIRST READING OF  
HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "E". A Concurrent Resolution allowing use of the Memorial Hall for Legislative Dances.

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

## SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Concurrent Resolution "B"

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

Senator Streibel moved that a communication addressed to Dr. Stucke be printed in the Journal, which motion prevailed.

## COMMUNICATION

Turtle Lake, North Dakota  
January 7, 1955

Dear Senator Stucke:

We the undersigned, are in favor of putting one more clause into the Responsibility Law to read as follows:

Let an individual buy his Liability Insurance from whichever company he chooses but must present the number of his policy to get a license for his car. This would do away with the \$1 deficiency collection.

Very truly yours,

CARRIE M. CROUCH  
JANET T. RENFROW  
FRIEDA M. ORMAN  
WALTER L. RENFROW  
WILFORD NELSON  
NAOMI RENFROW  
ED ORMAN  
PHILIP FLEMMER

Senator Kamrath moved that the floor leaders of the majority and minority groups be appointed as an honor escort representing the Senate at the funeral of Dr. Stucke, which motion prevailed.

The President appointed Senators Streibel and Duffy to act as honor escort.

Senator Streibel moved that the Senate do now recess until 10:00 a.m., January 15th, out of respect for Dr. Stucke, which motion prevailed by a standing vote.

EDWARD LENO, Secretary.

## ELEVENTH DAY AFTER RECESS

Bismarck, January 15, 1955

The Senate reconvened at 10:00 a. m., pursuant to recess taken, for the funeral of Senator Stucke, the President presiding.

Invocation: Rev. A. E. Smith, St. George's Episcopal Church, Bismarck, N. Dak.

Scripture: St. John, Chapter 14, verses 1 through 6.

Song: "The Lord's Prayer" by Senator Livingston, accompanied by Miss Maxine Scarff.

Rev. A. E. Smith:

Your Excellencies, members of the Senate and of the House of the Legislature, and those of you who are here on this occasion. Twenty-five years or so ago, in an age of skepticism, one would have to make people see how rational the Christian message of the resurrection of Christ was, because people at that time wanted a message which would help them to believe. I think people don't want anything like that nowadays, because if you don't believe that Christ rose from the grave, thereby guaranteeing that we too shall someday rise into a new life, nothing I can say now would make you believe anything different. But we do say today that we believe the writers of the New Testament on other issues. As scholars have gone into years of research, many of us believe that when they wrote the Sermon on the Mount they recorded the speech of Jesus accurately, and so when these same men recorded the events of that first Easter Day, we grant that it happened, that it was true, but that was a long, long time ago. What on earth does it mean to us?

Now in December, the year 1903, two men in the south of this country went up in a heavier than air machine for the first time, and they stayed up in the air some 59 seconds and traveled 30 miles an hour. Need I ask you today, what does that mean to us now? So with this tremendous event in Palestine centuries ago, it too means much to us — yes, it means everything to us. It means this, that Jesus is more than a memory, that He is a present living power in this world, that He is a real true presence.

If a person should ask you "how do I find Jesus", nine out of ten people perhaps would send that person to the Gospels of the New Testament, or if the person was more educated or sophisticated he might be given a commentary

on the Gospel, but if you really wanted to help that person who had asked you how to find Jesus you would send him to a group of His followers, and there he would find that Jesus is not merely a memory of two thousand years ago, but He is a spirit in that group that can take possession of him and that power which strengthens people when they are weak, reclaims people when their consciences have gone bad, and sends people out to carry the message of Christ to the ends of the earth, is something which is ever present and true.

The news has been full of accounts of the 80th birthday of the great Albert Schweitzer. Dr. Schweitzer is now celebrating his 80th birthday and is devoting a large sum of money which he recently received to building another leper hospital in darkest Africa for the natives — Dr. Schweitzer, a concert organist who can go into any concert hall in Europe or in the world and fill it many times over, a scholar, a doctor, an author, a philosopher. Years ago Albert Schweitzer was being paddled by a native down one of the rivers in Africa, and to pass the time away he had written on pieces of paper all the things he believed in, and placed them in the bottom of the canoe, and as he went down the river he would pick up a piece of paper and reflect on what was written on that piece of paper, and discard it, until finally only one piece remained on which was written, "I believe in reverence for life." I believe in reverence for life. And that, my friends, is an echo from Him who said centuries before, "I am come that they might have life and that they might have it more abundantly". "I believe in reverence for life" has kept Dr. Schweitzer in the heart of Africa for years, ministering to the black peoples' spirit and giving his life in service to unfortunates.

In the second place, Christ told us the only way we can save our life is to lose it. Well, we know that today there is the draft for many of our young people, and that means postponed careers, education, marriage, even the possibility of being killed. Other people have to face readjustments in this life, through sickness and through bereavement, as we well know, or the necessity of breaking a habit that has got a hold of you and is becoming a force with which you must reckon or shipwreck your life, breaking habits that have become misleading and corroding. Now, most of us when we face a hardship try, frankly, to get out of it.

The message of the resurrection of Christ is simply that we must plunge into it, take it on, face it. We must forget ourselves, we must lose ourselves in something that God has called us to do, and so I say there is only one way to fullness of life, and that is something we sometimes don't like to face. That is the way of the Cross, and that is, you will find if you haven't found it, the greatest of all the lessons of life. The only way a person will ever really live is to take up the things that are hard and to lose his life in order to save it.

A third message about the Christian faith is that the world above is only an insignificant part of the tremendous universe about us, the real world. Many of you have had the privilege of hearing great symphonies. Not too long ago the Minneapolis Symphony was present in Bismarck, and we were thrilled with the great performance of that orchestra. There were the people, the musicians, the instruments, the

players, the conductor, the musical score. But when I stop to reflect upon that evening the thing that finally struck home was that we did see a visible part and it was wonderful to watch the musicians following the music—a marvelous performance—but that visible part that we saw was only a part. It was an introduction into the invisible part, a beginning, an introduction into that invisible part that began soaring, soaring, soaring into our hearts, that man cannot touch except through the works of Bach, Beethoven or some great musical writer who first put those notes into a musical score.

You probably know that nine-tenths of an iceberg is underwater. I ask you to consider briefly the spectral world above us. We can say at least nine-tenths is unknown to us, unseen by us. Only one-tenth of this world in which we live is known to us, but by the resurrection of Christ it is as though something came down from that unseen world into this world in which we live, and has given a sample of what great things lie beyond our comprehension, and brings to us something of the love and power of that world into our world of the one-tenth. So let us open them far, more often than we do, the doors and windows of this visible one-tenth world in which we live so that we can see far off into the distance the foot-hold of that wonderful world that lies beyond, the world of immortality that is invisible and intangible, and in which we cannot move at the present, and which we only think we see at the moment. Someone here, or all of you, may say, "how do you know that this is true?" That this world is only a part of the great life that is to be? In one sense I don't. I frankly don't, but I do know that the God who raised Jesus from the dead is a real presence by my side, that He will not let me go, or anyone who trusts in Him, or any of our loved ones who leave us.

The late Dr. Stucke who served with distinction in your Chamber for so many years, served with honor and distinction in other fields as well. For some twenty-three years his great ability has been made known to you as a Senator in this House, and he is known too for his humanitarian legislation. Dr. Stucke was proud of his work in this House and he had a right to be, when year after year he was returned from his beloved McLean County to serve in the Senate of the state of North Dakota. When I called on him in the hospital not long after his re-election he said to me, "Rector, will you say a prayer of gratefulness for my re-election?" I will be happy to report that at the services in Garrison this afternoon to the people of Garrison and his County. I will be able to say to them that Edmund Stucke had a grateful heart. If I may be excused for making a personal reference, perhaps more than any other person here today I am qualified to speak of his services as a physician, and when I speak of Dr. Stucke's services as a physician, I also include Mrs. Stucke, a physician, too, who labored by his side through the long years of serving the Garrison area.

It was some three years ago that I became desperately ill, and it was only through the skill and the attention of a good physician that I am here today, because, I didn't know it, I was unconscious, but my friends were told I had but three hours to live, and the doctor's skill and the prayers of a multitude of friends brought me back to this world to serve for a time at least, and my doctor was one of the first to



say, "I did all that was medically possible for you. A higher power than mine took you in His care."

In 1911 when the good doctor and his wife began their practice in Garrison I presume that was in the days of the horse and buggy, because the Model T and other cars weren't too common in those days, there were countless nights when they got out of bed in the middle of the night to answer calls of distress, and drove through storms of winter and the rains of summer nights to bring health and assistance to ailing people.

There will be many people at that service in Garrison today who first saw the light of day with the assistance of Drs. Stucke. There probably have been many occasions, as any professional man must know, when opportunities to move to a larger center to work presented themselves, but the doctor chose to stay with his community and his people.

For a life-time in ministering to the people of one county, for a life-time of service to the people of a county and of the state of North Dakota in the halls of this Legislature, we breath a fervent prayer of gratefulness for the life of Edmund Conrad Stucke. May his soul rest in peace.

Prayer and benediction: Rev. A. E. Smith.

Song, "Abide with Mé": Senator Livingston.

The President requested that the remarks of Rev. Smith be entered in the Journal.

Senator Streibel moved that in respect to Senator Stucke, the Senate stand recessed until 1:00 p.m., January 17, 1955. The motion was seconded by Senator Duffy, and carried unanimously, so the Senate stood recessed.

EDWARD LENO, Secretary.

ELEVENTH DAY AFTER RECESS  
AND FOURTEENTH DAY

Bismarck, January 17, 1955

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

## ROLL CALL

The roll was called to determine if a quorum was present, and all members were present except Senators Bridston, Krenz, Sayer, Stucke and Wadeson.

So a quorum was declared.

## REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Agriculture to whom was referred Senate Concurrent Resolution "D" have had the same under consideration and recommend that the same do pass.

DUNCAN FRASER, Chairman.

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

## FIRST READING OF SENATE BILLS

Senators Livingston, Wolf, Bridston and Johnson of Cavalier introduced:

Senate Bill No. 59. A Bill for an Act to amend and reenact sections 26-1203, 26-1220, and 26-1228 of the North Dakota Revised Code of 1943, section 26-1219 of the 1953 Supplement to the North Dakota Revised Code of 1943, and to repeal section 26-1221 of the North Dakota Revised Code of 1943, relating to fraternal benefit societies.

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

Senator Solberg introduced:

Senate Bill No. 60. A Bill for an Act to amend and reenact sections 61-2504, 61-2505, 61-2506, 61-2509, 61-2513 and 61-2515 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the establishment of a reclamation district; providing for judicial proceedings to confirm acts preliminary to making contracts, levying special assessments, issuance of bonds or improvement war-

rants, or taking of any special action by such district, and to confirm proceedings leading to the organization thereof.

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

Senator Day moved that Senate Resolution No. 1 be returned to the Senate, which motion prevailed.

Senator Day moved that Senate Resolution No. 1 be adopted, which motion prevailed.

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

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

#### FOURTEENTH DAY

Bismarck, January 17, 1955

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

Prayer by Chaplain Rev. Robert Feind, Evan. U. B. Church, Bismarck, No. Dak.

#### ROLL CALL

The roll was called and all members were present except Senators Bridston, Sayer, and Stucke.

A quorum was declared by the President Pro Tem.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the tenth day after Recess and eleventh day, and eleventh day after Recess and find the same correct.

JOHN LEIER, Chairman.

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

#### FIRST READING OF SENATE BILLS

Senators Dewing, O'Brien, and Livingston introduced:

Senate Bill No. 61. A Bill for an Act to amend and reenact section 19-0311 of the North Dakota Revised Code of 1943, relating to the professional use of narcotic drugs.

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

Senator Knudson introduced:

Senate Bill No. 62. A Bill for an Act relating to property transferred to municipalities for park purposes by the counties, validating certain transfers thereof, and providing for the disposition thereof, and declaring an emergency.

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

Senators Rue, Solberg and Hagen introduced:

Senate Bill No. 63. A Bill for an Act establishing a live-stock claim fund of the Game and Fish Department, making an appropriation therefor, providing for the disbursement thereof, and providing a penalty.

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

Senator Day introduced:

Senate Bill No. 64. A Bill for an Act to amend and reenact section 33-1234 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to procedure in criminal actions in justice and police magistrate courts.

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

Senators Leier and Duffy introduced:

Senate Bill No. 65. A Bill for an Act to require all persons having construction contracts with the state of North Dakota or any of its political subdivisions, to file a statement with the motor vehicle registrar if he is using trucks not registered in this state, and providing a penalty.

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

Senator Duffy introduced:

Senate Bill No. 66. A Bill for an Act to amend and reenact section 11-1803 of the North Dakota Revised Code of 1943 relating to instruments entitled to record without regard to taxes.

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

## SECOND READING OF SENATE RESOLUTION

Senate Concurrent Resolution "D"

Which has been read.

## ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 38; nays, 7; absent and not voting, 4.

Those voting in the affirmative were:

|            |               |          |
|------------|---------------|----------|
| Berube     | Johnson, Cass | Schmit   |
| Bilden     | Kamrath       | Schoeder |
| Davis      | Klefstad      | Solberg  |
| Day        | Knudson       | Streibel |
| Dewing     | Kusler        | Thomas   |
| Dolan      | Leier         | Torno    |
| Ferry      | Livingston    | Tuff     |
| Fraser     | Luick         | Wadeson  |
| Freed      | Meidinger     | Welder   |
| Gilbertson | Nelson        | Wog      |
| Hagen      | O'Brien       | Wolf     |
| Hernett    | Olson         | Yunker   |
| Holand     | Page          |          |

Those voting in the negative were:

|            |        |         |
|------------|--------|---------|
| Baeverstad | Kieley | Rue     |
| Duffy      | Krenz  | Schrock |

Johnson, Cavalier

Absent and not voting:

|          |       |        |
|----------|-------|--------|
| Bridston | Sayer | Stucke |
| Foss     |       |        |

So the Resolution was declared adopted.

Senator Livingston moved that Senate Bill No. 59 be returned to the Senate, which motion prevailed.

Senator Livingston moved that Senate Bill No. 59 be referred to the Committee on Industry and Business, which motion prevailed.

Senator Livingston moved that the Senate recognize the class on State and Local Government from the Minot State Teachers' College, which motion prevailed.

Senator Day:

I am of the opinion that the spirit of one of the greatest citizens in the history of our state hovers rather near — Senator Stucke, to whom we paid our last respects last Saturday. I would like to submit these humble lines:

A hundred thousand common folks  
Have lost a champion of their cause.  
He nursed their sick, the saints and soaks  
And shaped the pattern of their laws.

His ready smile and sharp goatee  
And oratorical fist  
Were trademarks in any company,  
He never could be missed.

That same fist the friendly hand  
With mothers he attended  
To salute an honest stand,  
Or pat politicians offended.

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

Senator Streibel moved that the Senate do now recess until 1:30 p.m., January 18, 1955, which motion prevailed, and the Senate stood recessed.

EDWARD LENO, Secretary.

FOURTEENTH DAY AFTER RECESS  
AND FIFTEENTH DAY

Bismarck, January 18, 1955

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

STANDING COMMITTEE REPORT

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.

MRS. HARRY O'BRIEN, Chairman.

Senator O'Brien 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 Resolution No. 1

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

REPORTS OF STANDING COMMITTEES

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

FRANKLIN PAGE, Chairman.

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

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

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 10, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

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

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

FRANKLIN PAGE, Chairman.

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

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

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 19, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

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

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

FRANKLIN PAGE, Chairman.

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

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

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 32, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Judiciary Committee to whom was referred Senate Bill No. 36, have had the same under consideration and recommend that the same be amended as follows:

Strike out lines 93 to 117 inclusive and in the Title strike out "and 40-3802".

And when so amended recommend the same do pass.

CARROL E. DAY, Chairman.

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

Mr. President: Your Judiciary Committee to whom was referred Senate Bill No. 37, have had the same under consideration and recommend that the same do pass.

CARROL 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. 42, have had the same

under consideration and recommend that the same be amended as follows:

In title of bill strike figures 57-29 and insert in lieu thereof the figures 57-49.

And when so amended recommend the same do pass.

RALPH DEWING, Chairman.

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

Mr. President: Your Judiciary Committee to whom was referred Senate Bill No. 44, have had the same under consideration and recommend that the same be amended as follows:

Strike out lines 13, 14 and 15.

And when so amended recommend the same do pass.

CARROL 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. 45, have had the same under consideration and recommend that the same do pass.

LAVERN SCHOEDER, Chairman.

Senator Schoeder 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 "B", have had the same under consideration and recommend that the same be amended as follows:

Line 2 of the heading:

Strike out: the bureau of reclamation and

Line 3:

Strike out: the Heart Butte

Line 4:

Strike out: reservoir and

Line 24:

Strike out: the bureau of reclamation of

Line 25:

Strike out: the department of interior and

And when so amended recommend the same do pass.

LAVERN SCHOEDER, Chairman.

Senator Schoeder 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 Concurrent Resolution "E", have had the same under consideration and recommend that the same do pass.

LAVERN SCHOEDER, Chairman.

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

#### FIRST READING OF SENATE BILLS

Committee on Natural Resources introduced:

Senate Bill No. 67. A Bill for an Act creating the Garrison Diversion Conservancy District in order to facilitate the establishment, construction and maintenance of the Garrison



Diversion Unit of the Missouri River Basin Project and defining its purposes, functions, powers and duties and repealing Chapter 61-24 of the 1953 Supplement to the North Dakota Revised Code for 1943.

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

Senators Day and Wog introduced:

Senate Bill No. 68. A Bill for an Act making an appropriation for the purpose of constructing a highway bridge across the Little Beaver Creek in Slope County at the city of Marmarth, North Dakota.

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

Senator Schoeder introduced:

Senate Bill No. 69. A Bill for an Act providing for the disqualification of supreme court judges, in causes or proceedings before the supreme court, and the substitution of judges of the district court to serve in their place; providing procedure for disqualification, and the substitution of judges of the district court, and providing expenses, including mileage, of the district court judges, while serving as supreme court judges.

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

Senators Rue and Solberg introduced:

Senate Bill No. 70. A Bill for an Act to amend and reenact subsection 2 of Section 52-0101 and subdivision a. of subsection 11 of section 52-0101, of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to definitions; Section 52-0405 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to Standard Rate of Contributions; Subdivisions a. and b. of subsection 1, and subsection 4 of Section 52-0406 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to contributions; Section 52-0504, North Dakota Revised Code of 1943, relating to termination of coverage; Section 52-0604 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the amount of benefits, qualifying wage and definitions; Section 52-0633 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to recovery and recoupment.

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

Senators Meidinger, Dewing and Livingston introduced:

Senate Bill No. 71. A Bill for an Act relating to allowable deductions for state income tax purposes, creating and enacting subsections 13 and 14 of section 57-3822 of the North Dakota Revised Code of 1943, as amended.

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

#### MESSAGE TO THE SENATE

House Chamber  
Bismarck, January 18, 1955

Mr. President: I have the honor to transmit:

House Bill No. 514

House Bill No. 516

House Bill No. 522

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

KENNETH L. MORGAN, Chief Clerk.

MESSAGE TO THE SENATE

House Chamber  
Bismarck, January 18, 1955

Mr. President: I have the honor to transmit:

House Concurrent Resolution "F".

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

KENNETH L. MORGAN, Chief Clerk.

Senator Solberg moved that the following be employed by the Senate, to-wit:

Lloyd Omdahl, Committee Clerk, Judiciary Committee.

ROLL CALL

The question being on the motion of Senator Solberg, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Johnson, Cass     | Page      |
| Berube     | Johnson, Cavalier | Rue       |
| Bilden     | Kamrath           | Sayer     |
| Davis      | Kieley            | Schmit    |
| Day        | Klefstad          | Schoeder  |
| Dewing     | Knudson           | Solberg   |
| Dolan      | Krenz             | Streibel  |
| Duffy      | Kusler            | Thomas    |
| Ferry      | Leier             | Torno     |
| Foss       | Livingston        | Tuff      |
| Freed      | Luick             | Wadeson   |
| Gilbertson | Meidinger         | Welanders |
| Hagen      | Nelson            | Wog       |
| Hernett    | O'Brien           | Wolf      |
| Holand     | Olson             | Yunker    |

Absent and not voting:

|          |         |        |
|----------|---------|--------|
| Bridston | Schrock | Stucke |
| Fraser   |         |        |

So the motion of Senator Solberg carried and the above named employee was declared elected. The President administered the oath of office to said employee.

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

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

FIFTEENTH DAY

Bismarck, January 18, 1955

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

Prayer by Chaplain Rev. Robert Feind, Evan. U. B. Church, Bismarck, No. Dak.

Roll Call: All members present except Senators Bridston and Stucke.

So a quorum was declared.

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

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

JOHN LEIER, Chairman.

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

Senator Solberg moved that Page 41, Line 16 of the Senate Journal be corrected to show Reuben Olson as Committee Clerk, instead of Committee Room Attendant, which motion prevailed.

#### FIRST READING OF SENATE BILLS

Senators Leier and Duffy introduced:

Senate Bill No. 72. A Bill for an Act making an appropriation to meet extraordinary expenses of law enforcement arising by reason of federal agencies, correcting a clerical error in chapter 8, section 1, 1953 Session Laws of North Dakota, and declaring an emergency.

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

#### FIRST READING OF HOUSE BILLS

House Bill No. 514. 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 disbursement for such funds and making reports.

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

House Bill No. 516. A Bill for an Act making an appropriation for salaries, operation, maintenance, general and miscellaneous expenses for the State Laboratories Department.

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

House Bill No. 522. A Bill for an Act making an appropriation to pay the expenses and per diem of Presidential Electors.

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

#### REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Resolution No. 1

Was delivered to the Secretary of State for his approval at the hour of 2:05 p.m. o'clock, January 18, 1955.

MRS. HARRY O'BRIEN, Chairman.

#### FIRST READING OF HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "F" was read the first time. Senator Rue moved that the Resolution be adopted, which motion prevailed.

FIRST READING OF SENATE BILLS

Senators Livingston and Day introduced:

Senate Bill No. 73. A Bill for an Act relating to county zoning regulations, and empowering counties to establish zoning districts, to impose regulations and restrictions within such districts, and to establish county planning commissions to secure the orderly development of the county, for the purpose of promoting health, safety, morals and the general public welfare.

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

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

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

## SIXTEENTH DAY

Bismarck, January 19, 1955

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

Prayer by Chaplain Rev. Frank Rumer, Burns Methodist Church, Mandan, No. Dak.

Roll Call: All members present except Senators Bridston and Stucke.

So a quorum was declared.

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 fourteenth day after Recess and fifteenth day and find the same correct.

JOHN LEIER, Chairman.

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

## MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, January 19, 1955

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "B".

Which the President has signed.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, January 19, 1955

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "F".

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, January 19, 1955

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "D".

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

EDWARD LENO, Secretary.

## COMMUNICATIONS

The Secretary read a communication from the Legislature of Puerto Rico, which communication was referred to the Committee on State and Federal Government.

The Secretary read a communication from the North Dakota Agricultural College, which communication was referred to the Committee on Education.

## REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 16, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 17, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 24, have had the same under consideration and recommend that the same be amended as follows:

In line 2 after the word "Treasury" insert the following words: "in the Game and Fish Fund".

Strike out all of lines 5, 6, 7, 8 & 9 and insert in lieu thereof the following lines:

"wolves, coyotes, foxes, bobcats and magpies as provided in Chapters 20-13 and 20-14, North Dakota Revised Code of 1943, as amended."

and renumber the lines accordingly.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

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

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

In line 16 before the word "Attorney" insert the following word: "Assistant".

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

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

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

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 38, have

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

ORVILLE W. HAGEN, Chairman.

Senator Hagen 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. 43, have had the same under consideration and recommend that the same do pass.

ORVILLE W. HAGEN, Chairman.

Senator Hagen 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 "E", have had the same under consideration and recommend that the same do pass.

ORVILLE W. HAGEN, Chairman.

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

#### MESSAGE TO THE SENATE

House Chamber  
Bismarck, January 19, 1955

Mr. President: I have the honor to transmit:

House Bill No. 515

House Bill No. 574

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

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGE TO THE SENATE

House Chamber  
Bismarck, January 19, 1955

Mr. President: I have the honor to return:

Senate Concurrent Resolution "D".

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

#### FIRST READING OF SENATE BILLS AND RESOLUTIONS

Senator Leier introduced:

Senate Bill No. 74. A Bill for an Act to amend and reenact section 20-0502 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to the taking of deer.

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

Senator Sayer introduced:

Senate Bill No. 75. A Bill for an Act relating to refunds of motor fuel tax where the motor fuel has been used for agricultural or industrial purposes, and allowing the buyer to assign his claim for refund to a dealer selling such fuel to him on open account.

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

Senator Meidinger introduced:

Senate Bill No. 76. A Bill for an Act providing for special damages against any insurance company failing to pay a valid claim without reasonable cause.

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

Senators Berube and Kusler introduced:

Senate Bill No. 77. A Bill for Act requiring a permit for the purchase of alcoholic beverages, providing for the issuance and revocation thereof, and providing a penalty.

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

Senators Day and Duffy introduced:

Senate Bill No. 78. A Bill for an Act to amend and reenact section 27-05032 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to compensation of retired judges and declaring an emergency and making the provisions of this act retroactive to March 10, 1949.

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

Senators Johnson of Cass, and Wog introduced:

Senate Bill No. 79. A Bill for an Act to require trucks and buses operated upon the highways or streets of this state to be equipped so as to exhaust fumes above the highest part of the truck or bus, and imposing a penalty.

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

#### SENATE CONCURRENT RESOLUTION

Senators Kamrath, Bilden, Wog and Foss introduced Senate Concurrent Resolution "F", which was read the first time.

Senator Streibel moved that the rules be suspended and Senate Concurrent Resolution "F" be adopted.

#### ROLL CALL

The question being on the adoption of Senate Concurrent Resolution "F", the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cavalier | Rue      |
| Berube     | Kamrath           | Sayer    |
| Bilden     | Kieley            | Schmit   |
| Davis      | Klefstad          | Schoeder |
| Day        | Knudson           | Schrock  |
| Dewing     | Krenz             | Solberg  |
| Dolan      | Kusler            | Streibel |
| Duffy      | Leier             | Thomas   |
| Ferry      | Livingston        | Torno    |
| Foss       | Luick             | Tuff     |
| Fraser     | Meidinger         | Wadeson  |
| Freed      | Nelson            | Weland   |
| Gilbertson | O'Brien           | Wog      |
| Hagen      | Olson             | Wolf     |
| Hernett    | Page              | Yunker   |
| Holand     |                   |          |

Absent and not voting:

|          |               |        |
|----------|---------------|--------|
| Bridston | Johnson, Cass | Stucke |
|----------|---------------|--------|

So the Resolution was adopted.



Senator Rue moved that the President appoint a committee of three to act with a like committee from the House to arrange for a joint meeting with the House to hear General Alfred M. Gruenther on February 22, 1955, which motion prevailed.

The President appointed Senators Rue, Thomas and Davis to serve on such committee.

#### 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:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Johnson, Cavalier | Rue       |
| Berube     | Kamrath           | Sayer     |
| Bilden     | Kieley            | Schmit    |
| Davis      | Klefstad          | Schoeder  |
| Day        | Knudson           | Schrock   |
| Dewing     | Krenz             | Solberg   |
| Dolan      | Kusler            | Streibel  |
| Duffy      | Leier             | Thomas    |
| Ferry      | Livingston        | Torno     |
| Foss       | Luick             | Tuff      |
| Fraser     | Meidinger         | Wadeson   |
| Freed      | Nelson            | Welandier |
| Gilbertson | O'Brien           | Wog       |
| Hagen      | Olson             | Wolf      |
| Hernett    | Page              | Yunker    |
| Holand     |                   |           |

Absent and not voting:

|          |               |        |
|----------|---------------|--------|
| Bridston | Johnson, Cass | Stucke |
|----------|---------------|--------|

So the bill passed and the title was agreed to.

Senate 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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Johnson, Cass     | Rue       |
| Berube     | Johnson, Cavalier | Sayer     |
| Bilden     | Kamrath           | Schmit    |
| Davis      | Kieley            | Schoeder  |
| Day        | Klefstad          | Schrock   |
| Dewing     | Knudson           | Solberg   |
| Dolan      | Krenz             | Streibel  |
| Duffy      | Kusler            | Thomas    |
| Ferry      | Leier             | Torno     |
| Foss       | Livingston        | Tuff      |
| Fraser     | Luick             | Wadeson   |
| Freed      | Meidinger         | Welandier |
| Gilbertson | Nelson            | Wog       |
| Hagen      | O'Brien           | Wolf      |
| Hernett    | Olson             | Yunker    |
| Holand     | Page              |           |

Absent and not voting:

Bridston                      Stucke

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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Johnson, Cass     | Rue       |
| Berube     | Johnson, Cavalier | Sayer     |
| Bilden     | Kamrath           | Schmit    |
| Davis      | Kieley            | Schoeder  |
| Day        | Kiefstad          | Schrock   |
| Dewing     | Knudson           | Solberg   |
| Dolan      | Krenz             | Streibel  |
| Duffy      | Kusler            | Thomas    |
| Ferry      | Leier             | Torno     |
| Foss       | Livingston        | Tuff      |
| Fraser     | Luick             | Wadeson   |
| Freed      | Meidinger         | Welanders |
| Gilbertson | Nelson            | Wog       |
| Hagen      | O'Brien           | Wolf      |
| Hernett    | Olson             | Yunker    |
| Holand     | Page              |           |

Absent and not voting:

Bridston                      Stucke

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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Johnson, Cass     | Rue       |
| Berube     | Johnson, Cavalier | Sayer     |
| Bilden     | Kamrath           | Schmit    |
| Davis      | Kieley            | Schoeder  |
| Day        | Kiefstad          | Schrock   |
| Dewing     | Knudson           | Solberg   |
| Dolan      | Krenz             | Streibel  |
| Duffy      | Kusler            | Thomas    |
| Ferry      | Leier             | Torno     |
| Foss       | Livingston        | Tuff      |
| Fraser     | Luick             | Wadeson   |
| Freed      | Meidinger         | Welanders |
| Gilbertson | Nelson            | Wog       |
| Hagen      | O'Brien           | Wolf      |
| Hernett    | Olson             | Yunker    |
| Holand     | Page              |           |

Absent and not voting:

Bridston                      Stucke

So the bill passed and the title was agreed to.

## Senate Bill No. 12

Was 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:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Johnson, Cass     | Rue       |
| Berube     | Johnson, Cavalier | Sayer     |
| Bilden     | Kamrath           | Schmit    |
| Davis      | Kielev            | Schoeder  |
| Day        | Klefstad          | Schrock   |
| Dewing     | Knudson           | Solberg   |
| Dolan      | Krenz             | Streibel  |
| Duffy      | Kusler            | Thomas    |
| Ferry      | Leier             | Torno     |
| Foss       | Livingston        | Tuff      |
| Fraser     | Luick             | Wadeson   |
| Freed      | Meidinger         | Welanders |
| Gilbertson | Nelson            | Wog       |
| Hagen      | O'Brien           | Wolf      |
| Hernett    | Olson             | Yunker    |
| Holand     | Page              |           |

Absent and not voting:

Bridston                      Stucke

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

Those voting in the affirmative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Johnson, Cass     | Page      |
| Berube     | Johnson, Cavalier | Rue       |
| Bilden     | Kamrath           | Sayer     |
| Davis      | Kielev            | Schoeder  |
| Day        | Klefstad          | Schrock   |
| Dewing     | Knudson           | Solberg   |
| Dolan      | Krenz             | Streibel  |
| Duffy      | Kusler            | Thomas    |
| Ferry      | Leier             | Torno     |
| Foss       | Livingston        | Tuff      |
| Fraser     | Luick             | Wadeson   |
| Freed      | Meidinger         | Welanders |
| Gilbertson | Nelson            | Wog       |
| Hagen      | O'Brien           | Wolf      |
| Hernett    | Olson             | Yunker    |
| Holand     |                   |           |

Absent and not voting:

Bridston                      Schmit                      Stucke

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

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Page     |
| Berube     | Johnson, Cavalier | Rue      |
| Bilden     | Kamrath           | Sayer    |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     |                   |          |

Absent and not voting:

Bridston                      Schmit                      Stucke

So the bill passed and the title was agreed to.

Senate 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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     | Page              |          |

Absent and not voting:

Bridston                      Stucke

So the bill passed and the title was agreed to.

Senate Bill No. 32

Was 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:

|            |                   |       |
|------------|-------------------|-------|
| Baeverstad | Johnson, Cass     | Rue   |
| Berube     | Johnson, Cavalier | Sayer |

|            |            |          |
|------------|------------|----------|
| Bilden     | Kamrath    | Schmit   |
| Davis      | Kieley     | Schoeder |
| Day        | Klefstad   | Schrock  |
| Dewing     | Knudson    | Solberg  |
| Dolan      | Krenz      | Streibel |
| Duffy      | Kusler     | Thomas   |
| Ferry      | Leier      | Torno    |
| Foss       | Livingston | Tuff     |
| Fraser     | Luick      | Wadeson  |
| Freed      | Meidinger  | Welander |
| Gilbertson | Nelson     | Wog      |
| Hagen      | O'Brien    | Wolf     |
| Hernett    | Olson      | Yunker   |
| Holand     | Page       |          |

Absent and not voting:

Bridston                      Stucke

So the bill passed and the title was agreed to.

Senate Bill No. 37

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Luick             | Tuff     |
| Fraser     | Meidinger         | Wadeson  |
| Freed      | Nelson            | Welander |
| Gilbertson | O'Brien           | Wog      |
| Hagen      | Olson             | Wolf     |
| Hernett    | Page              | Yunker   |

Those voting in the negative were:

Johnson, Cass                      Livingston

Absent and not voting:

Bridston                      Stucke

So the bill passed and the title was agreed to.

Senate Bill No. 45

Was read the second time.

#### CONSIDERATION OF AMENDMENTS

Senator Duffy moved that Senate Bill No. 45 be amended by deleting the word "depository", in the 14th line, second word, of the printed bill, and substituting the word "account" in lieu thereof.

Senator Duffy moved that the rules be suspended and that Senate Bill No. 45 be deemed properly engrossed, and be placed on second reading and final action, as amended, which motion prevailed.

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.

ROLL CALL

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Page     |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     |                   |          |

Absent and not voting:

|          |     |        |
|----------|-----|--------|
| Bridston | Rue | Stucke |
|----------|-----|--------|

So the bill passed and the title was agreed to.

SECOND READING OF  
HOUSE CONCURRENT 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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     | Page              |          |

Absent and not voting:

|          |        |
|----------|--------|
| Bridston | Stucke |
|----------|--------|

So the resolution was declared adopted.

FIRST READING OF HOUSE BILLS

House Bill No. 515. A Bill for an Act making an appropriation for inquest and burial of penal inmates, and action to release insane.

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

House Bill No. 574. A Bill for an Act to amend and reenact section 18-0115 of the North Dakota Revised Code of 1943, relating to abatement of conditions dangerous to persons.

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

Senator Page moved that the vote by which Senate Bill No. 3 was passed be reconsidered, which motion prevailed.

Senator Page moved that Senate Bill No. 3 be placed at the head of the calendar, which motion prevailed.

Senator Page moved that in the original bill of Senate Bill No. 3 in the Enacting Clause, the words "North Dakota" be added, which motion prevailed.

Senator Page moved that the rules be suspended and that Senate Bill No. 3 be deemed properly engrossed and placed on second reading and final action, as amended. Motion prevailed.

### SECOND READING OF SENATE BILLS

Senate Bill No. 3

#### 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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Davis      | Kielely           | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     | Page              |          |

Absent and not voting:

Bridston           Stucke

So the bill passed and the title was agreed to.

### FIRST READING OF SENATE RESOLUTIONS

Senator Page introduced:

Senate Concurrent Resolution "G". A Senate Concurrent Resolution inviting the Governor and members of the South Dakota Legislative Assembly to meet with similar representatives of the state of North Dakota to explore possibilities of cooperation in the training of the blind.

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

Senator Baeverstad introduced:

Senate Resolution No. 2. A Resolution relating to chaplain service.

Was read the first time.

Senator Page moved that the rules be suspended and that Senate Concurrent Resolution "G" be adopted, which motion prevailed.

Senator Page moved that the rules be suspended and that Senate Resolution No. 2 be printed in the Journal and adopted.

**SENATE RESOLUTION NO. 2**

Introduced by Senator Baeverstad

A resolution relating to chaplain service.

**BE IT RESOLVED BY THE SENATE OF THE THIRTY-FOURTH LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:**

- 1 The schedule of chaplaincy for the senate of the
- 1a thirty-
- 2 fourth legislative assembly as set forth in the journal of
- 3 the senate on page 16 is agreed to and the employment of
- 4 chaplains in accordance with such schedule at six dollars
- 5 per diem, to be paid as legislative expense, is hereby
- 6 authorized.

**ROLL CALL**

The question being on the motion of Senator Page, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     | Page              |          |

Absent and not voting:

Bridston                      Stucke

So the Resolution was adopted.

Senator Streibel moved that the name of the late Senator Stucke be deleted from the roll call and also deleted from the committee assignments as recorded in the Journal, which motion prevailed.

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

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.



## SEVENTEENTH DAY

Bismarck, January 20, 1955

The Senate convened at 2:00 p.m., the President presiding. Prayer by Chaplain Rev. Frank Rumer, Burns Methodist Church, Mandan, No. Dak.

Roll Call. All members present except Senators Bridston, Johnson (Cass), Rue.

So a quorum was declared.

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

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

JOHN LEIER, Chairman.

Senator Leier 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 Concurrent Resolution "D".

And find the same correctly enrolled.

ROSAMOND O'BRIEN, Chairman.

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

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

Senate Bill No. 3

Senate Bill No. 45

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

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

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

Senate Resolution No. 2.

And find the same correctly enrolled.

ROSAMOND O'BRIEN, Chairman.

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

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

FRANKLIN PAGE, Chairman.

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

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

In line 3 strike out the figure \$354,200.00 and insert the figure \$404,200.00 in lieu thereof.

In line 20 for Emergency strike out the figure \$50,000.00 and insert the figure \$100,000.00 in lieu thereof.

In line 24 for the total strike out the figure \$354,200.00 and insert the figure \$404,200.00 in lieu thereof.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 39, have had the same under consideration and recommend that the same do pass.

RALPH DEWING, Chairman.

Senator Dewing 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. 52, have had the same under consideration and recommend that the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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. 53, have had the same under consideration and recommend that the same be amended as follows:

In line 7 after the word include insert the word "only".

And when so amended recommend the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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. 514, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 522, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

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

#### MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, January 20, 1955

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "E".

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, January 20, 1955

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "G".

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

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, January 20, 1955

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "F"

Senate Bill No. 3

Senate Bill No. 9

Senate Bill No. 10

Senate Bill No. 11

Senate Bill No. 12

Senate Bill No. 19

Senate Bill No. 31

Senate Bill No. 32

Senate Bill No. 37

Senate Bill No. 45

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

EDWARD LENO, Secretary.

#### FIRST READING OF SENATE BILLS

Senators Hernet, Davis, Page and Sayer introduced:

Senate Bill No. 80. A Bill for an Act to amend and reenact Section 6-0307, of North Dakota Revised Code of 1943, relating to Investment of State Banking Associations in Banking House, Bank Premises, Furniture and Fixtures.

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

Senators Klefstad and Wadeson introduced:

Senate Bill No. 81. A Bill for an Act to amend and reenact Section 35-0410 North Dakota Revised Code of

1943 Relating to the Renewal, Limitation, Cancellation and Satisfaction of Chattel Mortgages.

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

Senators Davis, Baeverstad and Sayer introduced:

Senate Bill No. 82. A Bill for an Act Providing for the Advancement of Funds by Banks to Protect Liens.

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

Senators Baeverstad and Hernettt introduced:

Senate Bill No. 83. A Bill for an Act to Permit the Giving of Chattel Mortgages to Secure Existing or Contemporaneous Debts and Future Advances, and to Establish the Priority and Extent of the Lien Thereof.

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

Senators Hernettt and Klefstad introduced:

Senate Bill No. 84. A Bill for an Act with Respect to the Investment of Trust Funds by a Corporate Trustee.

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

#### MESSAGES TO THE SENATE

House Chamber  
Bismarck, January 20, 1955

Mr. President: I have the honor to return:  
Senate Concurrent Resolution "G".  
Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, January 20, 1955

Mr. President: I have the honor to transmit:  
House Concurrent Resolution "H".

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

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, January 20, 1955

Mr. President: I have the honor to transmit:  
House Bill No. 506.

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

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, January 20, 1955

Mr. President: I have the honor to transmit:  
House Concurrent Resolution "F".

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

SECOND READING AND FINAL PASSAGE  
OF SENATE BILLS

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, 0; absent and not voting, 5.

Those voting in the affirmative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Holand            | Olson     |
| Berube     | Johnson, Cavalier | Page      |
| Bilden     | Kamrath           | Sayer     |
| Davis      | Kieley            | Schmit    |
| Day        | Klefstad          | Schoeder  |
| Dewing     | Knudson           | Schrock   |
| Dolan      | Krenz             | Streibel  |
| Duffy      | Kusler            | Thomas    |
| Ferry      | Leier             | Tuff      |
| Foss       | Livingston        | Wadeson   |
| Fraser     | Luick             | Welanders |
| Freed      | Meidinger         | Wog       |
| Gilbertson | Nelson            | Wolf      |
| Hagen      | O'Brien           | Yunker    |
| Hernett    |                   |           |

Absent and not voting:

|               |         |       |
|---------------|---------|-------|
| Bridston      | Rue     | Torno |
| Johnson, Cass | Solberg |       |

So the bill passed and the title was agreed to.

Senate Bill No. 17

Was 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, 4.

Those voting in the affirmative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Holand            | Page      |
| Berube     | Johnson, Cavalier | Sayer     |
| Bilden     | Kamrath           | Schmit    |
| Davis      | Kieley            | Schoeder  |
| Day        | Klefstad          | Schrock   |
| Dewing     | Knudson           | Solberg   |
| Dolan      | Krenz             | Streibel  |
| Duffy      | Kusler            | Thomas    |
| Ferry      | Leier             | Tuff      |
| Foss       | Livingston        | Wadeson   |
| Fraser     | Luick             | Welanders |
| Freed      | Meidinger         | Wog       |
| Gilbertson | Nelson            | Wolf      |
| Hagen      | O'Brien           | Yunker    |
| Hernett    | Olson             |           |

Absent and not voting:

|               |     |       |
|---------------|-----|-------|
| Bridston      | Rue | Torno |
| Johnson, Cass |     |       |

So the bill passed and the title was agreed to.

Senate 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, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | O'Brien           | Yunker   |
| Hernett    | Olson             |          |

Absent and not voting:

|               |     |       |
|---------------|-----|-------|
| Bridston      | Rue | Torno |
| Johnson, Cass |     |       |

So the bill passed and the title was agreed to.

Senate Bill No. 38

Was 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, 4.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Olson    |
| Berube     | Johnson, Cavalier | Page     |
| Bilden     | Kamrath           | Sayer    |
| Davis      | Kieley            | Schmit   |
| Day        | Klefstad          | Schoeder |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | O'Brien           | Yunker   |
| Hernett    |                   |          |

Those voting in the negative were:

Schrock

Absent and not voting:

|               |     |       |
|---------------|-----|-------|
| Bridston      | Rue | Torno |
| Johnson, Cass |     |       |

So the bill passed and the title was agreed to.

Senate Bill No. 43

Was 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, 5.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cavalier | Sayer    |
| Berube     | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Krenz             | Solberg  |
| Dolan      | Kusler            | Streibel |
| Duffy      | Leier             | Thomas   |
| Ferry      | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     | Page              |          |

Those voting in the negative were:

Bilden Fraser

Absent and not voting:

|               |         |       |
|---------------|---------|-------|
| Bridston      | Knudson | Torno |
| Johnson, Cass | Rue     |       |

So the bill passed and the title was agreed to.

## SECOND READING OF SENATE RESOLUTIONS

Senate Concurrent Resolution "E"

Was read the second time.

Senator Wog moved that Senate Concurrent Resolution "E" be laid over one legislative day, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

Senator Day moved that the proposed amendment to Senate Bill No. 36 be adopted, which motion prevailed.

Senator Day moved that the proposed amendment to Senate Bill No. 42 be adopted, which motion prevailed.

Senator Day moved that the proposed amendment to Senate Bill No. 44 be adopted, which motion prevailed.

Senator Schoeder moved that the Committee Report on Senate Concurrent Resolution "B" be reconsidered, which motion prevailed.

Senator Schoeder moved that Senate Concurrent Resolution "B" be re-referred to the Committee on Natural Resources, which motion prevailed.

The question being on the Committee Report to amend Senate Bill No. 24, Senator Duffy made a substitute motion that the question be separated into two parts, the first on the designation of the fund from which the money is taken, and the second, on the lesser amendment in the second paragraph of the report, which motion prevailed.

Senator Page moved to amend Senate Bill No. 24, in line 2, after the word "Treasury", insert the words "in the Game and Fish fund", which motion carried.

Senator Page moved the adoption of the remainder of the amendment reading as follows:

Strike out lines 5, 6, 7, 8, 9, and insert in lieu thereof, the following lines: "wolves, coyotes, foxes, bobcats and magpies as provided in Chapters 20-13 and 20-14, North

Dakota Revised Code of 1943, as amended", and renumber the lines accordingly.

Which motion prevailed.

Senator Page moved that the proposed amendment to Senate Bill No. 28 be adopted, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

House Bill No. 506. 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 for the first time and referred to the Committee on Appropriations.

#### FIRST READING OF SENATE BILLS

Senator Day introduced:

Senate Bill No. 85. A Bill for an Act to amend and reenact section 40-1803 of the North Dakota Revised Code of 1943, relating to police magistrates and justices of the peace.

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

Senator Day introduced:

Senate Bill No. 86. A Bill for an Act to amend and reenact sections 21-0605 and 21-0606 of the North Dakota Revised Code of 1943, relating to the destruction of documents.

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

Senator Day introduced:

Senate Bill No. 87. A Bill for an Act to amend and reenact section 28-0611 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to service of process upon non-resident highway users.

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

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Resolution 2

Senate Concurrent Resolution "D"

House Concurrent Resolution "F"

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

#### REPORT OF STANDING COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

Senate Resolution No. 2

Was delivered to the Secretary of State at the hour of 3:30 o'clock p.m., January 20, 1955.

ROSAMOND O'BRIEN, Chairman.



## CONSIDERATION OF AMENDMENTS

Senator Duffy moved that the vote by which Senate Bill No. 22 was passed be reconsidered, which motion prevailed.

Senator Duffy moved that Senate Bill No. 22 be placed at the head of the calendar for consideration and final action.

Senator Duffy moved that the rules be suspended and that Senate Bill No. 22 be amended as follows:

In line 2 of the title, insert in lieu of "Chapter 6-07 of the 1947 Supplement", "Chapter 6-07 of the 1953 Supplement", and in line 4 of the bill, strike out "1947" and insert "1953", which motion prevailed.

Senator Duffy moved that the rules be suspended, and that Senate Bill No. 22 be deemed properly engrossed and placed before the Senate for final action, as amended.

SECOND READING OF SENATE BILLS  
ROLL CALL

The question being on the motion of Senator Duffy, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

|            |            |          |
|------------|------------|----------|
| Baeverstad | Holand     | Page     |
| Berube     | Kamrath    | Sayer    |
| Bilden     | Kieley     | Schmit   |
| Davis      | Klefstad   | Schoeder |
| Day        | Knudson    | Schrock  |
| Dewing     | Krenz      | Solberg  |
| Dolan      | Kusler     | Streibel |
| Duffy      | Leier      | Thomas   |
| Ferry      | Livingston | Tuff     |
| Foss       | Luick      | Wadeson  |
| Fraser     | Meidinger  | Welander |
| Freed      | Nelson     | Wog      |
| Gilbertson | O'Brien    | Wolf     |
| Hagen      | Olson      | Yunker   |
| Hernett    |            |          |

Absent and not voting:

|               |                   |       |
|---------------|-------------------|-------|
| Bridston      | Johnson, Cavalier | Torno |
| Johnson, Cass | Rue               |       |

So the motion prevailed and Senate Bill No. 22 passed, as amended.

## FIRST READING OF SENATE BILLS

Senators Baeverstad, Day, Duffy, Holand, Rue, Solberg, Streibel and Tuff introduced:

Senate Bill No. 88. A Bill for an Act appropriating four hundred and four thousand dollars for armory purposes and providing for the disbursement thereof, and declaring an emergency.

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

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

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

## EIGHTEENTH DAY

Bismarck, January 21, 1955

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

Prayer by Chaplain Rev. Frank Rumer, Burns Methodist Church, Mandan, No. Dak.

Roll Call. All members present except Senators Bilden, Bridston, Gilbertson, Johnson (Cass), Johnson (Cavalier), Torno, Welander.

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

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

Page 86, Line 26, show "Senate" Concurrent Resolution "G" instead of "House."

Page 90, line 40, correct the spelling of "House".

Page 89, line 42, insert the words "to amend" after the word "Report", and strike out the word "of".

And when so corrected recommend that the same be approved.

JOHN LEIER, Chairman.

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

## COMMUNICATIONS

A communication from John A. Waring, Jr., New York City, requesting information on an old law regarding making pi equal to 3.00, was read and referred to the Committee on Natural Resources.

A communication from Vance C. Onstad, Secretary, Farmers Union, Local 459, Parshall, N. Dak., to assure full loss on hail damage to swathed grain, was read and referred to the Committee on Agriculture.

## MESSAGES TO THE SENATE

House Chamber

Bismarck, January 21, 1955

Mr. President: I have the honor to transmit:  
House Concurrent Resolution "E"

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, January 21, 1955

Mr. President: I have the honor to request the return of House Concurrent Resolution "H".

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, January 21, 1955

Mr. President: I have the honor to transmit:

House Concurrent Resolution "I"

House Bill No. 536

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

KENNETH L. MORGAN, Chief Clerk.

Senator Solberg moved that the Senate return House Concurrent Resolution "H" to the House, which motion prevailed.

Senator Sayer moved that the President invite the County Superintendents in the gallery to come down and take seats on the floor, 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. 22

Senate Bill No. 24

Senate Bill No. 28

Senate Bill No. 36

Senate Bill No. 42

Senate Bill No. 44

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

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

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

Senate Concurrent Resolution "G"

And find the same correctly enrolled.

ROSAMOND O'BRIEN, Chairman.

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

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

In the title of the bill in the second line after the word "Education" insert the following words: "and declaring an emergency".

In line 3 strike out the figure "\$225,000.00" and insert the figure "\$231,000.00" in lieu thereof.

In line 9 after the word "Education" insert the following: "of which \$225,000.00 will be available".

In line 10 after the year "1957" strike out the period and insert the following: ", and \$6,000.00 shall be available immediately upon passage."

After line 10 insert the following section:

"Section 2. EMERGENCY.) This Act is declared to be an emergency measure and shall be in full force and effect upon its passage and approval."

Renumber the lines accordingly.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 25, have had the same under consideration and recommend that the same be amended as follows:

In line 12 after the word "Expense" strike out the following: "(Intra-state only)".

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

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

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

In line 3 strike out the figure \$35,100.00 and insert the figure \$59,700.00 in lieu thereof.

In line 8 strike out the figure \$8,400.00 and insert the figure \$9,000.00 in lieu thereof.

In line 9 strike out the figure \$4,000.00 and insert the figure \$10,000.00 in lieu thereof.

In line 10 strike out the figure \$2,500.00 and insert the figure \$4,500.00 in lieu thereof.

In line 12 strike out the figure \$1,500.00 and insert the figure \$2,000.00 in lieu thereof.

In line 14 strike out the figure \$4,000.00 and insert the figure \$4,500.00 in lieu thereof.

In line 16 strike out the figure \$10,000.00 and insert the figure \$25,000.00 in lieu thereof.

In line 18 strike out the figure \$35,100.00 and insert the figure \$59,700.00 in lieu thereof.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 72, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 515, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

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

#### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, January 21, 1955

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "F"

Which the President has signed.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, January 21, 1955

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "D"

Which the President has signed and your signature is respectfully requested.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, January 21, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 16

Senate Bill No. 17

Senate Bill No. 22

Senate Bill No. 29

Senate Bill No. 38

Senate Bill No. 43

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

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, January 21, 1955

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "H"

Which the House has requested.

EDWARD LENO, Secretary.

#### CONSIDERATION OF AMENDMENTS

Senator Page moved that the proposed amendment to Senate Bill No. 27 be adopted, which motion prevailed, and the amendment was adopted.

Senator Hagen moved that the proposed amendment to Senate Bill No. 53 be adopted, which motion prevailed, and the amendment was adopted.

#### MESSAGE FROM THE HOUSE

House Chamber  
Bismarck, January 21, 1955

Mr. President: I have the honor to inform you that the Speaker has appointed Reps. Adamsen, Thompson of Burleigh and Goebel to act with a like committee from the Senate to

arrange for a joint session on Lincoln's birthday and Boy Scout week.

KENNETH L. MORGAN, Chief Clerk.

#### MOTIONS AND RESOLUTIONS

Senator Davis moved that the President appoint a committee of three to meet with a like committee from the House to arrange for a joint program for Boy Scout Week and Lincoln's birthday, which motion prevailed.

The President appointed Senators Davis, Schmit, and Kieley to act on such committee.

Senator Page moved that following adjournment of the Senate on Monday, January 24, 1955, the Senate go into joint session with the House for the purpose of viewing pictures sponsored by the Agricultural College, which motion prevailed.

Senator Wog moved that Senate Concurrent Resolution "E" be re-referred to the Committee on State and Federal Government, which motion prevailed.

#### FIRST READING OF SENATE BILLS

Senator Day, by request, introduced:

**Senate Bill No. 89.** A Bill for an Act to create a county highway department in each county, and to repeal sections 11-3101 and 11-31011 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to the office of the county highway engineer.

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

Senator Schmit introduced:

**Senate Bill No. 90.** A Bill for an Act to amend and reenact section 35-2013 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to house mover's liens.

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

Senators Meidinger, Wadson, Hernet, Foss, Johnson of Cavalier, Dewing, Luick and Page introduced:

**Senate Bill No. 91.** A Bill for an Act prohibiting issuance of any hunting or fishing license where the applicant has unpaid delinquent personal property taxes outstanding.

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

Senator Page introduced:

**Senate Bill No. 92.** A Bill for an Act to amend and reenact sections 15-5903, 15-5904 and 15-5905, and to repeal section 15-5902 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to the program of special education of exceptional children.

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

#### FIRST READING OF HOUSE BILLS AND RESOLUTIONS

**House Concurrent Resolution "I".** A Concurrent Resolution to permit the Bismarck Association for the Handicapped to use memorial hall for the sale of goods manufactured by handicapped persons.

Senator Streibel moved that the rules be suspended and that House Concurrent Resolution "I" be placed on the calendar for second reading and final action, which motion prevailed.

Senator Streibel moved that House Concurrent Resolution "I" be adopted, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

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 be amended as follows:

In line 89, strike out the comma between the words "alcoholics" and "drug" and in lieu thereof insert the word "and"

In line 89, strike out "and persons suffering"

In line 90, strike out "from mental illness"

In line 91, strike out "either by commitment by the insanity board or"

In line 95, strike out the comma between the words "alcoholics" and "drug" and in lieu thereof insert the word "and"

In line 95, strike out "and persons"

In line 96, strike out "suffering from mental illness"

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. 51, 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. 55, 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. 54, have had the same under consideration and recommend that the same be amended as follows:

In line 2 of the title, strike out the word "five" and insert in lieu thereof the word "three"

In line 2, strike out the word "five" and in lieu thereof insert the word "three"

In line 7, strike out the word "five" and in lieu thereof insert the word "three"

In line 9, strike out the word "five" and in lieu thereof insert the word "one"

In line 9, strike off the apostrophe on the letter "s" in "years"

In line 10, after the word "imprisonment" add "at the State Farm"

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.

#### FIRST READING OF HOUSE BILLS

**House Bill No. 536.** 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 construction fund in the state treasury.

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

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 14.** A Bill for an Act making an appropriation for Vocational Agriculture, Vocational Home Economics, Occupational Information and Guidance, Business Education, and Trade and Industrial Education.

Was 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, 8.

Those voting in the affirmative were:

|         |            |          |
|---------|------------|----------|
| Berube  | Kieley     | Rue      |
| Davis   | Klefstad   | Sayer    |
| Day     | Knudson    | Schmit   |
| Dewing  | Krenz      | Schoeder |
| Dolan   | Kusler     | Schrock  |
| Duffy   | Leier      | Solberg  |
| Ferry   | Livingston | Streibel |
| Foss    | Luick      | Thomas   |
| Fraser  | Meidinger  | Tuff     |
| Freed   | Nelson     | Wadeson  |
| Hagen   | O'Brien    | Wog      |
| Hernett | Olson      | Wolf     |
| Holand  | Page       | Yunker   |
| Kamrath |            |          |

Absent and not voting:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Gilbertson        | Torno    |
| Bilden     | Johnson, Cass     | Welander |
| Bridston   | Johnson, Cavalier |          |

So the bill passed and the title was agreed to.

**Senate Bill No. 24.** A Bill for an Act making an appropriation for the purpose of paying a bounty on wolves, coyotes, foxes, bobcats and magpies.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 31; nays, 8; absent and not voting, 9.

Those voting in the affirmative were:

|        |         |          |
|--------|---------|----------|
| Berube | Kamrath | Schoeder |
| Davis  | Kieley  | Schrock  |



|        |           |          |
|--------|-----------|----------|
| Day    | Kusler    | Solberg  |
| Dewing | Luick     | Streibel |
| Dolan  | Meidinger | Thomas   |
| Duffy  | Nelson    | Tuff     |
| Ferry  | Olson     | Wadeson  |
| Foss   | Page      | Wog      |
| Fraser | Rue       | Wolf     |
| Hagen  | Schmit    | Yunker   |
| Holand |           |          |

Those voting in the negative were:

|         |            |         |
|---------|------------|---------|
| Freed   | Krenz      | O'Brien |
| Hernett | Leier      | Sayer   |
| Knudson | Livingston |         |

Absent and not voting:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Gilbertson        | Klefstad |
| Bilden     | Johnson, Cass     | Torno    |
| Bridston   | Johnson, Cavalier | Welander |

So the bill passed and the title was agreed to.

**Senate Bill No. 28.** A Bill for an Act making an appropriation for the purpose of operating and maintaining the State Fire and Tornado Fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

|         |            |          |
|---------|------------|----------|
| Berube  | Kieley     | Rue      |
| Davis   | Klefstad   | Sayer    |
| Day     | Knudson    | Schmit   |
| Dewing  | Krenz      | Schoeder |
| Dolan   | Kusler     | Schrock  |
| Duffy   | Leier      | Solberg  |
| Ferry   | Livingston | Streibel |
| Foss    | Luick      | Thomas   |
| Fraser  | Meidinger  | Tuff     |
| Freed   | Nelson     | Wadeson  |
| Hagen   | O'Brien    | Wog      |
| Hernett | Olson      | Wolf     |
| Holand  | Page       | Yunker   |
| Kamrath |            |          |

Absent and not voting:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Gilbertson        | Torno    |
| Bilden     | Johnson, Cass     | Welander |
| Bridston   | Johnson, Cavalier |          |

So the bill passed and the title was agreed to.

**Senate Bill No. 36.** A Bill for an Act to correct clerical typographical or printing errors in sections of the North Dakota Revised Code of 1943 or the 1953 Supplement thereto, and amending sections 26-2315, 35-2302, 40-0105, 40-2501, of the North Dakota Revised Code of 1943, and sections 24-0128 and 40-3802 of the 1953 Supplement to the North Dakota Revised Code of 1943.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

|         |            |          |
|---------|------------|----------|
| Berube  | Kamrath    | Page     |
| Davis   | Kieley     | Rue      |
| Day     | Klefstad   | Sayer    |
| Dewing  | Knudson    | Schmit   |
| Dolan   | Krenz      | Schoeder |
| Duffy   | Kusler     | Schrock  |
| Ferry   | Leier      | Solberg  |
| Foss    | Livingston | Streibel |
| Fraser  | Luick      | Thomas   |
| Freed   | Meidinger  | Wadeson  |
| Hagen   | Nelson     | Wog      |
| Hernett | O'Brien    | Wolf     |
| Holand  | Olson      | Yunker   |

Absent and not voting:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Gilbertson        | Torno     |
| Bilden     | Johnson, Cass     | Tuff      |
| Bridston   | Johnson, Cavalier | Welanders |

So the bill passed and the title was agreed to.

Senate Bill No. 39. A Bill for an Act to amend and reenact section 57-1516 and subsection 1 of section 57-1517 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to tax levies for building funds in school districts and the use thereof.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

|         |            |          |
|---------|------------|----------|
| Berube  | Kamrath    | Rue      |
| Davis   | Kieley     | Sayer    |
| Day     | Klefstad   | Schmit   |
| Dewing  | Knudson    | Schoeder |
| Dolan   | Krenz      | Schrock  |
| Duffy   | Kusler     | Solberg  |
| Ferry   | Leier      | Streibel |
| Foss    | Livingston | Thomas   |
| Fraser  | Luick      | Wadeson  |
| Freed   | Meidinger  | Wog      |
| Hagen   | O'Brien    | Wolf     |
| Hernett | Olson      | Yunker   |
| Holand  | Page       |          |

Absent and not voting:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Johnson, Cass     | Torno     |
| Bilden     | Johnson, Cavalier | Tuff      |
| Bridston   | Nelson            | Welanders |
| Gilbertson |                   |           |

So the bill passed and the title was agreed to.

Senate Bill No. 42. A Bill for an Act to repeal chapter 57-29 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to mineral rights privilege tax.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

|         |            |          |
|---------|------------|----------|
| Berube  | Kamrath    | Rue      |
| Davis   | Kieley     | Sayer    |
| Day     | Klefstad   | Schmit   |
| Dewing  | Knudson    | Schoeder |
| Dolan   | Krenz      | Schrock  |
| Duffy   | Kusler     | Solberg  |
| Ferry   | Leier      | Streibel |
| Foss    | Livingston | Thomas   |
| Fraser  | Luick      | Wadeson  |
| Freed   | Meidinger  | Wog      |
| Hagen   | O'Brien    | Wolf     |
| Hernett | Olson      | Yunker   |
| Holand  | Page       |          |

Absent and not voting:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Torno    |
| Bilden     | Johnson, Cavalier | Tuff     |
| Bridston   | Nelson            | Welander |
| Gilbertson |                   |          |

So the bill passed and the title was agreed to.

Senate Bill No. 44. A Bill for an Act to amend and reenact section 30-1933 of the North Dakota Revised Code of 1943 relating to orders to mortgage by county courts.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

|         |            |          |
|---------|------------|----------|
| Berube  | Kamrath    | Rue      |
| Davis   | Kieley     | Sayer    |
| Day     | Klefstad   | Schmit   |
| Dewing  | Knudson    | Schoeder |
| Dolan   | Krenz      | Schrock  |
| Duffy   | Kusler     | Solberg  |
| Ferry   | Leier      | Streibel |
| Foss    | Livingston | Thomas   |
| Fraser  | Luick      | Wadeson  |
| Freed   | Meidinger  | Wog      |
| Hagen   | O'Brien    | Wolf     |
| Hernett | Olson      | Yunker   |
| Holand  | Page       |          |

Absent and not voting:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Torno    |
| Bilden     | Johnson, Cavalier | Tuff     |
| Bridston   | Nelson            | Welander |
| Gilbertson |                   |          |

So the bill passed and the title was agreed to.

Senate Bill No. 52. A Bill for an Act to amend and reenact section 21-0607 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to investment by

political subdivisions of surplus fund moneys in government bonds.

Was 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, 1; absent and not voting, 10.

Those voting in the affirmative were:

|         |            |          |
|---------|------------|----------|
| Berube  | Kieley     | Rue      |
| Davis   | Klefstad   | Sayer    |
| Dewing  | Knudson    | Schmit   |
| Dolan   | Krenz      | Schoeder |
| Duffy   | Kusler     | Schrock  |
| Ferry   | Leier      | Solberg  |
| Foss    | Livingston | Streibel |
| Fraser  | Luick      | Thomas   |
| Freed   | Meidinger  | Wadeson  |
| Hagen   | O'Brien    | Wog      |
| Hernett | Olson      | Wolf     |
| Holand  | Page       | Yunker   |
| Kamrath |            |          |

Those voting in the negative were:

Day

Absent and not voting:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Johnson, Cass     | Torno     |
| Bilden     | Johnson, Cavalier | Tuff      |
| Bridston   | Nelson            | Welanders |
| Gilbertson |                   |           |

So the bill passed and the title was agreed to.

House Bill No. 514. 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 disbursement for 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, 37; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

|         |            |          |
|---------|------------|----------|
| Berube  | Kieley     | Rue      |
| Davis   | Klefstad   | Sayer    |
| Day     | Knudson    | Schmit   |
| Dewing  | Krenz      | Schoeder |
| Dolan   | Kusler     | Schrock  |
| Duffy   | Leier      | Solberg  |
| Ferry   | Livingston | Streibel |
| Foss    | Luick      | Thomas   |
| Fraser  | Meidinger  | Wadeson  |
| Hagen   | O'Brien    | Wog      |
| Hernett | Olson      | Wolf     |
| Holand  | Page       | Yunker   |
| Kamrath |            |          |

Absent and not voting:

|            |               |       |
|------------|---------------|-------|
| Baeverstad | Gilbertson    | Torno |
| Bilden     | Johnson, Cass | Tuff  |

Bridston                      Johnson, Cavalier    Welander  
 Freed                            Nelson

So the bill passed and the title was agreed to.

**House Bill No. 522.** A Bill for an Act making an appropriation to pay the expenses and per diem of Presidential Electors.

Was read the second time.

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, 10.

#### ROLL CALL

Those voting in the affirmative were:

|         |            |          |
|---------|------------|----------|
| Berube  | Kamrath    | Rue      |
| Davis   | Kieley     | Sayer    |
| Day     | Klefstad   | Schmit   |
| Dewing  | Knudson    | Schoeder |
| Dolan   | Krenz      | Schrock  |
| Duffy   | Kusler     | Solberg  |
| Ferry   | Leier      | Streibel |
| Foss    | Livingston | Thomas   |
| Fraser  | Luick      | Wadeson  |
| Freed   | Meidinger  | Wog      |
| Hagen   | O'Brien    | Wolf     |
| Hernett | Olson      | Yunker   |
| Holand  | Page       |          |

Absent and not voting:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Torno    |
| Bilden     | Johnson, Cavalier | Tuff     |
| Bridston   | Nelson            | Welander |
| Gilbertson |                   |          |

So the bill passed and the title was agreed to.

#### MESSAGE TO THE SENATE

House Chamber

Bismarck, January 21, 1955

Mr. President: I have the honor to inform you that the Speaker has appointed Reps. Brown, Schuler, and Lindberg as a committee to act with a like committee from the Senate to arrange for a Washington Day program.

KENNETH L. MORGAN, Chief Clerk.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution "G"

House Concurrent Resolution "E"

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

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

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

NINETEENTH DAY

Bismarck, January 22, 1955

The Senate convened at 2:00 p.m., Senator Kamrath presiding.

Prayer by Chaplain Rev. Kenneth E. Olson, Assembly of God, Bismarck, No. Dak.

Roll Call: All members present except Senators Baeverstad, Bilden, Bridston, Day, Dolan, Gilbertson, Hernet, Holand, Johnson (Cass), Johnson (Cavalier), Kieley, Klefstad, Knudson, Kusler, Livingston, Meidinger, Nelson, O'Brien, Schmit, Schoeder, Schrock, Thomas, Torno, Tuff, Welander.

So a quorum was declared not present.

Senator Streibel moved that the Senate stand recessed until 1:00 p.m., Monday, January 24, 1955, which motion prevailed, and the Senate stood recessed.

EDWARD LENO, Secretary.

NINETEENTH DAY AFTER RECESS  
AND TWENTY-FIRST DAY

Bismarck, January 24, 1955

The Senate reconvened at 1:00 p.m., the President presiding.

Roll Call: All members present except Senators Bilden, Duffy, Fraser, Holand, Kieley, Klefstad, Schrock, Wadson. So a quorum was declared.

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 94, line 12, correct House Concurrent Resolution to read "I" instead of "J".

And when so corrected recommends that the same be approved.

JOHN LEIER, Chairman.

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

MESSAGE TO THE SENATE

House Chamber  
Bismarck, January 22, 1955

Mr. President: I have the honor to transmit:

House Bill No. 577

House Bill No. 597

House Concurrent Resolution "H"

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

KENNETH L. MORGAN, Chief Clerk.

PETITIONS AND COMMUNICATIONS

A communication was read from the Chairman of the Theodore Roosevelt National Memorial Park Committee, and referred to the Committee on Transportation.

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. 27

Senate Bill No. 53

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

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

FIRST READING OF HOUSE RESOLUTION

House Concurrent Resolution "H". A Concurrent Resolution providing and designating House and Senate Employees and naming and fixing their salaries.

Was read the first time.

Senator Hagen moved that the rules be suspended and that House Concurrent Resolution "H" be placed before the Senate for second reading and final action, which motion prevailed.

SECOND READING OF HOUSE RESOLUTION

House Concurrent Resolution "H". A Concurrent Resolution providing and designating House and Senate Employees and naming and fixing their salaries.

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, 4.

Those voting in the affirmative were:

|               |                   |          |
|---------------|-------------------|----------|
| Baeverstad    | Johnson, Cavalier | Sayer    |
| Berube        | Kamrath           | Schmit   |
| Davis         | Kieley            | Schoeder |
| Day           | Klefstad          | Schrock  |
| Dewing        | Knudson           | Solberg  |
| Dolan         | Krenz             | Streibel |
| Duffy         | Kusler            | Thomas   |
| Ferry         | Livingston        | Torno    |
| Foss          | Luick             | Tuff     |
| Fraser        | Meidinger         | Wadeson  |
| Freed         | Nelson            | Welander |
| Gilbertson    | O'Brien           | Wog      |
| Hagen         | Olson             | Wolf     |
| Hernett       | Page              | Yunker   |
| Johnson, Cass | Rue               |          |

Absent and not voting:

|          |        |       |
|----------|--------|-------|
| Bilden   | Holand | Leier |
| Bridston |        |       |

So the Resolution passed and the title was agreed to.

Senator Hagen moved that the vote by which House Concurrent Resolution "H" was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, January 24, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 14



Senate Bill No. 24  
 Senate Bill No. 28  
 Senate Bill No. 36  
 Senate Bill No. 39  
 Senate Bill No. 42  
 Senate Bill No. 44  
 Senate Bill No. 52

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

EDWARD LENO, Secretary.  
 Senate Chamber

Bismarck, January 24, 1955

Mr. Speaker: I have the honor to inform you that the President has appointed as a committee to act with a like committee from the House, Senators Rue, Thomas and Davis to arrange for a joint session observing Washington's birthday.

EDWARD LENO, Secretary.  
 Senate Chamber

Bismarck, January 24, 1955

Mr. Speaker: I have the honor to inform you that the President has appointed as a committee to act with a like committee from the House, Senators Davis, Schmit and Kieley to arrange for a joint ceremony in honoring Lincoln's birthday and Boy Scout Week.

EDWARD LENO, Secretary.  
 Senate Chamber

Bismarck, January 24, 1955

Mr. Speaker: I have the honor to transmit:  
 Senate Concurrent Resolution "G"

Which the President has signed and your signature is respectfully requested.

EDWARD LENO, Secretary.  
 Senate Chamber

Bismarck, January 24, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 514  
 House Bill No. 522  
 House Concurrent Resolution "I"

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.  
 Senate Chamber

Bismarck, January 24, 1955

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "E"  
 Which the President has signed.

EDWARD LENO, Secretary.  
 Senate Chamber

Bismarck, January 24, 1955

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "H"  
 Which the Seante has passed unchanged.

EDWARD LENO, Secretary.

## REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Finance and Taxation, to whom was referred Senate Bill No. 71, have had the same under consideration and recommend that the same be returned without recommendation.

RALPH DEWING, Chairman.

Senator Dewing moved that the report be adopted.

Senator Page made a substitute motion that the Committee Report on Senate Bill No. 71 be placed on the calendar without recommendation, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation, to whom was referred House Bill No. 536, have had the same under consideration and recommend that the same do pass.

RALPH DEWING, Chairman.

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

## FIRST READING OF SENATE BILLS

Senator Duffy introduced:

Senate Bill No. 93. A Bill for an Act to amend and reenact subsections 3 and 4 of section 59-0302 of the North Dakota Revised Code of 1943 relating to restrictions on the purposes for which express trusts may be created.

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

Senator Duffy introduced:

Senate Bill No. 94. A Bill for an Act amending and reenacting section 58-0405 of the 1953 Supplement to the North Dakota Revised Code of 1943 and section 58-0605 of the North Dakota Revised Code of 1943, relating to meetings of the board of township supervisors.

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

Senators Duffy and Leier introduced:

Senate Bill No. 95. A Bill for an Act to amend and reenact subsection 3 of section 20-0126 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the operation of watercraft.

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

Senator Duffy introduced:

Senate Bill No. 96. A Bill for an Act repealing section 44-0610 of the North Dakota Revised Code of 1943, to remove the prohibition upon a notary public acting officially where he changes county residence.

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

Senator Meidinger introduced:

Senate Bill No. 97. A Bill for an Act to amend and reenact section 57-38151 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to capital gains and losses for income tax purposes.

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

Senators Page and Foss introduced:

**Senate Bill No. 98.** A Bill for an Act to amend and reenact section 53-0105 of the North Dakota Revised Code of 1943, relating to compensation of the boxing and wrestling commissioner and secretary of the state athletic commission.

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

Senator Olson introduced:

**Senate Bill No. 99.** A Bill for an Act to repeal chapter 54-38 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the state commission on alcoholism.

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

Senator Duffy introduced:

**Senate Bill No. 100.** A Bill for an Act to amend and reenact Section 1 of Chapter 277 of the North Dakota Session Laws of 1953, being Section 47-1636 of the 1953 Cumulative 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.

The Judiciary Committee introduced:

**Senate Bill No. 101.** A Bill for an Act to improve and extend by reciprocal legislation the enforcement of duties of support under chapter 14-12, and amending sections 14-1207, 14-1208, 14-1210, 14-1211, 14-1212, and 14-1218 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to reciprocal enforcement of duties of support.

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

Senators Streibel, Page, Leier, Duffy, Luick, Dewing and Day introduced:

**Senate Bill No. 102.** A Bill for an Act levying a tax upon the privilege of operating certain classes of motor vehicles upon the public highways of this state, providing for the administration and enforcement thereof, and appropriating the proceeds thereof to the state highway department construction fund.

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

Senators Duffy, Klefstad, Fraser and Olson introduced:

**Senate Bill No. 103.** A Bill for an Act relating to cooperative associations or corporations, providing for their period of existence, making those heretofore organized under chapter 43 of the North Dakota Session Laws of 1921 be governed by the provisions of chapter 1015 of the North Dakota Revised Code of 1943, making those heretofore organized under chapter 44 of the North Dakota Sessions Laws of 1921 be governed by the provisions of chapter 4-07 of the North Dakota Revised Code of 1943, and amending sections 4-0710, 4-0713, 10-1504, 10-1508 and 10-1515 of the North Dakota Revised Code of 1943 and section 4-07121 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to amendment of articles of incorporation of cooperatives, adoption and amendment of their bylaws, voting by mail,

calling of their regular and special meetings and quorum at meetings.

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

Senators Klefstad and O'Brien introduced:

Senate Bill No. 104. A Bill for an Act to prevent the abandoning or discarding of ice-boxes, refrigerators, or ice chests which have latch lids or doors and to provide a penalty.

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

FIRST READING OF HOUSE BILLS

House Bill No. 577. A Bill for an Act to amend and reenact section 21-0501 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to claims against a county.

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

House Bill No. 597. A Bill for an Act to require the state board of administration to advertise for bids for coal and other supplies for the soldiers' home, upon the request of the board of trustees thereof, and declaring an emergency.

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

CONSIDERATION OF AMENDMENTS

Senator Page moved that the proposed amendments to Senate Bill No. 23 be adopted, which motion prevailed.

Senator Page moved that the proposed amendment to Senate Bill No. 25 be adopted, which motion prevailed.

Senator Page moved that the proposed amendment to Senate Bill No. 26 be adopted, which motion prevailed.

Senator Day moved that the proposed amendments to Senate Bill No. 35 be adopted, which motion prevailed.

Senator Day moved that the proposed amendments to Senate Bill No. 54 be adopted, which motion prevailed.

Senator Solberg moved that the following be employed by the Senate, to-wit:

Mrs. John Harms.....Stenographer

ROLL CALL

The question being on the motion of Senator Solberg, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Sayer    |
| Berube     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Kieley            | Schrock  |
| Day        | Klefstad          | Solberg  |
| Dewing     | Krenz             | Streibel |
| Dolan      | Kusler            | Thomas   |
| Ferry      | Livingston        | Tomo     |
| Foss       | Meidinger         | Tuff     |
| Fraser     | Nelson            | Wadeson  |
| Freed      | O'Brien           | Welander |

|            |       |        |
|------------|-------|--------|
| Gilbertson | Olson | Wog    |
| Hagen      | Page  | Wolf   |
| Hernett    | Rue   | Yunker |

Absent and not voting:

|        |         |       |
|--------|---------|-------|
| Bilden | Holand  | Leier |
| Duffy  | Knudson | Luick |

So the motion of Senator Solberg carried and the above employee was declared elected. The President administered the oath of office to said employee.

#### SECOND READING OF SENATE BILL

**Senate Bill No. 27.** A Bill for an Act making an appropriation for the operation and maintenance of the State Hail Insurance Department.

was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Sayer    |
| Berube     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Kieley            | Schrock  |
| Day        | Klefstad          | Solberg  |
| Dewing     | Krenz             | Streibel |
| Dolan      | Kusler            | Thomas   |
| Duffy      | Livingston        | Torno    |
| Ferry      | Luick             | Tuff     |
| Foss       | Meidinger         | Wadeson  |
| Fraser     | Nelson            | Welander |
| Freed      | O'Brien           | Wog      |
| Gilbertson | Olson             | Wolf     |
| Hagen      | Page              | Yunker   |
| Hernett    | Rue               |          |

Absent and not voting:

|        |         |       |
|--------|---------|-------|
| Bilden | Knudson | Leier |
| Holand |         |       |

So the bill passed and the title was agreed to.

**Senate Bill No. 51.** A Bill for an Act to amend and reenact subdivisions b and i of subsection 2 of section 57-3711 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to terminable interests and interests in property considered as passing from a decedent, and declaring an emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Sayer    |
| Berube     | Johnson, Cass     | Schmit   |
| Bridston   | Johnson, Cavalier | Schoeder |
| Davis      | Kamrath           | Schrock  |
| Day        | Kieley            | Solberg  |

|                        |            |          |
|------------------------|------------|----------|
| Dewing                 | Klefstad   | Streibel |
| Dolan                  | Krenz      | Thomas   |
| Duffy                  | Kusler     | Torno    |
| Ferry                  | Livingston | Tuff     |
| Foss                   | Luick      | Wadeson  |
| Fraser                 | Meidinger  | Welander |
| Freed                  | Nelson     | Wog      |
| Gilbertson             | O'Brien    | Wolf     |
| Hagen                  | Olson      | Yunker   |
| Hernett                | Page       |          |
| Absent and not voting: |            |          |
| Bilden                 | Leier      | Rue      |
| Knudson                |            |          |

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

Senate Bill No. 53. A Bill for an Act to amend and reenact sections 43-2202, 43-2205, and 43-2208 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to registration of oil and gas brokers, and certification of their employees and agents, and declaring an emergency.

Was read the second time.

Senator Duffy moved to amend Senate Bill No. 53, line 43, by deleting the word "ten" and inserting in lieu thereof, the word "ninety", which motion prevailed.

Senator Duffy moved that the rules be suspended and that Senate Bill No. 53 be deemed properly engrossed and placed at the head of the calendar for final action and approval, 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, 0; absent and not voting, 1.

Those voting in the affirmative were:

|                        |                   |          |
|------------------------|-------------------|----------|
| Baeverstad             | Johnson, Cass     | Rue      |
| Berube                 | Johnson, Cavalier | Sayer    |
| Bridston               | Kamrath           | Schmit   |
| Davis                  | Kieley            | Schoeder |
| Day                    | Klefstad          | Schrock  |
| Dewing                 | Knudson           | Solberg  |
| Dolan                  | Krenz             | Streibel |
| Duffy                  | Kusler            | Thomas   |
| Ferry                  | Leier             | Torno    |
| Foss                   | Livingston        | Tuff     |
| Fraser                 | Luick             | Wadeson  |
| Freed                  | Meidinger         | Welander |
| Gilbertson             | Nelson            | Wog      |
| Hagen                  | O'Brien           | Wolf     |
| Hernett                | Olson             | Yunker   |
| Holand                 | Page              |          |
| Absent and not voting: |                   |          |
| Bilden                 |                   |          |

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

Senate Bill No. 72. A Bill for an Act making an appropriation to meet extraordinary expenses of law enforcement

arising by reason of federal agencies, correcting a clerical error in chapter 8, section 1, 1953 Session Laws of 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, 46; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Page     |
| Berube     | Johnson, Cavalier | Rue      |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     |                   |          |

Absent and not voting:

Bilden                      Sayer

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

**House Bill No. 515.** A Bill for an Act making an appropriation for inquest and burial of penal inmates, and action to release insane.

Was 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, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     | Page              |          |

Absent and not voting:

Bilden

So the bill passed and the title was agreed to.

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

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

TWENTY-FIRST DAY

Bismarck, January 24, 1955

The Senate convened at 2:00 p.m., the President presiding. Prayer by Chaplain Rev. K. E. Olson, Assembly of God Church, Bismarck, No. Dak.

Roll Call: All members present except Senator Bilden.

So a quorum was declared.

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 nineteenth day and finds the same correct.

JOHN LEIER, Chairman.

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

FIRST READING OF SENATE RESOLUTION

Senators Olson, Kamrath, Fraser, Schoeder, Berube, Hagen, Kusler, Welander, Schmit, Dewing, Schrock, Tuff, Gilbertson, Wog, Solberg, Wolf, Ferry, Leier, Johnson (Cavalier), O'Brien, Thomas, Streibel and Yunker introduced:

Senate Resolution No. 3. A Resolution memorializing the President and the Eighty-fourth Congress of the United States to effect certain administrative and legislative changes in public policies and statutes.

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

SECOND READING OF HOUSE BILLS

House Bill No. 536. 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 construction fund in the state treasury.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |



|            |            |          |
|------------|------------|----------|
| Ferry      | Leier      | Torno    |
| Foss       | Livingston | Tuff     |
| Fraser     | Luick      | Wadeson  |
| Freed      | Meidinger  | Welander |
| Gilbertson | Nelson     | Wog      |
| Hagen      | O'Brien    | Wolf     |
| Hernett    | Olson      | Yunker   |
| Holand     | Page       |          |

Absent and not voting:

Bilden

So the bill passed and the title was agreed to.

Senator Berube moved that the absent Senators be excused.

Senator Streibel moved that the Senate adjourn, which motion prevailed and the Senate stood adjourned.

EDWARD LENO, Secretary.

## TWENTY-SECOND DAY

Bismarck, January 25, 1955

The Senate convened at 2:00 p.m., the President presiding. Prayer by Chaplain Rev. M. Lutness, Trinity Lutheran Church, Bismarck, No. Dak.

Roll Call: All members present except Senator Duffy.

So a quorum was declared.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the nineteenth day after recess and twenty-first day and recommend that the same be corrected as follows:

Page 114, line 22, insert the name "Olson" after the word "Senators".

Page 108, line 8, show period after the word "adopted", and delete the words "which motion prevailed and the report was adopted".

And when so corrected recommend that the same be approved.

JOHN LEIER, Chairman.

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

## MESSAGES TO THE SENATE

House Chamber  
Bismarck, January 25, 1955

Mr. President: I have the honor to transmit:

House Bill No. 510

House Bill No. 511

House Bill No. 533

House Bill No. 545

House Bill No. 546

House Bill No. 549

House Bill No. 550

House Bill No. 551

House Bill No. 559

House Bill No. 563.

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

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, January 25, 1955

Mr. President: I have the honor to transmit:

House Bill No. 572

House Bill No. 587

House Bill No. 588

House Bill No. 589

House Concurrent Resolution "C"

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

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, January 25, 1955

Mr. President: I have the honor to transmit:

House Concurrent Resolution "H"

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, January 25, 1955

Mr. President: I have the honor to return:

Senate Concurrent Resolution "D"

Senate Concurrent Resolution "G"

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

#### PETITIONS AND COMMUNICATIONS

A petition from Lions International, District 5-N, McClusky, No. Dak., was read, advocating moving the School for the Blind to a suitable location and providing necessary and proper facilities.

Referred to the Committee on Social Welfare.

Senator Davis moved that the petition from the Lions International be printed in the Journal, which motion prevailed.

#### RESOLUTION

WHEREAS, Lions International has always been vitally interested in the conservation of sight and helping the blind, and

WHEREAS, the Lions Clubs of North Dakota have adopted and are actively engaged in a sight conservation program, and

WHEREAS, the existing facilities at the School for the Blind at Bathgate, North Dakota, are wholly inadequate, and

WHEREAS, the present structure housing the School constitutes a severe fire hazard, and

WHEREAS, due to the location of the School, it is very difficult to obtain adequate instruction and medical care;

THEREFORE, BE IT RESOLVED, by the Lions herewith assembled at this Mid-Winter Conference of the North Dakota Lions Clubs, this 20th day of January, 1955, that the North Dakota Legislature now assembled take appropriate action to move the School for the Blind to a suitable location and to provide the necessary and proper facilities.

## SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Concurrent Resolution "H"

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

## REPORTS OF STANDING COMMITTEE

Mr. President: Your committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

Senate Bill No. 23

Senate Bill No. 25

Senate Bill No. 26

Senate Bill No. 35

Senate Bill No. 53

Senate Bill No. 54

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

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

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

GUST WOG, Chairman.

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

Mr. President: Your Committee on Industry and Business, to whom was referred Senate Bill No. 59, have had the same under consideration and recommend that the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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. 64, 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. 65, have had the same under consideration and recommend that the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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. 66, have had the same under consideration and recommend that the same be amended as follows:

In line 12, strike out the comma after the word "which", strike out the word "however" and the comma after the word "however"

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. 85, 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. 73, have had the same under consideration and recommend that the same be amended as follows:

Line 54. After the word "the" insert the words "governing body of the".

Line 234. Strike out word "chairmen" and insert in letter therefor "chairman".

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. 86, 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. 87, 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, January 25, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 515

House Bill No. 536

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, January 25, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 27

Senate Bill No. 51

Senate Bill No. 53

Senate Bill No. 72

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

EDWARD LENO, Secretary.

FIRST READING OF SENATE BILLS  
AND RESOLUTIONS

Senator Knudson introduced:

**Senate Bill No. 105.** A Bill for an Act to amend and reenact section 44-0612 of the North Dakota Revised Code of 1943, relating to endorsements and matters following notary public's signature to jurat or certificate of acknowledgment.

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

Senator Knudson introduced:

**Senate Bill No. 106.** A Bill for an Act amending and reenacting section 35-0410 of the North Dakota Revised Code of 1943, relating to renewal and limitation of chattel mortgages.

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

Senator Knudson introduced:

**Senate Bill No. 107.** A Bill for an Act validating deeds, mortgages, or assignments of mortgage not containing the post office address of the grantee, recorded prior to the effective date of this Act.

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

Senator Knudson introduced:

**Senate Bill No. 108.** A Bill for an Act to amend and reenact section 47-1903 of the North Dakota Revised Code of 1943, relating to prerequisites to recording instruments.

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

Senator Day introduced:

**Senate Bill No. 109.** A Bill for an Act to amend and reenact Section 47-1801 of the North Dakota Revised Code of 1943 and Chapter 277 Laws of North Dakota of 1951, (same being Section 47-1801 of the 1953 Supplement to the North Dakota Revised Code of 1943).

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

The Committee on Political Subdivisions introduced:

**Senate Bill No. 110.** A Bill for an Act to amend and reenact section 40-0706 of the North Dakota Revised Code of 1943 relating to compensation of village trustees.

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

Senator Dewing at the request of the State Tax Commissioner introduced:

**Senate Bill No. 111.** A Bill for an Act to amend and reenact sections 57-3838 and 57-3840 of the North Dakota Revised Code of 1943 and the 1953 Supplement thereto, relating to tax audits and additional assessments for income tax purposes.

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

Senator Dewing at the request of the State Tax Commissioner introduced:

**Senate Bill No. 112.** A Bill for an Act to amend and reenact section 57-3844 of the North Dakota Revised Code of 1943 relating to income tax as a personal debt by adding thereto for clarification purposes a provision relating to limitations of actions in those instances of failure to make a return as required by the income tax law.

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

Senator Dewing at the request of the State Tax Commissioner introduced:

**Senate Bill No. 113.** A Bill for an Act to amend and reenact section 57-3849 of the North Dakota Revised Code of 1943, relating to the filing and recording of income tax liens and to the payment of fees therefore.

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

Senator Dewing at the request of the State Tax Commissioner introduced:

**Senate Bill No. 114.** A Bill for an Act to create new subsections 18 and 19 to section 57-3801 of the North Dakota Revised Code of 1943 and the 1953 Supplement thereto and to amend and reenact section 57-3805, subsection 6 of section 57-3809, subsection 1 of section 57-3827, section 57-3835, section 57-3836, and subsections 1 and 3 of section 57-3842 of the North Dakota Revised Code of 1943, relating to definitions, deductions, exemptions, payment of tax, and information at the source, and for purposes of clarifying existing income tax laws.

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

The Committee on Labor Relations introduced:

**Senate Bill No. 115.** A Bill for an Act to provide for rules affecting safety, sanitation and shelter for railroad employees.

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

Senators Schrock and Baeverstad introduced:

**Senate Bill No. 116.** A Bill for an Act authorizing political subdivisions to carry liability insurance and eliminating the defense of governmental immunity to insurers furnishing such insurance.

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

Senators Schrock and Solberg introduced:

**Senate Bill No. 117.** A Bill for an Act prohibiting the addition of any substance to public drinking water by persons or municipalities for purposes of medication or nutrition.

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

Senators Hagen and Schoeder introduced:

**Senate Bill No. 118.** A Bill for an Act to amend and reenact section 20-1001 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the confiscation of property by the game and fish commissioner and his agents.

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

Senators Solberg, Hagen, Rue, Berube, Fraser, Olson, Foss, Meidinger and Livingston introduced:

Senate Concurrent Resolution "H" A Concurrent Resolution urging that steps be taken to make available natural gas to the people of North Dakota.

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

Senator Solberg moved that Senate Concurrent Resolution "H" be printed in the Journal, and not be printed in bill form, which motion prevailed.

#### SENATE CONCURRENT RESOLUTION "H"

Introduced by Senators Solberg, Hagen, Rue, Berube, Fraser, Olson, Foss, Meidinger, Livingston

A Concurrent Resolution urging that steps be taken to make available natural gas to the people of North Dakota.

1 WHEREAS, Approximately 20,000,000 cubic feet of  
1a gas

2 is being flared daily in the Beaver Lodge and Tioga oil  
3 fields of North Dakota; and

4 WHEREAS, Such gas should be made available to  
4a the

5 people of this state instead of being wasted; and

6 WHEREAS, This economic waste has already  
6a continued too

7 long;

8 NOW, THEREFORE, BE IT RESOLVED, BY THE  
8a SENATE OF NORTH

9 DAKOTA, THE HOUSE OF REPRESENTATIVES

9a CONCURRING THEREIN:

10 1. That the operators in the fields be urged to make  
11 such gas available to people and communities of North  
12 Dakota at competitive prices;

13 2. That the utilities now serving the state and those  
14 proposing to serve the state be urged to take such  
14a effective

15 action, either jointly or singly, as will bring such gas to  
16 the consuming public; and

17 3. That the public service commission of North  
17a Dakota

18 be urged to give priority in hearing and sympathetic  
19 consideration of any application coming before it in  
19a regard

20 to the distribution and sale of North Dakota natural  
20a gas.

21 BE IT FURTHER RESOLVED that copies of this  
21a resolution

22 be sent to Amerada Petroleum Corporation, at Williston,  
23 North Dakota and Tulsa, Oklahoma, and to Hunt Oil  
23a Company

24 at Williston, North Dakota and to the public service  
25 commission at Bismarck, North Dakota.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 25, 1955

Mr. Speaker: I have the honor to return:



House Concurrent Resolution "H"  
Which the President has signed.

EDWARD LENO, Secretary.

SECOND READING OF SENATE BILLS

Senate Bill No. 23. A Bill for an Act making appropriations for the Divisions of Vocational Rehabilitation and Vocational Education, and declaring an emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schoeder |
| Davis      | Klefstad          | Schrock  |
| Day        | Knudson           | Solberg  |
| Dewing     | Krenz             | Streibel |
| Dolan      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     | Page              |          |

Absent and not voting:

Duffy

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

Senate Bill No. 25. 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 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, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schoeder |
| Davis      | Klefstad          | Schrock  |
| Day        | Knudson           | Solberg  |
| Dewing     | Krenz             | Streibel |
| Dolan      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     | Page              |          |

Absent and not voting:

Duffy

So the bill passed and the title was agreed to.

**Senate Bill No. 26.** A Bill for an Act making an appropriation for the operation, maintenance and miscellaneous expenses of the Poultry Improvement Board.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schoeder |
| Davis      | Klefstad          | Schrock  |
| Day        | Knudson           | Solberg  |
| Dewing     | Krenz             | Streibel |
| Dolan      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Hagen      | Nelson            | Wog      |
| Hernett    | O'Brien           | Wolf     |
| Holand     | Olson             | Yunker   |

Those voting in the negative were:

Gilbertson Page

Absent and not voting:

Duffy

So the bill passed and the title was agreed to.

**Senate Bill No. 35.** A Bill for an Act relating to the admission, custody, and release of patients at the state hospital, amending and reenacting section 25-0309 of the North Dakota Revised Code of 1943 and section 25-03071 of the 1953 Supplement to the North Dakota Revised Code of 1943, providing for the admission of alcoholics, drug addicts, and persons suffering from mental illness, and repealing section 25-0308 of the North Dakota Revised Code of 1943.

Was read the second time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 2.

#### ROLL CALL

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Page     |
| Berube     | Johnson, Cavalier | Rue      |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schoeder |
| Davis      | Klefstad          | Schrock  |
| Day        | Knudson           | Solberg  |
| Dewing     | Krenz             | Streibel |
| Dolan      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |

|            |           |          |
|------------|-----------|----------|
| Fraser     | Luick     | Wadeson  |
| Freed      | Meidinger | Welander |
| Gilbertson | Nelson    | Wog      |
| Hagen      | O'Brien   | Wolf     |
| Hernett    | Olson     | Yunker   |
| Holand     |           |          |

Absent and not voting:

|       |       |
|-------|-------|
| Duffy | Sayer |
|-------|-------|

So the bill passed and the title was agreed to.

Senator Day moved that Senate Bill No. 54 be re-referred to the Committee on Judiciary, which motion prevailed.

**Senate Bill No. 71.** A Bill for an Act relating to allowable deductions for state income tax purposes, creating and enacting subsections 13 and 14 of section 57-3822 of the North Dakota Revised Code of 1943, as amended.

Was read the second time.

Senator Olson moved that Senate Bill No. 71 be amended in line 17, by striking out the word "five" and inserting the word "two". Vote was taken by voice, and the motion was declared lost.

The question being on the final passage of Senate Bill No. 71, the roll was called and there were ayes, 35; nays, 11; absent and not voting, 2.

#### ROLL CALL

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cavalier | Sayer    |
| Bridston   | Kieley            | Schoeder |
| Davis      | Klefstad          | Schrock  |
| Day        | Knudson           | Solberg  |
| Dewing     | Krenz             | Streibel |
| Dolan      | Livingston        | Thomas   |
| Ferry      | Luick             | Torno    |
| Foss       | Meidinger         | Wadeson  |
| Freed      | Nelson            | Welander |
| Gilbertson | O'Brien           | Wolf     |
| Hagen      | Page              | Yunker   |
| Hernett    | Rue               |          |

Those voting in the negative were:

|        |         |        |
|--------|---------|--------|
| Berube | Kamrath | Schmit |
| Bilden | Kusler  | Tuff   |
| Fraser | Leier   | Wog    |
| Holand | Olson   |        |

Absent and not voting:

|       |               |
|-------|---------------|
| Duffy | Johnson, Cass |
|-------|---------------|

So the bill passed and the title was agreed to.

#### FIRST READING OF HOUSE BILLS AND RESOLUTIONS

**House Bill No. 510.** 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 for the first time and referred to the Committee on Appropriations.

**House Bill No. 511.** A Bill for an Act making an appropriation for the administration expenses of the Veterans' Aid Commission.

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

**House Bill No. 533.** A Bill for an Act making an appropriation for the purpose of operating and maintaining the Teachers' Insurance and Retirement Fund.

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

**House Bill No. 545.** A Bill for an Act permitting school districts to make contracts for joint employment of qualified driver education instructors and equipment.

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

**House Bill No. 546.** A Bill for an Act relating to the state highway patrol and giving the superintendent authority to take summary disciplinary action against members of the patrol in certain cases for inefficiency, misconduct or insubordination, but with right of appeal in certain cases to a disciplinary board of review; removing the limitation on number of patrolmen; lowering the entry age limit; authorizing the superintendent to reorganize the patrol, designate ranks and establish promotional procedures; providing for the admissibility and relating to the use of evidence by electrical devices in speed violations; establishing a uniform traffic summons and complaint; and amending and reenacting section 39-0303 and subsection 1 of section 39-0304 of the 1953 Supplement to the North Dakota Revised Code of 1943.

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

**House Bill No. 549.** A Bill for an Act relating to the licensing and sale of alcoholic beverages, and the licensing of games and amusements and other activities; creating a division of licensing and inspections within the state laboratories department; amending and reenacting sections 53-0406, 53-0601, 53-0602, 53-0603, 53-0604, 53-0605, 53-0606, 53-0607, subsection 7 of section 53-0608, and section 53-0610 of the North Dakota Revised Code of 1943 and sections 5-0501, 5-0503, 5-0510, 5-0511, 5-0512, 5-0513, 5-0514, 5-0515, 5-0516, 53-0405, and 54-1212 of the 1953 Supplement to the North Dakota Revised Code of 1943; providing for the transfer of any balance in the attorney general's licensing fund to the general fund; and repealing subsection 5 of section 53-0608 and section 53-0610 of the North Dakota Revised Code of 1943 and section 54-1212 of the 1953 Supplement to the North Dakota Revised Code of 1943.

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

**House Bill No. 550.** A Bill for an Act providing for the appointment and removal of inspectors of the state laboratories department.

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

**House Bill No. 551.** A Bill for an Act to amend and reenact sections 5-0205, 5-0206, 5-0211, 5-0212, 5-0213, 5-0217, 5-0218, 5-0220, and 5-0307 of the North Dakota Revised Code of 1943 and subsection 1 of section 5-0222 of the 1953 Supple-

ment to the North Dakota Revised Code of 1943, and to repeal sections 5-0203 and 5-0204 of the North Dakota Revised Code of 1943, relating to the licensing of alcoholic beverage dealers and distributors, and the taxation of alcoholic beverages; and to amend and reenact section 57-3602 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the licensing of tobacco dealers and distributors.

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

**House Bill No. 559.** A Bill for an Act to amend and reenact section 57-15101 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to authorizing counties in which are located cities having a population in excess of three thousand and cities having a population in excess of three thousand to levy a tax for the purpose of advertising the resources and opportunities in the county or city and promoting the industrial development thereof, and repealing all acts or parts of acts in conflict herewith and declaring an emergency.

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

**House Bill No. 563.** A Bill for an Act to amend and reenact section 27-1603 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the compensation of juvenile commissioners, and providing for a reporter or an assistant and their compensation.

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

**House Bill No. 572.** A Bill for an Act to amend and reenact section 18-0105 of the North Dakota Revised Code of 1943, relating to reporting fires and losses by fire insurance companies to state fire marshal.

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

**House Bill No. 587.** A Bill for an Act to amend and reenact section 15-4701 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to school ages.

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

**House Bill No. 588.** A Bill for an Act to amend and reenact Section 15-4727 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to renewal of teachers' contracts.

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

**House Bill No. 589.** A Bill for an Act to amend and reenact Section 15-3412 of the North Dakota Revised Code of 1943, relating to vehicular school transportation.

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

**House Concurrent Resolution "C".** A concurrent resolution urging that the new Sanish bridge be renamed "Four Bears Memorial Bridge".

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

Senator Knudson moved that Senate Bill No. 81 not be reprinted until further notice, which motion prevailed.

REPORT OF STANDING COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution "D"

Senate Concurrent Resolution "G"

Were delivered to the Secretary of State at the hour of 3:20 o'clock p.m., January 25, 1955.

ROSAMOND O'BRIEN, Chairman.

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

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

TWENTY-THIRD DAY

Bismarck, January 26, 1955

The Senate convened at 2:00 p.m., the President presiding.  
Prayer by Chaplain Rev. M. Lutness, Trinity Lutheran Church, Bismarck, No. Dak.

Roll Call: All members present.

So a quorum was declared.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the twenty-second day and recommend that the same be corrected as follows:

Page 123, line 4, correct the spelling of the word "Senate".

And when so corrected recommend that the same be approved,

JOHN LEIER, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 26, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 23

Senate Bill No. 25

Senate Bill No. 26

Senate Bill No. 35

Senate Bill No. 71

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

EDWARD LENO, Secretary.

REPORT OF STANDING COMMITTEES

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 74, have had the same under consideration and recommend that the same do pass.

IVER SOLBERG, Chairman.

Senator Solberg 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. 79, have had the same under consideration and recommend that the same be indefinitely postponed.

LAVERN SCHOEDER, Chairman.

Senator Schoeder 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 Concurrent Resolution "B", have had the same under consideration and recommend that the same do pass.

IVER SOLBERG, Chairman.

Senator Solberg 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 Concurrent Resolution "C", have had the same under consideration and recommend that the same do pass.

LAVERN SCHOEDER, Chairman.

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

#### MESSAGES TO THE SENATE

House Chamber

Bismarck, January 26, 1955

Mr. President: I have the honor to transmit:

House Bill No. 540

House Bill No. 561

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

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, January 26, 1955

Mr. President: I have the honor to transmit:

House Bill No. 514

House Bill No. 522

House Concurrent Resolution "I"

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

#### CONSIDERATION OF AMENDMENTS

Senator Day moved that the proposed amendments to Senate Bill No. 66 be adopted, which motion prevailed.

Senator Day moved that the proposed amendments to Senate Bill No. 73 be adopted, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 48, have had the same under consideration and recommend that the same do pass.

GUST WOG, Chairman.

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



## FIRST READING OF SENATE BILLS

Senator Schoeder introduced:

**Senate Bill No. 119.** A Bill for an Act regulating lavatories on railroads, providing for penalties, and declaring an emergency.

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

Senators Meidinger and Dewing introduced:

**Senate Bill No. 120.** A Bill for an Act to create subsection 13 to section 57-3822 of the North Dakota Revised Code of 1943 as amended by section 57-3822 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to deductions allowed for income tax purposes.

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

Senator Schmit introduced:

**Senate Bill No. 121.** A Bill for an Act requiring railroad cars and locomotives to be equipped with warning lights, and declaring an emergency.

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

Senators Olson, Schoeder, Meidinger and Baeverstad introduced:

**Senate Bill No. 122.** A Bill for an Act to amend and reenact sections 11-3201 and 11-3203 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to memorials.

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

Senators Schrock, Solberg, Olson and Baeverstad introduced:

**Senate Bill No. 123.** A Bill for an Act to amend and reenact section 57-4601 of the North Dakota Revised Code of 1943 and the 1953 Supplement thereto, relating to income tax liability of persons in the armed forces.

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

Senators Bridston, Johnson (Cass), Luick and Livingston introduced:

**Senate Bill No. 124.** A Bill for an Act to provide for the issuance, sale and delivery of general obligation bonds of the state of North Dakota by the state board of higher education to finance certain obligations issued or to be issued under the provisions of chapter 15-17 of the North Dakota Revised Code of 1943, or chapter 15-55 of the 1953 Supplement thereto, and to provide for levies of taxes and appropriations to pay such bonds.

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

Senators Solberg and Duffy introduced:

**Senate Bill No. 125.** A Bill for an Act to provide for the establishment of the office of county coroner, the duties thereof, the operation of the county coroner system, and repealing subsection 9 of section 11-1002 and chapter 11-19 of the North Dakota Revised Code of 1943, as amended.

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

Senators Duffy and Baeverstad introduced:

**Senate Bill No. 126.** A Bill for an Act to amend and reenact section 10-1319 of the North Dakota Revised Code of 1943, relating to electric cooperative corporations.

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

Senators Duffy and Baeverstad introduced:

**Senate Bill No. 127.** A Bill for an Act to amend and reenact subsection 4 of section 10-1206 of the North Dakota Revised Code of 1943, relating to mutual aid corporations.

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

Senator Olson, by request, introduced:

**Senate Bill No. 128.** A Bill for an Act to amend and reenact section 24-0619 of the North Dakota Revised Code of 1943, relating to expenditure of road taxes on township roads.

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

Senator Olson, by request, introduced:

**Senate Bill No. 129.** A Bill for an Act to amend and reenact section 26-2223 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to state hail insurance.

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

Senator Davis introduced:

**Senate Bill No. 130.** A Bill for an Act to amend and reenact subsection 10 of section 1-0301 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to holidays.

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

#### FIRST READING OF SENATE RESOLUTION

Senator Meidinger introduced:

**Senate Concurrent Resolution "I".** A Concurrent Resolution authorizing and directing the board of administration to provide facilities for the installation in the capitol building of a sanitary milk dispenser, or vending machine.

Was read the first time.

Senator Livingston moved that the rules be suspended and that Senate Concurrent Resolution "I" be considered for second reading and final action, which motion prevailed.

#### SECOND READING OF SENATE RESOLUTION

Senate Concurrent Resolution "I" was read the second time.

#### ROLL CALL

The question being on the final passage of the Concurrent Resolution, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

|            |                   |       |
|------------|-------------------|-------|
| Baeverstad | Holand            | Rue   |
| Berube     | Johnson, Cavalier | Sayer |

|            |            |          |
|------------|------------|----------|
| Bilden     | Kamrath    | Schmit   |
| Bridston   | Kieley     | Schoeder |
| Davis      | Klefstad   | Schrock  |
| Day        | Knudson    | Solberg  |
| Dewing     | Krenz      | Streibel |
| Dolan      | Kusler     | Thomas   |
| Duffy      | Leier      | Torno    |
| Ferry      | Livingston | Tuff     |
| Foss       | Luick      | Wadeson  |
| Fraser     | Meidinger  | Welander |
| Freed      | Nelson     | Wog      |
| Gilbertson | O'Brien    | Wolf     |
| Hagen      | Olson      | Yunker   |
| Hernett    | Page       |          |

Absent and not voting:

Johnson, Cass

So the Resolution passed and the title was agreed to.

#### FIRST READING OF SENATE BILLS

Senators Duffy and Leier introduced:

**Senate Bill No. 131.** A Bill for an Act to amend and reenact subsection E of section 52-0920 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to the determination of average monthly wages under the old age and survivor insurance system.

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

#### FIRST READING OF HOUSE BILLS

**House Bill No. 540.** A Bill for an Act regulating traffic on highways and defining certain crimes in the use and operation of vehicles, providing for traffic signs and signals and defining the power of local and state authorities to enact or enforce ordinances, rules, or regulations in regard to matters embraced within the provisions of this Act and to provide for the enforcement of this Act and to make uniform the law relating to the subject matter of this Act; creating subsections numbered 27 through 59 to section 39-0101, and repealing subsections 6, 15, 16 and 23 of section 39-0101 of the North Dakota Revised Code of 1943 and all sections of chapter 39-10 of the Code and the 1953 Supplement thereto.

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

**House Bill No. 561.** A Bill for an Act to amend and reenact subsection 3 of section 65-1204, sections 65-1206 and 65-1211 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to boiler inspection and certificate requirements.

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

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 50.** A Bill for an Act to amend and reenact subsection 1 of section 39-04A06 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to exceptions to the additional fee for motor vehicles engaged in the transportation of property.

Was 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, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Tonno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |

So the bill passed and the title was agreed to.

**Senate Bill No. 59.** A Bill for an Act to amend and reenact sections 26-1203, 26-1220, and 26-1228 of the North Dakota Revised Code of 1943, section 26-1219 of the 1953 Supplement to the North Dakota Revised Code of 1943, and to repeal section 26-1221 of the North Dakota Revised Code of 1943, relating to fraternal benefit societies.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kieley            | Schmit   |
| Davis      | Klefstad          | Schoeder |
| Day        | Knudson           | Schrock  |
| Dewing     | Krenz             | Solberg  |
| Dolan      | Kusler            | Thomas   |
| Duffy      | Leier             | Tonno    |
| Ferry      | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | O'Brien           | Wolf     |
| Hagen      | Olson             | Yunker   |

Absent and not voting:

|         |          |
|---------|----------|
| Kamrath | Streibel |
|---------|----------|

So the bill passed and the title was agreed to.

**Senate Bill No. 64.** A Bill for an Act to amend and reenact section 33-1234 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to procedure in criminal actions in justice and police magistrate courts.

Was 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, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kielely           | Schmit   |
| Davis      | Klefstad          | Schoeder |
| Day        | Knudson           | Schrock  |
| Dewing     | Krenz             | Solberg  |
| Dolan      | Kusler            | Thomas   |
| Duffy      | Leier             | Torno    |
| Ferry      | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | O'Brien           | Wolf     |
| Hagen      | Olson             | Yunker   |
| Holand     |                   |          |

Absent and not voting:

Kamrath                      Streibel

So the bill passed and the title was agreed to.

**Senate Bill No. 65.** A Bill for an Act to require all persons having construction contracts with the state of North Dakota or any of its political subdivisions, to file a statement with the motor vehicle registrar if he is using trucks not registered in this state, and providing a penalty.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Kielely           | Schrock  |
| Day        | Klefstad          | Solberg  |
| Dewing     | Knudson           | Streibel |
| Dolan      | Krenz             | Thomas   |
| Duffy      | Kusler            | Torno    |
| Ferry      | Leier             | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | O'Brien           | Yunker   |
| Hernett    | Olson             |          |

Absent and not voting:

Schmit

So the bill passed and the title was agreed to.

**Senate Bill No. 85.** A Bill for an Act to amend and reenact section 40-1803 of the North Dakota Revised Code

of 1943, relating to police magistrates and justices of the peace.

Was read the second time.

Senator Day moved to amend Senate Bill 85, line 15, by inserting after the second word "peace", the words "designated by the executive officer of the municipality", which motion prevailed.

Senator Day moved that the rules be suspended and that Senate Bill No. 85 be deemed properly engrossed and placed on 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, 48; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |

So the bill passed and title was agreed to.

Senate Bill No. 86. A Bill for an Act to amend and reenact sections 21-0605 and 21-0606 of the North Dakota Revised Code of 1943, relating to the destruction of documents.

Was 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, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Sayer    |
| Bilden     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Kieley            | Schrock  |
| Day        | Klefstad          | Solberg  |
| Dewing     | Knudson           | Streibel |
| Dolan      | Krenz             | Thomas   |
| Duffy      | Kusler            | Torno    |
| Ferry      | Leier             | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |

|         |         |        |
|---------|---------|--------|
| Hagen   | O'Brien | Yunker |
| Hernett | Olson   |        |

Absent and not voting:

Rue

So the bill passed and the title was agreed to.

**Senate Bill No. 87.** A Bill for an Act to amend and reenact section 28-0611 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to service of process upon non-resident highway users.

Was 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, 2; absent and not voting, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Sayer    |
| Berube     | Holand            | Schmit   |
| Bilden     | Johnson, Cass     | Schoeder |
| Bridston   | Johnson, Cavalier | Schrock  |
| Davis      | Kamrath           | Solberg  |
| Day        | Kieley            | Streibel |
| Dewing     | Klefstad          | Thomas   |
| Dolan      | Knudson           | Torno    |
| Duffy      | Kusler            | Tuff     |
| Ferry      | Livingston        | Wadeson  |
| Foss       | Luick             | Welander |
| Fraser     | Meidinger         | Wog      |
| Freed      | O'Brien           | Wolf     |
| Gilbertson | Olson             | Yunker   |
| Hagen      | Page              |          |

Those voting in the negative were:

|       |        |
|-------|--------|
| Leier | Nelson |
|-------|--------|

Absent and not voting:

|       |     |
|-------|-----|
| Krenz | Rue |
|-------|-----|

So the bill passed and the title was agreed to.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 514

House Bill No. 522

House Concurrent Resolution "I"

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

#### MOTIONS

Senator Solberg moved that Senate Concurrent Resolution "H", which was referred to the Committee on State and Federal Government, be returned to the Senate, which motion prevailed.

Senator Solberg moved that Senate Concurrent Resolution "H" be placed on the calendar for second reading, which motion prevailed.

#### SECOND READING OF SENATE RESOLUTION

**Senate Concurrent Resolution "H".** A Concurrent Resolu-

tion urging that steps be taken to make available natural gas to the people of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Rue      |
| Berube     | Johnson, Cass     | Sayer    |
| Bilden     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Kieley            | Schrock  |
| Day        | Klefstad          | Solberg  |
| Dewing     | Kusler            | Streibel |
| Dolan      | Leier             | Thomas   |
| Duffy      | Livingston        | Torno    |
| Ferry      | Luick             | Tuff     |
| Foss       | Meidinger         | Wadeson  |
| Fraser     | Nelson            | Welander |
| Freed      | O'Brien           | Wog      |
| Gilbertson | Olson             | Wolf     |
| Haøen      | Page              | Yunker   |
| Hernett    |                   |          |

Absent and not voting:

Knudson                      Krenz

So the bill passed and the title was agreed to.

MOTIONS

Senator Solberg moved that the rules be suspended and that the following correction be made in the Senate Journal on Page 16:

Line 41, correct "Pastor 1st Presbyterian, (Bis. 2721), Presbyterian, Bismarck" to read

"Norman Brauer (Bis. 1481)

Zion Lutheran Church, Bismarck"

which motion prevailed.

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.



## TWENTY-FOURTH DAY

Bismarck, January 27, 1955

The Senate convened at 2:00 p.m., the President presiding. Prayer by Chaplain Rev. M. Lutness, Trinity Lutheran Church, Bismarck, N. Dak.

Roll Call: All members present except Senator Knudson. So a quorum was declared.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Twenty-third day and recommend that the same be corrected as follows:

Page 135, Line 38, after the word "Senators" insert the name "Bridston".

And when so corrected recommend that the same be approved.

JOHN LEIER, Chairman.

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

### ANNOUNCEMENTS

Senator Krenz:

We have visiting with us today one of the finest High School Bands in North Dakota. I take great pride in presenting to the Senate, the Mohall High School Band, and their very fine director, Dwane Nelson.

### REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 66

Senate Bill No. 73

Senate Bill No. 85

And find the same correctly Engrossed.

ROSAMOND O'BRIEN, Chairman.

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

Mr. President: Your Committee on Social Welfare, to whom was referred Senate Bill No. 41, have had the same

under consideration and recommend that the same be indefinitely postponed.

ROSAMOND O'BRIEN, Chairman.

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

Mr. President: Your Committee on Judiciary, to whom was referred Senate Bill No. 56, 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. 57, have had the same under consideration and recommend that the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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. 61, have had the same under consideration and recommend that the same do pass.

ROSAMOND O'BRIEN, Chairman.

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

Mr. President: Your Committee on Social Welfare, to whom was referred Senate Bill No. 77, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

ROSAMOND O'BRIEN, Chairman.

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

Mr. President: Your Committee on Industry and Business, to whom was referred Senate Bill No. 80, have had the same under consideration and recommend that the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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. 82, have had the same under consideration and recommend that the same be amended as follows:

After the word "banks" in the title insert the words "or other mortgagee".

After the word "association" in line 2 of the printed bill insert the words "or other mortgagee"

In line five of the printed bill strike out the word "bank" and insert the word "mortgagee".

In line ten of the printed bill strike out the word "bank" and insert the word "mortgagee".

In line eleven of the printed bill strike out the word "bank" and insert the word "mortgagee".

In line sixteen of the printed bill strike out the word "association" and insert the word "mortgagee".

Renumber the lines

And when so amended recommend the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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. 83, have had the same under consideration and recommend that the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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 do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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. 91, have had the same under consideration and recommend that the same be indefinitely postponed.

ORVILLE HAGEN, Chairman.

Senator Hagen 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. 96, 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. 98, have had the same under consideration and recommend that the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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. 100, 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. 101, 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. 104, have had the same under consideration and recommend that the same do pass.

ROSAMOND O'BRIEN, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 105, 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. 107, have had the same under consideration and recommend that the same be amended as follows:

In line 3, strike out the words "the effective date of this Act" and in lieu thereof insert the words "January 1, 1955".

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. 109, 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 Finance and Taxation to whom was referred Senate Bill No. 112, have had the same under consideration and recommend that the same do pass.

RALPH DEWING, Chairman.

Senator Dewing 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. 113, have had the same under consideration and recommend that the same do pass.

RALPH DEWING, Chairman.

Senator Dewing 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. 78, 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 Concurrent Resolution "A", 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.

#### MESSAGE TO THE SENATE

House Chamber

Bismarck, January 27, 1955

Mr. President: I have the honor to transmit:

House Bill No. 534

House Bill No. 537

House Bill No. 539

House Bill No. 575

House Bill No. 580

House Bill No. 600

House Bill No. 605

House Bill No. 617

House Bill No. 623

House Concurrent Resolution "J"

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

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, January 27, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 50

Senate Bill No. 59

Senate Bill No. 64

Senate Bill No. 65

Senate Bill No. 85

Senate Bill No. 86

Senate Bill No. 87

Senate Concurrent Resolution "H"

Senate Concurrent Resolution "I"

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

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, January 27, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 514

House Bill No. 522

House Concurrent Resolution "I"

Which the President has signed.

EDWARD LENO, Secretary.

#### MOTIONS AND RESOLUTIONS

Senator Dewing moved that Senate Bill No. 123 be returned to the Senate by the Committee on Finance and Taxation, which motion prevailed.

Senator Solberg moved that the sponsors of Senate Bill No. 123 be permitted to withdraw the bill from further consideration, which motion prevailed.

Senator Krenz moved that the Senate recess for fifteen minutes, after the second reading of the following bills on the calendar, to listen to the band from Mohall in Memorial Hall, which motion prevailed.

Senate Bill No. 48

Senate Bill No. 66

Senate Bill No. 73

Senate Bill No. 74

House Concurrent Resolution "C"

Senate Concurrent Resolution "B"

The Senate reconvened after recess, at the call of the Chair.

### SECOND READING OF SENATE BILLS AND RESOLUTIONS

Senator Streibel moved that action be delayed on Senate Bill No. 48 for one legislative day, which motion prevailed.

**Senate Bill No. 66.** A Bill for an Act to amend and reenact section 11-1803 of the North Dakota Revised Code of 1943 relating to instruments entitled to record without regard to taxes.

Which was 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, 7.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schrock  |
| Day        | Krenz             | Solberg  |
| Dewing     | Kusler            | Streibel |
| Dolan      | Leier             | Torno    |
| Duffy      | Livingston        | Tuff     |
| Ferry      | Luick             | Wadeson  |
| Foss       | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     | Page              |          |

Absent and not voting:

|            |          |          |
|------------|----------|----------|
| Bilden     | Klefstad | Schoeder |
| Fraser     | Knudson  | Thomas   |
| Gilbertson |          |          |

So the bill passed and the title was agreed to.

Senator Day moved that Senate Bill No. 73 be amended in the title by striking the period, adding a comma, and adding the words "and declaring an emergency".

At the end of the bill, add the following: "Section 21, 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."

Senator Day moved that the rules be suspended and that Senate Bill No. 73 be deemed properly engrossed and placed on second reading and final action, which motion prevailed.

**Senate Bill No. 73.** A Bill for an Act relating to county zoning regulations, and empowering counties to establish

zoning districts, to impose regulations and restrictions within such districts, and to establish county planning commissions to secure the orderly development of the county, for the purpose of promoting health, safety, morals and the general public welfare, and declaring an emergency.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

|               |                   |          |
|---------------|-------------------|----------|
| Baeverstad    | Johnson, Cavalier | Sayer    |
| Berube        | Kamrath           | Schmit   |
| Bridston      | Kieley            | Schoeder |
| Davis         | Krenz             | Schrock  |
| Day           | Kusler            | Solberg  |
| Dewing        | Leier             | Streibel |
| Dolan         | Livingston        | Thomas   |
| Duffy         | Luick             | Torno    |
| Ferry         | Meidinger         | Tuff     |
| Foss          | Nelson            | Wadeson  |
| Freed         | O'Brien           | Welander |
| Hagen         | Olson             | Wog      |
| Hernett       | Page              | Wolf     |
| Holand        | Rue               | Yunker   |
| Johnson, Cass |                   |          |

Absent and not voting:

|        |            |         |
|--------|------------|---------|
| Bilden | Gilbertson | Knudson |
| Fraser | Klefstad   |         |

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

**Senate Bill No. 74.** A Bill for an Act to amend and reenact section 20-0502 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to the taking of deer.

Which was read.

#### 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, 4.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Sayer    |
| Berube     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Kieley            | Schrock  |
| Day        | Krenz             | Solberg  |
| Dewing     | Kusler            | Streibel |
| Dolan      | Leier             | Thomas   |
| Duffy      | Livingston        | Torno    |
| Ferry      | Luick             | Tuff     |
| Foss       | Meidinger         | Wadeson  |
| Freed      | Nelson            | Welander |
| Hagen      | Olson             | Wog      |
| Hernett    | Page              | Wolf     |
| Holand     | Rue               | Yunker   |

Those voting in the negative were:

|          |         |
|----------|---------|
| Klefstad | O'Brien |
|----------|---------|

Absent and not voting:

|        |            |         |
|--------|------------|---------|
| Bilden | Gilbertson | Knudson |
| Fraser |            |         |

So the bill passed and the title was agreed to.

**SECOND READING OF HOUSE RESOLUTIONS**

**House Concurrent Resolution "C".** A concurrent resolution urging that the new Sanish bridge be renamed "Four Bears Memorial Bridge".

Which was read.

**ROLL CALL**

The question being on the final passage of the Resolution, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Krenz             | Solberg  |
| Dolan      | Kusler            | Streibel |
| Duffy      | Leier             | Thomas   |
| Ferry      | Livingston        | Torno    |
| Foss       | Luick             | Tuff     |
| Fraser     | Meidinger         | Wadeson  |
| Freed      | Nelson            | Welander |
| Gilbertson | O'Brien           | Wog      |
| Hagen      | Olson             | Wolf     |
| Hernett    | Page              | Yunker   |
| Holand     |                   |          |

Absent and not voting:

|        |         |
|--------|---------|
| Bilden | Knudson |
|--------|---------|

So the Resolution passed and the title was agreed to.

**SECOND READING OF SENATE RESOLUTIONS**

**Senate Concurrent Resolution "B".** A Concurrent Resolution memorializing congress to authorize the bureau of reclamation and the army corps of engineers to resell surplus lands above the normal pool level of water impoundments in North Dakota to the original land owners.

Which was read.

**ROLL CALL**

The question being on the final passage of the Resolution, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Berube     | Johnson, Cass     | Rue      |
| Bridston   | Johnson, Cavalier | Sayer    |
| Davis      | Kamrath           | Schmit   |
| Day        | Kieley            | Schoeder |
| Dewing     | Klefstad          | Schrock  |
| Dolan      | Krenz             | Solberg  |
| Duffy      | Kusler            | Streibel |
| Ferry      | Leier             | Thomas   |
| Foss       | Livingston        | Torno    |
| Fraser     | Luick             | Tuff     |
| Freed      | Meidinger         | Wadeson  |
| Gilbertson | Nelson            | Welander |



|         |         |        |
|---------|---------|--------|
| Hagen   | O'Brien | Wog    |
| Hernett | Olson   | Wolf   |
| Holand  | Page    | Yunker |

Those voting in the negative were:

Baeverstad

Absent and not voting:

Bilden Knudson

So the resolution passed and the title was agreed to.

#### PETITIONS AND COMMUNICATIONS

A Resolution was introduced from the County Commissioners' Association of North Dakota.

Senator Duffy moved that the reading of the resolution be dispensed with and that it be printed in the Journal, which motion prevailed.

#### RESOLUTIONS ADOPTED BY THE COUNTY COMMISSIONERS' ASSOCIATION OF NORTH DAKOTA

AT BISMARCK, JANUARY 12, 1955

1. WHEREAS, the liquor tax at its inception was sufficient to absorb the entire cost of the care of patients at the State Hospital for the Insane, Jamestown, North Dakota; the North Dakota Tuberculosis Sanatorium, Dunseith, North Dakota; and the State School for the Feeble-Minded, Grafton, North Dakota; and,

WHEREAS, the State has now in operation a program for alcoholics; and,

WHEREAS, the costs incidental to the care and treatment of the patients at the three aforementioned institutions has sharply increased so that the monies resulting from the liquor tax earmarked for such care is no longer sufficient and resulting in large expenditures of money out of county funds for the care of the county's patients in the aforementioned institutions; and,

WHEREAS, it has previously been the intention that the care of patients at the aforementioned institutions be completely paid for by the State; and,

WHEREAS, it is found that 60% of the liquor tax is not sufficient, but it is believed that 100% of the liquor tax could take care of the three institutions and the program for alcoholics;

NOW, THEREFORE, BE IT RESOLVED by the North Dakota County Commissioners' Association here assembled, that the entire cost of the care of patients at the State Hospital for the Insane, North Dakota Tuberculosis Sanatorium, and the State School for the Feeble-minded at Grafton, and of the program for alcoholics be absorbed by the State. Motion seconded, and carried.

2. WHEREAS, the present salary for the County Commissioners is restricted to \$8.00 per day, and

WHEREAS, the costs for replacing the elected officials in their respective places of industry or business for the days in attendance at County Commissioners' Meetings is not in proportion and much more than the per diem salary received by the said County Commissioners.

NOW, THEREFORE, BE IT RESOLVED by the North Dakota County Commissioners' Association here assembled that the said Association go on record in favor of an increase in the per diem salary of County Commissioners increasing that salary to a compensation of \$10.00 per day and that the compensation of county commissioners for expenses and as per diem allowances shall not exceed \$3,600.00 per year. Motion seconded, and carried. This resolution was passed without one dissenting vote.

3. WHEREAS, North Dakota is now in a period of agricultural and industrial growth; and,

WHEREAS, one phase of this development requires the location of processing plants within the State of North Dakota;

NOW, THEREFORE, BE IT RESOLVED by the North Dakota County Commissioners' Association here assembled, that the proper state agencies make a study as to possible tax advantages to be given to any new processing plant to be located in North Dakota. Motion seconded, and carried.

4. WHEREAS, the laws of North Dakota now provide that the board of county commissioners shall not levy any taxes for general or special county purposes which will exceed the amount produced by a levy of eighteen mills on the dollar of the net taxable valuation of the county; and,

WHEREAS, said levy produces insufficient funds for the efficient operation of the counties;

NOW, THEREFORE, BE IT RESOLVED, that said limitation shall be increased by the legislature of North Dakota by the amendment of Section 57-1506 of the North Dakota Revised Code of 1943, paragraph 1 (1953 Supplement), to read as follows:

"1. The board of county commissioners shall not levy any taxes for general or special county purposes which will exceed the amount produced by a levy of twenty mills on the dollar of the net taxable valuation of the county."

Motion seconded, and carried.

5. WHEREAS, the automotive engineers in conjunction with the State Highway Department, Legislative Research Committee, and the Bureau of Public Roads having submitted a comprehensive survey report on the primary and secondary roads in the State of North Dakota, which said report was given to the North Dakota County Commissioners' Association; and,

WHEREAS, said Association desires to commend the engineering and financial reports as competent and unprejudiced; and,

WHEREAS, we favor the classification of state and county highways and recommend that standards be established for each classification by the State Highway Department in cooperation with the North Dakota Association of State and County Engineers; and,

WHEREAS, we favor the establishment of a state primary system patterned after the recommendation of the engineering report or about 4200 miles, and we recommend that the balance of the present state system or

about 2400 miles be retained as the State Secondary System and be maintained by the State Highway Department, except where counties may wish to integrate the mileage within their county into their highway system after proper financial arrangement with the State Highway Department. Motion seconded, and carried.

6. WHEREAS, the County Commissioners' Association believes that a serious overcrowding, and also a shortage of proper educational facilities designed especially to aid and assist the mentally retarded exist at the Grafton State School, and,

WHEREAS, the County Commissioners' Association is aware that placement of mentally retarded individuals at the Grafton State School is presently all but impossible because of the long waiting list for admission which exists,

NOW, THEREFORE, BE IT RESOLVED, that the Legislature of the State of North Dakota undertake at its earliest opportunity such action as will be necessary and proper in order to insure the availability of public funds for the construction of a new three hundred (300) bed ward building and also a new school building to be added to the present facilities of the Grafton State School, as recommended by the Superintendent of said Grafton State School.

7. WHEREAS, Chapter 57-15063 pertains to County Road program including Farm to Market and Federal Aid; and,

WHEREAS, the chapter provides for a five (5) mill levy only after an election is held; and,

WHEREAS, it is felt that the entire law is good except that the five (5) mill increase should be left to the discretion of the Board of County Commissioners;

NOW, THEREFORE, be it recommended that chapter 57-55063 be amended to delete all words pertaining to election and in lieu thereof, place the power of discretion in the Board of County Commissioners so that they may levy from zero (0) to five (5) mills for matching of Federal funds for road purposes and which levy shall not be subject to the county mill levy limitation.

8. WHEREAS, the Legislative Research Committee has submitted House Bills 534, 535, and 539 for the purpose of financing the roads of North Dakota; and,

WHEREAS, Bill 534 imposes an additional one cent (1¢) refundable gasoline tax; Bill 535 imposes a ten percent (10%) increase in registration fees on all passenger cars and five percent (5%) increase on trucks; and Bill 539 makes permanent the one cent gas tax presently earmarked for retirement of highway revenue anticipation certificates; and,

WHEREAS, it is well-known that some definite method of financing our road system is necessary;

NOW, THEREFORE, BE IT RESOLVED, that this convention endorse and recommend the adoption and passage of House Bills 534, 535 and 539.

9. We recommend the passage of House Bill 555, recommended by the Legislative Research Committee, trans-

ferring the collection of gasoline taxes from the State Auditor's office to the State Tax Commissioner's office.

10. WHEREAS, it appears that there are no funds available for the twenty-four hundred (2400) miles of State Secondary Road System; and,  
 WHEREAS, additional funds are now needed and will be continually needed for road maintenance of the State Secondary system,  
 NOW, THEREFORE, be it recommended that a one-half cent ( $\frac{1}{2}\text{¢}$ ) a gallon non-refundable fuel tax be imposed and that the proceeds be earmarked fifty percent (50%) to the State of North Dakota and fifty percent (50%) to be distributed to the counties on an equitable basis, and the State Share to be used only for construction and maintenance of twenty-four hundred (2400) miles of State Secondary Road System.
11. A Bill for an Act to empower counties to establish zoning districts and to impose regulations and restrictions within such districts, and to establish county planning boards to secure the orderly development of the county.

#### FIRST READING OF SENATE BILLS AND RESOLUTIONS

Senators Livingston, Olson and O'Brien introduced:

**Senate Bill No. 132.** A Bill for an Act relating to chemical tests for intoxication, presumption of consent thereto by persons using the highway and effect of refusal, and suspension or revocation of driver's license thereafter.

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

Senator Schrock introduced:

**Senate Bill No. 133.** A Bill for an Act to amend and reenact Sections 15-5704 and 15-5707 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to teaching scholarships.

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

Senator Schrock introduced:

**Senate Bill No. 134.** A Bill for an Act to amend and reenact Section 15-2507 of the North Dakota Revised Code of 1943, relating to school libraries.

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

The Committee on Judiciary introduced:

**Senate Bill No. 135.** A Bill for an Act relating to and providing for judges of the Fourth Judicial District of the state; amending and reenacting subsection 4 of section 27-0501 of the North Dakota Revised Code of 1943.

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

The Committee on Judiciary introduced:

**Senate Bill No. 136.** A Bill for an Act to amend and reenact section 30-0213 of the North Dakota Revised Code of 1943 as amended, relating to notice of foreign heirs.

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

Senators Johnson (Cass) and Day introduced:

**Senate Bill No. 137.** A Bill for an Act to amend and reenact section 15-1012 of the North Dakota Revised Code of 1943 relating to gifts and bequests to Institutions of Higher Education.

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

The Committee on Judiciary introduced:

**Senate Bill No. 138.** A Bill for an Act to amend and reenact section 40-3802 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to library funds, levy of taxes therefor, and restricting levy to limitation provided by law.

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

The Committee on Judiciary introduced:

**Senate Bill No. 139.** A Bill for an Act granting the supreme court power to review and reduce sentence imposed in a criminal case, power to consider proof in addition to record, and providing procedure for special appeal from sentence.

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

Senators Knudson and Olson, by request, introduced:

**Senate Bill No. 140.** A Bill for an Act to amend and reenact Sections 6-0628, 6-0631, 6-0612, 6-0632, 6-0633, and 6-0634 of the North Dakota Revised Code of 1943 and Sections 6-0103, 6-0602, 6-0604, 6-0608, 6-0612, and 6-0630 of the 1953 Supplement thereto, relating to credit unions, their management, methods of examination, supervision, duties, election and compensation of officers, voluntary and involuntary liquidation, and to relieve the state examiner of all duties relative to credit unions.

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

Senators Day, Duffy, Holand and Knudson introduced:

**Senate Bill No. 141.** A Bill for an Act to amend and reenact sections 27-1122 and 27-1204 of the North Dakota Revised Code of 1943, relating to annual attorneys' licenses to practice law, the fee therefor, and payment from the state bar fund.

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

Senator Knudson introduced:

**Senate Bill No. 142.** A Bill for an Act authorizing the Mayville state teachers college to pledge certain rentals to repay any loan for the purpose of building a new residence for the president thereof and remodeling the old residence into a men's dormitory.

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

Senator Solberg introduced:

**Senate Bill No. 143.** A Bill for an Act to amend and reenact section 40-3502 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the Revenue Bond Law so as to include the operation of trailer courts and facilities for house trailers, and declaring an emergency.

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

Senator Day, by request, introduced:

**Senate Bill No. 144.** A Bill for an Act to regulate the practice of land surveying; providing for the registration of qualified persons by the state board of registration for professional engineers; prescribing minimum qualifications and other requirements for registration; establishing fees with expiration and renewal requirements; and providing for enforcement and penalties.

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

Senators Kusler and Berube introduced:

**Senate Bill No. 145.** A Bill for an Act imposing a temporary tax upon certain alcoholic beverages in excess of four per cent of alcohol by volume, providing for the administration thereof, and imposing a penalty.

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

Senator Dewing introduced:

**Senate Bill No. 146.** A Bill for an Act to repeal subdivision b of subsection 3 of section 57-4001 of the North Dakota Revised Code of 1943, relating to definitions of processing.

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

Senator Torno, by request, introduced:

**Senate Bill No. 147.** A Bill for an Act to amend and reenact section 28-1304 of the North Dakota Revised Code of 1943, relating to designation of a trial judge upon the filing of an affidavit of prejudice.

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

Senators Solberg, Dewing, Olson and Hagen introduced:

**Senate Bill No. 148.** A Bill for an Act prohibiting the flaring of natural gas under certain conditions.

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

Senator Johnson (Cass) introduced:

**Senate Bill No. 149.** A Bill for an Act to repeal Section 48-0210 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to materials found, produced, or manufactured in this State from native natural resources.

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

Senator Johnson (Cass) introduced:

**Senate Bill No. 150.** A Bill for an Act to provide that all material produced in the state be given preference for use in public buildings.

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

Senators Yunker, Fraser, Hagen, Rue, Livingston, Johnson (Cass), Foss and Bilden introduced:

**Senate Bill No. 151.** A Bill for an Act to define and regulate the business of lending in amounts of \$1000 or less; to authorize the licensing of persons engaged in such business; to permit such licensees to make charges at a greater rate than lenders not licensed hereunder; to prescribe maximum rates of charge which licensees are permitted to make; to regulate assignments of wages or salaries, earned or to be earned, when given as security for a loan of or as consideration for a payment of \$1000 or less; to provide for the administration and enforcement of this Act and the issuance of regulations and orders therefor by the State Examiner; to authorize the making of examinations and investigations and the publication of reports thereof; to provide that the State Examiner shall use the facilities of the Banking Department in administering and enforcing this Act and that he may have a deputy and other necessary employees; to provide for disposition of license and investigation fees; to provide for a review of administrative acts hereunder; to prescribe penalties; and to repeal all acts and parts of acts in conflict herewith.

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

Senators Johnson (Cass), Rue and Hagen introduced:

**Senate Bill No. 152.** A Bill for an Act relating to contractor bonds and providing for payment of all taxes due the State of North Dakota or its subdivisions.

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

Senator Schrock introduced:

**Senate Bill No. 153.** A Bill for an Act to provide for the transfer of insane persons from the state hospital to other institutions licensed to care for and treat the insane.

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

Senators Day and Hagen introduced:

**Senate Bill No. 154.** A Bill for an Act relating to the use and furnishing of trading stamps or other similar schemes or devices or substitutes therefor, for or with the sale of goods, wares and merchandise, and prohibiting the same.

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

Senators Foss and Bilden introduced:

**Senate Bill No. 155.** A Bill for an Act to amend and reenact section 19-0310 of the North Dakota Revised Code of 1943, relating to sales by apothecaries.

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

Senators Baeverstad and Duffy introduced:

**Senate Bill No. 156.** A Bill for an Act to amend and reenact Section 10-1313, North Dakota Revised Code of 1943, relating to by-laws of electric cooperative corporations.

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

Senators Baeverstad and Duffy introduced:

**Senate Bill No. 157.** A Bill for an Act relating to the amendment of by-laws of mutual aid corporations.

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

Senator Schrock introduced:

**Senate Bill No. 158.** A Bill for an Act to amend and reenact sections 15-3914, 15-3915, 15-3926 and subsection 1 of section 15-3928 and section 15-3940 of the 1953 Supplement to the North Dakota Revised Code of 1943, and section 15-3923 of the North Dakota Revised Code of 1943, all relating to assessments, annuities, withdrawals, qualifications and investment of funds of the North Dakota teachers' insurance and retirement fund.

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

Senators Johnson (Cass), Foss, Luick and Sayer introduced:

**Senate Bill No. 159.** A Bill for an Act to amend and reenact Section 49-0105 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to salary of Public Service Commissioner.

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

Senators Duffy, Rue, Solberg and Torno introduced:

**Senate Concurrent Resolution "J".** A Concurrent Resolution expressing the thanks of the members of the legislature of the state of North Dakota, as well as that of all the citizens of the state to a true servant of all the people of the state, and changing the name of the Burlington Project to the "Judge A. M. Christianson Project", in tribute thereto.

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

The Judiciary Committee introduced:

**Senate Concurrent Resolution "K"** A Concurrent Resolution to amend section 113 of Article IV of the constitution of North Dakota to provide for the election or appointment of police magistrates in cities, incorporated towns and villages, and for the fixing of their qualifications by the legislature.

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

#### FIRST READING OF HOUSE BILLS AND RESOLUTIONS

**House Bill No. 534.** A Bill for an Act to amend and reenact sections 57-4302, 57-4304, 57-4306, 57-4307 and 57-4309 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to gasoline excise taxes, and providing for the levy of an additional one-cent refundable motor fuel tax.

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

**House Bill No. 537.** A Bill for an Act to provide for the appropriation and transfer of funds from the Bank of North



Dakota and the mill and elevator association to the state highway construction fund in the state treasury.

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

**House Bill No. 539.** A Bill for an Act to amend and reenact sections 57-4809, 57-4813, 57-4815, and 57-4816 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to state highway anticipation certificates and the one cent motor fuel tax imposed for the retirement thereof.

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

**House Bill No. 575.** A Bill for an Act to repeal sections 14-0304, 14-0305, 14-0326 and 14-0327 of the North Dakota Revised Code of 1943 relating to miscegenation.

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

**House Bill No. 580.** A Bill for an Act to create a lien upon crops in favor of any person who furnishes motor fuel to be used in the production of such crops.

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

**House Bill No. 600.** A Bill for an Act relating to contracts for fire protection in unorganized townships or in school districts comprising unorganized townships and authorizing a tax for the payment thereof.

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

**House Bill No. 605.** A Bill for an Act to validate certain estate tax determinations made by the state tax commissioner.

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

**House Bill No. 617.** A Bill for an Act to amend and reenact section 57-0210 of the North Dakota Revised Code of 1943, relating to lands exempt from taxation, and declaring an emergency.

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

**House Bill No. 623.** A Bill for an Act to amend and reenact section 15-3409 of the North Dakota Revised Code of 1943, relating to transportation or maintenance of pupils on discontinuance of a high school, and authorizing a levy for such purposes.

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

**House Concurrent Resolution "J".** A Concurrent Resolution memorializing Congress and the Secretary of Agriculture to provide full one hundred per cent parity for products produced on family-type farms.

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

#### MOTIONS

Senator Johnson (Cass) moved that Senate Bill No. 137 be placed in the Judiciary Committee instead of State and Federal Government, which motion prevailed.

Senator Streibel moved that the Senate resolve itself into an Executive Session and receive messages from the Governor, which motion prevailed.

After the Executive session the Senate was called to order and it was reported that in the executive session messages from the Governor were read requesting the confirmation of the following executive appointments:

T. S. Henry, Valley City, No. Dak., as a Trustee for the Soldiers' Home, for a period of five years, term to expire July 1, 1958.

George H. Haynes, Lisbon, North Dakota, as a Trustee for the Soldiers' Home, for a period of five years, term to expire July 1, 1959.

#### STATE BOARD OF HIGHER EDUCATION

P. J. Donnelly, Grafton, North Dakota, to fill the unexpired term of Roy Johnson, Casselton, North Dakota, term to expire June 30, 1960.

Frank P. Whitney, Dickinson, North Dakota, for a term of seven years, term to expire July 1, 1961.

J. W. Calnan, Bismarck, North Dakota, to fill the unexpired term of A. S. Marshall, Forbes, North Dakota, term to expire June 30, 1957.

Gilman Wang, Cartwright, North Dakota, to fill the unexpired term of Merle Kidder, Towner, North Dakota, term to expire June 30, 1956.

It was further reported that the Senate had voted to confirm the appointments of T. S. Henry and George H. Haynes, but had voted to deny confirmation of the four nominated for terms on the Board of Higher Education, after which the executive session was dissolved.

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

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

## TWENTY-FIFTH DAY

Bismarck, January 28, 1955

The Senate convened at 2:00 p.m., the President presiding.  
Prayer by Chaplain Rev. Geo. Sherbondy, Seventh Day  
Adventist Church, Bismarck, No. Dak.

Roll Call: All members present except Senator Kundson.  
So a quorum was declared.

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

Mr. President: Your Committee on Revision and Correc-  
tion of the Journal have carefully examined the Journal of  
the twenty-fourth day and find the same correct.

JOHN LEIER, Chairman.

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

## MOTIONS AND RESOLUTIONS

Senator Dewing moved that Senate Bill No. 127 be re-  
turned to the Senate, which motion prevailed.

Senator Dewing moved that Senate Bill No. 127 be re-  
referred to the Committee on Industry and Business, which  
motion prevailed.

## MESSAGES TO THE SENATE

House Chamber

Bismarck, January 28, 1955

Mr. President: I have the honor to transmit:

House Bill No. 521  
House Bill No. 595  
House Bill No. 618  
House Bill No. 628  
House Bill No. 629  
House Bill No. 632

Which the House has passed and your favorable considera-  
tion is requested.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, January 28, 1955

Mr. President: I have the honor to transmit:

House Bill No. 536

House Bill No. 515

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

#### FIRST READING OF SENATE BILLS

Senator O'Brien introduced:

**Senate Bill No. 160.** A Bill for an Act to amend and reenact section 15-2509 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to discontinuance of schools in common school districts having abnormally low pupil attendance.

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

Senators Duffy and Rue introduced:

**Senate Bill No. 161.** A Bill for an Act to amend and reenact section 12-5503 of the North Dakota Revised Code of 1943, relating to meetings of the board of pardons, and declaring an emergency.

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

Senators Duffy and Streibel introduced:

**Senate Bill No. 162.** A Bill for an Act to amend and reenact section 24-0113 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to enforcement of highway laws controlling vehicle size and weights, and conferring police power on the state highway commissioner and inspectors appointed by him.

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

Senators Duffy and Streibel introduced:

**Senate Bill No. 163.** A Bill for an Act to amend and reenact section 39-1208 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to penalty for violating width, height, length and load limitations upon the highways of this state.

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

Senators Duffy and Streibel introduced:

**Senate Bill No. 164.** A Bill for an Act to provide for the impounding of any vehicle operated upon any highway, street or road in this state at weights in excess of the weight limitations as specified under the provisions of section 39-1203 of the North Dakota Revised Code of 1943 or as limited by the provisions of section 39-1205 of the 1953 Supplement to the North Dakota Revised Code of 1943 and to provide for the recovery of charges for extraordinary use of the highways, streets and roads of this state, and declaring an emergency.

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

Senators Schrock and Wadson introduced:

**Senate Bill No. 165.** A Bill for an Act to amend and reenact section 43-1536 of the North Dakota Revised Code

of 1943, relating to rules and regulations of the Pharmacy Board, and declaring an emergency.

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

Senators Bridston and Day introduced:

**Senate Bill No. 166.** A Bill for an Act to amend and reenact sub-paragraph e of subsection 2 of section 21-0306 of the North Dakota Revised Code of 1943, to permit municipalities to borrow money and issue general obligation bonds for the purchase or acquisition or establishment of a public transportation system.

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

Senators Bridston and Day introduced:

**Senate Bill No. 167.** A Bill for an Act to amend and reenact Section 40-3502 of the 1953 Supplement to the North Dakota Revised Code of 1943, defining the undertakings for which municipalities may issue revenue bonds to include public transportation systems.

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

Senators Dewing and Page introduced:

**Senate Bill No. 168.** A Bill for an Act to repeal subsection 3 of section 57-4003 of the North Dakota Revised Code of 1943, pertaining to exemptions under the Use Tax Act.

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

Senators Bridston and Day introduced:

**Senate Bill No. 169.** A Bill for an Act to permit municipalities to borrow money and to issue general obligation bonds for part of the cost and revenue bonds for part of the cost of purchasing, acquiring or establishing a public transportation system.

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

Senators Fraser, Ferry, Solberg, Olson and Schoeder introduced:

**Senate Bill No. 170.** A Bill for an Act to amend and reenact section 26-2314 of the North Dakota Revised Code of 1943 relating to limitation of time for bringing action against the state bonding fund.

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

Senators Keiley, Welander, Kusler and Sayer introduced:

**Senate Bill No. 171.** A Bill for an Act to provide for reciprocity for licensed electricians.

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

Senators Nelson, Schrock and Welander introduced:

**Senate Bill No. 172.** A Bill for an Act to amend and reenact section 15-4014 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to high school tuition payments from state equalization fund.

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

Senator Holand introduced:

**Senate Bill No. 173.** A Bill for an Act authorizing and directing clerks of court to destroy certain records.

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

Senators O'Brien, Meidinger, Dolan, Nelson, Livingston, Davis, Welander and Hagen introduced:

**Senate Bill No. 174.** A Bill for an Act to amend and reenact Section 15-3611 of the North Dakota Revised Code of 1943, relating to teachers' certificates.

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

Senators Kieley, Welander, Kusler and Sayer introduced:

**Senate Bill No. 175.** A Bill for an Act to amend and reenact sections 43-0909, 43-0910 and 43-0919 of the North Dakota Revised Code of 1943 and sections 43-0901, 43-0902, 43-0911, 43-0913, 43-0914 and 43-0920 of the 1953 Supplement thereto, relating to electricians.

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

Senators Livingston, Klefstad, Day, Foss and Hagen introduced:

**Senate Bill No. 176.** A Bill for an Act to amend and reenact section 40-2805 of the North Dakota Revised Code of 1943, relating to sewer and water connections assessment funds of municipalities; providing for the issuance and payment of warrants and for contingent liability.

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

Senators Livingston, Klefstad, Day, Foss and Hagen introduced:

**Senate Bill No. 177.** A Bill for an Act to amend and reenact sections 40-2913 and 40-2914 of the North Dakota Revised Code of 1943, relating to construction, repairing or rebuilding of sidewalks in municipalities; providing for separate funds for such purposes and for contingent liability.

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

Senators Livingston, Klefstad, Day, Foss and Hagen introduced:

**Senate Bill No. 178.** A Bill for an Act to amend and reenact sections 40-3107 and 40-3108 of the North Dakota Revised Code of 1943, relating to construction and repair of curbing and gutters in municipalities; providing for separate funds for such purposes and for contingent liability.

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

Senator Freed introduced:

**Senate Bill No. 179.** A Bill for an Act to amend and reenact section 36-0401 of the 1953 Supplement to the North Dakota Revised Code of 1943 defining livestock, poultry and wool dealers, and declaring an emergency.

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

Senators Olson and Knudson, by request, introduced:

**Senate Bill No. 180.** A Bill for an Act to amend and reenact section 6-0614 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to credit union loans, and credit committee.

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

Senators Schoeder, Berube and Tuff introduced:

**Senate Bill No. 181.** A Bill for an Act imposing a gross production tax on producing oil and gas properties.

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

Senators Johnson (of Cass) and Day introduced:

**Senate Bill No. 182.** A Bill for an Act to provide for engineering scholarships to be established by the state highway commissioner for students attending North Dakota agricultural college and the university of North Dakota and to provide for employment contracts after graduation of recipients.

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

Senators O'Brien, Livingston and Kieley introduced:

**Senate Bill No. 183.** A Bill for an Act to amend and reenact Section 48-0202 of the North Dakota Revised Code of 1943, relating to altering, repairing or constructing public buildings involving more than three thousand dollars, procuring plans, drawings and specifications therefor from a licensed architect.

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

The Committee on Appropriations introduced:

**Senate Bill No. 184.** A Bill for an Act transferring the unexpended balance of the appropriation for the construction of nurses quarters and classrooms at the state tuberculosis sanitarium to the general fund.

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

#### FIRST READING OF HOUSE BILLS

**House Bill No. 521.** 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.

**House Bill No. 595.** A Bill for an Act to amend and reenact section 27-0818 of the North Dakota Revised Code of 1943, relating to court reporters in county courts of increased jurisdiction.

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

**House Bill No. 618.** A Bill for an Act relating to negligent homicide, defining the crime, and providing for a penalty and revocation of driving privilege.

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

**House Bill No. 628.** A Bill for an Act to authorize county commissioners to provide for or furnish clerical assistance to supervisors of soil conservation districts.

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

**House Bill No. 629.** A Bill for an Act to provide for appeal from orders of the Insurance Commissioner and declaring an emergency.

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

**House Bill No. 632.** A Bill for an Act to amend and reenact Section 48-0214 of the North Dakota Revised Code of 1943, relating to retention of money on public contracts.

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. 515

House Bill No. 536

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

#### CONSIDERATION OF AMENDMENTS

Senator Kusler moved that the proposed amendments to Senate Bill No. 82 be adopted, which motion prevailed.

Senator Streibel moved that the proposed amendment to Senate Bill No. 107 be adopted, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

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

Senate Bill No. 73.

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

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

#### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, January 28, 1955

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "C"

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, January 28, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 66

Senate Bill No. 73

Senate Bill No. 74

Senate Concurrent Resolution "B"

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

EDWARD LENO, Secretary.



## MOTIONS

Senator Olson moved that Senate Bill No. 180 be re-referred to the Committee on State and Federal Government, which motion prevailed.

## REPORTS OF STANDING COMMITTEES

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

In section 9 of the printed bill, in line 154, after the word "real" add the following language "and personal".

In section 16: Line 300 of the printed bill strike out all of lines 300, 301, and the first three words of subsection 2 in line 302, and renumber the subsections and lines accordingly.

Insert on line 349 following the word "court" but before the period the following: , but such time for hearing may be extended by the court for good cause for a period not to exceed thirty days. Renumber the lines alphabetically or otherwise as may be necessary.

Insert after line 396 the following words: No land already included in and being assessed by an existing drainage district shall be included and assessed in any newly formed drainage district unless it can be shown that such land will be benefited by the construction of the new drain. The board in considering the benefit and assessing the percentage of costs to each affected tract, parcel or piece of land may, among other things, take into consideration the present drainage facilities under any existing drainage district, potential use of the proposed drain by such land, whether any such lands will be benefited or harmed by any change in the existing flow and course of drainage water by reason of the construction of the drain, and such other matters as may be pertinent to the question of benefits.

Insert following the period on line 444 the following words: Any land owner who may claim that he will receive no benefit at all from the construction of a new drain may appeal the question of whether there is any benefit to the state engineer upon the filing of a bond in the sum of two hundred and fifty dollars with the board for the payment of the costs of the state engineer in the matter. The state engineer shall not determine the specific amount of benefits upon an appeal by an individual land owner, but shall only determine if there is any benefit to the land owner, and the determination of the state engineer upon such question shall be final.

Delete all of lines 796 and 797, and insert the following words: "The board may at any time, and upon petition of any affected land owner after a drain has been in existence for at least one year shall".

On line 807 delete the word "such" and insert in lieu thereof the following words: "The board shall not be forced to make such"

On line 829 following the word "any" insert the word "agricultural".

On line 829 following the period, delete the word "lands" and insert in lieu thereof the following words: "agricultural lands".

On line 833 following the word "other" insert the word "agricultural".

On line 837 following the words "of the" insert the word "agricultural".

On line 838 following the period insert the following words: "Non-agricultural property shall be assessed such sum in any one year as the ratio of the benefits under the original assessment or any reassessment bears to the assessment of agricultural lands bearing the highest assessment.

In line 1112, after the word "shall" insert the following: "pay from the county general fund into the sinking fund for drain warrants or bonds or shall".

In line 1117 following the word "tax" insert: "or payments".

In line 1125 following the word "taxes" insert: "or making such payments"

Also in line 1125 following the word "levies" insert: "or payments".

Renumber the lines alphabetically or otherwise as necessary.

And when so amended recommend the same do pass.

DUNCAN FRASER, Chairman.

Senator Fraser 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. 90, have had the same under consideration and recommend that the same do pass.

NICK SCHMIT, Chairman.

Senator Schmit 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. 115, have had the same under consideration and recommend that the same be amended as follows:

After the word "complaint" in line 2 of bill insert words: "of the recognized bargaining agent of the affected employees"

And when so amended recommend the same do pass.

NICK SCHMIT, Chairman.

Senator Schmit 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. 561, have had the same under consideration and recommend that the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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. 597, have had the same under consideration and recommend that the same do pass.

CLARENCE WELANDER, Chairman.

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

## MOTIONS

Senator Freed moved that Senate Bill No. 48 be placed at the head of the calendar.

Senator Streibel made a substitute motion that Senate Bill No. 48 be laid over one legislative day.

Voice vote was taken and the substitute motion of Senator Streibel prevailed.

SECOND READING OF SENATE BILLS  
AND RESOLUTIONS

Senate Bill No. 56. A Bill for an Act to amend and reenact section 31-1206 of the North Dakota Revised Code of 1943 relating to the application of Chapter 31-12 where other provision is made by the decedent.

Was 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, 8.

Those voting in the affirmative were:

|               |                   |           |
|---------------|-------------------|-----------|
| Baeverstad    | Johnson, Cavalier | Sayer     |
| Bridgston     | Kamrath           | Schmit    |
| Davis         | Kieleley          | Schoeder  |
| Day           | Klefstad          | Schrock   |
| Dolan         | Krenz             | Solberg   |
| Duffy         | Kusler            | Streibel  |
| Foss          | Leier             | Thomas    |
| Fraser        | Livingston        | Tuff      |
| Freed         | Luick             | Wadeson   |
| Gilbertson    | Meidinger         | Welanders |
| Hagen         | Olson             | Wog       |
| Hernett       | Page              | Wolf      |
| Holand        | Rue               | Yunker    |
| Johnson, Cass |                   |           |

Absent and not voting:

|        |         |         |
|--------|---------|---------|
| Berube | Ferry   | O'Brien |
| Bilden | Knudson | Torno   |
| Dewing | Nelson  |         |

So the bill passed and the title was agreed to.

Senate Bill No. 57. A Bill for an Act to amend and reenact sections 6-0125, 11-2501, 15-2113, 15-2526, subsection 5 of section 15-2912, sections 21-0101, 21-0102, 40-0101 by creating subsection 6, 40-1705, and 54-2709 of the North Dakota Revised Code of 1943, and section 40-1706 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the preparation and issuance of warrants by the state of North Dakota and its political subdivisions.

Was 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, 1; absent and not voting, 7.

Those voting in the affirmative were:

|            |          |          |
|------------|----------|----------|
| Baeverstad | Kamrath  | Sayer    |
| Berube     | Kieleley | Schoeder |
| Bilden     | Klefstad | Schrock  |

|                   |            |          |
|-------------------|------------|----------|
| Davis             | Krenz      | Solberg  |
| Day               | Kusler     | Streibel |
| Duffy             | Leier      | Thomas   |
| Ferry             | Livingston | Torno    |
| Foss              | Luick      | Tuff     |
| Fraser            | Meidinger  | Wadeson  |
| Freed             | Nelson     | Welander |
| Gilbertson        | O'Brien    | Wog      |
| Hagen             | Olson      | Wolf     |
| Hernett           | Page       | Yunker   |
| Johnson, Cavalier |            |          |

Those voting in the negative were:

Bridston

Absent and not voting:

|        |               |        |
|--------|---------------|--------|
| Dewing | Johnson, Cass | Rue    |
| Dolan  | Knudson       | Schmit |
| Holand |               |        |

So the bill passed and the title was agreed to.

#### MOTIONS

Senator Day moved that after the reading of the bills on the calendar the Senate recess for fifteen minutes, which motion prevailed.

The Senate reconvened at the call of the Chair.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 61. A Bill for an Act to amend and reenact section 19-0311 of the North Dakota Revised Code of 1943, relating to the professional use of narcotic drugs.

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, 2; absent and not voting, 19.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Bilden     | Hernett           | Schrock  |
| Davis      | Johnson, Cavalier | Solberg  |
| Day        | Kamrath           | Streibel |
| Duffy      | Leier             | Thomas   |
| Ferry      | Livingston        | Torno    |
| Foss       | Meidinger         | Welander |
| Freed      | O'Brien           | Wog      |
| Gilbertson | Olson             | Wolf     |
| Hagen      | Page              | Yunker   |

Those voting in the negative were:

|                        |               |          |
|------------------------|---------------|----------|
| Luick                  | Sayer         |          |
| Absent and not voting: |               |          |
| Baeverstad             | Johnson, Cass | Nelson   |
| Berube                 | Kiele         | Rue      |
| Bridston               | Klefstad      | Schmit   |
| Dewing                 | Knudson       | Schoeder |
| Dolan                  | Krenz         | Tuff     |
| Fraser                 | Kusler        | Wadeson  |
| Holand                 |               |          |

So the bill passed and the title was agreed to.

## MOTION

Senator Hagen moved that Senate Bill No. 77 be laid over two legislative days, which motion prevailed.

**Senate Bill No. 80.** A Bill for an Act to amend and reenact Section 6-0307, of North Dakota Revised Code of 1943, relating to Investment of State Banking Associations in Banking House, Bank Premises, Furniture and Fixtures.

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, 0.... absent and not voting, 18.

Those voting in the affirmative were:

|                        |                   |          |
|------------------------|-------------------|----------|
| Bilden                 | Hernett           | Sayer    |
| Davis                  | Johnson, Cavalier | Schrock  |
| Day                    | Kamrath           | Solberg  |
| Duffy                  | Leier             | Streibel |
| Ferry                  | Livingston        | Thomas   |
| Foss                   | Luick             | Torno    |
| Fraser                 | Meidinger         | Welander |
| Freed                  | O'Brien           | Wog      |
| Gilbertson             | Olson             | Wolf     |
| Hagen                  | Page              | Yunker   |
| Absent and not voting: |                   |          |
| Baeverstad             | Johnson, Cass     | Nelson   |
| Berube                 | Kieley            | Rue      |
| Bridston               | Klefstad          | Schmit   |
| Dewing                 | Knudson           | Schoeder |
| Dolan                  | Krenz             | Tuff     |
| Holand                 | Kusler            | Wadeson  |

So the bill passed and the title was agreed to.

**Senate Bill No. 83.** A Bill for an Act to Permit the Giving of Chattel Mortgages to Secure Existing or Contempraneous Debts and Future Advances, and to Establish the Priority and Extent of the Lien Thereof.

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, 2; absent and not voting, 16.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Page     |
| Bilden     | Johnson, Cavalier | Sayer    |
| Davis      | Kamrath           | Schrock  |
| Day        | Leier             | Thomas   |
| Duffy      | Livingston        | Torno    |
| Ferry      | Luick             | Wadeson  |
| Foss       | Meidinger         | Welander |
| Fraser     | Nelson            | Wog      |
| Freed      | O'Brien           | Wolf     |
| Gilbertson | Olson             | Yunker   |

Those voting in the negative were:

|                        |          |        |
|------------------------|----------|--------|
| Hagen                  | Solberg  |        |
| Absent and not voting: |          |        |
| Berube                 | Kieley   | Rue    |
| Bridston               | Klefstad | Schmit |

|               |         |          |
|---------------|---------|----------|
| Dewing        | Knudson | Schoeder |
| Dolan         | Krenz   | Streibel |
| Holand        | Kusler  | Tuff     |
| Johnson, Cass |         |          |

So the bill passed and the title was agreed to.

**Senate Bill No. 84.** A Bill for an Act with Respect to the Investment of Trust Funds by a Corporate Trustee.

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, 0; absent and not voting 15.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schrock  |
| Davis      | Kieley            | Solberg  |
| Duffy      | Leier             | Streibel |
| Ferry      | Livingston        | Thomas   |
| Foss       | Luick             | Torno    |
| Fraser     | Meidinger         | Wadeson  |
| Freed      | Nelson            | Welander |
| Gilbertson | O'Brien           | Wog      |
| Hagen      | Olson             | Wolf     |
| Hernett    | Page              | Yunker   |

Absent and not voting:

|          |               |          |
|----------|---------------|----------|
| Berube   | Holand        | Kusler   |
| Bridston | Johnson, Cass | Rue      |
| Day      | Klefstad      | Schmit   |
| Dewing   | Knudson       | Schoeder |
| Dolan    | Krenz         | Tuff     |

So the bill passed and the title was agreed to.

**Senate Bill No. 93.** A Bill for an Act to amend and reenact subsections 3 and 4 of section 59-0302 of the North Dakota Revised Code of 1943 relating to restrictions on the purposes for which express trusts may be created.

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, 0; absent and not voting, 15.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Sayer    |
| Bilden     | Johnson, Cavalier | Schrock  |
| Davis      | Kamrath           | Solberg  |
| Day        | Kieley            | Streibel |
| Duffy      | Leier             | Thomas   |
| Ferry      | Livingston        | Torno    |
| Foss       | Luick             | Wadeson  |
| Fraser     | Nelson            | Welander |
| Freed      | O'Brien           | Wog      |
| Gilbertson | Olson             | Wolf     |
| Hagen      | Page              | Yunker   |

Absent and not voting:

|          |               |           |
|----------|---------------|-----------|
| Berube   | Johnson, Cass | Meidinger |
| Bridston | Klefstad      | Rue       |
| Dewing   | Knudson       | Schmit    |

|        |        |          |
|--------|--------|----------|
| Dolan  | Krenz  | Schoeder |
| Holand | Kusler | Tuff     |

So the bill passed and the title was agreed to.

**Senate Bill No. 96.** A Bill for an Act repealing section 44-0610 of the North Dakota Revised Code of 1943, to remove the prohibition upon a notary public acting officially where he changes county residence.

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, 0; absent and not voting, 15.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Schoeder |
| Bilden     | Johnson, Cavalier | Schrock  |
| Davis      | Kamrath           | Solberg  |
| Day        | Kieley            | Streibel |
| Duffy      | Livingston        | Thomas   |
| Ferry      | Luick             | Torno    |
| Foss       | Nelson            | Wadeson  |
| Fraser     | O'Brien           | Welander |
| Freed      | Olson             | Wog      |
| Gilbertson | Page              | Wolf     |
| Hagen      | Sayer             | Yunker   |

Absent and not voting:

|          |               |           |
|----------|---------------|-----------|
| Berube   | Johnson, Cass | Leier     |
| Bridston | Klefstad      | Meidinger |
| Dewing   | Knudson       | Rue       |
| Dolan    | Krenz         | Schmit    |
| Holand   | Kusler        | Tuff      |

So the bill passed and the title was agreed to.

**Senate Bill No. 98.** A Bill for an Act to amend and reenact section 53-0105 of the North Dakota Revised Code of 1943, relating to compensation of the boxing and wrestling commissioner and secretary of the state athletic commission.

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, 0; absent and not voting, 15.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Schoeder |
| Bilden     | Johnson, Cavalier | Schrock  |
| Davis      | Kamrath           | Solberg  |
| Day        | Leier             | Streibel |
| Duffy      | Livingston        | Thomas   |
| Ferry      | Luick             | Torno    |
| Foss       | Nelson            | Wadeson  |
| Fraser     | O'Brien           | Welander |
| Freed      | Olson             | Wog      |
| Gilbertson | Page              | Wolf     |
| Hagen      | Sayer             | Yunker   |

Absent and not voting:

|          |               |           |
|----------|---------------|-----------|
| Berube   | Johnson, Cass | Kusler    |
| Bridston | Kieley        | Meidinger |
| Dewing   | Klefstad      | Rue       |

|        |         |        |
|--------|---------|--------|
| Dolan  | Knudson | Schmit |
| Holand | Krenz   | Tuff   |

So the bill passed and the title was agreed to.

**Senate Bill No. 100.** A Bill for an Act to amend and reenact Section 1 of Chapter 277 of the North Dakota Session Laws of 1953, being Section 47-1636 of the 1953 Cumulative Supplement to the North Dakota Revised Code of 1943, and declaring an emergency.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 34; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cavalier | Schoeder |
| Bilden     | Kamrath           | Schrock  |
| Davis      | Kieley            | Solberg  |
| Day        | Leier             | Streibel |
| Duffy      | Livingston        | Thomas   |
| Ferry      | Luick             | Torno    |
| Foss       | Nelson            | Wadeson  |
| Fraser     | O'Brien           | Welander |
| Freed      | Olson             | Wog      |
| Gilbertson | Page              | Wolf     |
| Hagen      | Sayer             | Yunker   |
| Hernett    |                   |          |

Absent and not voting:

|          |               |           |
|----------|---------------|-----------|
| Berube   | Johnson, Cass | Meidinger |
| Bridston | Klefstad      | Rue       |
| Dewing   | Knudson       | Schmit    |
| Dolan    | Krenz         | Tuff      |
| Holand   | Kusler        |           |

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

**Senate Bill No. 101.** A Bill for an Act to improve and extend by reciprocal legislation the enforcement of duties of support under chapter 14-12, and amending sections 14-1207, 14-1208, 14-1210, 14-1211, 14-1212, and 14-1218 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to reciprocal enforcement of duties of support.

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, 2; absent and not voting, 13.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Sayer    |
| Bridston   | Johnson, Cavalier | Schoeder |
| Davis      | Kamrath           | Schrock  |
| Day        | Kieley            | Solberg  |
| Duffy      | Krenz             | Streibel |
| Ferry      | Leier             | Thomas   |
| Foss       | Livingston        | Torno    |
| Fraser     | Luick             | Wadeson  |
| Freed      | Nelson            | Welander |
| Gilbertson | O'Brien           | Wog      |
| Hagen      | Page              | Wolf     |



Those voting in the negative were:

Bilden Olson

Absent and not voting:

|               |           |        |
|---------------|-----------|--------|
| Berube        | Klefstad  | Rue    |
| Dewing        | Knudson   | Schmit |
| Dolan         | Kusler    | Tuff   |
| Holand        | Meidinger | Yunker |
| Johnson, Cass |           |        |

So the bill passed and the title was agreed to.

**Senate Bill No. 104.** A Bill for an Act to prevent the abandoning or discarding of ice-boxes, refrigerators, or ice chests which have latch lids or doors and to provide a penalty.

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, 0; absent and not voting, 13.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Sayer    |
| Bilden     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schrock  |
| Davis      | Kieley            | Solberg  |
| Day        | Krenz             | Streibel |
| Duffy      | Leier             | Torno    |
| Ferry      | Livingston        | Wadeson  |
| Foss       | Luick             | Welander |
| Fraser     | Nelson            | Wog      |
| Freed      | O'Brien           | Wolf     |
| Gilbertson | Olson             | Yunker   |
| Hagen      | Page              |          |

Absent and not voting:

|               |           |          |
|---------------|-----------|----------|
| Berube        | Klefstad  | Rue      |
| Dewing        | Knudson   | Schoeder |
| Dolan         | Kusler    | Thomas   |
| Holand        | Meidinger | Tuff     |
| Johnson, Cass |           |          |

So the bill passed and the title was agreed to.

**Senate Bill No. 105.** A Bill for an Act to amend and reenact section 44-0612 of the North Dakota Revised Code of 1943, relating to endorsements and matters following notary public's signature to jurat or certificate of acknowledgment.

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, 0; absent and not voting, 13.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Sayer    |
| Bilden     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schrock  |
| Davis      | Kieley            | Solberg  |
| Day        | Krenz             | Streibel |
| Duffy      | Leier             | Torno    |
| Ferry      | Livingston        | Wadeson  |
| Foss       | Luick             | Welander |

|            |         |        |
|------------|---------|--------|
| Fraser     | Nelson  | Wog    |
| Freed      | O'Brien | Wolf   |
| Gilbertson | Olson   | Yunker |
| Hagen      | Page    |        |

Absent and not voting:

|               |           |          |
|---------------|-----------|----------|
| Berube        | Klefstad  | Rue      |
| Dewing        | Knudson   | Schoeder |
| Dolan         | Kusler    | Thomas   |
| Holand        | Meidinger | Tuff     |
| Johnson, Cass |           |          |

So the bill passed and the title was agreed to.

**Senate Bill No. 109.** A Bill for an Act to amend and reenact Section 47-1801 of the North Dakota Revised Code of 1943 and Chapter 277 Laws of North Dakota of 1951, (same being Section 47-1801 of the 1953 Supplement to the North Dakota Revised Code of 1943).

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, 0; absent and not voting, 13.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Sayer    |
| Bilden     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schrock  |
| Davis      | Kieley            | Solberg  |
| Day        | Krenz             | Streibel |
| Duffy      | Leier             | Torno    |
| Ferry      | Livingston        | Wadeson  |
| Foss       | Luick             | Welander |
| Fraser     | Nelson            | Wog      |
| Freed      | O'Brien           | Wolf     |
| Gilbertson | Olson             | Yunker   |
| Hagen      | Page              |          |

Absent and not voting:

|               |           |          |
|---------------|-----------|----------|
| Berube        | Klefstad  | Rue      |
| Dewing        | Knudson   | Schoeder |
| Dolan         | Kusler    | Thomas   |
| Holand        | Meidinger | Tuff     |
| Johnson, Cass |           |          |

So the bill passed and the title was agreed to.

#### MOTIONS

Senator Day moved that Senate Bill No. 112 be deferred until Monday, January 31st, which motion prevailed.

Senator Olson moved that Senate Bill No. 113 be deferred until Monday, January 31st, which motion prevailed.

**Senate Concurrent Resolution "A".** A Concurrent Resolution for an amendment of section 93 of the Constitution of the state of North Dakota.

Which has been read.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 35; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

|                        |                   |          |
|------------------------|-------------------|----------|
| Baeverstad             | Hernett           | Sayer    |
| Bilden                 | Johnson, Cavalier | Schmit   |
| Bridston               | Kamrath           | Schrock  |
| Davis                  | Kieley            | Solberg  |
| Day                    | Krenz             | Streibel |
| Duffy                  | Leier             | Torno    |
| Ferry                  | Livingston        | Wadeson  |
| Foss                   | Luick             | Welander |
| Fraser                 | Nelson            | Wog      |
| Freed                  | O'Brien           | Wolf     |
| Gilbertson             | Olson             | Yunker   |
| Hagen                  | Page              |          |
| Absent and not voting: |                   |          |
| Berube                 | Klefstad          | Rue      |
| Dewing                 | Knudson           | Schoeder |
| Dolan                  | Kusler            | Thomas   |
| Holand                 | Meidinger         | Tuff     |
| Johnson, Cass          |                   |          |

So the Resolution passed and the title was agreed to.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 70, have had the same under consideration and recommend that the same be amended as follows:

In line 30, strike out the word "provided," and in lieu thereof insert the words "After December".

Strike out inclusively lines 31 through line 52 and in lieu thereof insert the following:

31 thirty-first, 1955, the term "employer" does  
 32 not include any person unless on each of some  
 33 twenty days during the taxable year, each day  
 34 being in a different calendar week, the total  
 35 number of individuals who were employed by him  
 36 in employment for some portion of the day  
 37 (whether or not at the same moment of time) was  
 38 four or more.

In line 53, strike out the words "thousand dollars." and in lieu thereof insert the words given for line 38 above.

Re-number succeeding lines from line 38.

In line 250, strike out the words "provided, however, that" and capitalize the letter "A" on "Any".

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. 81, 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. 106, 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. 575, 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 Fraser moved that the absent Senators be excused, which motion prevailed.

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

TWENTY-SIXTH DAY

Bismarck, January 29, 1955

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

Prayer by Chaplain Rev. A. G. Hewitt, Evangelical Free Church, Bismarck, No. Dak.

Roll Call: All members present except Senators Berube, Davis, Dewing, Dolan, Foss, Fraser, Freed, Gilbertson, Holand, Johnson (Cass), Kamrath, Klefstad, Knudson, Kusler, Leier, Luick, Meidinger, Nelson, O'Brien, Schoeder, Thomas, Tuff, Wadeson.

So a quorum was declared.

The President informed the Senate that the Committee on Revision and Correction of the Journal was not ready to report.

MESSAGE TO THE GOVERNOR

Bismarck, January 28, 1955

Honorable Norman C. Brunsdale  
Governor, North Dakota  
Bismarck, North Dakota

Dear Governor Brunsdale:

This is to advise that the Senate has confirmed the re-appointment of the following:

T. S. Henry, Valley City, North Dakota, as a Trustee of the Soldiers' Home for a period of five years, term to expire July 1, 1958.

George H. Haynes, Lisbon, North Dakota, as a Trustee of the Soldiers' Home for a period of five years, term to expire July 1, 1959.

Respectfully yours,

EDWARD LENO, Secretary.

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. 82

Senate Bill No. 107

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 15, have had the same under consideration and recommend that the same be amended as follows:

In line 18 strike out the figure \$159,000.00 and insert the figure \$190,800.00 in lieu thereof.

In line 22 strike out the figure \$13,843,500.00 and insert the figure \$13,875,300.00 in lieu thereof.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

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

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

In line 3 strike out the figure \$164,000.00 and insert the figure \$214,000.00 in lieu thereof.

In line 10 strike out the figure \$150,000.00 and insert the figure \$200,000.00 in lieu thereof.

In line 11 strike out the figure \$164,000.00 and insert the figure \$214,000.00 in lieu thereof.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

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

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

In line 3 strike out the figure \$210,000.00 and insert the figure \$225,000.00 in lieu thereof.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

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

#### CONSIDERATION OF AMENDMENTS

Senator Day moved that the proposed amendment to Senate Bill No. 70 be adopted, which motion prevailed.

Senator Schmit moved that the proposed amendment to Senate Bill No. 115 be adopted, which motion prevailed.

Senator Streibel moved that the amendments to Senate Bill No. 33 be referred back to the Committee on Agriculture, which motion prevailed.

Senator Day requested unanimous consent to introduce Senate bills at this time, which request was granted.

**FIRST READING OF SENATE BILLS  
AND RESOLUTIONS**

Senator Schmit, by request, introduced:

**Senate Bill No. 185.** A Bill for an Act making an appropriation for the purpose of refunding state income tax erroneously paid for the year 1948 by Russell W. Munson, 822 North 2nd Street, Wahpeton, North Dakota.

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

Senator Day introduced:

**Senate Bill No. 186.** A Bill for an Act relating to actions arising out of the use or application of any herbicide, insecticide, fungicide or agricultural chemical; provision for filing reports of loss and time limitations.

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

Senators Davis, Kusler and Welander introduced:

**Senate Bill No. 187.** A Bill for an Act to amend and reenact Section 24-0106 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the authority of the highway commissioner to abandon sections of routes on the state highway system.

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

Senator Schrock introduced:

**Senate Bill No. 188.** A Bill for an Act to amend section 50-0606 of the North Dakota Revised Code of 1943 by creating subsection 15 thereto, relating to powers and duties of the public welfare board.

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

Senator Schrock introduced:

**Senate Bill No. 189.** A Bill for an Act providing per pupil payments from the state equalization fund aid program to a special account for the benefit of the state training school, school for the blind and school for the deaf.

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

Senators Bridston and Duffy introduced:

**Senate Bill No. 190.** A Bill for an Act to amend and reenact section 28-2021 of the North Dakota Revised Code of 1943, relating to renewal of judgments.

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

Senators Rue and Bridston introduced:

**Senate Bill No. 191.** A Bill for an Act to amend and reenact Section 43-1918 of the North Dakota Revised Code of 1943, relating to professional engineers and specifying the work which may be done without registration.

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

Senators Bridston and Rue introduced:

**Senate Bill No. 192.** A Bill for an Act to amend and reenact section 11-3102 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to county highway engineers and prescribing qualifications and conditions of service.

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

Senators Page, Bridston, Solberg and Rue introduced:

**Senate Bill No. 193.** A Bill for an Act authorizing and directing the industrial commission to construct a bank and office building upon the capitol grounds for the use of the Bank of North Dakota, making an appropriation therefor, and authorizing the sale of the existing bank building and premises.

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

Senator Bridston introduced:

**Senate Bill No. 194.** A Bill for an Act to fix the time when mechanic's liens shall attach, to provide for the subjection of the title of owners and vendors of land thereto, to establish the priority of liens, and to provide the time and manner of filing statements of claims for mechanic's liens, to amend and reenact section 35-1213 of the North Dakota Revised Code of 1943, and to repeal sections 35-1204, 35-1210, 35-1212 and subdivision 2 of section 35-1205 of the North Dakota Revised Code of 1943.

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

The Committee on Appropriations introduced:

**Senate Bill No. 195.** A Bill for an appropriation to continue the operation of the North Dakota Civil Defense as provided for by chapter 37-17 of the 1953 Supplement to the North Dakota Revised Code of 1943 and repealing section 37-1712 of the 1953 Supplement to the North Dakota Revised Code of 1943.

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

Senator Duffy introduced:

**Senate Bill No. 196.** A Bill for an Act authorizing the board of administration to sell certain lands belonging to the school for the deaf.

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

Senator Duffy introduced:

**Senate Bill No. 197.** A Bill for an Act to amend and reenact section 61-0101 of the North Dakota Revised Code of 1943, relating to public waters.

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



Senator Bridston introduced:

**Senate Bill No. 198.** A Bill for an Act to regulate, require court supervision of, and provide for the audit and examination of trusts and foundations for charitable, educational and eleemosynary purposes in which the beneficiaries, purposes and uses are not declared with certainty, and to provide penalties for violation hereof.

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

The Committee on Veterans and Military Affairs introduced:

**Senate Concurrent Resolution "L".** A Concurrent Resolution designating United States Highway No. 281 through the state of North Dakota as "American Legion Memorial Highway".

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

Senators Hernet, Page, Duffy, Hagen and Leier introduced:

**Senate Concurrent Resolution "M".** A Concurrent Resolution for an amendment to the Constitution of the state of North Dakota authorizing a bond issue for the construction of highways and authorizing a mill levy for the retirement of such bonds.

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

Senator Streibel moved that the Senate recess until 1:30 p. m., Monday, January 31, 1955, which motion prevailed, and the Senate stood recessed.

EDWARD LENO, Secretary.

TWENTY-SIXTH DAY AFTER RECESS  
AND TWENTY-EIGHTH DAY

Bismarck, January 31, 1955

The Senate reconvened at 1:30 p.m., 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 have carefully examined the Journal of the Twenty-fifth day and find the same correct.

JOHN LEIER, Chairman.

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

MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, January 31, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 515

House Bill No. 536

Which the President has signed.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, January 31, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 56

Senate Bill No. 57

Senate Bill No. 61

Senate Bill No. 80

Senate Bill No. 83

Senate Bill No. 84

Senate Bill No. 93

Senate Bill No. 96

Senate Bill No. 98

Senate Bill No. 100

Senate Bill No. 101

Senate Bill No. 104

Senate Bill No. 105

Senate Concurrent Resolution "A"

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

EDWARD LENO, Secretary.

## MESSAGES TO THE SENATE

House Chamber  
Bismarck, January 31, 1955

Mr. President: I have the honor to transmit:

House Concurrent Resolution "C"

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, January 31, 1955

Mr. President: I have the honor to transmit:

House Bill No. 544

House Bill No. 560

House Bill No. 570

House Bill No. 612

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

KENNETH L. MORGAN, Chief Clerk.

## FIRST READING OF SENATE BILLS

Senators Wolf, Bridston, Leier and Sayer introduced:

**Senate Bill No. 199.** A Bill for an Act to amend and reenact section 34-0908 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to enforcements of contracts.

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

Senators Wolf, Bridston, Leier and Sayer introduced:

**Senate Bill No. 200.** A Bill for an Act relating to the settlement of labor disputes, amending and reenacting sections 34-1002 and 34-1006 of the 1953 Supplement to the North Dakota Revised Code of 1943, and providing for the appointment of a labor dispute board setting forth its powers and duties; providing for employees representation for collective bargaining with elections; defining unfair labor practices; providing for the payment of expenses of the labor dispute board; making orders of labor dispute board appealable to the district courts of this state and repealing sections 34-1003, 34-1004 and 34-1005 of the 1953 Supplement to the North Dakota Revised Code of 1943, and providing a savings clause.

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

Senator Solberg introduced:

**Senate Bill No. 201.** A Bill for an Act to amend and reenact subdivision "h" of subsection 2 of section 26-03A03 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to cancellation and refusal to renew accident and sickness insurance policy by the insurer.

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

Senators Meidinger, Livingston and Olson introduced:

**Senate Bill No. 202.** A Bill for an Act to amend and reenact sections 5-0207 and 5-0208 of the North Dakota Revised Code of 1943, relating to local licensing and regulating of the vending of beer and ale.

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

The Committee on Agriculture introduced:

**Senate Bill No. 203.** A Bill for an Act providing for the regulation of information required on sales agreements or contracts made between a buyer and seller of agricultural seeds, when full or partial payment is made to the seller before the seed is delivered to the buyer, providing a penalty and declaring an emergency.

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

Senators Meidinger, Hernett, Welander and Duffy introduced:

**Senate Bill No. 204.** A Bill for an Act to amend and reenact subsection 7 of section 39-03A01 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to highway patrolmen's retirement system.

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

Senators Schmit, Page, Kieley, Livingston and Sayer introduced:

**Senate Bill No. 205.** A Bill for an Act to exempt tractors used only for moving buildings from the payment of registration, gross ton, or ton mile taxes or fees and to provide for an annual house mover's motor vehicle license and to provide a penalty.

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

The Judiciary Committee introduced:

**Senate Bill No. 206.** A Bill for an Act to amend and reenact Section 30-0213 of the 1953 Supplement to the North Dakota Revised Code of 1943 as amended, relating to notice of foreign heirs.

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

Senators Wolf and Bridston introduced:

**Senate Bill No. 207.** A Bill for an Act appropriating seventy five thousand dollars for the purpose of paying the State Training School's share of the assessment to be levied for the construction of a flood control project within the lower Heart River Water Conservation and Flood Control District of Morton County.

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

Senators Wolf, Freed and Kusler introduced:

**Senate Bill No. 208.** A Bill for an Act appropriating the sum of three hundred ten thousand dollars, or so much thereof as may be necessary to pay the state highway department's share of the cost of raising and reconstructing a bridge across the Heart River situated on the west edge of the city of Mandan, in Morton County, on U. S. Highway No. 10, made necessary by the proposed flood control project within the Lower Heart River Water Conservation and Flood Control District of Morton County, and authorizing and directing the state highway commissioner and his officers and

engineers, in cooperation with the Corps of Engineers, U. S. Army, Garrison District, to prepare plans and specifications for such construction and to proceed with the construction thereof as soon as said project is ordered to be constructed by said Corps of Engineers.

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

Senators Page and Hernet introduced:

**Senate Bill No. 209.** A Bill for an Act to amend and reenact Subsection 3 of Section 64-0201 of the North Dakota Revised Code of 1943 to broaden the definition of "Gasoline pump" contained therein.

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

Senators Page and Hernet introduced:

**Senate Bill No. 210.** A Bill for an Act to amend and reenact Section 64-0216 of the North Dakota Revised Code of 1943.

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

Senators Page and Hernet introduced:

**Senate Bill No. 211.** A Bill for an Act to amend and reenact Section 64-0210 of the 1953 Supplement to the North Dakota Revised Code of 1943.

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

Senators Solberg and Hagen introduced:

**Senate Bill No. 212.** A Bill for an Act to amend and reenact sections 38-0804, 38-0805, and subsection 3 of section 38-0807 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the administration of the oil and gas conservation laws of the state of North Dakota, and providing for the cooperation of the state geologist and the North Dakota geological survey.

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

The Transportation Committee introduced:

**Senate Bill No. 213.** A Bill for an Act relating to the use of certain types of motor vehicles upon the highways of this state and providing a penalty.

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

Senator Day introduced:

**Senate Bill No. 214.** A Bill for an Act authorizing the public service commission to fix the rates that may be charged for natural gas.

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

Senator Day introduced:

**Senate Bill No. 215.** A Bill for an Act relating to telephone rates.

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

Senator Day introduced:

**Senate Bill No. 216.** A Bill for an Act to authorize the Public Service Commission to assess certain public service companies a percentage of the expenses of the Public Service Commission.

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

The Judiciary Committee introduced:

**Senate Bill No. 217.** A Bill for an Act to amend and reenact section 47-1822 of the North Dakota Revised Code of 1943, relating to the conveyance of homesteads in case of insanity.

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

The Judiciary Committee introduced:

**Senate Bill No. 218.** A Bill for an Act relating to unacknowledged instruments and their admission into evidence.

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

The Judiciary Committee introduced:

**Senate Bill No. 219.** A Bill for an Act to provide for the administration of estates of persons missing over seven years.

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

The Judiciary Committee introduced:

**Senate Bill No. 220.** A Bill for an Act to amend and reenact section 35-0506 of the North Dakota Revised Code of 1943 relating to Abstract of Crop Liens.

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

The Judiciary Committee introduced:

**Senate Bill No. 221.** A Bill for an Act to amend and reenact Section 33-0312 of the North Dakota Revised Code of 1943, relating to change of venue in justice court.

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

The Judiciary Committee introduced:

**Senate Bill No. 222.** A Bill for an Act permitting stock dividends.

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

The Judiciary Committee introduced:

**Senate Bill No. 223.** A Bill for an Act relating to cause for divorce.

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

The Judiciary Committee introduced:

**Senate Bill No. 224.** A Bill for an Act to amend and reenact Section 40-1819 of the North Dakota Revised Code of 1943 relating to appeals from determinations of police magistrate or village justice; Trial; Bail.

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

Senators Foss and Dewing introduced:

**Senate Bill No. 225.** A Bill for an Act to tax the issuance and delivery of premium stamps.

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

Senators Foss and Livingston introduced:

**Senate Bill No. 226.** A Bill for an Act providing for inclusion of kindergarten students in the determination of elementary per pupil payments from county tuition fund.

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

Senators Dewing, Schrock and O'Brien introduced:

**Senate Bill No. 227.** A Bill for an Act to amend and reenact section 26-0111 of the North Dakota Revised Code of 1943, relating to collection of insurance premium tax.

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

Senators Holand and Knudson introduced:

**Senate Bill No. 228.** A Bill for an Act to amend and reenact section 31-0102 of the North Dakota Revised Code of 1943 relating to competency as a witness of one spouse against the other.

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

The Judiciary Committee introduced:

**Senate Bill No. 229.** A Bill for an Act to provide for the collection of fees commensurate with costs for services rendered to private persons by county auditors and for the disposition of such fees.

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

Senators O'Brien, Knudson and Kieley introduced:

**Senate Bill No. 230.** A Bill for an Act to levy a one mill general property tax for each six miles of state highway within a township to be credited to the county general fund.

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

Senator Dewing, by request, introduced:

**Senate Bill No. 231.** A Bill for an Act abolishing the defense of contributory negligence in all tort cases, or in all personal injury cases, and providing that the negligence of the plaintiff may be considered comparatively with the negligence of the defendant in determining where the greater fault lies; providing for recovery of damages where plaintiff's neglect is less than that of the defendant; providing that plaintiff's neglect may be considered in mitigation of damages; and providing that all questions of fact as to negligence, comparative negligence, and mitigation of damages be determined by a jury in all cases tried to a jury.

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

Senators Kieley and Knudson introduced:

**Senate Bill No. 232.** A Bill for an Act to amend and reenact Section 34-0912 of the 1953 Supplement to the North

Dakota Revised Code of 1943, relating to unlawful picketing and violations.

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

Senator Sayer, by request, introduced:

**Senate Bill No. 233.** A Bill for an Act permitting discharge of employees and replacement thereof, and remedies for certain illegal acts of employees or associations of employees.

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

Senator Sayer, by request, introduced:

**Senate Bill No. 234.** A Bill for an Act prohibiting interference in business operations for nonunion membership or in jurisdictional disputes, and providing remedies for violation.

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

Senators Holand and Knudson introduced:

**Senate Bill No. 235.** A Bill for an Act amending and reenacting subsections 12 and 13 of section 11-1114, and creating and enacting subsection 14 of section 11-1114 of the North Dakota Revised Code of 1943, relating to the powers of a board of county commissioners.

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

Senator Knudson, by request, introduced:

**Senate Bill No. 236.** A Bill for an Act repealing section 20-0803 of the North Dakota Revised Code of 1943 as amended by section 2, chapter 156, North Dakota Session Laws of 1953, and amending and reenacting section 20-0803 of the North Dakota Revised Code of 1943 as amended by section 2, chapter 163, North Dakota Session Laws of 1953, relating to orders and proclamations of governor.

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

Senator Knudson introduced:

**Senate Bill No. 237.** A Bill for an Act to amend and reenact section 35-0902 of the North Dakota Revised Code of 1943, relating to procedure for obtaining a seed lien.

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

Senator Bridston introduced:

**Senate Bill No. 238.** A Bill for an Act to amend and reenact section 39-0615 of the North Dakota Revised Code of 1943, relating to the appointment of agents to issue motor vehicle operator's licenses.

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

Senator Kusler introduced:

**Senate Bill No. 239.** A Bill for an Act making an appropriation for the construction of suitable facilities at the state hospital for the care, treatment, education and rehabilitation of alcoholics.



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

Senators Day, O'Brien and Welander introduced:

**Senate Bill No. 240.** A Bill for an Act providing old age pensions at age 65 without regard for basis of need.

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

#### FIRST READING OF HOUSE BILLS

**House Bill No. 544.** A Bill for an Act to amend and reenact subsection 1 of section 39-1601, section 39-1602 through 39-1607, 39-1609 through 39-1613, 39-1615 through 39-1619, 39-1623 through 39-1629, all numbers inclusive, sections 39-1621, 39-1632, 39-1703, 39-17031, 39-1704, 39-17041, and 39-1710 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to financial responsibility of owners and operators of motor vehicles and the unsatisfied judgment fund, placing administration of chapters 39-16 and 39-17 of the 1953 Supplement to the North Dakota Revised Code of 1943 under supervision of the director of public safety, requiring that judgment creditors exhaust all remedies available before recovery from the fund, and requiring notice of pendency of action, notice of default and notice of examination of the judgment debtor.

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

**House Bill No. 560.** A Bill for an Act to amend and reenact sections 4-2204 and 4-2224 of the North Dakota Revised Code of 1943, relating to the state soil conservation committee, and county supervisors.

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

**House Bill No. 570.** A Bill for an Act providing for a lien in favor of persons performing labor or furnishing material or services in relation to the drilling or operating of oil or gas wells or in the construction of pipelines or in constructing or repairing of any material used or employed therein, and providing for the filing, perfection and enforcement of said lien.

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

**House Bill No. 612.** A Bill for an Act to amend and reenact section 36-2301 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to inspections by the livestock sanitary board.

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

#### REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 70

Senate Bill No. 115

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairmna.

Senator O'Brien 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. 33, have had the same under consideration and recommend that the same be amended as follows:

In section 9 of the printed bill, in line 154, after the word "real" add the following language "and personal".

In section 16: Line 300 of the printed bill strike out all of lines 300, 301, and the first 3 words of subsection 2 in line 302, and renumber the subsections and lines accordingly.

Insert on line 349 following the word "court" but before the period the following: , but such time for hearing may be extended by the court for good cause for a period not to exceed thirty days. Renumber the lines alphabetically or otherwise as may be necessary.

Insert after line 396 the following words: "No land already included in and being assessed by an existing drainage district shall be included and assessed in any newly formed drainage district unless it can be shown that such land will be benefited by the construction of the new drain. The board in considering the benefit and assessing the percentage of costs to each affected tract, parcel or piece of land may, among other things, take into consideration the present drainage facilities under any existing drainage district, potential use of the proposed drain by such land, whether any such lands will be benefited or harmed by any change in the existing flow and course of drainage water by reason of the construction of the drain, and such other matters as may be pertinent to the question of benefits".

Insert following the period on line 444 the following words: "Any land owner who may claim that he will receive no benefit at all from the construction of a new drain may appeal the question of whether there is any benefit to the state engineer upon the filing of a bond in the sum of two hundred and fifty dollars with the board for the payment of the costs of the state engineer in the matter. The state engineer shall not determine the specific amount of benefits upon an appeal by an individual land owner, but shall only determine if there is any benefit to the land owner, and the determination of the state engineer upon such question shall be final".

Delete all of lines 796 and 797, and insert the following words: "The board may at any time, and upon petition of any affected landowner after a drain has been in existence for at least one year shall".

On line 807 delete the word "such" and insert in lieu thereof the following words: "The board shall not be forced to make such". In the same line delete the words "may not".

On line 808 delete the first two words, "be made".

On line 829 following the word "any" insert the word "agricultural".

On line 829 following the period, delete the word "lands" and insert in lieu thereof the following words: "agricultural lands".

On line 833 following the word "other" insert the word "agricultural".

On line 837 following the words "of the" insert the word "agricultural".

On line 838 following the period insert the following words: "Non-agricultural property shall be assessed such sum in any one year as the ratio of the benefits under the original assessment or any reassessment bears to the assessment of agricultural lands bearing the highest assessment".

In line 1112, after the word "shall" insert the following: "pay from the county general fund into the sinking fund for drain warrants or bonds or shall".

In line 1117 following the word "tax" insert: "or payments".

In line 1125 following the word "taxes" insert: "or making such payments".

Also in line 1125 following the word "levies" insert: "or payments".

Renumber the lines alphabetically or otherwise as necessary.

And when so amended recommend the same do pass.

DUNCAN FRASER, Chairman.

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

Mr. President: The majority of your Committee on Natural Resources to whom was referred Senate Bill No. 63, have had the same under consideration and recommend that the same do pass.

IVER SOLBERG  
CLARENCE WELANDER  
G. A. KLEFSTAD  
D. FRASER  
WILLIAM KAMRATH  
ORVILLE HAGEN  
JOHN YUNKER  
GUST WOG

Mr. President: The minority of your Committee on Natural Resources to whom was referred Senate Bill No. 63, have had the same under consideration and recommend that the same be indefinitely postponed.

REINHART KRENZ  
JOHN LEIER  
HARVEY B. KNUDSON  
ROSAMOND O'BRIEN  
GLENN R. DOLAN

Senator Solberg moved that the majority report on Senate Bill No. 63 be adopted.

Senator Leier made a substitute motion that the report of the minority on Senate Bill No. 63 be adopted.

The question being on the substitute motion of Senator Leier that the report of the minority be adopted in place of the report of the majority, and that the bill be indefinitely postponed, the roll was called and there were ayes, 21; nays, 27; so the motion was declared lost.

Senator Duffy moved that Senate Bill No. 63 be re-referred to the Committee on Appropriations, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 102, have had the same

under consideration and recommend that the same be returned to Senate without recommendation.

GUST WOG, Chairman.

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

Senator Wog moved that Senate Bill No. 102 be referred to the Transportation Committee, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 135, have had the same under consideration and recommend that the same be amended as follows:

Strike out the three paragraphs constituting the preamble each beginning with "Whereas".

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. 54, 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. 108, 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. 136, have had the same under consideration and recommend that the same be amended as follows:

Line 12, strike out the bracket after the word "state".

Line 13, strike out the bracket after the word "state".

Line 19, strike out the word "over" and in lieu thereof insert the word "in".

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. 595, have had the same under consideration and recommend that the same be amended as follows:

Strike out the sentence beginning on line 8 and ending on line 12.

On line 16 after the word "judge" add the following: "and approved by the county commissioners".

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.

#### MOTIONS AND RESOLUTIONS

Senator Solberg moved that Senate Bill No. 60 be returned to the Senate, which motion prevailed.

Senator Solberg moved that Senate Bill No. 60 be withdrawn from any further consideration, which motion prevailed.

Senator Day moved that the Senate reconsider its action in passing Senate Bill No. 109, which motion prevailed.

Senator Day moved that Senate Bill No. 109 be placed on the calendar, which motion prevailed.

Senator Johnson (Cass) requested that his name be removed from the introduction of Senate Bill No. 124, which request was granted.

#### FIRST READING OF SENATE BILLS

Senator Luick introduced:

**Senate Bill No. 241.** A Bill for an Act making an appropriation for the purpose of refunding to Richland County amounts erroneously paid to the state of North Dakota by such county for state general property taxes with its October, 1954 report of state taxes collected.

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

#### MOTIONS

Senator Day moved that Senate Bill No. 109 be re-referred to the Judiciary Committee, which motion prevailed.

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

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

#### TWENTY-EIGHTH DAY

Bismarck, January 31, 1955

The Senate convened at 2:00 p.m., the President presiding.  
Prayer by Chaplain Rev. S. C. Taylor, Nazarene Church, Bismarck, N. Dak.

Roll Call: All members present.

So a quorum was declared.

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-sixth day and recommend that the same be corrected as follows:

Insert on Page 181, preceding "First Reading of Senate Bills and Resolutions", the following:

"Senator Day requested unanimous consent to introduce Senate bills at this time, which request was granted."

And when so corrected recommends that the same be approved.

JOHN LEIER, Chairman.

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

#### PETITIONS AND COMMUNICATIONS

A communication was read from Mrs. E. C. Stucke expressing thanks for the memorial received from the Senate and Senate employees.

Senator Solberg moved that the communication be printed in the Journal, which motion prevailed.

"Please accept my sincere thanks for the money sent from members of the Senate and Senate employees, in memorium for my husband the late Senator E. C. Stucke. Gratefully, Mrs. E. C. Stucke."

An invitation was read from the North Dakota Business Men's Association inviting the members of the Legislative Assembly to attend a showing of a film.

#### CONSIDERATION OF AMENDMENTS

Senator Page moved that the proposed amendments to Senate Bill No. 15 be adopted, which motion prevailed.

Senator Page moved that the proposed amendments to Senate Bill No. 18 be adopted, which motion prevailed.

Senator Page moved that the proposed amendment to Senate Bill No. 30 be adopted, which motion prevailed.

Senator Streibel moved that Senate Bill No. 33 be laid over one legislative day, which motion prevailed.

Senator Streibel moved that after the reading of the bills on the calendar the Senate recess, which motion prevailed.

The Senate reconvened at the call of the Chair.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 70. A Bill for an Act to amend and reenact subsection 2 of Section 52-0101 and subdivision a. of subsection 11 of section 52-0101, of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to definitions; Section 52-0405 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to Standard Rate of Contributions; Subdivisions a. and b. of subsection 1, and subsection 4 of Section 52-0406 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to contributions; Section 52-0504, North Dakota Revised Code of 1943, relating to termination of coverage; Section 52-0604 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the amount of benefits, qualifying wage and definitions; Section 52-0633 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to recovery and recoupment.

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, 2.

Those voting in the affirmative were:  
 Baeverstad                      Johnson, Cavalier                      Rue  
 Berube                              Kamrath                              Sayer

|               |            |          |
|---------------|------------|----------|
| Bilden        | Kieley     | Schmit   |
| Bridston      | Klefstad   | Schoeder |
| Day           | Knudson    | Schrock  |
| Dewing        | Krenz      | Solberg  |
| Duffy         | Kusler     | Streibel |
| Ferry         | Leier      | Thomas   |
| Foss          | Livingston | Torno    |
| Fraser        | Luick      | Tuff     |
| Freed         | Meidinger  | Wadeson  |
| Gilbertson    | Nelson     | Welander |
| Hagen         | O'Brien    | Wog      |
| Hernett       | Olson      | Wolf     |
| Holand        | Page       | Yunker   |
| Johnson, Cass |            |          |

Absent and not voting:

|       |       |
|-------|-------|
| Davis | Dolan |
|-------|-------|

So the bill passed and the title was agreed to.

**Senate Bill No. 82.** A Bill for an Act Providing for the Advancement of Funds by Banks or other Mortgagee to Protect Liens.

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, 1.

Those voting in the affirmative were:

|                   |            |          |
|-------------------|------------|----------|
| Baeverstad        | Kamrath    | Rue      |
| Berube            | Kieley     | Sayer    |
| Bridston          | Klefstad   | Schmit   |
| Davis             | Knudson    | Schoeder |
| Dewing            | Krenz      | Schrock  |
| Duffy             | Kusler     | Streibel |
| Ferry             | Leier      | Thomas   |
| Foss              | Livingston | Torno    |
| Fraser            | Luick      | Tuff     |
| Freed             | Meidinger  | Wadeson  |
| Hernett           | Nelson     | Wog      |
| Holand            | O'Brien    | Wolf     |
| Johnson, Cass     | Page       | Yunker   |
| Johnson, Cavalier |            |          |

Those voting in the negative were:

|            |       |          |
|------------|-------|----------|
| Bilden     | Hagen | Solberg  |
| Day        | Olson | Welander |
| Gilbertson |       |          |

Absent and not voting:

Dolan

So the bill passed and the title was agreed to.

**Senate Bill No. 90.** A Bill for an Act to amend and reenact section 35-2013 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to house mover's liens.

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, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schoeder |
| Davis      | Klefstad          | Schrock  |
| Day        | Knudson           | Solberg  |
| Dewing     | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     | Page              |          |

Absent and not voting:

Dolan

So the bill passed and the title was agreed to.

**Senate Bill No. 106.** A Bill for an Act amending and reenacting section 35-0410 of the North Dakota Revised Code of 1943, relating to renewal and limitation of chattel mortgages.

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, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schoeder |
| Davis      | Klefstad          | Schrock  |
| Day        | Knudson           | Solberg  |
| Dewing     | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     | Page              |          |

Those voting in the negative were:

Olson

Absent and not voting:

Dolan

So the bill passed and the title was agreed to.

**Senate Bill No. 107.** A Bill for an Act validating deeds, mortgages, or assignments of mortgage not containing the post office address of the grantee, recorded prior to the effective date of this Act.

Which has been read.



## ROLL CALL

The question being no the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schoeder |
| Davis      | Klefstad          | Schrock  |
| Day        | Knudson           | Solberg  |
| Dewing     | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     | Page              |          |

Absent and not voting:

Dolan

So the bill passed and the title was agreed to.

**Senate Bill No. 115.** A Bill for an Act to provide for rules affecting safety, sanitation and shelter for railroad employees.

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, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schoeder |
| Davis      | Klefstad          | Schrock  |
| Day        | Knudson           | Solberg  |
| Dewing     | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     | Page              |          |

Absent and not voting:

Dolan

So the bill passed and the title was agreed to.

## MOTIONS AND RESOLUTIONS

Senator Streibel moved that Senate Bill No. 48 be laid over one legislative day.

Senator Freed made a substitute motion that Senate Bill No. 48 be placed at the head of the calendar for consideration

at this time, which motion was declared lost, and the original motion of Senator Streibel prevailed.

Senator Kusler moved that Senate Bill No. 77 be amended.

Senator Duffy made a substitute motion that Senate Bill No. 77 be re-referred to the Committee on Social Welfare, which motion prevailed.

Senator Dewing moved that Senate Bill No. 112 be re-referred to the Committee on Finance and Taxation, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 113. A Bill for an Act to amend and reenact section 57-3849 of the North Dakota Revised Code of 1943, relating to the filing and recording of income tax liens and to the payment of fees therefore.

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, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schoeder |
| Davis      | Klefstad          | Schrock  |
| Day        | Knudson           | Solberg  |
| Dewing     | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     | Page              |          |

Absent and not voting:

Dolan

So the bill passed and the title was agreed to.

House Bill No. 561. A Bill for an Act to amend and reenact subsection 3 of section 65-1204, sections 65-1206 and 65-1211 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to boiler inspection and certificate requirements.

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, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schoeder |
| Davis      | Klefstad          | Schrock  |

|            |            |          |
|------------|------------|----------|
| Day        | Knudson    | Solberg  |
| Dewing     | Krenz      | Streibel |
| Duffy      | Kusler     | Thomas   |
| Ferry      | Leier      | Torno    |
| Foss       | Livingston | Tuff     |
| Fraser     | Luick      | Wadeson  |
| Freed      | Meidinger  | Welander |
| Gilbertson | Nelson     | Wog      |
| Hagen      | O'Brien    | Wolf     |
| Hernett    | Olson      | Yunker   |
| Holand     | Page       |          |

Absent and not voting:  
Dolan

So the bill passed and the title was agreed to.

**House Bill No. 575.** A Bill for an Act to repeal sections 14-0304, 14-0305, 14-0326 and 14-0327 of the North Dakota Revised Code of 1943 relating to miscegenation.

Which has been read.

#### 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, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Schmit   |
| Berube     | Johnson, Cass     | Schoeder |
| Bilden     | Johnson, Cavalier | Schrock  |
| Bridston   | Kieley            | Solberg  |
| Day        | Leier             | Tuff     |
| Dewing     | Meidinger         | Welander |
| Duffy      | O'Brien           | Wog      |
| Fraser     | Olson             | Yunker   |
| Freed      |                   |          |

Those voting in the negative were:

|            |            |          |
|------------|------------|----------|
| Davis      | Knudson    | Rue      |
| Ferry      | Krenz      | Sayer    |
| Foss       | Kusler     | Streibel |
| Gilbertson | Livingston | Thomas   |
| Hagen      | Luick      | Torno    |
| Holand     | Nelson     | Wadeson  |
| Kamrath    | Page       | Wolf     |
| Klefstad   |            |          |

Absent and not voting:

Dolan

So the bill passed and the title was agreed to.

**House Bill No. 597.** A Bill for an Act to require the state board of administration to advertise for bids for coal and other supplies for the soldiers' home, upon the request of the board of trustees thereof, and declaring an emergency.

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, 1.

Those voting in the affirmative were:

|            |                   |       |
|------------|-------------------|-------|
| Baeverstad | Johnson, Cass     | Rue   |
| Berube     | Johnson, Cavalier | Sayer |

|            |            |          |
|------------|------------|----------|
| Bilden     | Kamrath    | Schmit   |
| Bridston   | Kieley     | Schoeder |
| Davis      | Klefstad   | Schrock  |
| Day        | Knudson    | Solberg  |
| Dewing     | Krenz      | Streibel |
| Duffy      | Kusler     | Thomas   |
| Ferry      | Leier      | Torno    |
| Foss       | Livingston | Tuff     |
| Fraser     | Luick      | Wadeson  |
| Freed      | Meidinger  | Welander |
| Gilbertson | Nelson     | Wog      |
| Hagen      | O'Brien    | Wolf     |
| Hernett    | Olson      | Yunker   |
| Holand     | Page       |          |

Absent and not voting:

Dolan

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:

House Concurrent Resolution "C"

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

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

## TWENTY-NINTH DAY

Bismarck, February 1, 1955

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

Prayer by Chaplain Rev. S. C. Taylor, Nazarene Church, Bismarck, No. Dak.

Roll Call: All members present.

So a quorum was declared.

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-sixth day after recess and twenty-eighth day and find the same correct.

JOHN LEIER, Chairman.

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

## MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 1, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 561

House Bill No. 575

House Bill No. 597

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, February 1, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 70

Senate Bill No. 82

Senate Bill No. 90

Senate Bill No. 106

Senate Bill No. 107

Senate Bill No. 113

Senate Bill No. 115

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

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, February 1, 1955

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "C"

Which the President has signed.

EDWARD LENO, Secretary.

MESSAGE TO THE SENATE

House Chamber

Bismarck, February 1, 1955

Mr. President: I have the honor to transmit:

House Bill No. 504

House Bill No. 520

House Bill No. 524

House Bill No. 569

House Bill No. 594

House Bill No. 602

House Bill No. 607

House Bill No. 616

House Bill No. 656

House Concurrent Resolution "G"

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

KENNETH L. MORGAN, 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. 15

Senate Bill No. 18

Senate Bill No. 30

and find the same correctly Engrossed.

ROSAMOND O'BRIEN, Chairman.

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

Mr. President: Your Committee on Natural Resources, to whom was referred Senate Bill No. 46, have had the same under consideration and recommend that the same do pass.

IVER SOLBERG, Chairman.

Senator Solberg 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. 62, have had the same under consideration and recommend that the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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. 75, have had the same under consideration and recommend that the same do pass.

LAVERN SCHOEDER, Chairman.

Senator Schoeder 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. 95, have had the same under consideration and recommend that the same be amended as follows:

In line five of bill after the word cottages insert "or dwellings"

And when so amended recommend the same do pass.

LAVERN SCHOEDER, Chairman.

Senator Schoeder 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. 97, have had the same under consideration and recommend that the same be indefinitely postponed.

RALPH DEWING, Chairman.

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

Mr. President: Your Committee of the Majority on Transportation, to whom was referred Senate Bill No. 102, have had the same under consideration and recommend that the same be amended as follows:

AMENDMENT TO SENATE BILL NO. 102

Add the following after the numbers "38.5" in line 93 of the bill and renumber the lines accordingly:

A credit shall be allowed against the tax so computed with respect to each such motor vehicle equal to the sum of any or all of the following fees or taxes paid to the state of North Dakota with respect to such motor vehicle or fuels used therein:

1. Registration fee pursuant to Section 39-0424 of the 1953 Supplement of the North Dakota Revised Code of 1943 as amended.
2. Ton tax fee paid pursuant to Chapter 39-04A of the 1953 Supplement of the North Dakota Revised Code of 1943 as amended.
3. Bus seat tax paid pursuant to Section 39-0451 of the North Dakota Revised Code of 1943 as amended.
4. Truck mile tax paid pursuant to Sections 39-0425, 39-0426, 39-0427, 39-0428, 39-0429, of the 1953 Supplement of the North Dakota Revised Code of 1943 as amended.
5. All motor vehicle fuel taxes paid with respect to motor vehicle fuels of any kind used in such vehicle while operated on the highways of the state of North Dakota.

The credit may be taken in whole or in part on any return required to be filed by Section 6 of this Act but may not be carried over or used in the computation of the tax on any return covering the calendar year or any part thereof following the year in which taxes, fee, or fees, were due, incurred or paid.

At line 223 of the bill strike out the word Commissioner and insert in lieu thereof the word Registrar.

At line 69 of the bill strike out the number 18,000 and insert in lieu thereof the numbers 20,000.

Strike out all of Line 70 of the bill and renumber the lines accordingly.

And when so amended recommend the same do pass.

ARLIE FERRY  
 SELMER GILBERTSON  
 H. B. BAEVERSTAD  
 JOHN LEIER  
 A. W. LUICK  
 O. S. JOHNSON  
 JOHN E. DAVIS  
 O. E. BILDEN

GUST WOG, Chairman.

Senator Wog moved that the report be adopted.

Mr. President: Your Committee of the Minority on Transportation, to whom was referred Senate Bill No. 102, have had the same under consideration and recommend that the same be amended as follows:

AMENDMENT TO SENATE BILL NO. 102

Add the following after the numbers "38.5" in line 93 of the bill and renumber the lines accordingly:

A credit shall be allowed against the tax so computed with respect to each such motor vehicle equal to the sum of any or all of the following fees or taxes paid to the state of North Dakota with respect to such motor vehicle or fuels used therein:

1. Registration fee pursuant to Section 39-0424 of the 1953 Supplement of the North Dakota Revised Code of 1943 as amended.
2. Ton tax fee paid pursuant to Chapter 39-04A of the 1953 Supplement of the North Dakota Revised Code of 1943 as amended.
3. Bus seat tax paid pursuant to Section 39-0451 of the North Dakota Revised Code of 1943 as amended.
4. Truck mile tax paid pursuant to Sections 39-0425, 39-0426, 39-0427, 39-0428, 39-0429, of the 1953 Supplement of the North Dakota Revised Code of 1943 as amended.
5. All motor vehicle fuel taxes paid with respect to motor vehicle fuels of any kind used in such vehicle while operated on the highways of the state of North Dakota.

The credit may be taken in whole or in part on any return required to be filed by Section 6 of this Act but may not be carried over or used in the computation of the tax on any return covering the calendar year or any part thereof following the year in which taxes, fee, or fees, were due, incurred or paid.

At line 223 of the bill strike out the word Commissioner and insert in lieu thereof the word Registrar.

At line 69 of the bill strike out the number 18,000 and insert in lieu thereof the numbers 20,000.

Strike out all of Line 70 of the bill and renumber the lines accordingly.

(But reported in without any further recommendation.)

NICK SCHMIT, JR.  
 E. T. NELSON  
 GUST WOG  
 DONALD C. HOLAND  
 AXEL OLSON

GUST WOG, Chairman.



Senator Wog moved that the report be adopted.

The motion of the Committee of the Majority prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 111, have had the same under consideration and recommend that the same be amended as follows:

On line 7 of the printed bill strike out the word "six" and insert the word "four".

On line 18 strike out the word "six" and insert the word "four".

And when so amended recommend the same do pass.

RALPH DEWING, Chairman.

Senator Dewing 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. 120, have had the same under consideration and recommend that the same be indefinitely postponed.

RALPH DEWING, Chairman.

Senator Dewing 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. 126, have had the same under consideration and recommend that the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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. 127, have had the same under consideration and recommend that the same be amended as follows:

In line 6 after the word "elected" insert "and may provide for their election by such district".

Re-number the lines accordingly.

And when so amended recommend the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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. 142, have had the same under consideration and recommend that the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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. 146, have had the same under consideration and recommend that the same do pass.

RALPH DEWING, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 184, have had the same

under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution "E", have had the same under consideration and recommend that the same be amended as follows:

In line 20 after the word "court" insert "provided further that counties having a population of 6 thousand or less, the register of deeds shall also be clerk of the district court and county judge.

Re-number the lines accordingly.

And when so amended recommend the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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 do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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 Resolution No. 3, have had the same under consideration and recommend that the same be placed on calendar without recommendation.

ORVILLE HAGEN, Chairman.

Senator Hagen moved that the report be adopted.

Senator Rue moved that further consideration of Senate Resolution 3 be indefinitely postponed.

Senator Day made a substitute motion that Senate Resolution No. 3 be re-referred to the Committee on State and Federal Government.

The question being on the substitute motion of Senator Day, voice vote was taken, and the motion was declared lost.

### ROLL CALL

The question being on the original motion of Senator Rue that Senate Resolution No. 3 be indefinitely postponed, the roll was called and there were ayes, 27; nays, 19; absent and not voting, 2.

Those voting in the affirmative were:

|            |               |            |
|------------|---------------|------------|
| Baeverstad | Gilbertson    | Livingston |
| Bridston   | Hernett       | Luick      |
| Davis      | Holand        | Meidinger  |
| Day        | Johnson, Cass | Nelson     |
| Dolan      | Kieley        | Page       |
| Duffy      | Klefstad      | Rue        |
| Ferry      | Knudson       | Sayer      |
| Foss       | Krenz         | Torno      |
| Freed      | Leier         | Yunker     |

Those voting in the negative were:

|        |         |          |
|--------|---------|----------|
| Berube | O'Brien | Streibel |
| Dewing | Olson   | Thomas   |

|                   |          |          |
|-------------------|----------|----------|
| Fraser            | Schmit   | Tuff     |
| Hagen             | Schoeder | Welander |
| Johnson, Cavalier | Schrock  | Wog      |
| Kamrath           | Solberg  | Wolf     |
| Kusler            |          |          |

Absent and not voting:

|        |         |
|--------|---------|
| Bilden | Wadeson |
|--------|---------|

So the motion prevailed, and the Resolution was indefinitely postponed.

Senator Day moved that the remarks of Senator Olson on Resolution No. 3 be printed in the Journal, which motion prevailed.

Senator Olson: Seeing I am one of the sponsors of this resolution, I suppose it is up to me to defend it.

In talking with a friend of mine the other night about it, I guess he thought he should give me a little fatherly advice, and I thanked him for his good intentions. He said, "You know when you get picking on the President of the United States, you're picking on a pretty big man." I told him and I am telling this Senate, I am not picking on him. I don't like that phrase, but I am disagreeing with him, which is my constitutional right and privilege. I hope that the time never comes in these United States when we have to live in fear of the chief executive, but that we can continue to love and respect him as a man among men, not a dictator.

What this resolution does is setting forth why I disagree with him. Where he has failed to keep his campaign promises and what we would like to have him do in language a school boy can understand. In an agricultural state like North Dakota this resolution should pass one hundred per cent.

If it were possible for all the farmers in North Dakota to pick up, lock, stock and barrel, and leave the state overnight, tomorrow morning every preacher, lawyer and doctor, soap box orator, prune peddler and automobile salesman and what have you, would be leaving also, because there would be nothing to stay for and we could turn the state over to the buffalo and the Indians. Now, Mr. President, with your permission I would like to quote Senator Young:

"Far too often today the farm picture has been greatly distorted and misrepresented by the Department of Agriculture. This is particularly true with respect to our present agricultural surpluses and the cause of their accumulation. Secretary of Agriculture Ezra Taft Benson and Under Secretary True D. Morse have not, in my opinion, accurately presented the facts to this nation with respect to our present surpluses and the reasons for their accumulation.

"I fear that unless the Department of Agriculture soon takes a more friendly view, and a more aggressive attitude in the disposal of surpluses, there is grave danger the whole program will collapse.

"For more than a year and a half now, Mr. President, I have read almost daily press stories about speeches delivered by either Secretary Ezra Taft Benson or Under Secretary True D. Morse. The theme has always been the same—a denunciation of our present price support program. There have been some glaring inconsistencies in these speeches

which may have gone unnoticed by many people, but certainly not by farmers.

"How can farmers or members of Congress look to the Department of Agriculture for good advice when there are such glaring inconsistencies in their all too many speeches?

"The great food consuming public is being "taken for a ride" by advocates of lower price supports who claim that lower prices on farm commodities will be of benefit to consumers.

"In January, 1948, wheat prices on the farm reached a peak of \$2.81 a bushel and the average price of a one-pound loaf of bread was 13.8 cents. Today the average cash farm price of wheat has dropped to \$1.91 a bushel yet the average price of a one-pound loaf of bread has increased to 17 cents. The present farm value of the wheat in a one-pound loaf of bread is 2¼ cents.

"What is true of wheat is true of almost every other farm commodity:

"Lower support prices under the Benson plan will just start to take effect this year. In 1956 most of the scheduled lower supports will be in effect. For example, wheat supports will drop 18¢ a bushel this year. In 1956 there will be another 18¢ drop plus a 12¢ drop resulting from the use of a different parity formula. This will mean a total lowering in price supports by 1956 of approximately 48¢ a bushel. There will be still further reductions during the following two years."

Senator Bridston moved that after the reading of Senate Bills 15, 18, 30 and 48, the Senate be at ease until the call of the chair, which motion prevailed.

The Senate convened at the call of the Chair.

#### REPORT OF STANDING COMMITTEES

Mr. President: Your Committee on Industry and Business to whom was referred House Bill No. 572, have had the same under consideration and recommend that the same do pass.

JOHN KUSLER, Chairman.

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

#### FIRST READING OF SENATE RESOLUTION

Senators Thomas, Hagen and Hernetz introduced:

**Senate Resolution No. 4.** A Senate Resolution to appoint an Official Photographer for the Senate of the Thirty-fourth Legislative Assembly of the State of North Dakota.

Senator Hagen moved that Senate Resolution No. 4 be printed in the Journal and action delayed one day, which motion prevailed.

#### SENATE RESOLUTION NO. 4

Introduced by Senators Thomas, Hagen, and Hernetz

A Senate Resolution to appoint an Official Photographer for the Senate of the Thirty-fourth Legislative Assembly of the State of North Dakota.

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA:

- 1 WHEREAS, for historical purposes it has been the
- 2 custom of all North Dakota legislative assemblies to

2a have  
 3 composite group pictures made of all members of such  
 4 assemblies, and  
 5 WHEREAS, Campbell's Studio of Bismarck, North  
 5a Dakota  
 6 offers to make a composite group picture of the thirty-  
 7 fourth legislative assembly size 30x40, said picture to  
 7a be  
 8 framed and ready to hang, and fifty-five eleven by  
 8a fourteen  
 9 copies of said picture for each member and desk force  
 9a of  
 10 the senate at a cost of three hundred sixty-five dollars.  
 11 NOW THEREFORE, BE IT RESOLVED, that  
 11a Campbell's Studio,  
 12 Bismarck, North Dakota, be, and is hereby appointed  
 12a official  
 13 photographer for the North Dakota senate of the thirty-  
 14 fourth legislative assembly.  
 15 BE IT FURTHER RESOLVED, that the Campbell's  
 15a Studio of  
 16 Bismarck, North Dakota, be and is hereby awarded the  
 16a sole  
 17 privilege of photographing members of the senate of the  
 18 thirty-fourth legislative assembly, at a cost price of  
 19 three hundred sixty-five dollars, to be taken out of  
 20 legislative expenses.

#### FIRST READING OF HOUSE BILLS AND RESOLUTIONS

**House Bill No. 504.** 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.

**House Bill No. 520.** 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.

**House Bill No. 524.** 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 providing assistance to the needy aged and general assistance for relief to destitute and necessitous persons, aid to permanently and totally disabled, 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.

**House Bill No. 569.** A Bill for an Act to amend and reenact section 5-0318 of the North Dakota Revised Code of 1943 and sections 5-0210 and 5-0509 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the sale of alcoholic beverages to Indians and other persons.

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

**House Bill No. 594.** A Bill for an Act to amend and reenact section 54-3601 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to the Indian Affairs Commission.

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

**House Bill No. 602.** A Bill for an Act to authorize the board of county commissioners of any county, or the governing body of any municipal corporation or of any public library in this state to furnish rooms in public buildings for the use of the historical society of the county, and to authorize such board of county commissioners to make an annual appropriation from the general fund of the county for the promotion of the work of such historical society.

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

**House Bill No. 607.** A Bill for an Act providing for licensing funeral establishments and inspection thereof; providing for prescribing of minimum standards, rules and regulations by State Department of Health; providing for requirement of embalming or preparation room in every funeral establishment, with exceptions; providing for issuance, denial, suspension or revocation of licenses by the State Health Officer and appeal therefrom to the District Court; and providing a penalty for the violation of the provisions of this Act.

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

**House Bill No. 616.** A Bill for an Act to amend and reenact subsection 9 of section 65-0102 of the North Dakota Revised Code of 1943, providing that any condition or impairment of health of municipal paid firemen in the state of North Dakota caused by tuberculosis, hypertension, or heart disease, resulting in total or partial disability, shall be presumed to have been suffered in line of duty.

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

**House Bill No. 656.** A Bill for an Act allowing the participation of friends or relatives in the costs of burial of county welfare cases.

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

**House Concurrent Resoluition "G".** A House Concurrent Resolution urging Congress to take favorable action upon measures for flood control in the Red River Valley watershed area.

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

#### CONSIDERATION OF AMENDMENTS

Senator Fraser moved that the proposed amendments to Senate Bill No. 33 be adopted, which motion prevailed.

Senator Day moved that the proposed amendment to Senate Bill No. 135 be adopted, which motion prevailed.

Senator Day moved that the proposed amendments to Senate Bill No. 136 be adopted, which motion prevailed.

Senator Day moved that the proposed amendments to House Bill No. 595 be adopted, which motion prevailed.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 15.** 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, the administrative expenses and the teaching preparation scholarships of the teacher preparation scholarship plan, and two agricultural schools on the basis of enrollment.

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, 3.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Olson    |
| Berube     | Johnson, Cass     | Page     |
| Bilden     | Johnson, Cavalier | Rue      |
| Bridston   | Kamrath           | Sayer    |
| Davis      | Kieley            | Schmit   |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Torno    |
| Ferry      | Lier              | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |
| Hernett    | O'Brien           | Yunker   |

Absent and not voting:

|       |          |        |
|-------|----------|--------|
| Hagen | Schoeder | Thomas |
|-------|----------|--------|

So the bill passed and the title was agreed to.

**Senate Bill No. 18.** A Bill for an Act making an appropriation for the use of special education of exceptional children.

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, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schoeder |
| Davis      | Klefstad          | Schrock  |
| Day        | Knudson           | Solberg  |
| Dewing     | Krenz             | Streibel |
| Dolan      | Kusler            | Thomas   |
| Duffy      | Lier              | Torno    |
| Ferry      | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     | Page              |          |

Absent and not voting:

Hagen

So the bill passed and the title was agreed to.

**Senate Bill No. 30.** A Bill for an Act making an appropriation for the salaries and miscellaneous expenses of the High School Correspondence Study.

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, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schoeder |
| Davis      | Klefstad          | Schrock  |
| Day        | Knudson           | Solberg  |
| Dewing     | Krenz             | Streibel |
| Dolan      | Kusler            | Thomas   |
| Duffy      | Leier             | Torno    |
| Ferry      | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     | Page              |          |

Absent and not voting:

Hagen

So the bill passed and the title was agreed to.

Senator Streibel moved that action on Senate Bill No. 48 be laid over one legislative day, which motion prevailed.

#### MOTIONS AND RESOLUTIONS

Senator Duffy moved that the Senate go into Executive Session, which motion was declared lost.

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.



## THIRTIETH DAY

Bismarck, February 2, 1955

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

Prayer by Chaplain Rev. S. C. Taylor, Nazarene Church, Bismarck, No. Dak.

Roll Call: All members present.

So a quorum was declared.

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

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

JOHN LEIER, Chairman.

Senator Leier 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. 33

Senate Bill No. 135

Senate Bill No. 136

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

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

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

In line 3 after the word "collections" insert the following: ", institutional support fund".

In line 13 strike out the figure "\$731,600.00" and insert the figure "\$721,600.00" in lieu thereof.

In line 18 strike out the figure "\$562,700.00" and insert the figure "\$502,700.00" in lieu thereof.



Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 103, have had the same under consideration and recommend that the same be amended as follows:

In line 9 of the title after the word "amending" add the words "and reenacting".

And when so amended recommend the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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. 110, have had the same under consideration and recommend that the same do pass.

STEVE THOMAS, Chairman.

Senator Thomas 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. 112, have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill, line 3 and line 4 delete the words "for clarification purposes".

Delete all matter following the period in line 9 and delete all lines 10 through 15.

Add the following after the period in line 9: "In the case of any tax imposed by this chapter if the taxpayer has failed to file a return of income as required by this chapter, the tax may be assessed, or a proceeding in court for the collection of such tax may be begun without such assessment, at any time within ten years after the due date of the return; provided that no limitation of time to assess or collect the tax shall apply if the failure to file a return was due to the fraudulent intent or the willful attempt of the taxpayer in any manner to evade the tax; and provided further that no limitation of time shall apply if at the effective date of this amendment a lien has been filed and recorded pursuant to section 57-3849".

Renumber the lines wherever necessary.

And when so amended recommend the same do pass.

RALPH DEWING, Chairman.

Senator Dewing 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. 114, have had the same under consideration and recommend that the same be amended as follows:

On line 30 of the printed bill after the semicolon beginning with the word "except" strike the remainder of the line and all of line 31 and renumber the lines accordingly.

On line 59 of the printed bill strike out the word "fifty" and insert in lieu thereof the words "one hundred" and renumber the lines where necessary.

And when so amended recommend the same do pass.

RALPH DEWING, Chairman.

Senator Dewing 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. 116, have had the same under consideration and recommend that the same do pass.

STEVE THOMAS, Chairman.

Senator Thomas 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. 128, have had the same under consideration and recommend that the same do pass.

STEVE THOMAS, Chairman.

Senator Thomas 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. 130, have had the same under consideration and recommend that the same do pass.

ROSAMOND O'BRIEN, Chairman.

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

Mr. President: Your Committee on Finance and Taxation, to whom was referred Senate Bill No. 138, have had the same under consideration and recommend that the same do pass.

RALPH DEWING, Chairman.

Senator Dewing 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. 140, have had the same under consideration and recommend that the same be amended as follows:

In line 44 change the date "July 1, 1945" to "July 1, 1955".

And when so amended recommend the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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. 168, have had the same under consideration and recommend that the same do pass.

RALPH DEWING, Chairman.

Senator Dewing 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. 179, have had the same under consideration and recommend that the same do pass.

DUNCAN FRASER, Chairman.

Senator Fraser 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. 186, have had the same under consideration and recommend that the same do pass.

DUNCAN FRASER, Chairman.

Senator Fraser 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 Senate Concurrent Resolution "L", have had the same under consideration and recommend that the same be amended as follows:

In line 21 strike out the word "high" and insert the word "highway".

And when so amended recommend the same do pass.

CLARENCE WELANDER, Chairman.

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

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 2, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 15

Senate Bill No. 18

Senate Bill No. 30

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

EDWARD LENO, Secretary.

#### MESSAGES TO THE SENATE

House Chamber  
Bismarck, February 2, 1955

Mr. President: I have the honor to return:

Senate Concurrent Resolution "I"

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, February 2, 1955

Mr. President: I have the honor to transmit:

House Bill No. 541

House Bill No. 542

House Bill No. 543

House Bill No. 564

House Bill No. 573

House Bill No. 613

House Bill No. 619

House Bill No. 640

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

KENNETH L. MORGAN, Chief Clerk.

#### MOTIONS

Senator Schoeder moved that the Senate recognize the junior class and instructor from the high school at New England, which motion prevailed.

Senator Dolan moved that the Senate recognize the class and instructor from the high school at Riverdale, which motion prevailed.

Senator Davis moved that the Senate recognize the class and instructor from the high school at Tuttle, which motion prevailed.

Senator Meidinger moved that the Senate recognize the junior and senior classes and instructors of St. John's Academy, Jamestown, which motion prevailed.

**Senator Day:**

Mr. President, the Senator from Traill claimed yesterday that he had just returned from South Dakota looking for the bones of Sitting Bull. I can officially inform you that the Senator was actually chasing the bones of a North Dakota bobcat. The truth may now be told. It seems that it was learned that the war party from South Dakota was about to come into our state to dig up the bones of Sitting Bull a few months ago. A party of men from Langdon, headed by E. C. Christie, beat them to the grave and replaced Sitting Bull's bones with the bones of a North Dakota wildcat, and they took the bones of Sitting Bull up to Langdon where they have been preserved until today. Here they are—this skull and bones are the real bones of Sitting Bull and I have been asked to present them to Senator Ole Johnson of Cavalier to be placed in his protective custody.

Senator Johnson (Cavalier) moved that the remarks of Senator Day be placed in the Journal, which motion prevailed.

Senator Bridston moved that the President Pro-Tem appoint a committee of one to escort Dr. Dorothy J. Lipp, Dean of Women, University of North Dakota, Grand Forks, North Dakota, to the rostrum, which motion prevailed.

The President Pro-Tem appointed Senator Bridston to so act.

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

**Dr. Dorothy J. Lipp:**

It is a pleasure to visit the Senate and to meet in person so many of the people who work along with us at the University to make possible the higher education of young people of this state. Several of us are here in Bismarck for the primary purpose of visiting high schools in the area. We want to interest North Dakota young people in continuing their education beyond high school. Specifically, we want them to consider the fine institutions of higher learning right here in North Dakota. It is our job to increase the percentage of college-age citizens enrolled in our own colleges and in our state university. Then you people can work right along with us to provide the appropriations necessary to educate more and more North Dakota young people.

I am grateful for the opportunity of being a part of this state. I like North Dakota for many reasons, but mostly because there is more space than people. People here are expansive in their thinking. Having come from the East where lethargy is an accepted fact, I am happy to be in a part of the country where people are interested in getting things done; where people are forward-looking and building toward a greater future. I hope that I may have the privilege of making a worthwhile contribution to the future of the State of North Dakota and its wonderful young people. Personally, I'd be happy to live here the rest of my life. Thank you.

**REPORTS OF STANDING COMMITTEES**

Mr. President: Your Committee on Social Welfare to whom was referred House Bill No. 569, have had the same under consideration and recommend that the same do pass.

ROSAMOND O'BRIEN, Chairman.

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

Mr. President: Your Committee on Social Welfare to whom was referred House Bill No. 656, have had the same under consideration and recommend that the same do pass.

ROSAMOND O'BRIEN, Chairman.

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

#### FIRST READING OF SENATE RESOLUTION

Senators Livingston, Leier and Dolan introduced:

**Senate Resolution No. 5.** A Resolution requesting procedures by the Commodity Credit Corporation when belt run sampling is had on grain for terminal storage.

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

#### MOTIONS

Senator Schrock moved that Senate Bill No. 116 be referred to the Committee on Political Subdivisions, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

Senator Schoeder moved that the proposed amendments to Senate Bill No. 95 be adopted, which motion prevailed.

Senator Streibel moved that the proposed amendments to Senate Bill No. 102 be adopted, which motion prevailed.

Senator Dewing moved that the proposed amendments to Senate Bill No. 111 be adopted, which motion prevailed.

Senator Kusler moved that the proposed amendments to Senate Bill No. 127 be adopted, which motion prevailed.

Senator Hagen moved that the proposed amendments to Senate Concurrent Resolution "E" be adopted, which motion prevailed.

#### MOTIONS

The President Pro-Tem announced that a message from the Governor had been received.

Senator Streibel moved that action be deferred on the message from the Governor for several days.

Senator Duffy made a substitute motion that the Senate resolve itself into an Executive Session for the purpose of considering the message.

The question being on the substitute motion of Senator Duffy a standing vote was taken and the motion was declared lost.

The question being on the original motion of Senator Streibel that action be deferred, vote was taken and the motion prevailed.

Senator Duffy moved that after the reading of Senate Bills 33, 46, 62, 75, 126, 135, 136, 142, 146, 184, Concurrent Resolution "J", House Bills 572, 595, Senate Resolution No. 4, and Senate Bill 48, the Senate be at ease until the call of the chair, which motion prevailed.

The Senate reconvened at the call of the Chair.

Senator Freed moved that the President Pro-Tem appoint a committee of one to escort former Lt. Governor Schnell to the rostrum, which motion prevailed.

The President Pro-Tem appointed Senator Freed to so act.

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

Mr. Schnell: Thank you, President Pro-Tem, members of the Senate, and friends. First of all, I want to assure you that my trip down here isn't to seek to be a member of the Board of Higher Education, although I may have a lot of degrees, but in a different walk of life.

My first session in the North Dakota House of Representatives was in 1935 and I remember Senator Bilden being there at that time. I want to thank him for helping to familiarize me with parliamentary procedure and with the doings of a legislature. At that time it was so necessary to raise the salaries of teachers and county and state officials who were so underpaid, really below respectable standards of living. I got in touch with the president of the Dickinson State Teachers' College to find out about some of the things and the men who should have a larger amount of salary raises, and in looking through the names of the different men I noticed the letters back of their names and I said "What does this mean, I see one has a 'B.S.' back of his name," and he said, "That means 'Bachelor of Science'. Well, that was a surprise to me. Then I said "This one has an 'M. S.' behind his name, what does that mean?" and he said, "More of the same." Then I said, "Here is one that has three letters 'PHD', what does that mean?" He said "Piled on higher and deeper."

I learned fast, but I found out there isn't a thing in the world that would beat the life of a cattle man on the range where you can live your own life and your world is your own, so I am not interested in anything else.

I just came back from a two week trip over six of the southwest range states and I want to say you really can't appreciate North Dakota until you see other places they call cattle countries, and come back here and see the wonderful hay and grass that we have, pasture land galore. In the last fifteen years they have increased their capacity and built up our livestock capacity in the state of North Dakota to take care of the people of North Dakota. It is a credit to the state of North Dakota and brings in an income of several million dollars a year.

I talked to a lot of people who lived in those drought states for six or seven years. They tell of a fellow who went through the country and couldn't believe you could find sections of land that couldn't produce enough grass for jack rabbits. He was so surprised and said, "How can you make a go of it in the cattle business, you never have any rain. Have you had any rain lately?" "No," the old fellow said—he was sitting in front of the store whittling at a stick. "It didn't rain this year." "Did it rain last year?" "No, I don't think it did." "Does it ever rain here?" "Oh yes, sure it rains. You heard of the time when they had to load all the animals on the Ark and it rained for 40 days and 40 nights—we got an inch and a half out of that!"

I really appreciate living in the state of North Dakota. You may think that just a lot of people don't understand the doings of the members of the legislature. We have more brains and more talents in our legislators here in



North Dakota than they have in most any place. I happened to visit the legislative session in the city of Denver, and looking at some of the faces that are supposed to represent the great state of Colorado, they don't compare with those in North Dakota. You may have differences of opinions but regardless of what they say, the state of North Dakota has been going ahead, building up and it will be a better state when you get through. I am sure that we have the possibilities in this state here that will in time make it so outstanding that it will be a credit to anyone who lives here.

Senator Freed has mentioned that I have had the honor of being appointed by popular request from some of the most important people in North Dakota to be the representative for the National Cow Boys' Hall of Fame in a museum that is to be built. Bruce Keogh, the President of the North Dakota Stockmen's Association, is also a member of that Board of Trustees, and every governor of the seventeen western states is an ex-officio member of that board. It happened to be at the first meeting on the 20th and 21st of January, and at that time this organization was perfected and is now a going concern. It is one of the great things that was ever done, patterned after the Baseball Hall of Fame. It is an organization to honor those who have made the west what it is today. Most of the trustees are cattle men, horse men, or people in other walks of life, bankers and presidents of railroad companies who have been instrumental in promoting the welfare of the livestock industry in the whole nation. As time goes on, many will be named to this Hall of Fame and have their portrait hung in that Hall or monuments built in their memory, for those who have passed on, like Will Rogers, Teddy Roosevelt, our North Dakota patriot, and many of that caliber that really represent the west. As time goes on perhaps every state of the union will name a candidate to present to this museum of the Cow Boy Hall of Fame.

I was asked by the world's champion cowboy, Casey Tibbs, just a few days ago to go along with, and also the gentlemen that have been the promoters of this year's Hall of Fame. He said he was going to the Denver Livestock Show to do a special ride for the little Polio Poster Boy. This little boy he took along. It takes a lot of courage and a real man to mount one of those Brahma bulls or a bronc that is really an outlaw, and a lot of men don't have the nerve to do it. We had the little boy sitting on the ledge close to the bucking chutes, there were 10,000 people, and this little boy had on crutches and braces on his legs, five years old, he sat there and Casey Tibbs came out on one of the worse bucking, or maybe I should say the best bucking horses that we know of, his name was "Pretty Boy." Most of the cowboys would rather lose their \$100 entry fee than ride him. He rode him up and down this arena and made one of the most spectacular rides. I was close to shedding tears just watching that little boy and the pleasure that was his to be a special guest and brought out to the rodeo grounds by Casey Tibbs—it was really something.

Those are some of the boys that will be honored in this Hall of Fame with a lot of other people who have done a lot for the cattle business, and that means a lot to the state of North Dakota.

I happened to be chairman of a committee of five, one from Texas, Nevada, Utah and New Mexico, to head the loca-

tion committee. We have until the first of March to present a location in any city to come to us and we will single out the requests to five, and for your information some of the booklets that have been brought out, like Colorado Springs, Cheyenne, Oklahoma City, some of those booklets cost thousands of dollars, to have it built in that city. It would be the most spectacular tourist grounds that you could ever wish to have in the city. I sure hope that a lot of you men, when this membership drive starts, will be a charter member of the Cowboys' Hall of Fame. I think it will be about \$3.00 a member, and will honor some of the people who have built North Dakota and made it what it is today. I felt it was a great honor. My wife was with me, I was so impressed to be associated with some of the biggest ranchers in America. She didn't like that at all. She finally said, "You have a lot of things at home you should be at home attending to business." I said, "Look at all the important people that are represented on the list. Can you imagine how many important people are represented here?" She said, "There is one less than you think."

I am sure glad to have the honor of saying a few words to you and I sure appreciate the nice work you are doing and am sure you will have a good session and a lot of good will come out of this session when it is all completed. Thanks a lot.

Senator Day moved that Mr. Schnell be designated to auction off the bones of Sitting Bull, the proceeds to go to the March of Dimes, which motion prevailed.

SECOND READING OF SENATE BILLS  
AND RESOLUTIONS

Senate Bill No. 33. A Bill for an Act relating to drainage projects; providing for the establishment of drainage boards and drainage districts and the operations thereof; and providing a penalty; and repealing chapter 61-21 of the North Dakota Revised Code of 1943, as amended.

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, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Streibel |
| Dolan      | Krenz             | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |

Those voting in the negative were:

|       |         |
|-------|---------|
| Duffy | Solberg |
|-------|---------|

Absent and not voting:

Kusler

So the bill passed and the title was agreed to.

Senator Olson moved that the vote by which Senate Bill No. 33 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

**Senate Bill No. 62.** A Bill for an Act relating to property transferred to municipalities for park purposes by the counties, validating certain transfers thereof, and providing for the disposition thereof, and declaring an emergency.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schoeder |
| Davis      | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     | Page              |          |

Those voting in the negative were:

Day

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

**Senate Bill No. 46.** A Bill for an Act authorizing the game and fish commissioner to cooperate with the army corps of engineers in planting replacement cover along the Garrison Dam reservoir, and declaring an emergency.

Which has been read.

Senator Solberg moved that the following amendments be made to Senate Bill No. 46:

At the end of the title strike out the period after the word "reservoir", inserting a comma, and adding the following words "and declaring an emergency."

At the end of the bill add: 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.

Which motion prevailed.

Senator Solberg moved that the rules be suspended and that Senate Bill No. 46 be deemed properly 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, 48; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Freed      | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |

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

Senate Bill No. 75. A Bill for an Act relating to refunds of motor fuel tax where the motor fuel has been used for agricultural or industrial purposes, and allowing the buyer to assign his claim for refund to a dealer selling such fuel to him on open account.

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, 4; absent and not voting, 0.

Those voting in the affirmative were:

|               |                   |          |
|---------------|-------------------|----------|
| Baeverstad    | Johnson, Cavalier | Rue      |
| Bilden        | Kamrath           | Sayer    |
| Bridston      | Kieley            | Schmit   |
| Davis         | Klefstad          | Schoeder |
| Day           | Knudson           | Schrock  |
| Dolan         | Krenz             | Solberg  |
| Duffy         | Kusler            | Thomas   |
| Foss          | Leier             | Torno    |
| Fraser        | Livingston        | Tuff     |
| Freed         | Luick             | Wadeson  |
| Gilbertson    | Meidinger         | Welander |
| Hagen         | Nelson            | Wog      |
| Hernett       | O'Brien           | Wolf     |
| Holand        | Olson             | Yunker   |
| Johnson, Cass | Page              |          |

Those voting in the negative were:

|        |       |          |
|--------|-------|----------|
| Berube | Ferry | Streibel |
| Dewing |       |          |

So the bill passed and the title was agreed to.

Senate Bill No. 126. A Bill for an Act to amend and reenact section 10-1319 of the North Dakota Revised Code of 1943, relating to electric cooperative corporations.

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, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kielely           | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |

So the bill passed and the title was agreed to.

Senate Bill No. 135. A Bill for an Act relating to and providing for judges of the Fourth Judicial District of the state; amending and reenacting subsection 4 of section 27-0501 of the North Dakota Revised Code of 1943.

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, 4; absent and not voting, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Olson    |
| Berube     | Holand            | Page     |
| Bilden     | Johnson, Cass     | Rue      |
| Bridston   | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schoeder |
| Day        | Kielely           | Schrock  |
| Dewing     | Klefstad          | Solberg  |
| Dolan      | Knudson           | Streibel |
| Duffy      | Krenz             | Thomas   |
| Ferry      | Leier             | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Wog      |
| Freed      | Meidinger         | Wolf     |
| Gilbertson | Nelson            | Yunker   |
| Hagen      | O'Brien           |          |

Those voting in the negative were:

|        |       |          |
|--------|-------|----------|
| Kusler | Torno | Welander |
| Sayer  |       |          |

So the bill passed and the title was agreed to.

Senate Bill No. 136. A Bill for an Act to amend and reenact section 30-0213 of the North Dakota Revised Code of 1943 as amended, relating to notice of foreign heirs.

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, 1.

Those voting in the affirmative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Johnson, Cass     | Rue       |
| Berube     | Johnson, Cavalier | Sayer     |
| Bilden     | Kamrath           | Schmit    |
| Bridston   | Kieley            | Schoeder  |
| Davis      | Klefstad          | Schrock   |
| Day        | Knudson           | Solberg   |
| Dewing     | Krenz             | Streibel  |
| Dolan      | Kusler            | Thomas    |
| Ferry      | Leier             | Torno     |
| Foss       | Livingston        | Tuff      |
| Fraser     | Luick             | Wadeson   |
| Freed      | Meidinger         | Welanders |
| Gilbertson | Nelson            | Wog       |
| Hagen      | O'Brien           | Wolf      |
| Hernett    | Olson             | Yunker    |
| Holand     | Page              |           |

Absent and not voting:

Duffy

So the bill passed and the title was agreed to.

**Senate Bill No. 142.** A Bill for an Act authorizing the Mayville state teachers college to pledge certain rentals to repay any loan for the purpose of building a new residence for the president thereof and remodeling the old residence into a men's dormitory, and declaring an emergency.

Which has been read.

Senator Knudson moved that Senate Bill No. 142 be amended as follows:

At the end of the title, strike out the period after the word "dormitory", add a comma, and add the words "and declaring an emergency."

At the end of the bill show: "Sec. 2. EMERGENCY: This act is hereby declared to be an emergency measure and shall be in full force and effect from and after its approval."

Renumber the lines accordingly.

Which motion prevailed.

Senator Knudson moved that the rules be suspended and that Senate Bill No. 142 be deemed properly 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, 48; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |

|            |            |          |
|------------|------------|----------|
| Foss       | Livingston | Tuff     |
| Fraser     | Luick      | Wadeson  |
| Freed      | Meidinger  | Welander |
| Gilbertson | Nelson     | Wog      |
| Hagen      | O'Brien    | Wolf     |
| Hernett    | Olson      | Yunker   |

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

#### MOTIONS

Senator Thomas moved that the Senate reconsider their action on Senate Bill No. 89, which motion prevailed.

Senator Thomas moved that Senate Bill No. 89 be referred to the Committee on Political Subdivisions, which motion prevailed.

Senator Hagen moved that Senate Bill No. 137 be returned to the Senate, which motion prevailed.

Senator Hagen moved that Senate Bill No. 137 be referred to the Judiciary Committee, which motion prevailed.

Senator Streibel moved that the Senate recess until 1:30 p.m., February 3, 1955, which motion prevailed, and the Senate stood recessed.

EDWARD LENO, Secretary.

THIRTIETH DAY AFTER RECESS  
AND THIRTY-FIRST DAY

Bismarck, February 3, 1955

The Senate reconvened at 1:30 p.m., the President Pro-Tem presiding.

FIRST READING OF HOUSE BILLS

**House Bill No. 541.** A Bill for an Act to provide for issuance, expiration, renewal, cancellation, suspension and revocation of vehicle operators' licenses, providing penalties for violations thereof, and repealing all sections of chapter 39-06 of the North Dakota Revised Code of 1943 and all sections of chapter 39-06 of the 1953 Supplement to the North Dakota Revised Code of 1943.

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

**House Bill No. 542.** A Bill for an Act relating to vehicle accidents, the duties of persons involved in such accidents, accident reports, the reports of magistrates, coroners, garage operators and others concerned with persons involved in accidents, providing penalties for false reports and failure to report as required, and repealing sections 39-0712, 39-0804, 39-0805, 39-0806, 39-0807, and 39-0808 of the North Dakota Revised Code of 1943.

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

**House Bill No. 543.** A Bill for an Act relating to installation, specification, use, authorization of equipment on vehicles, amending and reenacting Sections 39-1103, 39-1108, 39-1109, 39-1119, 39-1120, 39-1130, 39-1132 and repealing section 39-1112 of the North Dakota Revised Code of 1943.

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

**House Bill No. 564.** A Bill for an Act to amend and reenact subsection 6 of Section 57-3822 of the North Dakota Revised Code of 1943, as amended March 13, 1953 (Chapter 326) of the 1953 Supplement of the North Dakota Revised Code of 1943, relating to deductions allowed in computing net income for income tax purposes, to encourage and promote the mining and production of lignite coal in North Dakota and encourage its utilization as a natural resource.



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

**House Bill No. 573.** A Bill for an Act to amend and reenact subsection 6 of section 26-0340 of the 1953 Supplement, North Dakota Revised Code of 1943, relating to a standard fire insurance policy.

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

**House Bill No. 613.** A Bill for an Act relating to the payment of publication costs in school district reorganization proceedings.

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

**House Bill No. 619.** A Bill for an Act to amend and reenact subsection 3 of section 11-1010 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to salaries of county officers and declaring an emergency and making the provision of this Act retroactive to January 1, 1955.

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

**House Bill No. 640.** A Bill for an Act to prohibit the offering or giving of commissions, fees or rewards to the agent of any school or school district for or on account of the purchase of any school books, furniture or other supplies for the use of such school, school district, employees thereof, or students, and to provide a penalty.

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

#### 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. 95  
 Senate Bill No. 102  
 Senate Bill No. 111  
 Senate Bill No. 127  
 Senate Bill No. 142  
 Senate Concurrent Resolution "E"

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

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

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

Senate Concurrent Resolution "I"  
 And find the same correctly enrolled.

ROSAMOND O'BRIEN, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2, have had the same

under consideration and recommend that the same be amended as follows:

In line 10 strike out the figure \$220,000.00 and insert the figure \$228,000.00 in lieu thereof.

After line 16 insert the following lines:

"To assist the city of Devils Lake in providing fire protection for the school through extension of water mains and construction of water tower, upon terms approved by the Board of Administration \$75,000.00"

In line 17 strike out the figure \$368,800.00 and insert the figure \$451,800.00 in lieu thereof.

Renumber the lines accordingly.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 4, have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill in the fourth line after the word "Dakota" insert the following words: ", and declaring an emergency."

In lines 2 and 3 after the word "collections" insert the following words: ", institutional support fund".

In line 10 strike out the year "1947" and insert the year "1957" in lieu thereof.

In line 11 strike out the figure \$908,000.00 and insert the figure \$958,000.00 in lieu thereof.

In line 17 strike out the figure \$50,000.00 and insert the figure \$75,000.00 in lieu thereof.

In line 25 strike out the word "Hospital".

In lines 26 and 27 strike out the words "(subject to the approval of the Budget Board)" and insert the words "(to be made available immediately upon passage)", in lieu thereof.

In line 28 strike out the figure \$2,215,100.00 and insert the figure \$2,290,100.00 in lieu thereof.

After line 28 insert the following Section:

"Section 2. EMERGENCY.) This Act is declared to be an emergency measure and shall be in full force and effect from and after its passage and approval on the item designated to be made available immediately upon passage."

Renumber the lines accordingly.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Social Welfare, to whom was referred Senate Bill No. 117, have had the same under consideration and recommend that the same be amended as follows:

In line 7 of the printed bill after the word nutrition add the following language:

This Act shall not be construed to prohibit the use of chemicals or other additives for filtration or purification of the water.

And when so amended be placed on the calendar without recommendation.

ROSAMOND O'BRIEN, Chairman.

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

Mr. President: Your Committee on Transportation, to whom was referred Senate Bill No. 119, have had the same under consideration and recommend that the same be indefinitely postponed.

GUST WOG, Chairman.

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 121, have had the same under consideration and recommend that the same be indefinitely postponed.

GUST WOG, Chairman.

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

Mr. President: Your Committee on General Affairs to whom was referred Senate Bill No. 132, have had the same under consideration and recommend that the same do pass.

LAVERN SCHOEDER, Chairman.

Senator Schoeder 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. 149, have had the same under consideration and recommend that the same do pass.

LAVERN SCHOEDER, Chairman.

Senator Schoeder 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. 159, have had the same under consideration and recommend that the same do pass.

ORVILLE W. HAGEN, Chairman.

Senator Hagen 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. 594, have had the same under consideration and recommend that the same do pass.

ROSAMOND O'BRIEN, Chairman.

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

Mr. President: Your Committee on 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:

In line 14 strike out the word "five" and insert in lieu thereof the word "four".

And when so amended recommend the same do pass.

ORVILLE W. HAGEN, Chairman.

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

Senator Knudson moved that the Senate recognize the class and instructor in Political Science from the State Teachers' College, Mayville, N. Dak., which motion prevailed.

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

### THIRTY-FIRST DAY

Bismarck, February 3, 1955

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

Prayer by Chaplain Rev. A. E. Smith, St. George's Episcopal Church, Bismarck, N. Dak.

Roll Call: All members present.

So a quorum was declared.

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

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

JOHN LEIER, Chairman.

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

### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 3, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 33  
 Senate Bill No. 46  
 Senate Bill No. 62  
 Senate Bill No. 75  
 Senate Bill No. 126  
 Senate Bill No. 135  
 Senate Bill No. 136  
 Senate Bill No. 142

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

EDWARD LENO, Secretary.

### MESSAGE TO THE SENATE

House Chamber

Bismarck, February 3, 1955

Mr. President: I have the honor to transmit:

House Bill No. 512  
 House Bill No. 554  
 House Bill No. 639  
 House Bill No. 662

House Bill No. 666  
 House Bill No. 683  
 House Bill No. 684  
 House Bill No. 686

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

KENNETH L. MORGAN, Chief Clerk.

#### MOTIONS AND RESOLUTIONS

Senator Streibel moved that the Senate go into Executive Session, which motion prevailed.

After the Executive session the Senate was called to order and it was reported that in the executive session a message from the Governor was read, requesting confirmation of an executive appointment.

Senator Streibel moved that the confirmation of Dr. Archie D. McCannel as a member of the Board of Higher Education be noted in the Journal and notice thereof messaged to the Governor, which motion prevailed.

#### MESSAGE TO THE GOVERNOR

February 3, 1955

Honorable Norman C. Brunsdale  
 Governor, North Dakota  
 Bismarck, North Dakota

Dear Governor Brunsdale:

This is to advise that the Senate has confirmed the appointment of Dr. Archie D. McCannel, Minot, North Dakota, to the Board of Higher Education, for a term of seven years, commencing July 1, 1955 and ending June 30, 1962.

Respectfully yours,  
 EDWARD LENO,  
 Secretary.

EL:vg

#### CONSIDERATION OF AMENDMENTS

Senator Page moved that the proposed amendments to Senate Bill No. 5 be adopted, which motion prevailed.

Senator Page moved that the proposed amendments to Senate Bill No. 7 be adopted, which motion prevailed.

Senator Hagen moved that the proposed amendments to Senate Bill No. 103 be adopted, which motion prevailed.

Senator Dewing moved that the proposed amendments to Senate Bill No. 112 be adopted, which motion prevailed.

Senator Dewing moved that the proposed amendments to Senate Bill No. 114 be adopted, which motion prevailed.

Senator Hagen moved that the proposed amendments to Senate Bill No. 140 be adopted, which motion prevailed.

Senator Welander moved that the proposed amendments to Senate Concurrent Resolution "L" be adopted, which motion prevailed.

Senator Streibel moved that after the reading of Senate Bills Nos. 40, 94, 95, 102, 110, 111, 127, 128, 130, 133, 168, 179, 186, Senate Concurrent Resolution "E", House Bills Nos. 569, 656, and Senate Resolution No. 4, the Senate recess until 1:55 p.m., February 4, 1955, which motion prevailed and the Senate stood recessed.

EDWARD LENO, Secretary.

THIRTY-FIRST DAY AFTER RECESS  
AND THIRTY-SECOND DAY

Bismarck, February 4, 1955

The Senate reconvened at 1:55 p.m., the President Pro-Tem presiding.

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

THIRTY-SECOND DAY

Bismarck, February 4, 1955

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

Prayer by Chaplain Rev. A. E. Smith, St. George's Episcopal Church, Bismarck, N. Dak.

Roll Call: All members present except Senator Johnson (Cass).

So a quorum was declared.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Thirtieth Day after recess and Thirty-first Day and find the same correct.

JOHN LEIER, Chairman.

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

PETITIONS AND COMMUNICATIONS

A communication was read from Mr. Otto Krueger, Member of Congress, regarding the resolution passed requesting suspension of acreage controls on durum wheat during 1955.

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

Senate Bill No. 7  
 Senate Bill No. 103  
 Senate Bill No. 112  
 Senate Bill No. 114  
 Senate Bill No. 140  
 Senate Concurrent Resolution "L"

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

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

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

DUNCAN FRASER, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 6, have had the same under consideration and recommend that the same be amended as follows:

In line 3 after the word "collections" insert the following words: ", institutional support fund".

In line 13 strike out the figure "\$2,390,313.79" and insert the figure "\$2,350,313.79" in lieu thereof.

In line 14 strike out the figure "\$346,800.00" and insert the figure "\$300,800.00" in lieu thereof.

After line 14 insert the following:

"3. Nursing Service Administration:

|  |             |
|--|-------------|
| a. Assistant Director, Nursing Service ..... | \$11,000.00 |
| b. 2 Head Nurses .....                       | 14,400.00   |
| c. Relief Nurse .....                        | 7,300.00    |
| d. Night Nurse .....                         | 7,300.00"   |

In lines 15 and 17 strike out the numbers 3 and 4 and insert the numbers 4 and 5 in lieu thereof.

After line 19 insert the following line: "Thorazine (medical drugs) \$25,000.00".

Strike out all of line 20 and insert in lieu thereof the following:

"Nursing School:

|  |             |
|--|-------------|
| 1. Director of Nursing .....                   | \$12,840.00 |
| 2. Assistant Director, Nursing Education ..... | 11,000.00   |
| 3. Clinical Instructor .....                   | 8,760.00    |
| 4. House Mothers .....                         | 6,000.00    |
| 5. Library .....                               | 2,000.00    |
| 6. Instructional Material and Equipment .....  | 3,000.00    |
| 7. Travel .....                                | 2,000.00    |
| 8. Clerical Help .....                         | 4,400.00"   |

In line 27 strike out the figure "\$75,000.00" and insert the figure "\$100,000.00" in lieu thereof.

In line 37 strike out the figure "\$4,924,800.79" and insert the figure "\$4,974,800.79", in lieu thereof.

Renumber the lines accordingly.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

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

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

In line 18 strike out the figure "\$18,400.00" and insert the figure "\$25,400.00" in lieu thereof.

After line 22 insert the following line: "2. Milk House \$15,000.00".

In line 23 strike out the figure "\$818,440.00" and insert the figure "\$840,440.00" in lieu thereof.

In line 29 strike out the figure "\$879,307.00" and insert the figure "\$901,307.00" in lieu thereof.

After line 29 insert the following section:

"Section 2 .TRANSFER.) The sum of \$17,227.38 or such unexpended balance as may remain in that item of appropriation for the construction of an administration building at the State Penitentiary as found in Chapter 93 of the 1947 Session Laws of the State of North Dakota, is hereby appropriated and transferred to the general fund of the State Treasury."

Renumber the lines accordingly.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

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

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

In line 3 strike out the figure "\$561,000.00" and insert the figure "\$465,500.00" in lieu thereof.

In line 12 strike out the figure "\$150,000.00" and insert the figure "\$115,000.00" in lieu thereof.

In line 17 strike out the figure "\$65,000.00" and insert the figure "\$50,000.00" in lieu thereof.

In line 19 strike out the figure "\$20,000.00" and insert the figure "\$22,000.00" in lieu thereof.

Strike out all of line 25.

In line 26 strike out the figure "\$561,000.00" and insert the figure "\$465,500.00" in lieu thereof and renumber the line.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 116, have had the same under consideration and recommend that the same do pass.

STEVE THOMAS, Chairman.



Senator Thomas 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. 125, have had the same under consideration and recommend that the same be amended as follows:

On Line 169 of the printed bill after the first "the" strike out remainder of line and in Line 170 strike out the words "his deputy coroner" and insert in lieu thereof the words "sheriff and States Attorney"

On Line 245 after the word "upon" insert the words "approval and"

On Line 246 after the period strike out remainder of line 246, and line 247, 48, 49, 50, 51, 52, 53, 54, and 55, and when so amended, renumber the lines accordingly.

And when so amended recommend the same do pass.

STEVE THOMAS, Chairman.

Senator Thomas 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. 164, have had the same under consideration and recommend that the same be amended as follows:

On line 34 delete the words "and Cargo".

On line 68 delete the words "and Cargo".

Strike out all of Section 10 and insert in lieu thereof new Section 10.

77 SECTION 10.) The proceeds of any sale authorized  
77a under

78 this Act shall be applied first to the payment of the costs  
79 of the proceedings and next to the payment of the  
79a charges

80 assessed. Such charges shall be remitted to the state  
81 treasurer to be credited to the highway construction  
81a fund,

82 and the moneys so collected are hereby appropriated  
82a for

83 use by the state highway department in the construction  
84 or reconstruction of highways, road and streets of this  
85 state. The balance of the proceeds of any sale after  
85a the

86 payment of costs and charges shall be paid over by the  
87 sheriff to the person entitled thereto as determined by  
88 the court, or shall be deposited with the clerk of court  
89 for such payment.

Renumber the lines accordingly.

And when so amended recommend the same do pass.

GUST WOG, Chairman.

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

Mr. President: Your Committee on Political Subdivisions, to whom was referred Senate Bill No. 166, have had the same under consideration and recommend that the same do pass.

STEVE THOMAS, Chairman.

Senator Thomas 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. 167, have had the same under consideration and recommend that the same do pass.

STEVE THOMAS, Chairman.

Senator Thomas 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. 169, have had the same under consideration and recommend that the same do pass.

STEVE THOMAS, Chairman.

Senator Thomas 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. 171, have had the same under consideration and recommend that the same do pass.

NICK SCHMIT, Chairman.

Senator Schmit 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. 175, have had the same under consideration and recommend that the same do pass.

NICK SCHMIT, Chairman.

Senator Schmit 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. 187, have had the same under consideration and recommend that the same do pass.

STEVE THOMAS, Chairman.

Senator Thomas 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. 237, have had the same under consideration and recommend that the same do pass.

DUNCAN FRASER, Chairman.

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

#### FIRST READING OF HOUSE BILLS

**House Bill No. 512.** A Bill for an Act making an appropriation for the general maintenance, improvements and special projects for the North Dakota Soldiers' Home at Lisbon, North Dakota.

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

**House Bill No. 554.** A Bill for an Act making an appropriation to the legislative research committee for carrying on statutory revision and preparing the session laws during the last five months of the biennium ending June 30, 1955, and declaring an emergency.

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

**House Bill No. 639.** A Bill for an Act to amend and reenact sections 15-5314 and 15-5316 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to reorganization of school districts.

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

**House Bill No. 662.** A Bill for an Act to amend and reenact Section 15-2515 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to compensation for clerks in common school districts.

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

**House Bill No. 666.** A Bill for an Act to amend and reenact section 28-1301 of the North Dakota Revised Code of 1943, relating to affidavits of prejudice in district court.

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

**House Bill No. 683.** A Bill for an Act to amend and reenact section 27-0831 of the North Dakota Revised Code of 1943, relating to Assignment of counsel for indigent defendants in county courts having increased jurisdiction and compensation thereof.

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

**House Bill No. 684.** A Bill for an Act to amend and reenact section 29-0127 of the North Dakota Revised Code of 1943, relating to compensation and limitation of assignment of counsel for indigent defendants.

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

**House Bill No. 686.** A Bill for an Act to amend and reenact section 16-1016 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to election officers and their compensation.

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

#### MESSAGES TO THE SENATE

House Chamber  
Bismarck, February 4, 1955

Mr. President: I have the honor to transmit:

House Bill No. 575  
House Bill No. 597  
House Bill No. 561

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, February 4, 1955

Mr. President: I have the honor to transmit:

House Bill No. 518  
House Bill No. 519  
House Bill No. 531  
House Bill No. 620  
House Bill No. 658  
House Bill No. 685  
House Bill No. 687

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

KENNETH L. MORGAN, Chief Clerk.

## CONSIDERATION OF AMENDMENTS

Senator Page moved that the proposed amendments to Senate Bill No. 2 be adopted, which motion prevailed.

Senator Page moved that the proposed amendments to Senate Bill No. 4 be adopted, which motion prevailed.

Senator O'Brien moved that the proposed amendment to Senate Bill No. 117 be adopted, which motion prevailed.

Senator Hagen moved that the proposed amendment to Senate Bill No. 180 be adopted, which motion prevailed.

## FIRST READING OF HOUSE BILLS

**House Bill No. 518.** 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.

**House Bill No. 519.** A Bill for an Act making an appropriation into the "Administrative Fund" for the State Water Conservation Commission for general administration expenses, maintenance and construction of dams and planning and surveying projects, expenses of state compacts and for water conservation and irrigation districts for construction and development.

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

**House Bill No. 620.** A Bill for an Act to amend and reenact section 27-0740 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to filing fees in county courts.

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

**House Bill No. 531.** 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.

**House Bill No. 658.** A Bill for an Act to amend and reenact section 36-1409 of the North Dakota Revised Code of 1943, relating to hog cholera virus.

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

**House Bill No. 685.** A Bill for an Act to amend and reenact section 27-0812 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to Clerks of the County Court with increased jurisdiction, their appointment and salary.

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

**House Bill No. 687.** A Bill for an Act to amend and reenact Section 31-0203 of the North Dakota Revised Code of 1943 relating to the examination of adverse parties before trial and declaring an emergency.

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

## MOTIONS AND RESOLUTIONS

Senator Thomas moved that Senate Resolution No. 4 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS  
AND RESOLUTIONS

**Senate Resolution No. 4.** A Senate Resolution to appoint an Official Photographer for the Senate of the Thirty-fourth 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, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schoeder |
| Bridston   | Kieley            | Schrock  |
| Davis      | Klefstad          | Solberg  |
| Dewing     | Knudson           | Streibel |
| Dolan      | Krenz             | Thomas   |
| Duffy      | Kusler            | Torno    |
| Ferry      | Leier             | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | O'Brien           | Wolf     |
| Hagen      | Olson             | Yunker   |
| Hernett    | Page              |          |

Absent and not voting:

|               |           |        |
|---------------|-----------|--------|
| Day           | Meidinger | Schmit |
| Johnson, Cass |           |        |

So the resoluion passed and the title was agreed to.

**Senate Bill No. 5.** A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, and special projects for the Tuberculosis Sanatorium at San Haven, North Dakota.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not boting, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cavalier | Rue      |
| Bilden     | Kamrath           | Sayer    |
| Bridston   | Kieley            | Schmit   |
| Davis      | Klefstad          | Schoeder |
| Day        | Knudson           | Schrock  |
| Dewing     | Krenz             | Solberg  |
| Dolan      | Kusler            | Streibel |
| Duffy      | Leier             | Thomas   |
| Ferry      | Livingston        | Torno    |
| Foss       | Luick             | Tuff     |
| Fraser     | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |

|            |         |        |
|------------|---------|--------|
| Gilbertson | O'Brien | Wolf   |
| Hagen      | Olson   | Yunker |
| Hernett    |         |        |

Absent and not voting:

|               |         |
|---------------|---------|
| Johnson, Cass | Wadeson |
|---------------|---------|

So the bill passed and the title was agreed to.

**Senate Bill No. 7.** A Bill for an Act making an appropriation for the general maintenance, improvement and repairs, equipment, miscellaneous expenses, and new buildings and special projects for the State Training School at Mandan, North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Hernett           | Olson     |
| Berube     | Holand            | Page      |
| Bilden     | Johnson, Cavalier | Rue       |
| Bridston   | Kamrath           | Schmit    |
| Davis      | Kieley            | Schoeder  |
| Day        | Klefstad          | Schrock   |
| Dewing     | Knudson           | Solberg   |
| Dolan      | Krenz             | Streibel  |
| Duffy      | Kusler            | Thomas    |
| Ferry      | Leier             | Torno     |
| Foss       | Livingston        | Tuff      |
| Fraser     | Luick             | Welandner |
| Freed      | Meidinger         | Wog       |
| Gilbertson | Nelson            | Wolf      |
| Hagen      | O'Brien           | Yunker    |

Absent and not voting:

|               |       |         |
|---------------|-------|---------|
| Johnson, Cass | Sayer | Wadeson |
|---------------|-------|---------|

So the bill passed and the title was agreed to.

#### MESSAGE TO THE SENATE

House Chamber

Bismarck, February 4, 1955

Mr. President: I have the honor to transmit:

House Concurrent Resolution "R"

House Concurrent Resolution "S"

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

KENNETH L. MORGAN, Chief Clerk.

#### FIRST READING OF HOUSE RESOLUTIONS

**House Concurrent Resolution "R".** A Concurrent Resolution urging the congress of the United States to approve legislation authorizing the Department of the Interior of the United States to transfer to the state of North Dakota, the original grave site of Sitting Bull at Fort Yates, North Dakota to be properly marked and designated as a state historic site.

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

**House Concurrent Resolution "S".** A Concurrent Resolution memorializing the President of the United States to continue service of Northwest Airlines to Honolulu.

Was read the first time.

Senator Streibel moved that the rules be suspended and House Concurrent Resolution "S" be adopted, which motion prevailed.

Senator Page moved that the vote by which House Concurrent Resolution "S" was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

**Senate Bill No. 40.** A Bill for an Act to amend and reenact section 16-1703 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to petitions to place the names of candidates for precinct committeemen on the ballot.

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, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cavalier | Rue      |
| Bilden     | Kamrath           | Sayer    |
| Bridston   | Kieley            | Schmit   |
| Davis      | Klefstad          | Schoeder |
| Day        | Knudson           | Schrock  |
| Dewing     | Krenz             | Solberg  |
| Dolan      | Kusler            | Thomas   |
| Duffy      | Leier             | Torno    |
| Ferry      | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | O'Brien           | Wolf     |
| Hagen      | Olson             | Yunker   |
| Hernett    |                   |          |

Those voting in the negative were:

Streibel

Absent and not voting:

Johnson, Cass

So the bill passed and the title was agreed to.

### MOTION

Senator Davis moved that the Senate recognize the seventh and eighth grade classes and their instructor of the Dawson Public School, which motion prevailed.

### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 4, 1955

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "S"

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

## MOTION

Senator Streibel moved that Senate Bill No. 102 be placed at the head of the calendar, which motion prevailed.

## SECOND READING OF SENATE BILLS

Senate Bill No. 102. A Bill for an Act levying a tax upon the privilege of operating certain classes of motor vehicles upon the public highways of this state, providing for the administration and enforcement thereof, and appropriating the proceeds thereof to the state highway department construction fund.

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, 21; nays, 26; absent and not voting, 1.

Those voting in the affirmative were:

|                   |          |          |
|-------------------|----------|----------|
| Bilden            | Klefstad | Schrock  |
| Day               | Kusler   | Streibel |
| Duffy             | Leier    | Tuff     |
| Fraser            | Luick    | Wadeson  |
| Gilbertson        | O'Brien  | Welander |
| Johnson, Cavalier | Page     | Wolf     |
| Kamrath           | Sayer    | Yunker   |

Those voting in the negative were:

|            |            |          |
|------------|------------|----------|
| Baeverstad | Hagen      | Olson    |
| Berube     | Hernett    | Rue      |
| Bridston   | Holand     | Schmit   |
| Davis      | Kieley     | Schoeder |
| Dewing     | Knudson    | Solberg  |
| Dolan      | Krenz      | Thomas   |
| Ferry      | Livingston | Torno    |
| Foss       | Meidinger  | Wog      |
| Freed      | Nelson     |          |

Absent and not voting:

Johnson, Cass

So the bill was declared lost.

Senator Dewing moved to change his vote on Senate Bill No. 102, from yea to nay for the purpose of reconsideration, which motion prevailed.

Senate Bill No. 48. A Bill for an Act to amend and reenact Subsection 3 of Section 39-1204 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to length limitations on vehicles; exceptions.

Which has been read.

Senator Duffy moved that Senate Bill No. 48 be amended as follows:

At the end of the bill add the following: "No vehicle in excess of forty-five feet in length shall be permitted to use the highways of the state unless such vehicle complies with such reasonable regulations as the highway commissioner may adopt to prevent unnecessary and unusual damage to the highways of the state, and the highway commissioner is hereby authorized to adopt such regulations."

Which motion prevailed.



Senator Duffy moved that the rules be suspended and that Senate Bill No. 48 be deemed properly engrossed and placed on second reading and final passage.

Senator Dewing moved that further consideration of Senate Bill No. 48 be indefinitely postponed.

#### ROLL CALL

The question being on the motion of Senator Dewing, the roll was called and there were ayes, 20; nays, 27; absent and not voting, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Rue      |
| Bilden     | Johnson, Cavalier | Schrock  |
| Bridston   | Kamrath           | Streibel |
| Davis      | Klefstad          | Torno    |
| Dewing     | Knudson           | Welander |
| Ferry      | Luick             | Wolf     |
| Gilbertson | Page              |          |

Those voting in the negative were:

|        |            |          |
|--------|------------|----------|
| Berube | Kieley     | Sayer    |
| Day    | Krenz      | Schmit   |
| Dolan  | Kusler     | Schoeder |
| Duffy  | Leier      | Solberg  |
| Foss   | Livingston | Thomas   |
| Fraser | Meidinger  | Tuff     |
| Freed  | Nelson     | Wadeson  |
| Hagen  | O'Brien    | Wog      |
| Holand | Olson      | Yunker   |

Absent and not voting:

Johnson, Cass

So the motion was declared lost.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 27; nays, 19; absent and not voting, 2.

Those voting in the affirmative were:

|        |            |          |
|--------|------------|----------|
| Berube | Holand     | Olson    |
| Day    | Kieley     | Sayer    |
| Dewing | Knudson    | Schmit   |
| Dolan  | Krenz      | Schoeder |
| Duffy  | Leier      | Solberg  |
| Foss   | Livingston | Thomas   |
| Fraser | Meidinger  | Wadeson  |
| Freed  | Nelson     | Wog      |
| Hagen  | O'Brien    | Yunker   |

Those voting in the negative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cavalier | Rue      |
| Bilden     | Kamrath           | Schrock  |
| Bridston   | Klefstad          | Streibel |
| Davis      | Kusler            | Torno    |
| Ferry      | Luick             | Tuff     |
| Gilbertson | Page              | Welander |
| Hernett    |                   |          |

Absent and not voting:

Johnson, Cass      Wolf

So the bill passed and the title was agreed to.

Senator Dewing moved to change his vote on Senate Bill No. 48 from nay to aye for the purpose of reconsideration, which motion prevailed.

Senator Knudson moved that after the reading of Senate Bills 103, 112, 114, 140 and Senate Concurrent Resolution "L", the Senate recess for ten minutes, which motion prevailed.

The Senate reconvened at the call of the Chair.

Mr. President: Your Committee on Industry and Business, to whom was referred Senate Bill No. 143, have had the same under consideration and recommend that the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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. 152, have had the same under consideration and recommend that the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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. 203, have had the same under consideration and recommend that the same do pass.

DUNCAN FRASER, Chairman.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 94. A Bill for an Act amending and reenacting section 58-0405 of the 1953 Supplement to the North Dakota Revised Code of 1943 and section 58-0605 of the North Dakota Revised Code of 1943, relating to meetings of the board of township supervisors.

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, 9.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Olson    |
| Bilden     | Johnson, Cavalier | Page     |
| Bridston   | Kamrath           | Rue      |
| Davis      | Kieley            | Sayer    |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Duffy      | Krenz             | Torno    |
| Ferry      | Leier             | Tuff     |
| Fraser     | Livingston        | Wadeson  |
| Freed      | Luick             | Welander |
| Gilbertson | Meidinger         | Wog      |
| Hagen      | Nelson            | Wolf     |
| Hernett    | O'Brien           | Yunker   |

Absent and not voting:

|        |               |          |
|--------|---------------|----------|
| Berube | Johnson, Cass | Schoeder |
| Dolan  | Kusler        | Streibel |
| Foss   | Schmit        | Thomas   |

So the bill passed and the title was agreed to.

**Senate Bill No. 95.** A Bill for an Act to amend and reenact subsection 3 of section 20-0126 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the operation of watercraft.

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, 8.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Olson    |
| Bilden     | Johnson, Cavalier | Page     |
| Bridston   | Kamrath           | Rue      |
| Davis      | Kielely           | Sayer    |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Duffy      | Krenz             | Torno    |
| Ferry      | Leier             | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | O'Brien           | Yunker   |
| Hernett    |                   |          |

Absent and not voting:

|               |          |          |
|---------------|----------|----------|
| Berube        | Kusler   | Streibel |
| Dolan         | Schmit   | Thomas   |
| Johnson, Cass | Schoeder |          |

So the bill passed and the title was agreed to.

**Senate Bill No. 103.** A Bill for an Act relating to cooperative associations or corporations, providing for their period of existence, making those heretofore organized under chapter 43 of the North Dakota Session Laws of 1921 be governed by the provisions of chapter 10-15 of the North Dakota Revised Code of 1943, making those heretofore organized under chapter 44 of the North Dakota Sessions Laws of 1921 be governed by the provisions of chapter 4-07 of the North Dakota Revised Code of 1943, and amending and reenacting sections 4-0710, 4-0713, 10-1504, 10-1508 and 10-1515 of the North Dakota Revised Code of 1943 and section 4-07121 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to amendment of articles of incorporation of cooperatives, adoption and amendment of their bylaws, voting by mail, calling of their regular and special meetings and quorum at meetings.

Which has been read.

Senator Day moved that Senate Bill No. 103 be amended as follows:

Line 218 after the word "resolution" insert the word "director", which motion prevailed.

Senator Day moved that the rules be suspended and Senate Bill No. 103 be deemed properly re-engrossed and placed on second reading and final action, which motion prevailed.

Senator Day moved that further action on Senate Bill No. 103 be deferred until Monday, which motion prevailed.

**Senate Bill No. 110.** A Bill for an Act to amend and reenact section 40-0706 of the North Dakota Revised Code of 1943 relating to compensation of village trustees.

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, 7.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Olson    |
| Bilden     | Johnson, Cavalier | Page     |
| Bridston   | Kamrath           | Rue      |
| Davis      | Kieley            | Sayer    |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Duffy      | Krenz             | Torno    |
| Ferry      | Kusler            | Tuff     |
| Foss       | Leier             | Wadeson  |
| Fraser     | Livingston        | Welander |
| Freed      | Luick             | Wog      |
| Gilbertson | Meidinger         | Wolf     |
| Hagen      | Nelson            | Yunker   |
| Hernett    | O'Brien           |          |

Absent and not voting:

|               |          |          |
|---------------|----------|----------|
| Berube        | Schmit   | Streibel |
| Dolan         | Schoeder | Thomas   |
| Johnson, Cass |          |          |

So the bill passed and the title was agreed to.

**Senate Bill No. 111.** A Bill for an Act to amend and reenact sections 57-3838 and 57-3840 of the North Dakota Revised Code of 1943 and the 1953 Supplement thereto, relating to tax audits and additional assessments for income tax purposes.

Which has been read.

Senator Dewing moved that Senate Bill No. 111 be laid over until Monday, which motion prevailed.

**Senate Bill No. 112.** A Bill for an Act to amend and reenact section 57-3844 of the North Dakota Revised Code of 1943 relating to income tax as a personal debt by adding thereto a provision relating to limitations of actions in those instances of failure to make a return as required by the income tax law.

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, 0; absent and not voting, 9.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Olson    |
| Bilden     | Holand            | Page     |
| Bridston   | Johnson, Cavalier | Rue      |
| Davis      | Kamrath           | Sayer    |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Duffy      | Krenz             | Torno    |
| Ferry      | Kusler            | Tuff     |
| Foss       | Leier             | Wadeson  |
| Fraser     | Livingston        | Welander |
| Freed      | Luick             | Wog      |

|                        |           |          |
|------------------------|-----------|----------|
| Gilbertson             | Nelson    | Wolf     |
| Hagen                  | O'Brien   | Yunker   |
| Absent and not voting: |           |          |
| Berube                 | Kieley    | Schoeder |
| Dolan                  | Meidinger | Streibel |
| Johnson, Cass          | Schmit    | Thomas   |

So the bill passed and the title was agreed to.

**Senate Bill No. 114.** A Bill for an Act to create new subsections 18 and 19 to section 57-3801 of the North Dakota Revised Code of 1943 and the 1953 Supplement thereto and to amend and reenact section 57-3805, subsection 6 of section 57-3809, subsection 1 of section 57-3827, section 57-3835, section 57-3836, and subsections 1 and 3 of section 57-3842 of the North Dakota Revised Code of 1943, relating to definitions, deductions, exemptions, payment of tax, and information at the source, and for purposes of clarifying existing income tax laws.

Which has been read.

Senator Day moved that Senate Bill No. 114 be amended by striking out the brackets on Line 36 and the underlined portion thereafter on Lines 36, 37, 38, 39, and 40. Renumber the lines accordingly. Which motion prevailed.

Senator Day moved that further action on Senate Bill No. 114 be deferred until Monday, which action prevailed.

**Senate Bill No. 127.** A Bill for an Act to amend and reenact subsection 4 of section 10-1206 of the North Dakota Revised Code of 1943, relating to mutual aid corporations.

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, 38; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Holand            | Page      |
| Bilden     | Johnson, Cavalier | Rue       |
| Bridston   | Kamrath           | Sayer     |
| Davis      | Klefstad          | Schrock   |
| Day        | Knudson           | Solberg   |
| Dewing     | Krenz             | Torno     |
| Duffy      | Kusler            | Tuff      |
| Ferry      | Leier             | Wadeson   |
| Foss       | Livingston        | Welandier |
| Fraser     | Luick             | Wog       |
| Freed      | Meidinger         | Wolf      |
| Hagen      | O'Brien           | Yunker    |
| Hernett    | Olson             |           |

Absent and not voting:

|               |        |          |
|---------------|--------|----------|
| Berube        | Kieley | Schoeder |
| Dolan         | Nelson | Streibel |
| Gilbertson    | Schmit | Thomas   |
| Johnson, Cass |        |          |

So the bill passed and the title was agreed to.

Senator Page moved that the Senate recess until 1:30 p.m., February 5, 1955, which motion prevailed, and the Senate stood recessed.

EDWARD LENO, Secretary.

THIRTY-SECOND DAY AFTER RECESS  
AND THIRTY-THIRD DAY

Bismarck, February 5, 1955

The Senate reconvened at 1:30 p.m.

In the absence of the President and President Pro-Tem, Senator Duffy moved that Senator Streibel preside, 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 Resolution No. 4

And find the same correctly enrolled.

ROSAMOND O'BRIEN, Chairman.

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

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

Senate Bill No. 2

Senate Bill No. 4

Senate Bill No. 48

Senate Bill No. 117

Senate Bill No. 180

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

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

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

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted.

Senator Duffy made a substitute motion that Senate Bill No. 20 be laid over until Monday for further consideration, which motion prevailed.

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.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Judiciary, to whom was referred Senate Bill No. 69, 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 Finance and Taxation to whom was referred Senate Bill No. 145, have had the same under consideration and recommend that the same be amended as follows:

Line 25 strike out everything after the word "of" and insert in lieu thereof the following "the quarter in which total collections hereunder shall equal".

Strike out line 26 and strike the word "hereunder" at the end of line 27.

Renumber the lines accordingly.

And when so amended recommend the same do pass.

RALPH DEWING, Chairman.

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

Mr. President: Your Judiciary Committee to whom was referred Senate Bill No. 204, have had the same under consideration and recommend that the same do pass.

CARROL E. DAY, Chairman.

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

Mr. President: Your Judiciary Committee to whom was referred Senate Bill No. 210, have had the same under consideration and recommend that the same be amended as follows:

Line 10, strike out the brackets following the word "and".

Line 11, strike out the brackets following the word "cents" and strike out the words "four dollars".

And when so amended recommend the same do pass.

CARROL 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. 190, have had the same under consideration and recommend that the same be amended as follows:

Strike out the title and in lieu thereof insert: "FOR AN ACT relating to renewal and cancellation of judgments."

Strike out lines 1 through 63 and in lieu thereof insert the following:

"Section 1. CANCELLATION OF JUDGMENT OF RECORD.) After ten years after the entry of a judgment that has not been renewed, or after twenty years after the

entry of a judgment that has been renewed, the judgment shall be cancelled of record."

Number the lines accordingly.

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 Judiciary Committee to whom was referred Senate Bill No. 218, 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. 109, have had the same under consideration and recommend that the same be amended as follows:

After line 39, add the following paragraph:

"Nothing in this act shall in any way affect the lien of any mortgage or contract given for the purchase price of such mobile home."

Number the lines accordingly.

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. 139, have had the same under consideration and recommend that the same be amended as follows:

Line 6, strike out the words "by reducing sentence"

Line 9, strike out the words "A defendant" and in lieu thereof insert the words "Either party"

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. 147, have had the same under consideration and recommend that the same be amended as follows:

Line 9, underline the word "district"

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. 161, have had the same under consideration and recommend that the same be amended as follows:

In the title, strike out the comma after the word "pardons" in lieu thereof insert a period. Strike out the words "and declaring an emergency."



Strike out lines 15, 16 and 17.

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. 221, 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. 223, have had the same under consideration and recommend that the same be amended as follows:

In line 5, after the period, begin a new sentence as follows:

“Notwithstanding that a decree of separation has been granted, a divorce may be decreed at any time upon the same grounds if the court deems such decree to be justified.”

Number the lines accordingly.

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. 224, 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. 228, 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 Finance and Taxation, to whom was referred Senate Bill No. 230, have had the same under consideration and recommend that the same be indefinitely postponed.

RALPH DEWING, Chairman.

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

#### CONSIDERATION OF AMENDMENTS

Senator Hagen moved that the proposed amendments to Senate Bill No. 6 be adopted, which motion prevailed.

Senator Page moved that the proposed amendments to Senate Bill No. 8 be adopted, which motion prevailed.

Senator Page moved that the proposed amendments to Senate Bill No. 21 be adopted, which motion prevailed.

Senator Berube moved that the proposed amendments to Senate Bill No. 125 be adopted, which motion prevailed.

Senator Wog moved that the proposed amendments to Senate Bill No. 164 be adopted, which motion prevailed.

#### MOTIONS

Senator Berube moved that the absent Senator be excused.

Senator Dewing moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

#### THIRTY-THIRD DAY

Bismarck, February 5, 1955

The Senate convened at 2:00 p.m., with Senator Streibel presiding.

Prayer by Chaplain Rev. A. E. Smith, St. George's Episcopal Church, Bismarck, N. Dak.

Roll Call: All members present except Senators Bilden, Dolan, Freed, Gilbertson, Holand, Johnson (Cass), Kieley, Klefstad, Krenz, Meidinger, Nelson, Schmit, Schoeder, Thomas and Yunker.

So a quorum was declared.

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 thirty-first day after recess and thirty-second day and recommend that the same be corrected as follows:

Page 249, line 38, correct the words "nay to yea" to read "yea to nay".

Page 250, lines 5 and 6, delete the words "which motion prevailed".

Page 251, line 2, correct the words "aye to nay" to read "nay to aye".

And when so corrected recommends that the same be approved.

JOHN LEIER, Chairman.

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

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 5, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 5

Senate Bill No. 7

Senate Bill No. 40

Senate Bill No. 94

Senate Bill No. 95

Senate Bill No. 110

Senate Bill No. 112

Senate Bill No. 127

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

EDWARD LENO, Secretary.

## MESSAGE TO THE SENATE

House Chamber  
Bismarck, February 5, 1955

Mr. President: I have the honor to transmit:

House Bill No. 553  
House Bill No. 596  
House Bill No. 637  
House Bill No. 663  
House Bill No. 665  
House Bill No. 668  
House Bill No. 696  
House Bill No. 697  
House Bill No. 698  
House Bill No. 705  
House Concurrent Resolution "D"

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

KENNETH L. MORGAN, Chief Clerk.

SECOND READING OF SENATE BILLS  
AND RESOLUTIONS

**Senate Bill No. 2.** A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, and equipment, of the School for the Deaf at Devils Lake, North Dakota.

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, 15.

Those voting in the affirmative were:

|                        |                   |          |
|------------------------|-------------------|----------|
| Baeverstad             | Hernett           | Rue      |
| Berube                 | Johnson, Cavalier | Sayer    |
| Bridston               | Kamrath           | Schrock  |
| Davis                  | Knudson           | Solberg  |
| Day                    | Kusler            | Streibel |
| Dewing                 | Leier             | Torno    |
| Duffy                  | Livingston        | Tuff     |
| Ferry                  | Luick             | Wadeson  |
| Foss                   | O'Brien           | Welander |
| Fraser                 | Olson             | Wog      |
| Hagen                  | Page              | Wolf     |
| Absent and not voting: |                   |          |
| Bilden                 | Johnson, Cass     | Nelson   |
| Dolan                  | Kieley            | Schmit   |
| Freed                  | Klefstad          | Schoeder |
| Gilbertson             | Krenz             | Thomas   |
| Holand                 | Meidinger         | Yunker   |

So the bill passed and the title was agreed to.

**Senate Bill No. 4.** A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous items, and new buildings and special projects for the Grafton State School at Grafton, North Dakota, and declaring an emergency.

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, 15.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schrock  |
| Davis      | Knudson           | Solberg  |
| Day        | Kusler            | Streibel |
| Dewing     | Leier             | Torno    |
| Duffy      | Livingston        | Tuff     |
| Ferry      | Luick             | Wadeson  |
| Foss       | O'Brien           | Welander |
| Fraser     | Olson             | Wog      |
| Hagen      | Page              | Wolf     |

Absent and not voting:

|            |               |          |
|------------|---------------|----------|
| Bilden     | Johnson, Cass | Nelson   |
| Dolan      | Kieley        | Schmit   |
| Freed      | Klefstad      | Schoeder |
| Gilbertson | Krenz         | Thomas   |
| Holand     | Meidinger     | Yunker   |

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

Senate Resolution No. 5. A Resolution requesting procedures by the Commodity Credit Corporation when belt run sampling is had on grain for terminal storage.

Which has been read.

Senator Livingston moved that Senate Resolution No. 5 be laid over until Monday, which motion prevailed.

Senate Bill No. 116. A Bill for an Act authorizing political subdivisions to carry liability insurance and eliminating the defense of governmental immunity to insurers furnishing such insurance.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 32; nays, 0; absent and not voting, 16.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cavalier | Sayer    |
| Berube     | Kamrath           | Schrock  |
| Bridston   | Knudson           | Solberg  |
| Davis      | Kusler            | Streibel |
| Dewing     | Leier             | Torno    |
| Duffy      | Livingston        | Tuff     |
| Ferry      | Luick             | Wadeson  |
| Foss       | O'Brien           | Welander |
| Fraser     | Olson             | Wog      |
| Hagen      | Page              | Wolf     |
| Hernett    | Rue               |          |

Absent and not voting:

|            |               |          |
|------------|---------------|----------|
| Bilden     | Johnson, Cass | Nelson   |
| Day        | Kieley        | Schmit   |
| Dolan      | Klefstad      | Schoeder |
| Freed      | Krenz         | Thomas   |
| Gilbertson | Meidinger     | Yunker   |
| Holand     |               |          |

So the bill passed and the title was agreed to.

**Senate Bill No. 117.** A Bill for an Act prohibiting the addition of any substance to public drinking water by persons or municipalities for purposes of medication or nutrition.

Which has been read.

Senator Schrock moved that Senate Bill No. 117 be laid over until Monday, which motion prevailed.

**Senate Bill No. 166.** A Bill for an Act to amend and reenact sub-paragraph e of subsection 2 of section 21-0306 of the North Dakota Revised Code of 1943, to permit municipalities to borrow money and issue general obligation bonds for the purchase or acquisition or establishment of a public transportation system.

Which has been read.

Senator Day moved that Senate Bill No. 166 be laid over until Monday, which motion prevailed.

**Senate Bill No. 167.** A Bill for an Act to amend and reenact Section 40-3502 of the 1953 Supplement to the North Dakota Revised Code of 1943, defining the undertakings for which municipalities may issue revenue bonds to include public transportation systems.

Which has been read.

Senator Day moved that Senate Bill No. 167 be laid over until Monday, which motion prevailed.

**Senate Bill No. 169.** A Bill for an Act to permit municipalities to borrow money and to issue general obligation bonds for part of the cost and revenue bonds for part of the cost of purchasing, acquiring or establishing a public transportation system.

Which has been read.

Senator Day moved that Senate Bill No. 169 be laid over until Monday, which motion prevailed.

**Senate Bill No. 171.** A Bill for an Act to provide for reciprocity for licensed electricians.

Which has been read.

Senator Sayer moved that Senate Bill No. 171 be laid over until Monday, which motion prevailed.

**Senate Bill No. 175.** A Bill for an Act to amend and reenact sections 43-0909, 43-0910 and 43-0919 of the North Dakota Revised Code of 1943 and sections 43-0901, 43-0902, 43-0911, 43-0913, 43-0914 and 43-0920 of the 1953 Supplement thereto, relating to electricians.

Which has been read.

Senator Sayer moved that Senate Bill No. 175 be laid over until Monday, which motion prevailed.

**Senate Bill No. 180.** A Bill for an Act to amend and reenact section 6-0614 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to credit union loans, and credit committee.

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, 32; nays, 0; absent and not voting, 16.

Those voting in the affirmative were:

|                        |                   |          |
|------------------------|-------------------|----------|
| Baeverstad             | Hernett           | Sayer    |
| Berube                 | Johnson, Cavalier | Schrock  |
| Bridston               | Kamrath           | Solberg  |
| Davis                  | Knudson           | Streibel |
| Day                    | Kusler            | Torno    |
| Dewing                 | Leier             | Tuff     |
| Duffy                  | Livingston        | Wadeson  |
| Ferry                  | Luick             | Welander |
| Foss                   | O'Brien           | Wog      |
| Fraser                 | Olson             | Wolf     |
| Hagen                  | Rue               |          |
| Absent and not voting: |                   |          |
| Bilden                 | Kieley            | Page     |
| Dolan                  | Klefstad          | Schmit   |
| Freed                  | Krenz             | Schoeder |
| Gilbertson             | Meidinger         | Thomas   |
| Holand                 | Nelson            | Yunker   |
| Johnson, Cass          |                   |          |

So the bill passed and the title was agreed to.

**Senate Bill No. 187.** A Bill for an Act to amend and reenact Section 24-0106 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the authority of the highway commissioner to abandon sections of routes on the state highway system.

Which has been read.

Senator Kusler moved that Senate Bill No. 187 be laid over until Monday, which motion prevailed.

**Senate Bill No. 237.** A Bill for an Act to amend and reenact section 35-0902 of the North Dakota Revised Code of 1943, relating to procedure for obtaining a seed lien.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 31; nays, 1; absent and not voting, 16.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cavalier | Sayer    |
| Berube     | Kamrath           | Schrock  |
| Bridston   | Knudson           | Solberg  |
| Davis      | Kusler            | Streibel |
| Day        | Leier             | Torno    |
| Dewing     | Livingston        | Tuff     |
| Duffy      | Luick             | Wadeson  |
| Ferry      | O'Brien           | Welander |
| Foss       | Olson             | Wog      |
| Fraser     | Rue               | Wolf     |
| Hernett    |                   |          |

Those voting in the negative were:

Hagen

Absent and not voting:

|               |           |          |
|---------------|-----------|----------|
| Bilden        | Kieley    | Page     |
| Dolan         | Klefstad  | Schmit   |
| Freed         | Krenz     | Schoeder |
| Gilbertson    | Meidinger | Thomas   |
| Holand        | Nelson    | Yunker   |
| Johnson, Cass |           |          |

So the bill passed and the title was agreed to.

**Senate Bill No. 143.** A Bill for an Act to amend and reenact section 40-3502 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the Revenue Bond Law so as to include the operation of trailer courts and facilities for house trailers, and declaring an emergency.

Which has been read.

Senator Day moved that Senate Bill No. 143 be laid over until Monday, which motion prevailed.

**Senate Bill No. 152.** A Bill for an Act relating to contractors bonds and providing for payment of all taxes due the State of North Dakota or its subdivisions.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 32; nays, 0; absent and not voting, 16.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Sayer    |
| Berube     | Johnson, Cavalier | Schrock  |
| Bridston   | Kamrath           | Solberg  |
| Davis      | Knudson           | Streibel |
| Day        | Kusler            | Torno    |
| Dewing     | Leier             | Tuff     |
| Duffy      | Livingston        | Wadeson  |
| Ferry      | Luick             | Welander |
| Foss       | O'Brien           | Wog      |
| Fraser     | Olson             | Wolf     |
| Hagen      | Rue               |          |

Absent and not voting:

|               |           |          |
|---------------|-----------|----------|
| Bilden        | Kiele     | Page     |
| Dolan         | Klefstad  | Schmit   |
| Freed         | Krenz     | Schoeder |
| Gilbertson    | Meidinger | Thomas   |
| Holand        | Nelson    | Yunker   |
| Johnson, Cass |           |          |

So the bill passed and the title was agreed to.

**Senate Bill No. 203.** A Bill for an Act providing for the regulation of information required on sales agreements or contracts made between a buyer and seller of agricultural seeds, when full or partial payment is made to the seller before the seed is delivered to the buyer, providing a penalty and declaring an emergency.

Which has been read.

Senator Livingston moved that Senate Bill No. 203 be laid over until Monday, which motion prevailed.

**Senate Bill No. 128.** A Bill for an Act to amend and reenact section 24-0619 of the North Dakota Revised Code of 1943, relating to expenditure of road taxes on township roads.

Which has been read.

Senator Olson moved that Senate Bill No. 128 be laid over until Monday, which motion prevailed.

**Senate Bill No. 130.** A Bill for an Act to amend and reenact subsection 10 of section 1-0301 of the 1953 Supple-

ment to the North Dakota Revised Code of 1943, relating to holidays.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 31; nays, 0; absent and not voting, 17.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schrock  |
| Davis      | Knudson           | Solberg  |
| Day        | Kusler            | Streibel |
| Dewing     | Leier             | Tuff     |
| Duffy      | Livingston        | Wadeson  |
| Ferry      | Luick             | Welander |
| Foss       | O'Brien           | Wog      |
| Fraser     | Olson             | Wolf     |
| Hagen      |                   |          |

Absent and not voting:

|               |           |          |
|---------------|-----------|----------|
| Bilden        | Kieley    | Schmit   |
| Dolan         | Klefstad  | Schoeder |
| Freed         | Krenz     | Thomas   |
| Gilbertson    | Meidinger | Torno    |
| Holand        | Nelson    | Yunker   |
| Johnson, Cass | Page      |          |

So the bill passed and the title was agreed to.

**Senate Bill No. 132.** A Bill for an Act relating to chemical tests for intoxication, presumption of consent thereto by persons using the highway and effect of refusal, and suspension or revocation of driver's license thereafter.

Which has been read.

Senator Livingston moved that Senate Bill No. 132 be laid over until Monday, which motion prevailed.

**Senate Bill No. 138.** A Bill for an Act to amend and reenact section 40-3802 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to library funds, levy of taxes therefor, and restricting levy to limitation provided by law.

Which has been read.

Senator Olson moved that Senate Bill No. 138 be laid over until Monday, which motion prevailed.

**Senate Bill No. 140.** A Bill for an Act to amend and reenact Sections 6-0628, 6-0631, 6-0612, 6-0632, 6-0633, and 6-0634 of the North Dakota Revised Code of 1943 and Sections 6-0103, 6-0602, 6-0604, 6-0608, 6-0612, and 6-0630 of the 1953 Supplement thereto, relating to credit unions, their management, methods of examination, supervision, duties, election and compensation of officers, voluntary and involuntary liquidation, and to relieve the state examiner of all duties relative to credit unions.

Which has been read.

Senator Bridston moved that Senate Bill No. 140 be laid over until Monday, which motion prevailed.



**Senate Bill No. 146.** A Bill for an Act to repeal subdivision b of subsection 3 of section 57-4001 of the North Dakota Revised Code of 1943, relating to definitions of processing.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 31; nays, 0; absent and not voting, 17.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schrock  |
| Davis      | Knudson           | Solberg  |
| Day        | Kusler            | Streibel |
| Dewing     | Leier             | Tuff     |
| Duffy      | Livingston        | Wadeson  |
| Ferry      | Luick             | Welander |
| Foss       | O'Brien           | Wog      |
| Fraser     | Olson             | Wolf     |
| Hagen      |                   |          |

Absent and not voting:

|               |           |          |
|---------------|-----------|----------|
| Bilden        | Kieley    | Schmit   |
| Dolan         | Klefstad  | Schoeder |
| Freed         | Krenz     | Thomas   |
| Gilbertson    | Meidinger | Torno    |
| Holand        | Nelson    | Yunker   |
| Johnson, Cass | Page      |          |

So the bill passed and the title was agreed to.

**Senate Bill No. 149.** A Bill for an Act to repeal Section 48-0210 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to materials found, produced, or manufactured in this State from native natural resources.

Which has been read.

Senator Davis moved that Senate Bill No. 149 be laid over until Monday, which motion prevailed.

**Senate Bill No. 159.** A Bill for an Act to amend and reenact Section 49-0105 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to salary of Public Service Commissioner.

Which has been read.

Senator Day moved that Senate Bill No. 159 be laid over until Monday, which motion prevailed.

**Senate Bill No. 168.** A Bill for an Act to repeal subsection 3 of section 57-4003 of the North Dakota Revised Code of 1943, pertaining to exemptions under the Use Tax Act.

Which has been read.

Senator Dewing moved that Senate Bill No. 168 be laid over until Monday, which motion prevailed.

**Senate Bill No. 179.** A Bill for an Act to amend and reenact section 36-0401 of the 1953 Supplement to the North Dakota Revised Code of 1943 defining livestock, poultry and wool dealers, and declaring an emergency.

Which has been read.

Senator Livingston moved that Senate Bill No. 179 be laid over until Monday, which motion prevailed.

## MESSAGE TO THE SENATE

House Chamber

Bismarck, February 5, 1955

Mr. President: I have the honor to transmit:

House Concurrent Resolution "M"

House Concurrent Resolution "T"

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

KENNETH L. MORGAN, Chief Clerk.

SECOND READING OF SENATE BILLS  
AND RESOLUTIONS

Senate Bill No. 184. A Bill for an Act transferring the unexpended balance of the appropriation for the construction of nurses quarters and classrooms at the state tuberculosis sanitarium to the general fund.

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, 0; absent and not voting, 18.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schrock  |
| Davis      | Knudson           | Solberg  |
| Day        | Kusler            | Streibel |
| Dewing     | Leier             | Tuff     |
| Duffy      | Livingston        | Wadeson  |
| Ferry      | Luick             | Welander |
| Fraser     | O'Brien           | Wog      |
| Hagen      | Olson             | Wolf     |

Absent and not voting:

|            |               |          |
|------------|---------------|----------|
| Bilden     | Johnson, Cass | Page     |
| Dolan      | Kieley        | Schmit   |
| Foss       | Klefstad      | Schoeder |
| Freed      | Krenz         | Thomas   |
| Gilbertson | Meidinger     | Torno    |
| Holand     | Nelson        | Yunker   |

So the bill passed and the title was agreed to.

Senate Bill No. 186. A Bill for an Act relating to actions arising out of the use or application of any herbicide, insecticide, fungicide or agricultural chemical; provision for filing reports of loss and time limitations.

Which has been read.

Senator Day moved that Senate Bill No. 186 be laid over until Monday, which motion prevailed.

Senate Concurrent Resolution "E". A Concurrent Resolution providing for the amendment of the Constitution of the state of North Dakota relating to election of certain county officers.

Which has been read.

Senator Duffy moved that Senate Concurrent Resolution "E" be laid over until Monday, which motion prevailed.

**Senate Concurrent Resolution "J".** A Concurrent Resolution expressing the thanks of the members of the legislature of the state of North Dakota, as well as that of all the citizens of the state to a true servant of all the people of the state, and changing the name of the Burlington Project to the "Judge A. M. Christianson Project", in tribute thereto.

Which has been read.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 27; nays, 0; absent and not voting, 21.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Sayer    |
| Berube     | Johnson, Cavalier | Schrock  |
| Davis      | Kamrath           | Solberg  |
| Day        | Knudson           | Streibel |
| Dewing     | Kusler            | Tuff     |
| Duffy      | Leier             | Wadeson  |
| Ferry      | Luick             | Welander |
| Fraser     | Olson             | Wog      |
| Hagen      | Rue               | Wolf     |

Absent and not voting:

|            |               |          |
|------------|---------------|----------|
| Bilden     | Johnson, Cass | O'Brien  |
| Bridston   | Kieley        | Page     |
| Dolan      | Klefstad      | Schmit   |
| Foss       | Krenz         | Schoeder |
| Freed      | Livingston    | Thomas   |
| Gilbertson | Meidinger     | Torno    |
| Holand     | Nelson        | Yunker   |

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

**Senate Concurrent Resolution "L".** A Concurrent Resolution designating United States Highway No. 281 through the state of North Dakota as "American Legion Memorial Highway".

Which has been read.

#### ROLL CALL

The question being on the final passage of the concurrent resolution, the roll was called and there were ayes, 30; nays, 0; absent and not voting, 18.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schrock  |
| Davis      | Knudson           | Solberg  |
| Day        | Kusler            | Streibel |
| Dewing     | Leier             | Tuff     |
| Duffy      | Livingston        | Wadeson  |
| Ferry      | Luick             | Welander |
| Fraser     | O'Brien           | Wog      |
| Hagen      | Olson             | Wolf     |

Absent and not voting:

|            |               |          |
|------------|---------------|----------|
| Bilden     | Johnson, Cass | Page     |
| Dolan      | Kieley        | Schmit   |
| Foss       | Klefstad      | Schoeder |
| Freed      | Krenz         | Thomas   |
| Gilbertson | Meidinger     | Torno    |
| Holand     | Nelson        | Yunker   |

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

### MOTIONS

Senator Day moved that action be deferred on the House Bills on the calendar until Monday, which motion prevailed.

### FIRST READING OF HOUSE BILLS

**House Bill No. 553.** A Bill for an Act making an appropriation for the purpose of defraying expenses of the final two years of a four-year soil reconnaissance survey and land classification program to facilitate rural land assessment.

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

**House Bill No. 596.** A Bill for an Act exempting cigarettes given to soldiers' home from state cigarette taxes, and declaring an emergency.

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

**House Bill No. 637.** A Bill for an Act to repeal chapter 36-03 of the North Dakota Revised Code of 1943, relating to the registration of stallions.

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

**House Bill No. 663.** A Bill for an Act to provide for the joint exercise of powers of two or more governmental units or municipal corporations, including every city, village, county, town, park district, school district, and states and United States Governments and departments of each thereof; and also to provide that two or more of such governmental units, by agreement entered into through action of their governing bodies, may jointly or cooperatively exercise any of their respective separate powers or any power common to such contracting parties or any similar powers; to provide for disbursements from public funds, including funds already raised to buy real estate for public buildings and other proper funds or properties already on hand; repealing all acts or parts of acts in conflict herewith; and declaring an emergency.

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

**House Bill No. 665.** A Bill for an Act to amend and reenact section 12-1006 of the North Dakota Revised Code of 1943, relating to personal interest in contract by public officer.

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

**House Bill No. 668.** A Bill for an Act to restrict political activities by licensing inspectors or investigators employed by the state of North Dakota and to provide a penalty.

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

**House Bill No. 696.** A Bill for an Act to repeal chapter 125 of the North Dakota Session Laws of 1953, relating to investment in farm loans by the board of university and school lands.

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

**House Bill No. 697.** A Bill for an Act to amend and reenact section 11-1512 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to sheriff's mileage.

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

**House Bill No. 698.** A Bill for an Act authorizing the industrial commission to make tax payments upon real property owned by the state in the Burlington Irrigation Project.

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

**House Bill No. 705.** A Bill for an Act to amend and reenact subsection 2 of section 12-2115 of the North Dakota Revised Code of 1943, relating to acts of Sabbath breaking.

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

**House Concurrent Resolution "D".** A Concurrent Resolution providing for the issuance, sale and delivery of the bonds of the State of North Dakota not to exceed the sum of \$9,000,000.00 to be used in the payment of an adjusted compensation to North Dakota veterans of the Korean Conflict who served in the Armed Forces of the United States or any of its allies between June 25, 1950 and July 27, 1953, and to provide the levy of a tax for the payment of same.

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

**House Concurrent Resolution "M".**

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

**House Concurrent Resolution "T".** A Concurrent Resolution declaring the policy of the states of North Dakota and South Dakota relative to the education and training of the blind, and providing a procedure to be followed in the establishment of joint educational and training facilities.

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

Senator Dewing moved that the Senate recess until 1:55 p.m., Monday, February 7, 1955, which motion prevailed, and the Senate stood recessed.

EDWARD LENO, Secretary.

THIRTY-THIRD DAY AFTER RECESS  
AND THIRTY-FIFTH DAY

Bismarck, February 7, 1955

The Senate reconvened at 1:15 p.m., the President presiding.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 561  
House Bill No. 575  
House Bill No. 597  
Senate Concurrent Resolution "I"  
Senate Resoluion No. 4

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

MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, February 7, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 561  
House Bill No. 575  
House Bill No. 597

Which the President has signed.

EDWARD LENO, Secretary.  
Senate Chamber

Bismarck, February 7, 1955

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "I"

Which the President has signed and your signature is respectfully requested.

EDWARD LENO, Secretary.

MOTIONS AND RESOLUTIONS

Senator Dewing moved that the vote by which Senate Bill No. 102 was lost, be reconsidered, which motion was declared lost.

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

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

## THIRTY-FIFTH DAY

Bismarck, February 7, 1955

The Senate convened at 2:00 p.m., the President presiding  
Prayer by Chaplain Rev. F. V. Tannehill, McCabe Methodist  
Church, Bismarck, N. Dak.

Roll Call: All members present.

So a quorum was declared.

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 Thirty-second Day after Recess and Thirty-third Day,  
and find the same correct.

JOHN LEIER, Chairman.

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

## MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 7, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 48

Which the Senate has passed and your favorable considera-  
tion is requested.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, February 7, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2

Senate Bill No. 4

Senate Bill No. 116

Senate Bill No. 130

Senate Bill No. 146

Senate Bill No. 152

Senate Bill No. 180

Senate Bill No. 184

Senate Bill No. 237

Senate Concurrent Resolution "J"

Senate Concurrent Resolution "L"

Which the Senate has passed and your favorable considera-  
tion is requested.

EDWARD LENO, Secretary.

## MESSAGE TO THE SENATE

House Chamber

Bismarck, February 7, 1955

Mr. President: I have the honor to transmit:

House Concurrent Resolution "S"

Which the Speaker has signed and your signature is re-  
spectfully requested.

KENNETH L. MORGAN, 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. 6  
 Senate Bill No. 8  
 Senate Bill No. 21  
 Senate Bill No. 125  
 Senate Bill No. 164

And find the same correctly Engrossed.

ROSAMOND O'BRIEN, Chairman.

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

Mr. President: Your Committee on Industry and Business, to whom was referred Senate Bill No. 131, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

JOHN KUSLER, Chairman.

Senator Kusler 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. 141, have had the same under consideration and recommend that the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler moved that Senate Bill No. 141 be re-referred to the Committee on Industry and Business, which motion prevailed.

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 do pass.

ORVILLE HAGEN, Chairman

Senator Hagen 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. 153, have had the same under consideration and recommend that the same be amended as follows:

In Line 4 strike out the word relatives and in lieu thereof insert "a parent, a brother, a sister, a child of legal age,"

And when so amended recommend the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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.

JOHN KUSLER, Chairman.

Senator Kusler 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. 156, have had the same under consideration and recommend that the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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. 157, have had the same under consideration and recommend that the same do pass.

JOHN KUSLER, Chairman.

Seantor Kusler 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. 162, have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill in the last line after the word "him", insert the following words: and declaring an emergency.

In the printed bill after Line 23 insert SECTION 2, as follows:

24 SECTION 2. EMERGENCY.) This Act is hereby  
24a declared  
25 to be an emergency measure and shall be in full force  
25a and  
26 effect from and after its passage and approval.

And when so amended recommend the same do pass.

GUST WOG, Chairman.

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

Mr. President: Your Committee on Transportation, to who mwas referred Senate Bill No. 163, have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill after the last word add "and declaring an emergency."

After Line 39 add the following:

40 SECTION 2. EMERGENCY.) This Act is hereby  
40a declared  
41 to be an emergency measure and shall be in full force  
42 and affect from and after its passage and approval

And when so amended recommend the same do pass.

GUST WOG, Chairman.

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

Mr. President: Your Committee on Judiciary, to whom was referred Senate Bill No. 170, 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 Solberg made a substitute motion that Senate Bill No. 170 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Social Welfare, to whom was referred Senate Bill No. 202, have had the same under consideration and recommend that the same be amended as follows:

In Line 19 insert after fees "both wholesale and retail"

In Line 21 strike out license and insert "wholesale license"

And when so amended recommend the same do pass.

ROSAMOND O'BRIEN, Chairman.

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 205, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after "A BILL" and insert the following:

For an Act to exempt truck-tractors used only for moving buildings from the payment of registration, gross ton, or ton mile taxes or fees and to provide for an annual house mover's motor vehicle license and to provide a penalty and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1.) Upon satisfactory proof that: The  
 1a owner  
 2 or operator of such vehicle is the holder of a valid  
 3 building mover's permit issued by the public service  
 4 commission; and  
 5 SECTION 2.) A truck-tractor and trailer is to be  
 5a used  
 6 only for moving buildings, building moving equipment  
 6a and  
 7 other bulky objects;  
 8 SECTION 3.) Upon payment of a fee of fifty dollars  
 9 for each single axle truck-tractor unit and a fee of  
 10 seventy-five dollars for each tandem axle truck-tractor  
 11 unit.  
 12 The motor vehicle registrar may issue an annual house  
 13 mover's motor vehicle license to any such truck-tractor  
 14 unit which license shall be in lieu of all other  
 15 registration, gross ton, or ton mile taxes or fees for  
 16 such registration year.  
 17 Any vehicle which has been issued a house mover's motor  
 18 vehicle license may be registered under the regular motor  
 19 vehicle registration law, by payment of the difference  
 20 between the amount paid for the house mover's motor  
 21 vehicle license and the regular registration fee for such  
 22 vehicle and surrendering of such house mover's motor  
 23 vehicle license.  
 24 Any vehicle which has been issued a house mover's motor  
 25 vehicle license is found being operated upon the high-  
 25a ways  
 26 of this state without being equipped with special house  
 27 moving equipment, shall forfeit the fee paid in  
 28 addition, shall be required to register under the regular  
 29 motor vehicle registration law of this state:  
 30 None of the above limitations shall be construed as  
 31 restricting the operation of the special licensed vehicle  
 32 when such operation would not require a greater fee  
 32a than  
 33 that paid for this operation.  
 34 SECTION 4. EMERGENCY.) This Act is hereby  
 34a declared  
 35 to be an emergency measure and shall be in full force  
 35a and  
 36 effect from and after its passage and approval.

And when so amended recommend the same do pass.

GUST WOG, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 206, 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. 209, 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. 212, have had the same under consideration and recommend that the same be indefinitely postponed.

ORVILLE HAGEN, Chairman.

Senator Hagen 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. 217, 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. 220, have had the same under consideration and recommend that the same be amended as follows:

Line 6, strike out the word "bin" and in lieu thereof insert the word "bins".

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. 222, 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. 239, have had the same under consideration and recommend that the same do pass.

ROSAMOND O'BRIEN, Chairman.

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

#### CONSIDERATION OF AMENDMENTS

Senator Day moved that Senate Bill No. 109 be returned to the Committee on Judiciary, which motion prevailed.

Senator Day moved that the proposed amendments to Senate Bill No. 139 be adopted, which motion prevailed.

Senator Dewing moved that the proposed amendments to Senate Bill No. 145 be adopted, which motion prevailed.

Senator Day moved that the proposed amendment to Senate Bill No. 147 be adopted, which motion prevailed.

Senator Day moved that the proposed amendments to Senate Bill No. 161 be adopted, which motion prevailed.

Senator Day moved that the proposed amendments to Senate Bill No. 190 be adopted, which motion prevailed.

Senator Day moved that the proposed amendments to Senate Bill No. 210 be adopted, which motion prevailed.

Senator Day moved that the proposed amendment to Senate Bill No. 223 be adopted, which motion prevailed.

MESSAGE TO THE SENATE

House Chamber

Bismarck, February 7, 1955

Mr. President: I have the honor to transmit:

House Bill No. 527

House Bill No. 627

House Bill No. 651

House Bill No. 681

House Bill No. 707

House Bill No. 788

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

KENNETH L. MORGAN, Chief Clerk.

SECOND READING OF SENATE BILLS

Senate Bill No. 6. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous items and new buildings and special projects for the State Hospital for the Insane at Jamestown, North Dakota.

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, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schoeder |
| Davis      | Klefstad          | Schrock  |
| Day        | Knudson           | Solberg  |
| Dewing     | Krenz             | Streibel |
| Dolan      | Kusler            | Thomas   |
| Duffy      | Leier             | Torno    |
| Ferry      | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | O'Brien           | Wolf     |
| Hagen      | Olson             | Yunker   |
| Hernett    | Page              |          |

Absent and not voting:

Holand

So the bill passed and the title was agreed to.

**Senate Bill No. 8.** A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous expenses, and new building of the State Penitentiary.

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, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leler             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |

So the bill passed and the title was agreed to.

**Senate Bill No. 21.** A Bill for an Act making an appropriation for salaries and expenses for the State Seed Department.

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, 1; absent and not voting, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schoeder |
| Davis      | Klefstad          | Schrock  |
| Day        | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leler             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     | Page              |          |

Those voting in the negative were:

Dewing

So the bill passed and the title was agreed to.

**Senate Bill No. 63.** A Bill for an Act establishing a live-stock claim fund of the Game and Fish Department, making

an appropriation therefor, providing for the disbursement thereof, and providing a penalty.

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, 14; absent and not voting, 0.

Those voting in the affirmative were:

|            |               |          |
|------------|---------------|----------|
| Berube     | Hagen         | Page     |
| Bilden     | Holand        | Rue      |
| Bridston   | Johnson, Cass | Schoeder |
| Davis      | Kamrath       | Solberg  |
| Day        | Kieley        | Streibel |
| Dewing     | Klefstad      | Torno    |
| Duffy      | Kusler        | Tuff     |
| Ferry      | Livingston    | Welander |
| Foss       | Luick         | Wog      |
| Fraser     | Meidinger     | Wolf     |
| Freed      | Olson         | Yunker   |
| Gilbertson |               |          |

Those voting in the negative were:

|                   |         |         |
|-------------------|---------|---------|
| Baeverstad        | Krenz   | Schmit  |
| Dolan             | Leier   | Schrock |
| Hernett           | Nelson  | Thomas  |
| Johnson, Cavalier | O'Brien | Wadeson |
| Knudson           | Sayer   |         |

So the bill passed and the title was agreed to.

**Senate Bill No. 103.** A Bill for an Act relating to cooperative associations or corporations, providing for their period of existence, making those heretofore organized under chapter 43 of the North Dakota Session Laws of 1921 be governed by the provisions of chapter 10-15 of the North Dakota Revised Code of 1943, making those heretofore organized under chapter 44 of the North Dakota Sessions Laws of 1921 be governed by the provisions of chapter 4-07 of the North Dakota Revised Code of 1943, and amending and reenacting sections 4-0710, 4-0713, 10-1504, 10-1508 and 10-1515 of the North Dakota Revised Code of 1943 and section 4-07121 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to amendment of articles of incorporation of cooperatives, adoption and amendment of their bylaws, voting by mail, calling of their regular and special meetings and quorum at meetings.

Which has been read.

Senator Day moved that the Senate reconsider its action in amending Senate Bill No. 103 in Line 218, which motion prevailed.

Senator Day moved that Senate Bill No. 103 be placed on the calendar for 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, 48; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

|            |               |      |
|------------|---------------|------|
| Baeverstad | Holand        | Page |
| Berube     | Johnson, Cass | Rue  |

|            |                   |           |
|------------|-------------------|-----------|
| Bilden     | Johnson, Cavalier | Sayer     |
| Bridston   | Kamrath           | Schmit    |
| Davis      | Kielely           | Schoeder  |
| Day        | Klefstad          | Schrock   |
| Dewing     | Knudson           | Solberg   |
| Dolan      | Krenz             | Streibel  |
| Duffy      | Kusler            | Thomas    |
| Ferry      | Leier             | Torno     |
| Foss       | Livingston        | Tuff      |
| Fraser     | Luick             | Wadeson   |
| Freed      | Meidinger         | Welanders |
| Gilbertson | Nelson            | Wog       |
| Hagen      | O'Brien           | Wolf      |
| Hernett    | Olson             | Yunker    |

So the bill passed and the title was agreed to.

#### REPORT OF STANDING COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

Senate Resolution No. 4

Was delivered to the Secretary of State at the hour of 2:40 p.m., o'clock, February 7, 1955.

ROSAMOND O'BRIEN, Chairman.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 111. A Bill for an Act to amend and reenact sections 57-3838 and 57-3840 of the North Dakota Revised Code of 1943 and the 1953 Supplement thereto, relating to tax audits and additional assessments for income tax purposes.

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, 10; nays, 38; absent and not voting, 0.

Those voting in the affirmative were:

|                   |           |         |
|-------------------|-----------|---------|
| Berube            | Kusler    | Schrock |
| Bridston          | Meidinger | Wog     |
| Johnson, Cass     | Rue       | Yunker  |
| Johnson, Cavalier |           |         |

Those voting in the negative were:

|            |            |           |
|------------|------------|-----------|
| Baeverstad | Hernett    | Page      |
| Bilden     | Holand     | Sayer     |
| Davis      | Kamrath    | Schmit    |
| Day        | Kielely    | Schoeder  |
| Dewing     | Klefstad   | Solberg   |
| Dolan      | Knudson    | Streibel  |
| Duffy      | Krenz      | Thomas    |
| Ferry      | Leier      | Torno     |
| Foss       | Livingston | Tuff      |
| Fraser     | Luick      | Wadeson   |
| Freed      | Nelson     | Welanders |
| Gilbertson | O'Brien    | Wolf      |
| Hagen      | Olson      |           |

So the bill was declared lost.

Senate Bill No. 114. A Bill for an Act to create new subsections 18 and 19 to section 57-3801 of the North Dakota Revised Code of 1943 and the 1953 Supplement thereto and to amend and reenact section 57-3805, subsection 6 of section

57-3809, subsection 1 of section 57-3827, section 57-3835, section 57-3836, and subsections 1 and 3 of section 57-3842 of the North Dakota Revised Code of 1943, relating to definitions, deductions, exemptions, payment of tax, and information at the source, and for purposes of clarifying existing income tax laws.

Which has been read.

Senator Dewing moved that the rules be suspended and that Senate Bill No. 114 be deemed properly engrossed and placed on 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, 47; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Sayer    |
| Bilden     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Kieley            | Schrock  |
| Day        | Klefstad          | Solberg  |
| Dewing     | Knudson           | Streibel |
| Dolan      | Krenz             | Thomas   |
| Duffy      | Kusler            | Torno    |
| Ferry      | Leier             | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | O'Brien           | Yunker   |
| Hernett    | Olson             |          |

Absent and not voting:

Rue

So the bill passed and the title was agreed to.

Senate Bill No. 117. A Bill for an Act prohibiting the addition of any substance to public drinking water by persons or municipalities for purposes of medication or nutrition.

Which has been read.

Senator Johnson (Cass) moved that further consideration of Senate Bill No. 117 be indefinitely postponed.

ROLL CALL

The question being on the motion of Senator Johnson, the roll was called and there were ayes, 28; nays, 20; so the motion prevailed, and Senate Bill No. 117 was indefinitely postponed.

Those voting in the affirmative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Holand            | Meidinger |
| Berube     | Johnson, Cass     | Nelson    |
| Bilden     | Johnson, Cavalier | O'Brien   |
| Bridston   | Klefstad          | Rue       |
| Davis      | Krenz             | Sayer     |
| Dolan      | Kusler            | Torno     |
| Duffy      | Leier             | Tuff      |
| Foss       | Livingston        | Wadeson   |
| Hagen      | Luick             | Yunker    |
| Hernett    |                   |           |



Those voting in the negative were:

|            |          |          |
|------------|----------|----------|
| Day        | Kieley   | Solberg  |
| Dewing     | Knudson  | Streibel |
| Ferry      | Olson    | Thomas   |
| Fraser     | Page     | Welander |
| Freed      | Schmit   | Wog      |
| Gilbertson | Schoeder | Wolf     |
| Kamrath    | Schrock  |          |

Senator Rue moved that the President appoint a Committee to escort United States Senator Milton R. Young to the rostrum, which motion prevailed.

The President appointed Senators Nelson and Rue to so act.

Senator Young:

It is always a pleasure to come back here. I think anyone who is serving in this body for any length of time is as fine as you will find any other place. There is a closer relationship between the members of the Senate here than in Washington by quite a ways. There the men are scattered so that unless you take trips some place with them or travel in their little circle you don't come in contact with them. I hope I don't leave the impression that I don't like to serve in the U. S. Senate.

For a few minutes I would like to say something about the difference in the procedure in this body and the United States Senate. First, I am going to say something about the passing of one of North Dakota's best loved legislators. Here I think there is always a close friendship between every member of this body no matter which faction you belong to. All the members are new since I first came in 1935 with the exception of Senators Kamrath and Wog. During the past year we lost an awfully good friend. Dr. Stucke was an able man, a kindly person and one of the best legislators North Dakota ever had. I think he conducted himself in the best interest of not only the North Dakota Senate but every legislative body in this great republic. He has left a mark for himself that can never be forgotten.

Since my time in the Senate it seemed but a short while ago that I sat in that seat over on the other side, but it has been ten years ago. In that time I have gained quite a lot of seniority in the Senate. I am fifth ranking Republican on the Agriculture and third ranking on the Appropriations Committee. It has put me in a position to work a little more effectively and easily for the things you want. Almost everything in the Senate goes by seniority and that is in considerable contrast to the way you operate here. It has a lot of merit although it has some shortcomings. I don't think it is necessary in the state where each one represents the entire state but in the United States senate no one from a small state such as North Dakota would have a chance to serve as chairman on the important committees there. In your sub-committee assignments, for example on Appropriations, you have eleven sub-committees, each member of the committee serving on five. We hold seniorities from year to year on these various sub-committees; also, the House goes entirely by seniority. Again there is considerable contrast between the way you operate here and the United States Senate in the handling of bills. I think there are some ten to twelve thousand bills introduced in the U. S. Senate. Here every bill is reported out for a do pass

or postponement. I think that is more democratic than the way we operate. If the chairman decides to sit on the bill it is very difficult to discharge that particular legislation. When it goes to the floor the sub-committee chairman is in charge. He can accept amendments and has about the same effect as passage. If the sub-committee chairman is willing to raise or lower an appropriation bill, as a rule it goes through without much opposition at all.

I think I will give you some information you don't very often read in the papers. North Dakota allowed approximately \$50,000 for clerk hire. I have rarely used all of it. That portion which isn't used goes back to the government. This year I am allowed \$38,000 for telegrams. That is ample. We are allowed considerable for stationery; although some years I have gone over \$2,000 in my stationery account. We are allowed one trip a season each way at government expense. All the other trips are at the expense of the individual senator. Now there are some customs that I think are really nice and some you might want to adopt here. Some years ago some member of the senate started writing their names in the bottom of the drawer of their desk. The Secretary of the Senate is charged with the duty of writing the name of the senator who occupies that seat in the bottom of his desk drawer. They do it with some kind of indelible ink. The seat I now have has quite a history to it. The first name was that of Hannible, who was the first Vice President of the United States elected with Abraham Lincoln. He apparently occupied my seat in 1859 when the Senate Chamber was first occupied. There are many other illustrious names on that desk.

I used to think patronage was handled here in a very fair way. I remember the arguments we used to have when one group was in control and the other lost out. About the poorest deal we ever got was some 30% of the patronage. The Republicans this year only got 19 jobs altogether on page boys, policemen, etc., out a total of five or six hundred jobs. There are 85 elevator operators in the Senate and we got four of them. When the Republicans were in control two years ago we did the same thing. I thought those few comments might be of interest to you.

I think as long as I live I will always look forward to a trip back each year to visit and watch you operate here. If I could have more than one wish come true that would be that I could know each one of you by your first name and have a chance to visit with you for a while. Thank you.

Senator Holand moved that the remarks of the Honorable Milton R. Young be placed in the Journal, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 125. A Bill for an Act to provide for the establishment of the office of county coroner, the duties thereof, the operation of the county coroner system, and repealing subsection 9 of section 11-1002 and chapter 11-19 of the North Dakota Revised Code of 1943, as amended.

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, 30; nays, 18; absent and not voting, 0.

Those voting in the affirmative were:

|            |          |          |
|------------|----------|----------|
| Baeverstad | Holand   | Schoeder |
| Berube     | Kamrath  | Schrock  |
| Bridston   | Kieley   | Solberg  |
| Dewing     | Klefstad | Streibel |
| Dolan      | Knudson  | Thomas   |
| Duffy      | Krenz    | Torno    |
| Ferry      | Leier    | Tuff     |
| Foss       | Nelson   | Wadeson  |
| Fraser     | Page     | Welander |
| Freed      | Rue      | Wolf     |

Those voting in the negative were:

|            |                   |         |
|------------|-------------------|---------|
| Bilden     | Johnson, Cass     | O'Brien |
| Davis      | Johnson, Cavalier | Olson   |
| Day        | Kusler            | Sayer   |
| Gilbertson | Livingston        | Schmit  |
| Hagen      | Luick             | Wog     |
| Hernett    | Meidinger         | Yunker  |

So the bill passed and the title was agreed to.

Senator Knudson moved that after the reading of Senate Bills and Resolutions, the Senate recess for ten minutes, which motion prevailed.

The Senate reconvened at the call of the Chair.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Concurrent Resolution "S"

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

**Senate Bill No. 128.** A Bill for an Act to amend and reenact section 24-0619 of the North Dakota Revised Code of 1943, relating to expenditure of road taxes on township roads.

Which has been read.

Senator Olson moved that the following amendments be made to Senate Bill No. 128:

In line 17 of the printed bill after the word "has" strike the remainder of the line and insert in lieu thereof the following: "resided upon the lands".

In line 18 after the word "years" strike out the remainder of the line.

In line 19 strike out the words "such lands".

Re-number the lines accordingly.

Which motion prevailed.

Senator Olson moved that the rules be suspended and Senate Bill No. 128 be deemed properly engrossed and placed on second reading and final action, as amended.

Senator Olson made a substitute motion that Senate Bill No. 128 be laid over one legislative day, which motion prevailed.

**Senate Bill No. 132.** A Bill for an Act relating to chemical tests for intoxication, presumption of consent thereto by persons using the highway and effect of refusal, and suspension or revocation of driver's license thereafter.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 8; nays, 37; absent and not voting, 3.

Those voting in the affirmative were:

|            |            |          |
|------------|------------|----------|
| Baeverstad | Livingston | Wadeson  |
| Holand     | Meidinger  | Welander |
| Knudson    | O'Brien    |          |

Those voting in the negative were:

|            |                   |          |
|------------|-------------------|----------|
| Berube     | Johnson, Cass     | Sayer    |
| Bridston   | Johnson, Cavalier | Schmit   |
| Day        | Kamrath           | Schoeder |
| Dewing     | Kieley            | Schrock  |
| Dolan      | Klefstad          | Solberg  |
| Duffy      | Krenz             | Streibel |
| Ferry      | Kusler            | Thomas   |
| Foss       | Leier             | Torno    |
| Fraser     | Luick             | Tuff     |
| Freed      | Nelson            | Wog      |
| Gilbertson | Olson             | Wolf     |
| Hagen      | Page              | Yunker   |
| Hernett    |                   |          |

Absent and not voting:

|        |       |     |
|--------|-------|-----|
| Bilden | Davis | Rue |
|--------|-------|-----|

So the bill was declared lost.

Senate Bill No. 138. A Bill for an Act to amend and reenact section 40-3802 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to library funds, levy of taxes therefor, and restricting levy to limitation provided by law.

Which has been read.

Senator Olson moved that the following amendments be made to Senate Bill No. 138:

In line 11 of the printed bill after the word "tax" insert the following: "of not to exceed one mill, which shall"

In line 11 of the printed bill after the word "not" strike out the word "to"

Renumber the lines accordingly.

Which motion prevailed.

Senator Olson moved that the rules be suspended and Senate Bill No. 138 be deemed properly engrossed and placed on 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, 46; nays, 2; absent and not voting, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Page     |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |

|            |           |          |
|------------|-----------|----------|
| Fraser     | Luick     | Wadeson  |
| Freed      | Meidinger | Welander |
| Gilbertson | Nelson    | Wog      |
| Hagen      | O'Brien   | Wolf     |
| Hernett    | Olson     | Yunker   |
| Holand     |           |          |

Absent and not voting:

|       |     |
|-------|-----|
| Davis | Rue |
|-------|-----|

So the bill passed and the title was agreed to.

**Senate Bill No. 140.** A Bill for an Act to amend and reenact Sections 6-0628, 6-0631, 6-0612, 6-0632, 6-0633, and 6-0634 of the North Dakota Revised Code of 1943 and Sections 6-0103, 6-0602, 6-0604, 6-0608, 6-0612, and 6-0630 of the 1953 Supplement thereto, relating to credit unions, their management, methods of examination, supervision, duties, election and compensation of officers, voluntary and involuntary liquidation, and to relieve the state examiner of all duties relative to credit unions.

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, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Page     |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     |                   |          |

Absent and not voting:

|       |     |
|-------|-----|
| Davis | Rue |
|-------|-----|

So the bill passed and the title was agreed to.

**Senate Bill No. 143.** A Bill for an Act to amend and reenact section 40-3502 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the Revenue Bond Law so as to include the operation of trailer courts and facilities for house trailers, defining the undertakings for which municipalities may issue revenue bonds to include public transportation systems.

Which has been read.

Senator Day moved that Senate Bill No. 143 be amended as follows:

After Line 22, add the following language:

"The purchase, acquisition or establishment, maintenance and operation of a public transportation system."

Renumber the lines accordingly.

Which motion prevailed.

Senator Day moved that Senate Bill No. 143 be deemed properly engrossed and placed on second reading and final action, 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, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Sayer    |
| Berube     | Johnson, Cavalier | Schmit   |
| Bilden     | Kamrath           | Schoeder |
| Bridston   | Kieley            | Schrock  |
| Day        | Klefstad          | Solberg  |
| Dewing     | Knudson           | Streibel |
| Dolan      | Krenz             | Thomas   |
| Duffy      | Kusler            | Torno    |
| Ferry      | Leier             | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | O'Brien           | Yunker   |
| Hernett    | Olson             |          |

Those voting in the negative were:

|                        |      |
|------------------------|------|
| Johnson, Cass          | Page |
| Absent and not voting: |      |
| Davis                  | Rue  |

So the bill passed and the title was agreed to.

Senator Day moved that the title of Senate Bill No. 143 be corrected by striking the words "and declaring an emergency", and inserting in lieu thereof the words "defining the undertakings for which municipalities may issue revenue bonds to include public transportation systems", which motion prevailed.

**Senate Bill No. 167.** A Bill for an Act to amend and reenact Section 40-3502 of the 1953 Supplement to the North Dakota Revised Code of 1943, defining the undertakings for which municipalities may issue revenue bonds to include public transportation systems.

Which has been read.

Senator Bridston moved that the sponsors of Senate Bill No. 167 be permitted to withdraw the bill from any further action by the Senate, which motion prevailed.

**Senate Bill No. 149.** A Bill for an Act to repeal Section 48-0210 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to materials found, produced, or manufactured in this State from native natural resources.

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, 2.

Those voting in the affirmative were:

|            |                   |       |
|------------|-------------------|-------|
| Baeverstad | Johnson, Cass     | Page  |
| Berube     | Johnson, Cavalier | Sayer |

|            |            |          |
|------------|------------|----------|
| Bilden     | Kamrath    | Schmit   |
| Bridston   | Kieley     | Schoeder |
| Day        | Klefstad   | Schrock  |
| Dewing     | Knudson    | Solberg  |
| Dolan      | Krenz      | Streibel |
| Duffy      | Kusler     | Thomas   |
| Ferry      | Leier      | Torno    |
| Foss       | Livingston | Tuff     |
| Fraser     | Luick      | Wadeson  |
| Freed      | Meidinger  | Welander |
| Gilbertson | Nelson     | Wog      |
| Hagen      | O'Brien    | Wolf     |
| Hernett    | Olson      | Yunker   |
| Holand     |            |          |

Absent and not voting:

Davis Rue

So the bill passed and the title was agreed to.

**Senate Bill No. 159.** A Bill for an Act to amend and reenact Section 49-0105 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to salary of Public Service Commissioner.

Which has been read.

Senator Hagen moved that Senate Bill No. 159 be laid over one legislative day, which motion prevailed.

**Senate Bill No. 164.** A Bill for an Act to provide for the impounding of any vehicle operated upon any highway, street or road in this state at weights in excess of the weight limitations as specified under the provisions of section 39-1203 of the North Dakota Revised Code of 1943 or as limited by the provisions of section 39-1205 of the 1953 Supplement to the North Dakota Revised Code of 1943 and to provide for the recovery of charges for extraordinary use of the highways, streets and roads of this state, and declaring an emergency.

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, 3.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Page     |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Gilbertson | Meidinger         | Welander |
| Hagen      | Nelson            | Wog      |
| Hernett    | O'Brien           | Wolf     |
| Holand     | Olson             | Yunker   |

Absent and not voting:

Davis Freed Rue

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

**Senate Bill No. 166.** A Bill for an Act to amend and reenact sub-paragraph e of subsection 2 of section 21-0306 of the North Dakota Revised Code of 1943, to permit municipalities to borrow money and issue general obligation bonds for the purchase or acquisition or establishment of a public transportation system.

Which has been read.

Senator moved that Senate Bill No. 166 be laid over one legislative day, which motion prevailed.

**Senate Bill No. 169.** A Bill for an Act to permit municipalities to borrow money and to issue general obligation bonds for part of the cost and revenue bonds for part of the cost of purchasing, acquiring or establishing a public transportation system.

Which has been read.

Senator Day moved that Senate Bill No. 169 be laid over one legislative day, which motion prevailed.

**Senate Bill No. 168.** A Bill for an Act to repeal subsection 3 of section 57-4003 of the North Dakota Revised Code of 1943, pertaining to exemptions under the Use Tax Act.

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, 3.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Sayer    |
| Bilden     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schoeder |
| Day        | Kieley            | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |

Absent and not voting:

|       |          |     |
|-------|----------|-----|
| Davis | Klefstad | Rue |
|-------|----------|-----|

So the bill passed and the title was agreed to.

**Senate Bill No. 171.** A Bill for an Act to provide for reciprocity for licensed electricians.

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, 2; absent and not voting, 5.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Sayer    |
| Berube     | Johnson, Cass     | Schmit   |
| Bilden     | Johnson, Cavalier | Schoeder |
| Bridston   | Kamrath           | Schrock  |
| Day        | Knudson           | Solberg  |
| Dewing     | Krenz             | Streibel |



|            |            |          |
|------------|------------|----------|
| Dolan      | Kusler     | Thomas   |
| Duffy      | Leier      | Tuff     |
| Ferry      | Livingston | Wadeson  |
| Foss       | Luick      | Welander |
| Fraser     | Meidinger  | Wog      |
| Freed      | Nelson     | Wolf     |
| Gilbertson | O'Brien    | Yunker   |
| Hernett    | Page       |          |

Those voting in the negative were:

Hagen Olson

Absent and not voting:

Davis Klefstad Torno

Kieley Rue

So the bill passed and the title was agreed to.

Senate Bill No. 175. A Bill for an Act to amend and reenact sections 43-0909, 43-0910 and 43-0919 of the North Dakota Revised Code of 1943 and sections 43-0901, 43-0902, 43-0911, 43-0913, 43-0914 and 43-0920 of the 1953 Supplement thereto, relating to electricians.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 28; nays, 13; absent and not voting, 7.

Those voting in the affirmative were:

|               |            |          |
|---------------|------------|----------|
| Baeverstad    | Kieley     | Sayer    |
| Day           | Knudson    | Schoeder |
| Dolan         | Krenz      | Schrock  |
| Duffy         | Kusler     | Thomas   |
| Foss          | Livingston | Tuff     |
| Freed         | Luick      | Wadeson  |
| Hernett       | Meidinger  | Welander |
| Holand        | O'Brien    | Wog      |
| Johnson, Cass | Page       | Yunker   |

Kamrath

Those voting in the negative were:

|        |                   |          |
|--------|-------------------|----------|
| Berube | Gilbertson        | Nelson   |
| Bilden | Hagen             | Olson    |
| Dewing | Johnson, Cavalier | Solberg  |
| Ferry  | Leier             | Streibel |

Fraser

Absent and not voting:

Bridston Rue Torno

Davis Schmit Wolf

Klefstad

So the bill passed and the title was agreed to.

The Lieutenant Governor:

At this time I want to thank each and every one of you for the beautiful bouquet you sent me while I was confined to the hospital four days during the last week. If you haven't had the experience of being sick in the hospital you cannot fully appreciate how nice it is to get a recognition of that kind from fellows you work with every day. I do thank you very, very much.

Senator Streibel moved that the remarks of the Lieutenant Governor be printed in the Journal, which motion prevailed.

Senator Streibel moved that the Senate recess until 1:30 p.m., February 8, 1955, which motion prevailed, and the Senate stood recessed.

EDWARD LENO, Secretary.

THIRTY-FIFTH DAY AFTER RECESS  
AND THIRTY-SIXTH DAY

Bismarck, February 8, 1955

The Senate reconvened at 1:30 p.m., the President presiding.

## FIRST READING OF HOUSE BILLS

**House Bill No. 527.** A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Department of the Registrar of Motor Vehicles.

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

**House Bill No. 627.** A Bill for an Act to vacate the plat of Capitol Park platted by the Capitol Commission by virtue of the provisions of Chapter 104, Laws of Dakota Territory for 1883, said plat being a plat of the present Capitol grounds, providing for a limitation of time for all claimants to object to such vacation and providing for the repeal of any act or part of any act in conflict herewith.

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

**House Bill No. 651.** A Bill for an Act to amend and reenact section 24-0619 of the North Dakota Revised Code of 1943, relating to the expenditure of township road funds.

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

**House Bill No. 681.** A Bill for an Act to amend and reenact sections 50-0921 and 50-0922 of the North Dakota Revised Code of 1943, relating to payments of assistance to unmarried mothers or to the dependent children of unmarried mothers.

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

**House Bill No. 707.** A Bill for an Act to amend and reenact sections 36-1505, 36-1508 and 36-1509 of the North Dakota Revised Code of 1943, relating to diseased animals.

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

**House Bill No. 788.** A Bill for an Act providing for the termination of stock districts established under the herd law.

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

#### REPORT OF STANDING COMMITTEE

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

Senate Bill No. 114  
 Senate Bill No. 138  
 Senate Bill No. 139  
 Senate Bill No. 143  
 Senate Bill No. 145  
 Senate Bill No. 147  
 Senate Bill No. 161  
 Senate Bill No. 190  
 Senate Bill No. 210  
 Senate Bill No. 223

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

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

Senator Streibel moved that House Bill No. 569 be placed at the head of the calendar, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 569. A Bill for an Act to amend and reenact section 5-0318 of the North Dakota Revised Code of 1943 and sections 5-0210 and 5-0509 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the sale of alcoholic beverages to Indians and other persons.

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, 1; absent and not voting, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     | Page              |          |

Those voting in the negative were:

Bilden

So the bill passed and the title was agreed to.

Senator Leier moved that the vote by which House Bill No.

569 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 179.** A Bill for an Act to amend and reenact section 36-0401 of the 1953 Supplement to the North Dakota Revised Code of 1943 defining livestock, poultry and wool dealers, and declaring an emergency.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kielely           | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |

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

**Senate Bill No. 186.** A Bill for an Act relating to actions arising out of the use or application of any herbicide, insecticide, fungicide or agricultural chemical; provision for filing reports of loss and time limitations.

Which has been read.

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 6; absent and not voting, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Berube     | Hernett           | Olson    |
| Bilden     | Holand            | Rue      |
| Bridston   | Johnson, Cass     | Sayer    |
| Davis      | Johnson, Cavalier | Schmit   |
| Day        | Kamrath           | Schoeder |
| Dewing     | Kielely           | Schrock  |
| Dolan      | Klefstad          | Streibel |
| Duffy      | Krenz             | Thomas   |
| Ferry      | Kusler            | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | O'Brien           | Yunker   |

Those voting in the negative were:

|            |       |         |
|------------|-------|---------|
| Baeverstad | Leier | Solberg |
| Knudson    | Page  | Torno   |

So the bill passed and the title was agreed to.

**Senate Bill No. 187.** A Bill for an Act to amend and reenact Section 24-0106 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the authority of the highway commissioner to abandon sections of routes on the state highway system.

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, 14; absent and not voting, 0.

Those voting in the affirmative were:

|            |           |          |
|------------|-----------|----------|
| Baeverstad | Holand    | Page     |
| Berube     | Kamrath   | Schmit   |
| Bilden     | Kieley    | Schoeder |
| Davis      | Klefstad  | Schrock  |
| Day        | Kusler    | Solberg  |
| Dewing     | Leier     | Streibel |
| Dolan      | Luick     | Thomas   |
| Ferry      | Meidinger | Tuff     |
| Foss       | Nelson    | Welander |
| Fraser     | O'Brien   | Wolf     |
| Gilbertson | Olson     | Yunker   |
| Hagen      |           |          |

Those voting in the negative were:

|               |                   |         |
|---------------|-------------------|---------|
| Bridston      | Johnson, Cavalier | Sayer   |
| Duffy         | Knudson           | Torno   |
| Freed         | Krenz             | Wadeson |
| Hernett       | Livingston        | Wog     |
| Johnson, Cass | Rue               |         |

So the bill passed and the title was agreed to.

**Senate Bill No. 203.** A Bill for an Act providing for the regulation of information required on sales agreements or contracts made between a buyer and seller of agricultural seeds, when full or partial payment is made to the seller before the seed is delivered to the buyer, providing a penalty and declaring an emergency.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |

|            |            |         |
|------------|------------|---------|
| Foss       | Livingston | Tuff    |
| Fraser     | Luick      | Wadeson |
| Freed      | Meidinger  | Weland  |
| Gilbertson | Nelson     | Wog     |
| Hagen      | O'Brien    | Wolf    |
| Hernett    | Olson      | Yunker  |

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

**Senate Bill No. 204.** A Bill for an Act to amend and reenact subsection 7 of section 39-03A01 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to highway patrolmen's retirement system.

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, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Weland   |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |

So the bill passed and the title was agreed to.

**Senate Bill No. 221.** A Bill for an Act to amend and reenact Section 33-0312 of the North Dakota Revised Code of 1943, relating to change of venue in justice court.

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, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Weland   |

|            |         |        |
|------------|---------|--------|
| Gilbertson | Nelson  | Wog    |
| Hagen      | O'Brien | Wolf   |
| Hernett    | Olson   | Yunker |

So the bill passed and the title was agreed to.

**Senate Bill No. 224.** A Bill for an Act to amend and reenact Section 40-1819 of the North Dakota Revised Code of 1943 relating to appeals from determinations of police magistrate or village justice; Trial; Bail.

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, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |

So the bill passed and the title was agreed to.

**Senate Bill No. 228.** A Bill for an Act to amend and reenact section 31-0102 of the North Dakota Revised Code of 1943 relating to competency as a witness of one spouse against the other.

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, 1; absent and not voting, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     | Page              |          |

Those voting in the negative were:

Bilden

So the bill passed and the title was agreed to.

#### MOTIONS

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

#### THIRTY-SIXTH DAY

Bismarck, February 8, 1955

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

Prayer by Chaplain Rev. F. V. Tannehill, McCabe Methodist Church, Bismarck, N. Dak.

Roll Call: All members present.

So a quorum was declared.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the thirty-third day after recess and thirty-fifth day and recommend that the same be corrected as follows:

Page 284, delete the sixth line from the bottom of the page reading "So the bill passed and the title was agreed to".

And when so corrected recommend that the same be approved.

JOHN LEIER, Chairman.

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

#### MESSAGES TO THE SENATE

House Chamber

Bismarck, February 8, 1955

Mr. President: I have the honor to return:

Senate Concurrent Resolution "I"

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, February 8, 1955

Mr. President: I have the honor to transmit:

House Bill No. 505

House Bill No. 584

House Bill No. 585

House Bill No. 601

House Bill No. 615

House Bill No. 625

House Bill No. 631

House Bill No. 633

House Bill No. 638

House Bill No. 655

House Bill No. 659

House Bill No. 688

House Bill No. 689

House Bill No. 692

House Concurrent Resolution "Q"



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

KENNETH L. MORGAN, Chief Clerk.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 8, 1955

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "S"

Which the President has signed.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, February 8, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 6  
 Senate Bill No. 8  
 Senate Bill No. 21  
 Senate Bill No. 63  
 Senate Bill No. 103  
 Senate Bill No. 114  
 Senate Bill No. 125  
 Senate Bill No. 138  
 Senate Bill No. 140  
 Senate Bill No. 143  
 Senate Bill No. 149  
 Senate Bill No. 164  
 Senate Bill No. 168  
 Senate Bill No. 171  
 Senate Bill No. 175

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

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, February 8, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 569

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

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

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted.

Senator Freed made a substitute motion that Senate Bill No. 20 be placed on the calendar, which motion prevailed, and the bill was placed on the calendar.

Mr. President: Your Committee on Judiciary 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 the title in lieu thereof insert the following: For an Act relating to exemption of mobile homes from execution.

Strike out lines ont through and including line 39. In lieu thereof insert the following:

**SECTION 1. EXEMPTION OF MOBILE HOMES FROM EXECUTION.)** The mobile home of every head of a family, who is a resident of this state, and occupied as a home and not exceeding in value fifteen thousand dollars, over and above liens or encumbrances or both, shall be exempt from judgment lien and from execution or forced sale. If the owner of such mobile home also owns or has a leasehold interest in the land upon which such mobile home is located, not to exceed two acres, and not exceeding in value five thousand dollars over and above liens or encumbrances or both, such land or leasehold interest shall also be exempt.

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. 150, have had the same under consideration and recommend that the same be amended as follows:

On line 7, strike out word "equality" and insert word "quality".

Also, on line 7, strike out comma and add words: "or better".

On line 8, strike out "prefer" and substitute "purchase".

On line 9, strike out "prefer" and substitute "purchases".

And when so amended recommend the same do pass.

LAVERN SCHOEDER, Chairman.

Senator Schoeder 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. 185, have had the same under consideration and recommend that the same be indefinitely postponed.

RALPH DEWING, Chairman.

Senator Dewing 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:

Line 9, strike out \$20.00 and in lieu thereof insert \$15.00

Line 14, strike out \$1.50 and in lieu thereof insert \$1.00

Line 16, strike out \$1.50 and in lieu thereof insert \$1.00

Line 19, strike out \$1.50 and in lieu thereof insert \$1.00

Line 21, strike out \$1.00 and in lieu thereof insert .50

Line 22, strike out \$1.00 and in lieu thereof insert .25

Line 24, strike out \$1.50 and in lieu thereof insert \$1.00

Line 26, strike out \$1.00 and in lieu thereof insert .50

Line 30, strike out the brackets around .25 and strike out the \$1.00

Line 32, strike out \$12.00 and in lieu thereof insert \$10.00

Line 34, strike out \$16.00 and in lieu thereof insert \$15.00

- Line 36, strike out \$22.00 and in lieu thereof insert \$20.00  
 Line 38, strike out \$28.00 and in lieu thereof insert \$25.00  
 Line 40, strike out \$34.00 and in lieu thereof insert \$30.00  
 Line 42, strike out \$40.00 and in lieu thereof insert \$35.00  
 Line 44, strike out \$45.00 and in lieu thereof insert \$40.00  
 Line 56, strike out the word "four" and in lieu thereof insert the word "three"  
 Line 59, strike out the word "Devide" and in lieu thereof insert the word "device"  
 Line 61, strike out the word "fifteen" and in lieu thereof insert the word "ten"

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. 238, have had the same under consideration and recommend that the same be amended as follows:

On line 13, strike out word "ten" and insert "twenty-five".

On line 14, strike out all words following the comma.

On line 15, strike out all words to and including comma and insert words: "including notary public fee".

Strike out the "s" on the word "sums" in line 15.

And when so amended recommend the same do pass.

LAVERN SCHOEDER, Chairman.

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

#### FIRST READING OF SENATE RESOLUTION

Senators Holand and Leier introduced:

**Senate Concurrent Resolution "N".** A Concurrent Resolution directing the legislative research committee to study the feasibility of a ton mile tax.

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

#### CONSIDERATION OF AMENDMENTS

Senator Hagen moved that the proposed amendment to Senate Bill No. 153 be adopted, which motion prevailed.

Senator Wog moved that the proposed amendments to Senate Bill No. 162 be adopted, which motion prevailed.

Senator Wog moved that the proposed amendments to Senate Bill No. 163 be adopted, which motion prevailed.

Senator O'Brien moved that Senate Bill No. 202 be re-referred to the Committee on Social Welfare, which motion prevailed.

Senator Streibel moved that reading of the amendments to Senate Bill No. 205 be suspended, and action laid over one legislative day, which motion prevailed.

Senator Day moved that the proposed amendments to Senate Bill No. 220 be adopted, which motion prevailed.

## ANNOUNCEMENTS

The President introduced twenty-five representatives of the North Dakota Inter-Church Council who were present in the gallery. The Senate recognized the group.

Senator Dolan moved that the President appoint a committee of one to escort former Senator Walter Troxel to the rostrum, which motion prevailed. The President appointed Senator Dolan to so act.

Mr. Troxel:

Mr. President and members of this body, it is certainly a pleasure to come back and see your faces again. One thing impresses me most and that is—time marches on. There are just five, probably six members that were here in 1939 and since the last 1953 session there are eleven new faces, so it reminds me that every twelve months we get a year older and things do change.

I hope that you folks appreciate the fact that you are here on government business and spending somebody else's money. My contention always was that business money should be spent with the same care as if taken out of your own pocket. I had to change my mind about that.

I would just like to make a few observations. It appeared to me that we were trying to do too many things with laws that should be drawn up from our own conscience. When I was a young legislator—Joe Bridston and I sat together—we were trying to do so many things. I thought we needed a law for this and for that. First thing I discovered we had enough laws to put everyone and ourselves in jail. I never will forget my experience with the shot gun case. The state law said I couldn't carry a shot gun on my own farm. The first session I tried to repeal that measure. We had 47 aye votes and only two nays, but it was killed. The next session we tried it again. We kept at that shot gun deal for about six sessions. We finally got it amended so I can carry my shot gun on my own land but I cannot cross the line on the neighbors land, so if I were here I would still try to amend that law. We try to do so many things with laws I've decided we should have one session to repeal some of these laws, and go home and maybe the state would be better and we wouldn't have our law books cluttered up with a lot of laws. I think Carroll Day is one of those men who like some of these laws. Sometime the attorneys get these laws just a little cluttered up.

I surely appreciate coming back here—I quit working sixteen hours a day and just work fifteen and a half now. If you don't object, I would like to make one announcement. This day is a memorable day for one of your members. It happens to be the birthday of my good friend Senator Krenz, and we drove down to help him celebrate. Thank you.

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

FIRST READING OF HOUSE BILLS  
AND RESOLUTIONS

**House Bill No. 505.** A Bill for an Act making an appropriation for the operating and maintenance expenses of the Public Health Department, and declaring an emergency.

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

**House Bill No. 584.** A Bill for an Act to amend and reenact section 39-0102 of the 1953 Supplement to the North Dakota Revised Code of 1943, to remove the requirement for printing the license number on the side of state-owned motor vehicles, and declaring an emergency.

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

**House Bill No. 585.** A Bill for an Act to amend and reenact sections 26-2229 and 26-2230 of the North Dakota Revised Code of 1943 relating to levies for hail indemnity taxes, and declaring an emergency.

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

**House Bill No. 601.** A Bill for an Act to create and enact subsection 6 of section 39-0704 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to powers of local authorities in traffic regulation.

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

**House Bill No. 615.** A Bill for an Act to amend and reenact section 26-2214 of the North Dakota Revised Code of 1943 relating to applications to county auditors and agents of insurance commissioner; duties of auditor, and declaring an emergency.

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

**House Bill No. 625.** A Bill for an Act limiting the meaning of mineral rights or royalties when used in instruments of conveyance or lease.

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

**House Bill No. 631.** A Bill for an Act to amend and reenact Section 57-2226 of the North Dakota Revised Code of 1943, relating to deduction of personal property taxes from salaries and claims against public funds.

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

**House Bill No. 633.** A Bill for an Act to amend and reenact Section 43-0712 of the North Dakota Revised Code of 1943, relating to bids, licenses of contractors, and issuance of contracts, and providing for avoidance of contracts for violation.

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

**House Bill No. 638.** A Bill for an Act relating to licensing and regulation of transient merchants doing business by auction or otherwise, and repealing chapter 51-04 of the North Dakota Revised Code of 1943 and sections 51-0401 and 51-0402 of the 1953 Supplement to the North Dakota Revised Code of 1943.

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

**House Bill No. 655.** A Bill for an Act to amend and reenact section 26-2216 of the North Dakota Revised Code of 1943, relating to compensation of assessors, county auditors

and agents of the insurance commissioner for taking applications, and declaring an emergency.

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

**House Bill No. 659.** A Bill for an Act to amend and reenact section 58-0405 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to organization of annual or special township meetings and providing for five o'clock p.m. closing.

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

**House Bill No. 688.** A Bill for an Act to amend and reenact Sections 43-1301, 43-1307, 43-1308, 43-1317, subsection 3 of Section 43-1317, and 43-1320 relating to Optometrists.

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

**House Bill No. 689.** A Bill for an Act to appropriate and transfer moneys out of the funds available for aid to dependent children and to make such moneys available for expenditure by the Public Welfare Board for crippled children services during the remainder of the biennium ending June 30, 1955; and declaring an emergency.

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

**House Bill No. 692.** A Bill for an Act to amend and reenact section 40-0911 of the North Dakota Revised Code of 1943, relating to meetings of boards of city commissioners.

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

**House Concurrent Resolution "Q".** A Concurrent Resolution opposing repeal of long and short haul clause of section four of the Interstate Commerce Act.

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

## SECOND READING OF SENATE BILLS

**Senate Bill No. 131.** A Bill for an Act to amend and reenact subsection E of section 52-0920 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to the determination of average monthly wages under the old age and survivor insurance system.

Was 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, 4; absent and not voting, 5.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | O'Brien  |
| Berube     | Holand            | Olson    |
| Bilden     | Johnson, Cass     | Sayer    |
| Bridston   | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schoeder |
| Day        | Kieley            | Schrock  |
| Dolan      | Knudson           | Solberg  |
| Duffy      | Krenz             | Streibel |

|        |            |         |
|--------|------------|---------|
| Ferry  | Kusler     | Thomas  |
| Foss   | Livingston | Tuff    |
| Fraser | Luick      | Wadeson |
| Freed  | Meidinger  | Wolf    |
| Hagen  | Nelson     | Yunker  |

Those voting in the negative were:

|            |      |          |
|------------|------|----------|
| Dewing     | Page | Welander |
| Gilbertson |      |          |

Absent and not voting:

|          |       |     |
|----------|-------|-----|
| Klefstad | Rue   | Wog |
| Leier    | Torno |     |

So the bill passed and the title was agreed to.

**Senate Bill No. 139.** A Bill for an Act granting the supreme court power to review and reduce sentence imposed in a criminal case, power to consider proof in addition to record, and providing procedure for special appeal from sentence.

Was read the 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, 3.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Olson    |
| Berube     | Holand            | Page     |
| Bilden     | Johnson, Cass     | Sayer    |
| Bridston   | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schoeder |
| Day        | Kieley            | Schrock  |
| Dewing     | Klefstad          | Solberg  |
| Dolan      | Knudson           | Streibel |
| Duffy      | Krenz             | Thomas   |
| Ferry      | Kusler            | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | O'Brien           | Yunker   |

Absent and not voting:

|       |     |       |
|-------|-----|-------|
| Leier | Rue | Torno |
|-------|-----|-------|

So the bill passed and the title was agreed to.

#### MOTIONS

Senator Schmit moved that Senate Bill No. 205 be referred to the Committee on Transportation, which motion prevailed.

Senator Streibel moved that Senate Bill No. 144 be placed at the foot of the calendar, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution No. 1

Was delivered to the Secretary of State at the hour of 2:55 o'clock p.m., February 8, 1955.

ROSAMOND O'BRIEN, Chairman.

## SECOND READING OF SENATE BILL

Senate Bill No. 145. A Bill for an Act imposing a temporary tax upon certain alcoholic beverages in excess of four per cent of alcohol by volume, providing for the administration thereof, and imposing a penalty.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 27; nays, 18; absent and not voting, 3.

Those voting in the affirmative were:

|            |            |          |
|------------|------------|----------|
| Baeverstad | Gilbertson | Page     |
| Berube     | Holand     | Schmit   |
| Bilden     | Kamrath    | Schrock  |
| Davis      | Kieley     | Solberg  |
| Day        | Krenz      | Streibel |
| Dewing     | Kusler     | Torno    |
| Dolan      | Livingston | Tuff     |
| Foss       | Nelson     | Welander |
| Fraser     | Olson      | Wog      |

Those voting in the negative were:

|          |                   |          |
|----------|-------------------|----------|
| Bridston | Johnson, Cass     | Sayer    |
| Duffy    | Johnson, Cavalier | Schoeder |
| Ferry    | Knudson           | Thomas   |
| Freed    | Luick             | Wadeson  |
| Hagen    | Meidinger         | Wolf     |
| Hernett  | O'Brien           | Yunker   |

Absent and not voting:

|          |       |     |
|----------|-------|-----|
| Klefstad | Leier | Rue |
|----------|-------|-----|

So the bill was declared lost due to the lack of a constitutional two-thirds majority.

## MOTIONS

Senator Kusler moved that Senate Bill No. 239 be withdrawn from further consideration, which motion prevailed.

Senator Wog moved that Senate Bill No. 49 be withdrawn from further consideration, which motion prevailed.

Senator Streibel moved that after the reading of the bills and resolutions on the calendar the Senate recess until 1:55 p.m., February 9, 1955, which motion prevailed, and the Senate stood recessed.

EDWARD LENO, Secretary.



THIRTY-SIXTH DAY AFTER RECESS  
AND THIRTY-SEVENTH DAY

Bismarck, February 9, 1955

The Senate reconvened at 1:55 p.m., the President presiding.

SECOND READING OF SENATE BILLS

Senate Bill No. 20. A Bill for an Act making an appropriation for salaries and expenses of the Livestock Dealer's Division.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 22; nays, 26; absent and not voting, 0.

Those voting in the affirmative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Johnson, Cass     | Luick     |
| Bilden     | Johnson, Cavalier | Meidinger |
| Bridston   | Kieley            | Rue       |
| Davis      | Kiefstad          | Sayer     |
| Dolan      | Knudson           | Schoeder  |
| Foss       | Krenz             | Solberg   |
| Freed      | Livingston        | Torno     |
| Holand     |                   |           |

Those voting in the negative were:

|            |         |          |
|------------|---------|----------|
| Berube     | Kamrath | Streibel |
| Day        | Kusler  | Thomas   |
| Dewing     | Leier   | Tuff     |
| Duffy      | Nelson  | Wadeson  |
| Ferry      | O'Brien | Welandar |
| Fraser     | Olson   | Wog      |
| Gilbertson | Page    | Wolf     |
| Haen       | Schmit  | Yunker   |
| Hernett    | Schrock |          |

So the bill was declared lost.

Senator Duffy moved to change his vote on Senate Bill No. 20 from aye to nay for the purpose of reconsideration, which motion prevailed.

Senator Streibel moved that the Senate adjourn, which motion prevailed and the Senate stood adjourned.

EDWARD LENO, Secretary.

THIRTY-SEVENTH DAY

Bismarck, February 9, 1955

The Senate convened at 2:00 p.m., the President presiding. Prayer by Chaplain Father Garvin, Cathedral, Bismarck, N. Dak.

Roll Call: All members present.

So a quorum was declared.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Thirty-fifth Day after Recess and Thirty-Sixth Day and find the same correct.

JOHN LEIER, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 9, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 131  
Senate Bill No. 139  
Senate Bill No. 179  
Senate Bill No. 186  
Senate Bill No. 187  
Senate Bill No. 203  
Senate Bill No. 204  
Senate Bill No. 221  
Senate Bill No. 224  
Senate Bill No. 228

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

EDWARD LENO, 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. 153  
Senate Bill No. 162  
Senate Bill No. 163  
Senate Bill No. 220

And find the same correctly Engrossed.

ROSAMOND O'BRIEN, Chairman.

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

MESSAGE TO THE SENATE

House Chamber

Bismarck, February 9, 1955

Mr. President: I have the honor to transmit:

House Bill No. 576  
House Bill No. 614  
House Bill No. 636

House Bill No. 643  
 House Bill No. 649  
 House Bill No. 650  
 House Bill No. 693  
 House Bill No. 694

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

KENNETH L. MORGAN, Chief Clerk.

#### PETITIONS AND COMMUNICATIONS

A communication was read from C. N. Gronneberg addressed to Senator Sayer, urging that the School for the Blind be located in the state of North Dakota, which was referred to the Committee on State and Federal Government.

#### MOTIONS AND RESOLUTIONS

Senator Meidinger moved that the Senate recognize the class in Government from the Medina High School, which motion prevailed.

Senator Davis moved that the Senate recognize the senior class from the Tuttle High School, which motion prevailed.

Senator Davis moved that the Senate recognize the class and instructor from the Steele High School, which motion prevailed.

Senator Schoeder moved that the Senate recognize the class and instructor from the New England public school, which motion prevailed.

Senator Livingston moved that the courtesy of the floor be extended to former Minot Alderman, Mr. W. E. Kelly, which motion prevailed.

Senator Olson moved that the courtesy of the floor be extended to Rev. Robert Cordes, Parshall, N. Dak., which motion prevailed.

Senator Sayer moved that the courtesy of the floor be extended to Mr. Ralph Bender, Mayor, Cooperstown, N. Dak., which motion prevailed.

Senator Kusler moved that Senate Bill No. 156 be referred to the Committee on Industry and Business, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 137, have had the same under consideration and recommend that the same be amended as follows:

Line 32, strike out the comma after the word "endowment" and in lieu thereof insert a semi-colon. Strike out the rest of line 32.

Strike out line 33.

Line 37, strike out "of gift"

Line 57, strike out "or gift"

Line 70, strike out "of gift"

Line 79, strike out "of gift"

Line 85, strike out "of gift"

Line 97, strike out "of gift"

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 Industry and Business, to whom was referred Senate Bill No. 148, have had the same under consideration and recommend that the same be indefinitely postponed.

JOHN KUSLER, Chairman.

Senator Kusler 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. 173, have had the same under consideration and recommend that the same be amended as follows:

In the title, strike out the words "and directing"

Line 4, strike out "and directed"

Line 17, strike out "action" and in lieu thereof insert "probate proceeding or in any action"

Renumber the lines if necessary.

Line 19, strike out the comma and in lieu thereof insert a period.

Strike out lines 20 through and including 25.

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 Industry and Business, to whom was referred Senate Bill No. 176, have had the same under consideration and recommend that the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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. 177, have had the same under consideration and recommend that the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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. 178, have had the same under consideration and recommend that the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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. 183, have had the same under consideration and recommend that the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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 amended as follows:

Strike out everything after "A BILL" and insert the following:

For an Act to exempt truck-tractors used only for moving buildings from the payment of registration, gross ton, or ton mile taxes or fees and to provide for an annual house mover's motor vehicle license and to provide a penalty and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

Section 1.) Upon satisfactory proof that:

1. The owner or operator of such vehicle is the holder of a valid building mover's permit issued by the public service commission; and
2. A truck-tractor and trailer is to be used only for moving buildings, building moving equipment and other bulky objects; and
3. Upon payment of a fee of fifty dollars for each single axle truck-tractor unit and a fee of seventy-five dollars for each tandem axle truck-tractor unit, the motor vehicle registrar may issue an annual house mover's motor vehicle license to any such truck-tractor unit, which license shall be in lieu of all other registration, gross ton, or ton mile taxes or fees for such registration year.

SECTION 2.) Any vehicle which has been issued a house mover's motor vehicle license may be registered under the regular motor vehicle registration law, by payment of the difference between the amount paid for the house mover's motor vehicle license and the regular registration fee for such vehicle and surrendering of such house mover's motor vehicle license.

SECTION 3.) Any vehicle which has been issued a house mover's motor vehicle license and is found being operated upon the highways of this state without being equipped with special house moving equipment, shall forfeit the fee paid and in addition, shall be required to register under the regular motor vehicle registration law of this state. None of the above limitations shall be construed as restricting the operation of the special licensed vehicle when such operation would not require a greater fee than that paid for this operation.

SECTION 4. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

And when so amended recommend the same do pass.

GUST WOG, Chairman.

Senator Wog 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.

STEVE THOMAS, Chairman.

Senator Thomas 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 235, have had the same under consideration and recommend that the same do pass.

STEVE THOMAS, Chairman.

Senator Thomas 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 Concurrent Resolution "K", have had the same under consideration and recommend that the same do pass.

STEVE THOMAS, Chairman.

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

#### CONSIDERATION OF AMENDMENTS

Senator Day moved that the proposed amendments to Senate Bill No. 109 be adopted, which motion prevailed.

Senator Day moved that the proposed amendments to Senate Bill No. 211 be adopted, which motion prevailed.

Senator Schoeder moved that the amendments on Senate Bill No. 150 be amended as follows:

On line 9, strike out the "s" on the word "purchases" and show the word to read "purchase".

Which motion prevailed.

Senator Schoeder moved that the proposed amendments to Senate Bill No. 150 be adopted, which motion prevailed.

Senator Schoeder moved that the proposed amendments to Senate Bill No. 238 be adopted, which motion prevailed.

#### FIRST READING OF SENATE BILLS

The Delayed Bills Committee introduced:

**Senate Bill No. 242.** A Bill for an Act to amend and reenact section 15-0704 of the North Dakota Revised Code of 1943, relating to private sale of non-grant lands.

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

#### FIRST READING OF HOUSE BILLS

**House Bill No. 576.** A Bill for an Act to provide for the regulation of propagation, taking, catching, destroying, and disposing of fish in this state; to provide for the regulation of bait vendors; to provide for the regulation of construction and maintenance of fishways; providing a penalty; and to repeal sections 20-0316, 20-0317, 20-0601, 20-0602, 20-0603, 20-0606, 20-0607, 20-0608, 20-0609, 20-0610, 20-0612, 20-0613, 20-0614, and 20-0615 of the North Dakota Revised Code of 1943, and to repeal sections 20-0314, 20-0315, 20-0604, 20-0605, 20-0611, and 20-0616 of the 1953 Supplement to the North Dakota Revised Code of 1943.

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

**House Bill No. 614.** A Bill for an Act making an appropriation for the purpose of paying a deficiency in the operating fund of the State hail insurance department for the period beginning January 1, 1955, and ending June 30, 1955, and declaring an emergency.

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

**House Bill No. 636.** A Bill for an Act to authorize the state fire marshal to prescribe uniform regulations for safety in the design, construction, location, installation and operation of equipment for storing, handling, transporting by tank-truck or tank-trailer and the utilizing of liquefied petroleum gas for fuel purposes, and for the odorization of said gases used therewith; to provide for the marking of liquefied petroleum gas containers and to prohibit the refilling or use of such containers without authorization by the owner thereof; providing for licensing of dealers; making an appropriation, and providing for penalty.

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

**House Bill No. 643.** A Bill for an Act relating to levy of taxes in reorganized school districts, and permitting adjustment of the tax burden equitably between merged rural and urban areas.

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

**House Bill No. 649.** A Bill for an Act to amend and reenact section 15-5315 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to transportation in reorganized school districts.

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

**House Bill No. 650.** A Bill for an Act to amend and reenact section 40-2608 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the liability of municipalities for deficiencies in special improvement funds.

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

**House Bill No. 693.** A Bill for an Act to amend and reenact sections 40-0808, 40-0816 and 40-0910 of the North Dakota Revised Code of 1943, relating to vacancies in city offices.

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

**House Bill No. 694.** A Bill for an Act amending and reenacting subsection 4 of section 21-0301 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the definition of assessed valuation, and declaring an emergency.

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

Senator Kieley moved that the President appoint a committee of two to escort the Honorable Otto Krueger, Representative, U. S. Congress, to the rostrum. The President appointed Senators Kieley and Streibel to so act.

Representative Krueger:

Mr. President, ladies and gentlemen of the Senate. It is a real privilege for me to come here to face you and say hello. I haven't any message to give you other than to say, as I understand from what I have heard since I arrived, that you are pretty well along in your legislative work. That is a lot more than I can say about our work in Washington.

The Senate organized first with 95 members and the House with 435, which takes longer to organize.

Since the Democrats have taken over control of the House they are organizing every committee and sub-committee and realigning things, and it takes more time than when a party succeeds itself. We only have a few committees functioning, the Appropriations, Foreign Affairs and Ways and Means Committee, but I think by next session probably the rest of us will be at work. I served for two years on Appropriations and ran into a lot of revealing things this year because the Democrats took over. I am now on Government Operations Committee, which also has a lot to do. We investigate the Executive, Legislative and other departments, and if the Democrats are willing, we are willing to help along.

It is a privilege to be here and I thank you very much.

Senator Baeverstad moved that the remarks of Representative Krueger be printed in the Journal, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 128. A Bill for an Act to amend and reenact section 24-0619 of the North Dakota Revised Code of 1943, relating to expenditure of road taxes on township roads.

Which has been read.

Senator Olson moved that Senate Bill No. 128 be amended as follows:

In line 16 strike out the words "and along".

Which motion prevailed.

Senator Olson moved that the rules be suspended and Senate Bill No. 128 be deemed properly engrossed and placed on second reading and final action which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 32; nays, 14; absent and not voting, 2.

Those voting in the affirmative were:

|            |            |          |
|------------|------------|----------|
| Berube     | Holand     | Schoeder |
| Bilden     | Kamrath    | Schrock  |
| Bridston   | Kieley     | Streibel |
| Davis      | Klefstad   | Thomas   |
| Dewing     | Krenz      | Torno    |
| Dolan      | Leier      | Tuff     |
| Ferry      | Livingston | Welandar |
| Foss       | Meidinger  | Wog      |
| Fraser     | O'Brien    | Wolf     |
| Freed      | Olson      | Yunker   |
| Gilbertson | Schmit     |          |

Those voting in the negative were:

|               |                   |         |
|---------------|-------------------|---------|
| Baeverstad    | Johnson, Cavalier | Page    |
| Duffy         | Knudson           | Sayer   |
| Hagen         | Kusler            | Solberg |
| Hernett       | Luick             | Wadeson |
| Johnson, Cass | Nelson            |         |

Absent and not voting:

|     |     |
|-----|-----|
| Day | Rue |
|-----|-----|

So the bill passed and the title was agreed to.



**Senate Bill No. 147.** A Bill for an Act to amend and reenact section 28-1304 of the North Dakota Revised Code of 1943, relating to designation of a trial judge upon the filing of an affidavit of prejudice.

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, 0; absent and not voting, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Page     |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schoeder |
| Davis      | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     |                   |          |

Absent and not voting:

Day Rue

So the bill passed and the title was agreed to.

**Senate Bill No. 153.** A Bill for an Act to provide for the transfer of insane persons from the state hospital to other institutions licensed to care for and treat the insane.

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, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Sayer    |
| Bilden     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Klefstad          | Schrock  |
| Day        | Knudson           | Solberg  |
| Dewing     | Krenz             | Streibel |
| Dolan      | Kusler            | Thomas   |
| Duffy      | Leier             | Torno    |
| Ferry      | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | O'Brien           | Wolf     |
| Hagen      | Olson             | Yunker   |
| Hernett    |                   |          |

Absent and not voting:

Kieley Rue

So the bill passed and the title was agreed to.

**Senate Bill No. 155.** A Bill for an Act to amend and reenact section 19-0310 of the North Dakota Revised Code of 1943, relating to sales by apothecaries.

Which has been read.

Senator Foss moved that the amendments to Senate Bill No. 155 be printed in the Journal and laid over one legislative day, which motion prevailed.

**AMENDMENT TO SENATE BILL NO. 155**

Line 9 after "tion" delete the balance of the line. Delete Line 10 and Line 11 up to and including "law".

Section 2. An apothecary may dispense narcotic drugs upon oral prescription pursuant to regulations promulgated by the U. S. Commissioner of Narcotics under the Federal Narcotic Laws.

Renumber Section 2 to read Section 3. Section 3 to read Section 4.

**Senate Bill No. 157.** A Bill for an Act relating to the amendment of by-laws of mutual aid corporations.

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, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Sayer    |
| Bilden     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Kieley            | Schrock  |
| Day        | Klefstad          | Solberg  |
| Dewing     | Knudson           | Streibel |
| Dolan      | Krenz             | Thomas   |
| Duffy      | Kusler            | Torno    |
| Ferry      | Leier             | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | O'Brien           | Yunker   |
| Hernett    | Olson             |          |

Absent and not voting:

Rue

So the bill passed and the title was agreed to.

**Senate Bill No. 159.** A Bill for an Act to amend and reenact Section 49-0105 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to salary of Public Service Commissioner.

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, 1.

Those voting in the affirmative were:

|          |                   |         |
|----------|-------------------|---------|
| Bridston | Johnson, Cass     | Nelson  |
| Davis    | Johnson, Cavalier | O'Brien |

|         |            |         |
|---------|------------|---------|
| Day     | Kieley     | Sayer   |
| Dolan   | Klefstad   | Schmit  |
| Duffy   | Knudson    | Torno   |
| Foss    | Krenz      | Wadeson |
| Freed   | Livingston | Wog     |
| Hernett | Luick      | Yunker  |
| Holand  | Meidinger  |         |

Those voting in the negative were:

|            |          |          |
|------------|----------|----------|
| Baeverstad | Hagen    | Schrock  |
| Berube     | Kamrath  | Solberg  |
| Bilden     | Kusler   | Streibel |
| Dewing     | Leier    | Thomas   |
| Ferry      | Olson    | Tuff     |
| Fraser     | Page     | Welander |
| Gilbertson | Schoeder | Wolf     |

Absent and not voting:

Rue

So the bill passed and the title was agreed to.

**Senate Bill No. 161.** A Bill for an Act to amend and reenact section 12-5503 of the North Dakota Revised Code of 1943, relating to meetings of the board of pardons.

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, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Sayer    |
| Bilden     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Kieley            | Schrock  |
| Day        | Klefstad          | Solberg  |
| Dewing     | Knudson           | Streibel |
| Dolan      | Krenz             | Thomas   |
| Duffy      | Kusler            | Torno    |
| Ferry      | Leier             | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | O'Brien           | Yunker   |
| Hernett    | Olson             |          |

Absent and not voting:

Rue

So the bill passed and the title was agreed to.

**Senate Bill No. 162.** A Bill for an Act to amend and reenact section 24-0113 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to enforcement of highway laws controlling vehicle size and weights, and conferring police power on the state highway commissioner and inspectors appointed by him, and declaring an emergency.

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, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Sayer    |
| Bilden     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Kieley            | Schrock  |
| Day        | Klefstad          | Solberg  |
| Dewing     | Knudson           | Streibel |
| Dolan      | Krenz             | Thomas   |
| Duffy      | Kusler            | Torno    |
| Ferry      | Leier             | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | O'Brien           | Yunker   |
| Hernett    | Olson             |          |

Absent and not voting:

Rue

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

**Senate Bill No. 163.** A Bill for an Act to amend and reenact section 39-1208 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to penalty for violating width, height, length and load limitations upon the highways of this state, and declaring an emergency.

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, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Sayer    |
| Bilden     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Kieley            | Schrock  |
| Day        | Klefstad          | Solberg  |
| Dewing     | Knudson           | Streibel |
| Dolan      | Krenz             | Thomas   |
| Duffy      | Kusler            | Torno    |
| Ferry      | Leier             | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | O'Brien           | Yunker   |
| Hernett    | Olson             |          |

Absent and not voting:

Rue

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

Senator Day moved that Senate Bills Nos. 166 and 169 be laid over until Monday, February 14, which motion prevailed.

**Senate Bill No. 170.** A Bill for an Act to amend and reenact section 26-2314 of the North Dakota Revised Code of 1943 relating to limitation of time for bringing action against the state bonding fund.

Which has been read.

Senator Solberg moved that Senate Bill No. 170 be amended as follows:

Line 10, strike out the word "six" and insert in lieu thereof the word "ten", which motion prevailed.

Senator Solberg moved that the rules be suspended and Senate Bill No. 170 be deemed properly engrossed, and placed on second reading and final passage, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 12; nays, 33; absent and not voting, 3.

Those voting in the affirmative were:

|         |          |         |
|---------|----------|---------|
| Dewing  | Kieley   | Schrock |
| Ferry   | Olson    | Solberg |
| Fraser  | Page     | Tuff    |
| Kamrath | Schoeder | Wog     |

Those voting in the negative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Hernett           | Meidinger |
| Berube     | Holand            | Nelson    |
| Bilden     | Johnson, Cass     | O'Brien   |
| Davis      | Johnson, Cavalier | Sayer     |
| Day        | Klefstad          | Streibel  |
| Dolan      | Knudson           | Thomas    |
| Duffy      | Krenz             | Torno     |
| Foss       | Kusler            | Wadeson   |
| Freed      | Leier             | Welander  |
| Gilbertson | Livingston        | Wolf      |
| Hagen      | Luick             | Yunker    |

Absent and not voting:

|          |     |        |
|----------|-----|--------|
| Bridston | Rue | Schmit |
|----------|-----|--------|

So the bill was declared lost.

**Senate Bill No. 190.** A Bill for an Act relating to renewal and cancellation of judgments.

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, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Sayer    |
| Bilden     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Kieley            | Schrock  |
| Day        | Klefstad          | Solberg  |
| Dewing     | Knudson           | Streibel |
| Dolan      | Krenz             | Thomas   |
| Duffy      | Kusler            | Torno    |
| Ferry      | Leier             | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |

|            |         |        |
|------------|---------|--------|
| Gilbertson | Nelson  | Wolf   |
| Hagen      | O'Brien | Yunker |
| Hernett    | Olson   |        |

Absent and not voting:

Rue

So the bill passed and the title was agreed to.

**Senate Bill No. 209.** A Bill for an Act to amend and reenact Subsection 3 of Section 64-0201 of the North Dakota Revised Code of 1943 to broaden the definition of "Gasoline pump" contained therein.

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, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Sayer    |
| Bilden     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Kieley            | Schrock  |
| Day        | Klefstad          | Solberg  |
| Dewing     | Knudson           | Streibel |
| Dolan      | Krenz             | Thomas   |
| Duffy      | Kusler            | Torno    |
| Fraser     | Leier             | Tuff     |
| Ferry      | Livingston        | Wadeson  |
| Foss       | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | O'Brien           | Yunker   |
| Hernett    | Olson             |          |

Absent and not voting:

Rue

So the bill passed and the title was agreed to.

Senator Streibel moved that after the reading of the bills and resolutions on the calendar the Senate recess for fifteen minutes, which motion prevailed.

The Senate reconvened at the call of the Chair.

Senator Duffy moved that Senator Streibel be named as temporary President Pro Tem in the absence of the Lieutenant Governor and President Pro Tem, which motion prevailed.

Senator Duffy moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

## THIRTY-EIGHTH DAY

Bismarck, February 10, 1955

The Senate convened at 2:00 p.m., the President presiding.  
Prayer by Chaplain Father Garvin, Cathedral, Bismarck,  
No. Dak.

Roll Call: All members present.

So a quorum was declared.

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

Mr. President: Your Committee on Revision and Correction  
of the Journal have carefully examined the Journal of the  
thirty-sixth day after recess and thirty-seventh day and  
find the same correct.

JOHN LEIER, Chairman.

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

## 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. 109

Senate Bill No. 128

Senate Bill No. 150

Senate Bill No. 211

Senate Bill No. 238

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

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

## MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 10, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 128

Senate Bill No. 147

Senate Bill No. 153

Senate Bill No. 157

Senate Bill No. 159  
 Senate Bill No. 161  
 Senate Bill No. 162  
 Senate Bill No. 163  
 Senate Bill No. 190  
 Senate Bill No. 209

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

EDWARD LENO, Secretary.

MESSAGES TO THE SENATE

House Chamber

Bismarck, February 10, 1955

Mr. President: I have the honor to transmit:

House Bill No. 569

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, February 10, 1955

Mr. President: I have the honor to transmit:

House Bill No. 507

House Bill No. 509

House Bill No. 513

House Bill No. 526

House Bill No. 528

House Bill No. 532

House Bill No. 562

House Bill No. 590

House Bill No. 598

House Bill No. 634

House Bill No. 644

House Bill No. 708

House Bill No. 727

House Bill No. 728

House Bill No. 729

House Bill No. 740

House Bill No. 742

House Bill No. 761

House Bill No. 778

House Bill No. 805

House Bill No. 806

House Bill No. 810

House Bill No. 846

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

KENNETH L. MORGAN, Chief Clerk.

PETITIONS AND COMMUNICATIONS

A message from the Governor was read, regarding the probable future status of the General Fund.

Senator Knudson moved that the Governor's message be printed in the Journal, which motion prevailed.



## MESSAGE FROM THE GOVERNOR

State of North Dakota

## OFFICE OF THE GOVERNOR

Bismarck, February 9, 1955

Members of the Senate  
 Thirty-fourth Legislative Assembly  
 Senate Chambers  
 Bismarck, North Dakota

## Greetings:

Because requests for additional appropriations and increases in the appropriations beyond totals approved by the Budget Board have been and are being made to appropriation committees by representatives of state departments and institutions, I deem it appropriate to explain more fully the probable future status of the General Fund during the 1955-57 biennium. Fortunately there will be a sizeable saving in the World War II veterans' adjusted compensation bond standing appropriations of \$2,600,000.00.

Many of the pertinent figures mentioned herein can be found on page 3 and 4 of the Budget Board report and on page 10 and 18 of the Governor's Message. Starting from the General Fund cash balance of January 1, 1955, as per the State Auditor's records, instead of going back to July 1 of 1954, the following figures apply:

|  |                        |
|--|------------------------|
| Cash on hand—January 1, 1955.....  | \$ 4,952,000.00        |
| Anticipated collections for six months<br>including \$1,000,000.00 from the Collec-<br>tion and Land Department received in<br>early January ..... | 8,500,000.00           |
| <b>TOTAL</b> .....   | <b>\$13,452,000.00</b> |
| Deducting unspent appropriations of.....   | 11,682,000.00          |
| Leaves an unencumbered balance on July<br>1, 1955 of .....   | \$ 1,770,000.00        |
| 1955-57 income estimated .....   | 25,570,000.00          |
| <b>TOTAL</b> .....   | <b>\$27,340,000.00</b> |
| *Add unspent balance of standing appro-<br>priation 1955-57 for World War II<br>adjusted compensation bonds .....                                  | \$ 2,600,000.00        |
| <b>TOTAL</b> .....   | <b>\$29,940,000.00</b> |
| Deduct budgets approved by Budget<br>Board .....   | 28,997,000.00          |
| General Fund balance July 1, 1957, esti-<br>mate .....   | \$ 943,000.00          |

From the above you will note no provision has been made for increasing the state mill levy for General Fund purposes.

\*There will have to be provided from the General Fund an item of about \$520,000.00 toward the retirement of interest and principal on World War II adjusted compensation bonds. The standing appropriation, which is a part of the \$28,997,000.00 above, for this purpose was \$3,120,000.00; hence, the saving of \$2,600,000.00.

Generally the low point in the General Fund is at the end of January. At times it has been several million dollars less than on July 1. I believe that the balance of \$943,000.00 is too dangerously close to a probable deficit if our estimates are wrong. 'Tis true the cash balance may be somewhat in excess of that figure, but very likely it would be possible that the General Fund would be close to depletion as far as the cash balance is concerned on January 31, 1957, if these figures prove to be correct.

As long as surplus money exists in other funds I do not believe that this is the time to impose increased taxes. Sufficient money is available in the sales tax fund. Its surplus as of December 31, 1954, was approximately \$23,000,000.00. By taking \$5,000,000.00 out of the sales tax surplus money —\$3,000,000.00 for the General Fund out of which \$2,500,000.00 will come from the share belonging to Equalization and \$500,000.00 from the share belonging to the Welfare Department, there will remain \$2,000,000.00 for buildings as noted below from Welfare funds.

This transfer of \$5,000,000.00 from the Equalization and Welfare part of the sales tax surplus will leave that fund with a balance of approximately \$18,000,000.00. Legislation which will place a ceiling on the surplus for these two funds at \$18,000,000.00 I would recommend for your consideration. It appears that an amount not to exceed \$10,000,000.00 maximum for Equalization and one of \$8,000,000.00 maximum for Welfare would appear adequate to cover contingencies. Furthermore, I do not believe that any surplus much less than these two figures should be considered.

Thus the General Fund will be relieved by appropriating the following amounts from the sales tax surplus resulting in a satisfactory balance in the General Fund on July 1, 1957.. Besides, these transfers will permit modest increases and additions in appropriations for departments and institutions, depending upon the judgment of the appropriations committees and the members of this Legislature.

|   |                        |
|---|------------------------|
| From Welfare's share of sales tax surplus for the Feeble Minded Building at Grafton .....   | \$ 500,000.00          |
| From Equalization's share of sales tax surplus to apply on educational service appropriations at all the institutions of higher learning except the University and the AC, a sum of ..... | <u>\$ 2,500,000.00</u> |
| Total from Welfare and Equalization.....  | \$ 3,000,000.00        |
| Adding the unencumbered balance above of \$943,000.00 leaves a total of.....  | <u>\$ 3,993,000.00</u> |

This figure of \$3,993,000.00 then will represent an estimated unencumbered balance in the General Fund July 1, 1957. From it must, of course, be deducted all increases and additions to General Fund Appropriations which were not approved by the Budget Board and which have or will be passed by this session of the Legislature. As of this date appropriations amounting to \$31,309,000.00 have been introduced in both Houses. This figure includes amendments for increases and additions that have been adopted. It also includes an appropriation of \$3,344,000.00 for highway construction. It does not include a standing appropriation of

\$3,120,000.00 referred to above for payment on World War II bonus bonds. Generally speaking, the figure does not include any increases or additions on appropriations for the institutions of higher learning, other institutions under the Board of Administration and the state departments of government. However, the Budget Board approved figures are a part of this total.

Other appropriations from Welfare's share of sales tax surplus have been recommended in my message substantially as follows:

|                                    |                 |
|------------------------------------|-----------------|
| State Hospital Ward Building ..... | \$ 1,500,000.00 |
| Alcoholic Unit .....               | 100,000.00      |
| Blind School* .....                | 400,000.00      |

|   |                 |
|---|-----------------|
| Total Welfare fund appropriations for buildings not in Budget Board report and not chargeable to the General Fund ..... | \$ 2,000,000.00 |
|---|-----------------|

\*Because of negotiations with South Dakota this building may not be needed or may not be built in coming biennium. In that event the money could be used for a school building at the Feeble Minded School which is almost as essential as the ward building at that institution.

Numerous requests for buildings will be made beyond those mentioned above, and particularly at our institutions of higher learning. It is my recommendation if any of these are passed that they be on condition that Budget Board approval is secured before any contracts are let—this not to include architects fees, plans, etc. for such buildings.

Likewise, appropriations from the General Fund for highway construction, except from specific revenues or income therein, should be made conditional upon the approval of the Budget Board before the transfers are made. If the funds were available, under Chapter 82 of the 1953 Session Laws, \$3,136,718.62 can be spent on highway construction. Undoubtedly this amount will not be available except perhaps in part during the coming biennium.

My best wishes to you for a successful solution of our General Fund problems. I shall be pleased if you arrive at a better solution than the one presented herewith.

Sincerely,  
 NORMAN BRUNSDALE  
 Governor

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Political Subdivisions, to whom was referred Senate Bill No. 89, have had the same under consideration and recommend that the same be indefinitely postponed.

STEVE THOMAS, Chairman.

Senator Thomas 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. 134, have had the same under consideration and recommend that the same do pass.

C. W. SCHROCK, Chairman.

Senator Schrock 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. 182, have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. SCHROCK, Chairman.

Senator Schrock moved that the report be adopted.

Senator Johnson (Cass) made a substitute motion that Senate Bill No. 182 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Social Welfare, to whom was referred Senate Bill No. 188, have had the same under consideration and recommend that the same be indefinitely postponed.

ROSAMOND O'BRIEN, Chairman.

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

Mr. President: Your Committee on Education, to whom was referred Senate Bill No. 189, have had the same under consideration and recommend that the same do pass.

C. W. SCHROCK, Chairman.

Senator Schrock 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 indefinitely postponed.

STEVE THOMAS, Chairman.

Senator Thomas 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. 192, have had the same under consideration and recommend that the same be indefinitely postponed.

STEVE THOMAS, Chairman.

Senator Thomas 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. 196, have had the same under consideration and recommend that the same be amended as follows:

In Line 2, strike out the words two hundred and in lieu thereof insert twenty.

In Line 6 after the word "and" insert the following: such lands can be profitably platted as part of the city of Devils Lake and sold for residential purposes and

In Line 13 strike out the words two hundred and insert in lieu thereof the word twenty.

Strike out Section 3 and insert in lieu thereof the following:

SECTION 3.) The board of administration is hereby authorized to cause the lands so selected by it to be platted into blocks and lots and to cause the same to be sold in such parcels as the board may determine. All sales shall be reported to the governor and if approved by him, he shall execute proper conveyances to the purchasers, such conveyances to be attested by the secretary of state and to be de-

livered to the several purchasers on payment of the purchase price.

And when so amended recommend the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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. 199, have had the same under consideration and recommend that the same be returned without recommendation and laid over until Monday.

NICK SCHMIT, Chairman.

Senator Schmit 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. 200, have had the same under consideration and recommend that the same be returned without recommendation and laid over until Monday.

NICK SCHMIT, Chairman.

Senator Schmit 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. 201, have had the same under consideration and recommend that the same be indefinitely postponed.

JOHN KUSLER, Chairman.

Senator Kusler 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. 202, have had the same under consideration and recommend that the same be indefinitely postponed.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted.

Senator Johnson (Cass) made a substitute motion that Senate Bill No. 202 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Labor Relations, to whom was referred Senate Bill No. 232, have had the same under consideration and recommend that the same be indefinitely postponed.

NICK SCHMIT, Chairman.

Senator Schmit 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. 233, have had the same under consideration and recommend that the same be indefinitely postponed.

NICK SCHMIT, Chairman.

Senator Schmit 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. 234, have had the same under consideration and recommend that the same be indefinitely postponed.

NICK SCHMIT, Chairman.

Senator Schmit 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 "M", have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

ORVILLE HAGEN, Chairman.

Senator Hagen 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. 596, have had the same under consideration and recommend that the same do pass.

CLARENCE WELANDER, Chairman.

Senator Welander 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 Concurrent Resolution "D", have had the same under consideration and recommend that the same be amended as follows:

Strike out lines 21 through 27 inclusive.

And when so amended recommend the same do pass.

CLARENCE WELANDER, Chairman.

Senator Welander 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 "T", have had the same under consideration and recommend that the same do pass.

ORVILLE HAGEN, Chairman.

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

#### MOTIONS AND RESOLUTIONS

Senator Knudson moved that the rules be suspended and House Concurrent Resolution "T" be placed at the head of the calendar, which motion prevailed.

Senator Meidinger moved that Senate Bill No. 76 be returned to the Senate, which motion prevailed.

Senator Meidinger moved that Senate Bill No. 76 be withdrawn from further consideration, which motion prevailed.

Senator Leier moved that further action on Senate Bill No. 202 and Senate Concurrent Resolution "M" be deferred until Monday, February 14th, which motion prevailed.

Senator Yunker moved that the Senate recognize the school children and instructor from the public school at Casselton, North Dakota, which motion prevailed.

Senator Day moved that the Senate reconsider its action in passing Senate Bill No. 159. The President informed Senator Day that Senate Bill No. 159 had been delivered to the House at 2:00 p.m., on this legislative day.

Senator Day moved that the Senate request the House to return Senate Bill No. 159, which motion prevailed.

## MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 10, 1955

Mr. Speaker: I have the honor to request the return of:  
Senate Bill No. 159

EDWARD LENO, Secretary.

## CONSIDERATION AND AMENDMENTS

Senator Day moved that Senate Bill No. 137 be re-referred to the Committee on Judiciary, which motion prevailed.

Senator Day moved that the proposed amendments to Senate Bill No. 173 be adopted, which motion prevailed.

Senator Schmit moved that the Senate dispense with the reading of the proposed amendments to Senate Bill No. 205, and that they be printed in the Journal and laid over one legislative day, which motion prevailed.

## AMENDMENTS TO SENATE BILL NO. 205

Strike out everything after "A BILL" and insert the following:

For an Act to exempt truck-tractors used only for moving buildings from the payment of registration, gross ton, or ton mile taxes or fees and to provide for an annual house mover's motor vehicle license and to provide a penalty and declaring an emergency.

## BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1.) Upon satisfactory proof that:

1. The owner or operator of such vehicle is the holder of a valid building mover's permit issued by the public service commission; and
2. A truck-tractor and trailer is to be used only for moving buildings, building moving equipment and other bulky objects; and
3. Upon payment of a fee of fifty dollars for each single axle truck-tractor unit and a fee of seventy-five dollars for each tandem axle truck-tractor unit, the motor vehicle registrar may issue an annual house mover's motor vehicle license to any such truck-tractor unit, which license shall be in lieu of all other registration, gross ton, or ton mile taxes or fees for such registration year.

SECTION 2.) Any vehicle which has been issued a house mover's motor vehicle license may be registered under the regular motor vehicle registration law, by payment of the difference between the amount paid for the house mover's motor vehicle license and the regular registration fee for such vehicle and surrendering of such house mover's motor vehicle license.

SECTION 3.) Any vehicle which has been issued a house mover's motor vehicle license and is found being operated upon the highways of this state without being equipped with special house moving equipment, shall forfeit the fee paid and in addition, shall be required to register under the regular motor vehicle registration law of this state. None of the above limitations shall be construed as restricting the opera-

tion of the special licensed vehicle when such operation would not require a greater fee than that paid for this operation.

SECTION 4. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

MOTIONS

Senator Solberg moved that the Senate accept the resignation of Harrison Miller as Bill Clerk in the Senate, which motion prevailed.

Senator Solberg moved that the Senate accept the resignation of Emery J. Cote as Calendar Clerk, which motion prevailed.

Senator Solberg moved that the title of Emery J. Cote be changed from Calendar Clerk to Bill Clerk, which motion prevailed.

Senator Solberg moved that Elsie Bill be elected Calendar Clerk for the Senate for the remainder of the session.

ROLL CALL

The question being on the motion of Senator Solberg, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     | Page              |          |

Absent and not voting:

Bridston

So the motion of Senator Solberg carried and the above named employee was declared elected, and administered the oath of office by the President.

FIRST READING OF SENATE RESOLUTIONS

Senators Duffy and Streibel introduced:

Senate Concurrent Resolution "O". A Concurrent Resolution authorizing and directing the legislative research committee to conduct a study of mental health problems in the state, with a view to introducing appropriate legislation.

Was read the first time.

Senator Streibel moved that the rules be suspended and Senate Concurrent Resolution "O" be adopted, which motion prevailed.



Senators Davis, Freed, Wog, Schoeder, Leier and Thomas introduced:

**Senate Concurrent Resolution "P".** A Concurrent Resolution urging the board of university and school lands to consider lowering the rates for the leasing of agricultural lands under its control.

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

Senators Freed and Davis introduced:

**Senate Concurrent Resolution "Q".** A Concurrent Resolution memorializing the Congress of the United States to enact legislation granting death pensions to surviving widows and orphans of deceased World War II and Korean Conflict veterans, the same as death pensions granted to surviving World War I widows and orphans.

Was read the first time.

Senator Welander moved that the rules be suspended and Senate Concurrent Resolution "Q" be adopted, which motion prevailed.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 569

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

#### SECOND READING OF HOUSE RESOLUTION

**House Concurrent Resolution "T".** A Concurrent Resolution declaring the policy of the states of North Dakota and South Dakota relative to the education and training of the blind, and providing a procedure to be followed in the establishment of joint educational and training facilities.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the concurrent resolution, the roll was called and there were ayes, 41; nays, 6; absent and not voting, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Sayer    |
| Berube     | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schoeder |
| Day        | Kieley            | Schrock  |
| Dewing     | Klefstad          | Solberg  |
| Dolan      | Knudson           | Streibel |
| Duffy      | Krenz             | Thomas   |
| Ferry      | Kusler            | Torno    |
| Foss       | Leier             | Tuff     |
| Freed      | Livingston        | Wadeson  |
| Gilbertson | Luick             | Wog      |
| Hagen      | Meidinger         | Wolf     |
| Hernett    | Nelson            | Yunker   |
| Holand     | Rue               |          |

Those voting in the negative were:

|                        |         |          |
|------------------------|---------|----------|
| Bilden                 | O'Brien | Page     |
| Fraser                 | Olson   | Welander |
| Absent and not voting: |         |          |
| Bridston               |         |          |

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

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 10, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 569

Which the President has signed.

EDWARD LENO, Secretary.

Senator Duffy moved that the bills which have been read be moved to the head of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS  
AND RESOLUTIONS

Senate Bill No. 210. A Bill for an Act to amend and reenact Section 64-0216 of the North Dakota Revised Code of 1943.

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, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Nelson            | Welander |
| Gilbertson | O'Brien           | Wog      |
| Hagen      | Olson             | Wolf     |
| Hernett    | Page              | Yunker   |
| Holand     |                   |          |

Absent and not voting:

Bridston Meidinger

So the bill passed and the title was agreed to.

Senate Bill No. 217. A Bill for an Act to amend and reenact section 47-1822 of the North Dakota Revised Code of 1943, relating to the conveyance of homesteads in case of insanity.

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, 1.

Those voting in the affirmative were:

|            |                   |        |
|------------|-------------------|--------|
| Baeverstad | Johnson, Cass     | Rue    |
| Berube     | Johnson, Cavalier | Sayer  |
| Bilden     | Kamrath           | Schmit |

|            |            |          |
|------------|------------|----------|
| Davis      | Kieley     | Schoeder |
| Day        | Klefstad   | Schrock  |
| Dewing     | Knudson    | Solberg  |
| Dolan      | Krenz      | Streibel |
| Duffy      | Kusler     | Thomas   |
| Ferry      | Leier      | Torno    |
| Foss       | Livingston | Tuff     |
| Fraser     | Luick      | Wadeson  |
| Freed      | Meidinger  | Welander |
| Gilbertson | Nelson     | Wog      |
| Hagen      | O'Brien    | Wolf     |
| Hernett    | Olson      | Yunker   |
| Holand     | Page       |          |

Absent and not voting:

Bridston

So the bill passed and the title was agreed to.

**Senate Bill No. 220.** A Bill for an Act to amend and reenact section 35-0506 of the North Dakota Revised Code of 1943 relating to Abstract of Crop Liens.

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, 10; absent and not voting, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Page     |
| Davis      | Johnson, Cavalier | Rue      |
| Day        | Kamrath           | Sayer    |
| Dewing     | Kieley            | Schoeder |
| Dolan      | Klefstad          | Schrock  |
| Duffy      | Knudson           | Solberg  |
| Ferry      | Krenz             | Streibel |
| Foss       | Livingston        | Thomas   |
| Freed      | Luick             | Tuff     |
| Gilbertson | Meidinger         | Wadeson  |
| Hagen      | Nelson            | Wolf     |
| Hernett    | O'Brien           | Yunker   |
| Holand     |                   |          |

Those voting in the negative were:

|        |        |          |
|--------|--------|----------|
| Berube | Leier  | Torno    |
| Bilden | Olson  | Welander |
| Fraser | Schmit | Wog      |
| Kusler |        |          |

Absent and not voting:

Bridston

So the bill passed and the title was agreed to.

**Senate Bill No. 222.** A Bill for an Act permitting stock dividends.

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, 1.

Those voting in the affirmative were:

|            |               |       |
|------------|---------------|-------|
| Baeverstad | Holand        | Olson |
| Berube     | Johnson, Cass | Page  |

|            |                   |          |
|------------|-------------------|----------|
| Bilden     | Johnson, Cavalier | Rue      |
| Davis      | Kamrath           | Schmit   |
| Day        | Kieley            | Schoeder |
| Dewing     | Klefstad          | Schrock  |
| Dolan      | Knudson           | Solberg  |
| Duffy      | Krenz             | Streibel |
| Ferry      | Kusler            | Thomas   |
| Foss       | Leier             | Tuff     |
| Fraser     | Livingston        | Wadeson  |
| Freed      | Luick             | Welander |
| Gilbertson | Meidinger         | Wog      |
| Hagen      | Nelson            | Wolf     |
| Hernett    | O'Brien           | Yunker   |

Those voting in the negative were:

Sayer Torno

Absent and not voting:

Bridston

So the bill passed and the title was agreed to.

**Senate Bill No. 223.** A Bill for an Act relating to cause for divorce.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and three were ayes, 20; nays, 27; absent and not voting, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Day        | Hagen             | Olson    |
| Dewing     | Johnson, Cass     | Page     |
| Dolan      | Johnson, Cavalier | Streibel |
| Foss       | Kamrath           | Thomas   |
| Fraser     | Kieley            | Wog      |
| Freed      | Luick             | Wolf     |
| Gilbertson | Nelson            |          |

Those voting in the negative were:

|            |            |          |
|------------|------------|----------|
| Baeverstad | Knudson    | Schmit   |
| Berube     | Krenz      | Schoeder |
| Bilden     | Kusler     | Schrock  |
| Davis      | Leier      | Solberg  |
| Duffy      | Livingston | Torno    |
| Ferry      | Meidinger  | Tuff     |
| Hernett    | O'Brien    | Wadeson  |
| Holand     | Rue        | Welander |
| Klefstad   | Sayer      | Yunker   |

Absent and not voting:

Bridston

So the bill was declared lost.

Senator Duffy moved to change his vote from aye to nay for the purpose of reconsideration, which motion prevailed.

Senator Duffy moved that the vote by which Senate Bill No. 223 was lost be reconsidered, which motion prevailed.

Senator Duffy moved that Senate Bill No. 223 be re-referred to the Judiciary Committee, which motion prevailed.

**Senate Resolution No. 5.** A Resolution requesting procedures by the Commodity Credit Corporation when belt run sampling is had on grain for terminal storage.

Which has been read.

## 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, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Day        | Kieley            | Schoeder |
| Davis      | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     | Page              |          |

Absent and not voting:

Bridston

So the resolution passed and the title was agreed to.

Senate Concurrent Resolution "E". A Concurrent Resolution providing for the amendment of the Constitution of the state of North Dakota relating to election of certain county officers.

Which has been read.

Senator Duffy moved that in line 21 of the engrossed bill of Senate Concurrent Resolution "E" the words "six thousand" be changed to "five thousand", which motion prevailed.

Senator Duffy moved that the rules be suspended and that Senate Concurrent Resolution "E" be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

## ROLL CALL

The question being on the final passage of the concurrent resolution, as amended, the roll was called and there were ayes, 43; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

|            |               |          |
|------------|---------------|----------|
| Baeverstad | Johnson, Cass | Rue      |
| Berube     | Kamrath       | Sayer    |
| Bilden     | Kieley        | Schmit   |
| Davis      | Klefstad      | Schoeder |
| Dewing     | Knudson       | Schrock  |
| Dolan      | Kusler        | Solberg  |
| Duffy      | Leier         | Streibel |
| Ferry      | Livingston    | Thomas   |
| Foss       | Luick         | Tuff     |
| Fraser     | Meidinger     | Wadeson  |
| Freed      | Nelson        | Welander |
| Gilbertson | O'Brien       | Wog      |
| Hagen      | Olson         | Wolf     |
| Hernett    | Page          | Yunker   |
| Holand     |               |          |

Those voting in the negative were:

Krenz                      Torno

Absent and not voting:

Bridston                      Day                      Johnson, Cavalier

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

Senator Knudson moved that after the reading of the bills on the calendar, the Senate recess for fifteen minutes, which motion prevailed, and the Senate stood recessed.

The Senate reconvened at the call of the Chair.

#### FIRST READING OF HOUSE BILLS

**House Bill No. 507.** 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 and to be used as provided by Sections 54-1601 of the 1953 Supplement to the North Dakota Revised Code of 1943 and 54-1602 to 54-1604, inclusive, and 54-1606, and also Section 54-1609 of the North Dakota Revised Code of 1943, and for civil defense.

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

**House Bill No. 509.** A Bill for an Act making an appropriation for the purpose of refunding money erroneously paid into or credited to the General Fund.

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

**House Bill No. 513.** A Bill for an Act making an appropriation to provide funds for the arrest and return of fugitives from justice.

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

**House Bill No. 526.** 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 sub-divisions, of the State of North Dakota, designating and appropriating the funds from which paid; providing for the payment of said collection into the Special Fund in the State Treasury; providing for repeal of acts.

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

**House Bill No. 528.** A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the State Highway Department.

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

**House Bill No. 532.** A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Game and Fish Department.

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

**House Bill No. 562.** A Bill for an Act making an appropriation for the purpose of paying special assessments for

public improvements levied against the state of North Dakota by the city of Bismarck.

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

**House Bill No. 590.** A Bill for an Act authorizing the board of administration to expend the sum of ten thousand dollars for connecting the water and sewage system of the capitol building to the mains of the city of Bismarck and re-appropriating such sum for that purpose and declaring an emergency.

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

**House Bill No. 598.** A Bill for an Act to amend and reenact section 39-0446 of the North Dakota Revised Code of 1943, relating to registration of motor vehicles in this state by non-residents, and declaring an emergency.

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

**House Bill No. 634.** A Bill for an Act to amend and reenact section 40-1904 of the North Dakota Revised Code of 1943 relating to the compensation of city and village assessors.

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

**House Bill No. 644.** A Bill for an Act to amend and reenact section 24-0105 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the designation of a secondary highway system.

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

**House Bill No. 708.** A Bill for an Act to amend and reenact sections 15-4019, 15-5803, subsections 1, 2, and 3 of section 57-1514, and 57-15251 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to county high school equalization fund tax levy and payments, limitations in school districts, and determination of sums due county tuition funds and county high school equalization funds.

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

**House Bill No. 727.** A Bill for an Act to amend and reenact Section 15-4803 of the North Dakota Revised Code of 1943, relating to school elections.

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

**House Bill No. 728.** A Bill for an Act to amend and reenact section 57-3835 of the North Dakota Revised Code of 1943, relating to payment of state income taxes.

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

**House Bill No. 729.** A Bill for an Act to amend and reenact subsection 6 of section 57-3822 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to allowable deductions from net income for state income tax computation, and requiring use of the depreciation schedules used for federal income tax.

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

**House Bill No. 740.** A Bill for an Act legalizing and validating proceedings taken by certain cities for the creation of improvement districts, notwithstanding certain defects in such proceedings, authorizing the levy of special assessments and taxes for payment of the municipal share of the cost of such improvements and the issuance of warrants in anticipation of the collection thereof, and declaring an emergency.

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

**House Bill No. 742.** A Bill for an Act providing for credit or refund of fees or taxes upon destruction of licensed or taxed motor vehicles, and providing for an appropriation for refunds.

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

**House Bill No. 761.** A Bill for an Act providing for the construction and equipping of an executive mansion on the capitol grounds and providing for an appropriation.

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

**House Bill No. 778.** A Bill for an Act to amend and reenact section 30-1705 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to summary administration of small estates and providing for assignment of such estates to the surviving spouse or minor children.

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

**House Bill No. 805.** A Bill for an Act to amend and reenact sections 16-1802, 16-1815 and 16-1817 of the North Dakota Revised Code of 1943, relating to absent voters' ballots.

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

**House Bill No. 806.** A Bill for an Act to amend and reenact section 16-1706 of the North Dakota Revised Code of 1943, relating to certificates of election for precinct committeemen.

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

**House Bill No. 810.** A Bill for an Act to amend and reenact subsection 4, 5, and 6 of section 57-4006 of the North Dakota Revised Code of 1943 relating to and extending the time for filing returns required under the use tax law and relating to and extending the time for the payment of the tax due thereunder.

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

**House Bill No. 846.** A Bill for an Act to amend and reenact subsections 2, 4, and 5 of section 57-4001, section 57-4002, subsection 2 of section 57-4003, and section 57-4010 of the North Dakota Revised Code of 1943 relating to definitions, imposition of the excise tax, exemptions, and credit



for taxes paid in other states, and to create and enact subsection 10 of section 57-4001 of the North Dakota Revised Code of 1943 relating to definitions of "purchased at retail".

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

### SECOND READING OF SENATE BILLS AND RESOLUTIONS

**Senate Bill No. 229.** A Bill for an Act to provide for the collection of fees commensurate with costs for services rendered to private persons by county auditors and for the disposition of such fees.

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, 8.

Those voting in the affirmative were:

|            |                   |         |
|------------|-------------------|---------|
| Baeverstad | Holand            | Nelson  |
| Berube     | Johnson, Cass     | O'Brien |
| Davis      | Johnson, Cavalier | Olson   |
| Day        | Kamrath           | Page    |
| Dewing     | Kieley            | Sayer   |
| Dolan      | Klefstad          | Schmit  |
| Duffy      | Knudson           | Schrock |
| Ferry      | Krenz             | Solberg |
| Foss       | Kusler            | Tuff    |
| Fraser     | Leier             | Wadeson |
| Freed      | Livingston        | Wog     |
| Gilbertson | Luick             | Wolf    |
| Hagen      | Meidinger         | Yunker  |
| Hernett    |                   |         |

Absent and not voting:

|          |          |           |
|----------|----------|-----------|
| Bilden   | Schoeder | Torno     |
| Bridston | Streibel | Welandner |
| Rue      | Thomas   |           |

So the bill passed and the title was agreed to.

**Senate Bill No. 235.** A Bill for an Act amending and reenacting subsections 12 and 13 of section 11-1114, and creating and enacting subsection 14 of section 11-1114 of the North Dakota Revised Code of 1943, relating to the powers of a board of county commissioners.

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, 6.

Those voting in the affirmative were:

|            |                   |         |
|------------|-------------------|---------|
| Baeverstad | Hernett           | Nelson  |
| Berube     | Holand            | O'Brien |
| Bilden     | Johnson, Cass     | Olson   |
| Davis      | Johnson, Cavalier | Page    |
| Day        | Kamrath           | Sayer   |
| Dewing     | Kieley            | Schmit  |
| Dolan      | Klefstad          | Schrock |
| Duffy      | Knudson           | Solberg |

|            |            |          |
|------------|------------|----------|
| Ferry      | Krenz      | Tuff     |
| Foss       | Kusler     | Wadeson  |
| Fraser     | Leier      | Welander |
| Freed      | Livingston | Wog      |
| Gilbertson | Luick      | Wolf     |
| Hagen      | Meidinger  | Yunker   |

Absent and not voting:

|          |          |        |
|----------|----------|--------|
| Bridston | Schoeder | Thomas |
| Rue      | Streibel | Torno  |

So the bill passed and the title was agreed to.

**Senate Bill No. 238.** A Bill for an Act to amend and reenact section 39-0615 of the North Dakota Revised Code of 1943, relating to the appointment of agents to issue motor vehicle operator's licenses.

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, 0; absent and not voting, 6.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Nelson   |
| Berube     | Holand            | O'Brien  |
| Bilden     | Johnson, Cass     | Olson    |
| Davis      | Johnson, Cavalier | Page     |
| Day        | Kamrath           | Sayer    |
| Dewing     | Kieley            | Schmit   |
| Dolan      | Klefstad          | Schrock  |
| Duffy      | Knudson           | Solberg  |
| Ferry      | Krenz             | Tuff     |
| Foss       | Kusler            | Wadeson  |
| Fraser     | Leier             | Welander |
| Freed      | Livingston        | Wog      |
| Gilbertson | Luick             | Wolf     |
| Hagen      | Meidinger         | Yunker   |

Absent and not voting:

|          |          |        |
|----------|----------|--------|
| Bridston | Schoeder | Thomas |
| Rue      | Streibel | Torno  |

So the bill passed and the title was agreed to.

**Senate Bill No. 109.** A Bill for an Act relating to exemption of mobile homes from execution.

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, 27; nays, 15; absent and not voting, 6.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Gilbertson        | Olson    |
| Berube     | Hernett           | Page     |
| Bilden     | Johnson, Cavalier | Schmit   |
| Day        | Kamrath           | Schrock  |
| Dewing     | Kieley            | Solberg  |
| Duffy      | Kusler            | Tuff     |
| Ferry      | Livingston        | Welander |
| Foss       | Meidinger         | Wog      |
| Fraser     | O'Brien           | Wolf     |

Those voting in the negative were:

|        |               |         |
|--------|---------------|---------|
| Davis  | Johnson, Cass | Luick   |
| Dolan  | Klefstad      | Nelson  |
| Freed  | Knudson       | Sayer   |
| Hagen  | Krenz         | Wadeson |
| Holand | Leier         | Yunker  |

Absent and not voting:

|          |          |        |
|----------|----------|--------|
| Bridston | Schoeder | Thomas |
| Rue      | Streibel | Torno  |

So the bill passed and the title was agreed to.

**Senate Bill No. 150.** A Bill for an Act to provide that all material produced in the state be given preference for use in public buildings.

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, 7.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hermett           | Nelson   |
| Berube     | Holand            | O'Brien  |
| Bilden     | Johnson, Cass     | Olson    |
| Davis      | Johnson, Cavalier | Page     |
| Day        | Kamrath           | Sayer    |
| Dewing     | Kieley            | Schrock  |
| Dolan      | Klefstad          | Solberg  |
| Duffy      | Knudson           | Tuff     |
| Ferry      | Krenz             | Wadeson  |
| Foss       | Kusler            | Welander |
| Fraser     | Leier             | Wog      |
| Freed      | Livingston        | Wolf     |
| Gilbertson | Luick             | Yunker   |
| Hagen      | Meidinger         |          |

Absent and not voting:

|          |          |        |
|----------|----------|--------|
| Bridston | Schoeder | Thomas |
| Rue      | Streibel | Torno  |

Schmit

So the bill passed and the title was agreed to.

**Senate Bill No. 155.** A Bill for an Act to amend and reenact section 19-0310 of the North Dakota Revised Code of 1943, relating to sales by apothecaries.

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, 0; absent and not voting, 6.

Those voting in the affirmative were:

|            |                   |         |
|------------|-------------------|---------|
| Baeverstad | Hermett           | Nelson  |
| Berube     | Holand            | O'Brien |
| Bilden     | Johnson, Cass     | Olson   |
| Davis      | Johnson, Cavalier | Page    |
| Day        | Kamrath           | Sayer   |
| Dewing     | Kieley            | Schmit  |
| Dolan      | Klefstad          | Schrock |
| Duffy      | Knudson           | Solberg |
| Ferry      | Krenz             | Tuff    |
| Foss       | Kusler            | Wadeson |

|            |            |          |
|------------|------------|----------|
| Fraser     | Leier      | Welander |
| Freed      | Livingston | Wog      |
| Gilbertson | Luick      | Wolf     |
| Hagen      | Meidinger  | Yunker   |

Absent and not voting:

|          |          |        |
|----------|----------|--------|
| Bridston | Schoeder | Thomas |
| Rue      | Streibel | Torno  |

So the bill passed and the title was agreed to.

Senator Duffy moved that Senate Bills Nos. 176, 177, and 178 be laid over one legislative day, which motion prevailed.

Senate Bill No. 183. A Bill for an Act to amend and reenact Section 48-0202 of the North Dakota Revised Code of 1943, relating to altering, repairing or constructing public buildings involving more than three thousand dollars, procuring plans, drawings, and specifications therefor from a licensed architect.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 31; nays, 11; absent and not voting, 6.

Those voting in the affirmative were:

|            |                   |         |
|------------|-------------------|---------|
| Berube     | Hernett           | Nelson  |
| Bilden     | Johnson, Cass     | O'Brien |
| Davis      | Johnson, Cavalier | Page    |
| Day        | Kamrath           | Schmit  |
| Dolan      | Kieley            | Schrock |
| Duffy      | Krenz             | Tuff    |
| Ferry      | Kusler            | Wadeson |
| Foss       | Livingston        | Wog     |
| Fraser     | Luick             | Wolf    |
| Freed      | Meidinger         | Yunker  |
| Gilbertson |                   |         |

Those voting in the negative were:

|            |          |          |
|------------|----------|----------|
| Baeverstad | Klefstad | Sayer    |
| Dewing     | Knudson  | Solberg  |
| Hagen      | Leier    | Welander |
| Holand     | Olson    |          |

Absent and not voting:

|          |          |        |
|----------|----------|--------|
| Bridston | Schoeder | Thomas |
| Rue      | Streibel | Torno  |

So the bill passed and the title was agreed to.

Senate Bill No. 211. A Bill for an Act to amend and reenact Section 64-0210 of the 1953 Supplement to the North Dakota Revised Code of 1943.

Which has been read.

Senator Schmit moved to amend Senate Bill No. 211 to read as follows:

Line 27, at the end of the line, delete the words "eight dollars" and insert in lieu thereof "six dollars", which motion prevailed.

Senator Day moved that the rules be suspended and that Senate Bill No. 211 be deemed 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, 28; nays, 14; absent and not voting, 6.

Those voting in the affirmative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Holand            | Nelson    |
| Davis      | Johnson, Cass     | O'Brien   |
| Day        | Johnson, Cavalier | Sayer     |
| Dolan      | Kamrath           | Schrock   |
| Duffy      | Kieley            | Tuff      |
| Ferry      | Knudson           | Wadeson   |
| Foss       | Krenz             | Welandner |
| Freed      | Luick             | Wog       |
| Gilbertson | Meidinger         | Wolf      |
| Hernett    |                   |           |

Those voting in the negative were:

|        |            |         |
|--------|------------|---------|
| Berube | Klefstad   | Page    |
| Bilden | Kusler     | Schmit  |
| Dewing | Leier      | Solberg |
| Fraser | Livingston | Yunker  |
| Hagen  | Olson      |         |

Absent and not voting:

|          |          |        |
|----------|----------|--------|
| Bridston | Schoeder | Thomas |
| Rue      | Streibel | Torno  |

So the bill passed and the title was agreed to.

**Senate Concurrent Resolution "K".** A Concurrent Resolution to amend section 113 of Article IV of the constitution of North Dakota to provide for the election or appointment of police magistrates in cities, incorporated towns and villages, and for the fixing of their qualifications by the legislature.

Which has been read.

Senator Day moved that Senate Concurrent Resolution "K" be re-referred to the Committee on Judiciary, which motion prevailed.

**Senate Bill No. 144.** A Bill for an Act to regulate the practice of land surveying; providing for the registration of qualified persons by the state board of registration for professional engineers; prescribing minimum qualifications and other requirements for registration; establishing fees with expiration and renewal requirements; and providing for enforcement and penalties.

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, 11; absent and not voting, 7.

Those voting in the affirmative were:

|        |                   |           |
|--------|-------------------|-----------|
| Berube | Hagen             | Meidinger |
| Day    | Hernett           | Nelson    |
| Dewing | Holand            | O'Brien   |
| Dolan  | Johnson, Cass     | Page      |
| Duffy  | Johnson, Cavalier | Schmit    |
| Ferry  | Kamrath           | Tuff      |
| Foss   | Kieley            | Wadeson   |
| Fraser | Krenz             | Wog       |

|                                    |            |          |
|------------------------------------|------------|----------|
| Freed                              | Livingston | Wolf     |
| Gilbertson                         | Luick      | Yunker   |
| Those voting in the negative were: |            |          |
| Baeverstad                         | Kusler     | Schrock  |
| Bilden                             | Leier      | Solberg  |
| Davis                              | Olson      | Welander |
| Klefstad                           | Sayer      |          |
| Absent and not voting:             |            |          |
| Bridston                           | Schoeder   | Thomas   |
| Knudson                            | Streibel   | Torno    |
| Rue                                |            |          |

So the bill passed and the title was agreed to.

Senator Day moved that the Senate recess until 1:55 p.m., February 11, 1955, which motion prevailed, and the Senate stood recessed.

EDWARD LENO, Secretary.

THIRTY-EIGHTH DAY AFTER RECESS  
AND THIRTY-NINTH DAY

Bismarck, February 11, 1955

The Senate reconvened at 1:55 p.m., the President presiding.

MESSAGE TO THE SENATE

House Chamber

Bismarck, February 11, 1955

Mr. President: I have the honor to return:

Senate Bill No. 159

Which the Senate has requested.

KENNETH L. MORGAN, 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. 155

Senate Bill No. 173

Senate Bill No. 211

Senate Concurrent Resolution "E"

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

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

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

Senate Resolution No. 5

And find the same correctly enrolled.

ROSAMOND O'BRIEN, Chairmna.

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

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

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 47, have had the same under consideration and recommend that the same be indefinitely postponed.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 68, have had the same under consideration and recommend that the same be amended as follows:

In line 2 after the word "moneys" insert the following words: "in the Highway Construction Fund".

In line 3 strike out the word "fifty" and insert the word "forty" in lieu thereof.

Renumber the lines accordingly.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 88, have had the same under consideration and recommend that the same be amended as follows:

In line 2 after the first word "the" strike out the following two words "general fund" after which insert the following words "World War II Adjusted Compensation Administration Fund".

Renumber the lines accordingly.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 118, have had the same under consideration and recommend that the same be amended as follows:

In the title of the Bill in line 3 after the first "the", insert the words "seizure or".

In line 5 of section 1 after the word "be", insert the words "seized or".

In line 10 of the printed bill, after the word "and" delete the new language in line ten, eleven and twelve to and including the word "animals", and insert in lieu thereof the following language:

"When a violator is convicted of taking game illegally" and renumber the lines accordingly.

And when so amended recommend the same do pass.

IVER SOLBERG, Chairman.

Senator Solberg 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 be indefinitely postponed.

ORVILLE HAGEN, Chairman.

Senator Hagen 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. 129, have had the same under consideration and recommend that the same be indefinitely postponed.

ORVILLE W. HAGEN, Chairman.

Senator Hagen moved that the report be adopted.

Senator Hagen made a substitute motion that Senate Bill No. 129 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Industry and Business to whom was referred Senate Bill No. 141, have had the same under consideration and recommend that the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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. 154, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

JOHN KUSLER, Chairman.

Senator Kusler 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. 165, have had the same under consideration and recommend that the same be amended as follows:

In line 12 delete comma and insert in lieu thereof a period.

Delete all of lines 13 and 14.

Renumber lines accordingly.

And when so amended recommend the same do pass.

CLARENCE WELANDER, Vice-Chairman.

Senator Welander 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. 193, have had the same under consideration and recommend that the same be indefinitely postponed.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 194, 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 Senate Bill No. 195, have had the same under consideration and recommend that the same be amended as follows:

In line 3 strike out the word "thirty" and insert the word "fifteen" in lieu thereof.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on General Affairs to whom was referred Senate Bill No. 197, have had the same under consideration and recommend that the same do pass.

CLARENCE WELANDER, Vice-Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 198, have had the same under consideration and recommend that the same be 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 Senate Bill No. 207, have had the same under consideration and recommend that the same be indefinitely postponed.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 208, have had the same under consideration and recommend that the same be indefinitely postponed.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 223, have had the same under consideration and recommend that the same be amended as follows:

Line 1, strike out everything after "SECTION 1."

Strike out lines 2, 3, and 4.

Line 5, strike out the words "is improbable."

Renumber the lines accordingly.

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. 236, have had the same under consideration and recommend that the same be indefinitely postponed.

IVER SOLBERG, Chairman.

Senator Solberg 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 Concurrent Resolution "C", have had the same under consideration and recommend that the same do pass.

IVER SOLBERG, Chairman.

Senator Solberg 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 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. 510, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 511, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 512, have had the same under consideration and recommend that the same be amended as follows:

In line 2 strike out the figure "\$107,000.00" and insert the figure "\$113,240.00" in lieu thereof.

In line 4 strike out the figure "\$65,555.00" and insert the figure "\$70,055.00" in lieu thereof.

In line 4 after the word "the" insert the following words: "Veterans' Aid Fund in the".

In line 13 strike out the figure "\$17,000.00" and insert the figure "\$18,040.00" in lieu thereof.

In line 16 strike out the figure "\$65,000.00" and insert the figure "\$70,200.00" in lieu thereof.

After line 26 insert the following line: "3. Blacktop Reservation Roads Adjacent to Buildings "\$4,500.00".

In line 27 strike out the figure "\$172,555.00" and insert the figure "\$183,295.00" in lieu thereof.

Renumber the lines accordingly.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 521, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

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

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Resolution No. 5

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

#### MOTIONS AND RESOLUTIONS

Senator Day moved that the Senate reconsider its action in passing Senate Bill No. 159, which motion prevailed.

Senator Day moved that Senate Bill No. 159 be placed on the calendar, which motion prevailed.

Senator Schoeder moved that Senate Bill No. 241 be returned to the Senate from the Committee on General Affairs, which motion prevailed.

Senator Schoeder moved that Senate Bill No. 241 be referred to the Committee on Appropriations, which motion prevailed.

Senator Knudson moved that the President appoint a committee of three to meet with a like committee from the House, and a like committee from the state of South Dakota, pursuant to the provisions of House Concurrent Resolution "T", which motion prevailed.

The President appointed Senators Knudson, Schrock and Dewing to so act.

#### FIRST READING OF SENATE RESOLUTION

Senator Kusler, by request, introduced:

Senate Concurrent Resolution "R". A Concurrent Resolution directing the state highway department to make preliminary surveys and soundings for footings for a bridge and approaches in the vicinity of the old Washburn-Hensler ferry crossing of the Missouri River.

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

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

#### THIRTY-NINTH DAY

Bismarck, February 11, 1955

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

Prayer by Chaplain Rev. Roy Wiegand, First Baptist Church, Bismarck, N. Dak.

Roll Call: All members present except Senators Berube, Bridston and Leier.

So a quorum was declared.

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 Thirty-eighth day and recommend that the same be corrected as follows:

Page 328, tenth line from the bottom, after the date "14th", insert the words "which motion prevailed".

Page 330, Line 8, correct the word "registration" to read "resignation".

And when so corrected recommends that the same be approved.

EUGENE TUFF, Vice-Chairman.

Senator Tuff 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 Resolution No. 5

Were delivered to the Secretary of State at the hour of 2:11 o'clock p.m., February 11, 1955.

ROSAMOND O'BRIEN, Chairman.

#### MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 11, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 109  
Senate Bill No. 144  
Senate Bill No. 150  
Senate Bill No. 155  
Senate Bill No. 183  
Senate Bill No. 210  
Senate Bill No. 211  
Senate Bill No. 217  
Senate Bill No. 220  
Senate Bill No. 222

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

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, February 11, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 229  
Senate Bill No. 235  
Senate Bill No. 238  
Senate Concurrent Resolution "E"  
Senate Concurrent Resolution "O"  
Senate Concurrent Resolution "Q"

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

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, February 11, 1955

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "J"

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

## MOTIONS

Senator Sayer moved that the Senate recognize the senior class and their instructors from Cooperstown High School, which motion prevailed.

## PETITIONS AND COMMUNICATIONS

A communication was read from the Director of the U. S. Department of Agriculture, Commodity Stabilization Service, expressing appreciation for the joint resolution on durum acreage.

Senator Streibel moved that the communication be printed in the Journal, which motion prevailed.

UNITED STATES DEPARTMENT OF AGRICULTURE  
Commodity Stabilization Service  
Washington 25, D. C.  
Grain Division

February 7, 1955

Hon. C. P. Dahl  
President of the North Dakota  
State Senate

Bismarck, North Dakota

Dear Mr. Dahl:

Please express our appreciation to the members of the Senate and House of Representatives for the joint resolution addressed to Secretary Benson requesting that such action as is necessary be taken to permit durum wheat to be planted this spring in addition to current wheat acreage allotments.

The enclosures are self-explanatory and we hope you will approve.

Sincerely yours,  
MARVIN L. McLAIN,  
Director.

Enclosures

## MESSAGE TO THE SENATE

House Chamber

Bismarck, February 11, 1955

Mr. President: I have the honor to transmit:

House Bill No. 591  
House Bill No. 661  
House Bill No. 673  
House Bill No. 682  
House Bill No. 715  
House Bill No. 717  
House Bill No. 739  
House Bill No. 789  
House Bill No. 790  
House Bill No. 804

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

KENNETH L. MORGAN, Chief Clerk.

## CONSIDERATION OF AMENDMENTS

Senator Hagen moved that the proposed amendments to Senate Bill No. 196 be adopted, which motion prevailed.

Senator Welander moved that the proposed amendments to House Concurrent Resolution "D" be adopted, which motion prevailed.

Senator Wog moved that the proposed amendments to Senate Bill No. 205 as printed in the Journal be adopted, which motion prevailed.

#### FIRST READING OF SENATE BILLS

The Delayed Bills Committee introduced:

Senate Bill No. 243. A Bill for an Act relating to claims for adjusted compensation of World War II veterans, creating a board of final review and declaring an emergency.

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

#### SECOND READING OF SENATE BILLS

Senate Bill No. 159. A Bill for an Act to amend and reenact Section 49-0105 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to salary of Public Service Commissioner.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 21; nays, 23; absent and not voting, 4.

Those voting in the affirmative were:

|         |               |         |
|---------|---------------|---------|
| Davis   | Johnson, Cass | Nelson  |
| Dolan   | Kieley        | Rue     |
| Duffy   | Klefstad      | Sayer   |
| Foss    | Knudson       | Schmit  |
| Freed   | Krenz         | Torno   |
| Hernett | Luick         | Wadeson |
| Holand  | Meidinger     | Wog     |

Those voting in the negative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Johnson, Cavalier | Solberg   |
| Bilden     | Kamrath           | Streibel  |
| Day        | Kusler            | Thomas    |
| Dewing     | O'Brien           | Tuff      |
| Ferry      | Olson             | Welanders |
| Fraser     | Page              | Wolf      |
| Gilbertson | Schoeder          | Yunker    |
| Hagen      | Schrock           |           |

Absent and not voting:

|          |       |            |
|----------|-------|------------|
| Berube   | Leier | Livingston |
| Bridston |       |            |

So the bill was declared lost due to the lack of a constitutional majority.

Senate Bill No. 134. A Bill for an Act to amend and reenact Section 15-2507 of the North Dakota Revised Code of 1943, relating to school libraries.

Was 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, 3.

Those voting in the affirmative were:

|            |               |          |
|------------|---------------|----------|
| Baeverstad | Johnson, Cass | Sayer    |
| Bilden     | Kamrath       | Schmit   |
| Davis      | Kieley        | Schoeder |

|            |            |          |
|------------|------------|----------|
| Day        | Klefstad   | Schrock  |
| Dewing     | Knudson    | Solberg  |
| Dolan      | Krenz      | Streibel |
| Duffy      | Kusler     | Thomas   |
| Ferry      | Livingston | Torno    |
| Foss       | Luick      | Tuff     |
| Fraser     | Meidinger  | Wadeson  |
| Freed      | Nelson     | Welander |
| Gilbertson | O'Brien    | Wog      |
| Hagen      | Olson      | Wolf     |
| Hernett    | Page       | Yunker   |
| Holand     | Rue        |          |

Those voting in the negative were:

Johnson, Cavalier

Absent and not voting:

Berube                      Bridston                      Leier

So the bill passed and the title was agreed to.

**Senate Bill No. 173.** A Bill for an Act authorizing clerks of court to destroy certain records.

Which has been read.

Senator Day moved that Senate Bill No. 173 be amended as follows:

In line 9 after the period insert the following language: "The clerk of any court of record may destroy shorthand notes that are on file in his office when such shorthand notes have been transcribed into any public record for five years or more. Such clerk may also destroy exhibits in any case which have been in his custody for thirty years or more.

Line 11, after the word "files" insert a comma and the words "shorthand notes or exhibits".

Line 15, after the word "file" insert, a comma and the words "shorthand notes or exhibits".

Renumber the lines accordingly.

Senator Day moved that Senate Bill No. 173 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Davis      | Kamrath           | Schmit   |
| Day        | Kieley            | Schoeder |
| Dewing     | Klefstad          | Schrock  |
| Dolan      | Knudson           | Solberg  |
| Duffy      | Krenz             | Streibel |
| Ferry      | Kusler            | Thomas   |
| Foss       | Livingston        | Torno    |
| Fraser     | Luick             | Tuff     |
| Freed      | Meidinger         | Wadeson  |
| Gilbertson | Nelson            | Welander |
| Hagen      | O'Brien           | Wog      |
| Hernett    | Olson             | Wolf     |
| Holand     | Page              | Yunker   |



Absent and not voting:

Berube                      Bridston                      Leier

So the bill passed and the title was agreed to.

**Senate Bill No. 182.** A Bill for an Act to provide for engineering scholarships to be established by the state highway commissioner for students attending North Dakota agricultural college and the university of North Dakota and to provide for employment contracts after graduation of recipients.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 22; nays, 22; absent and not voting, 4.

Those voting in the affirmative were:

|            |               |         |
|------------|---------------|---------|
| Baeverstad | Holand        | Rue     |
| Bilden     | Johnson, Cass | Sayer   |
| Day        | Knudson       | Schmit  |
| Dolan      | Luick         | Wadeson |
| Duffy      | Nelson        | Wog     |
| Freed      | Olson         | Wolf    |
| Hagen      | Page          | Yunker  |
| Hernett    |               |         |

Those voting in the negative were:

|                   |            |          |
|-------------------|------------|----------|
| Davis             | Klefstad   | Schrock  |
| Dewing            | Krenz      | Solberg  |
| Ferry             | Kusler     | Streibel |
| Fraser            | Livingston | Thomas   |
| Gilbertson        | Meidinger  | Torno    |
| Johnson, Cavalier | O'Brien    | Tuff     |
| Kamrath           | Schoeder   | Welander |
| Kiele             |            |          |

Absent and not voting:

Berube                      Foss                      Leier

Bridston

So the bill was declared lost due to the lack of a constitutional majority.

Senator Klefstad moved that the vote by which Senate Bill No. 182 was lost be reconsidered and the motion to reconsider be laid on the table. Voice vote was taken and the motion of Senator Klefstad was declared lost.

**Senate Bill No. 189.** A Bill for an Act providing per pupil payments from the state equalization fund aid program to a special account for the benefit of the state training school, school for the blind and school for the deaf.

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, 0; absent and not voting, 5.

Those voting in the affirmative were:

|            |          |          |
|------------|----------|----------|
| Baeverstad | Kamrath  | Sayer    |
| Bilden     | Kiele    | Schmit   |
| Day        | Klefstad | Schoeder |
| Dewing     | Knudson  | Schrock  |

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|                   |            |           |
|-------------------|------------|-----------|
| Dolan             | Krenz      | Solberg   |
| Duffy             | Kusler     | Streibel  |
| Ferry             | Livingston | Thomas    |
| Freed             | Luick      | Torno     |
| Fraser            | Meidinger  | Tuff      |
| Gilbertson        | Nelson     | Wadeson   |
| Hagen             | O'Brien    | Welanders |
| Hernett           | Olson      | Wog       |
| Holand            | Page       | Wolf      |
| Johnson, Cass     | Rue        | Yunker    |
| Johnson, Cavalier |            |           |

Absent and not voting:

|          |       |       |
|----------|-------|-------|
| Berube   | Davis | Leier |
| Bridston | Foss  |       |

So the bill passed and the title was agreed to.

Senate Chamber

Bismarck, February 11, 1955

Honorable Ben Meier  
Secretary of State,  
State Capitol,  
Bismarck, North Dakota  
Dear Mr. Meier:

I herewith transmit, for filing in your office, properly executed Oath of Office forms for the Senate employees of the 34th Legislative Assembly.

Respectfully yours,  
EDWARD LENO  
Secretary

Senator Streibel moved that after the Joint Session with the House, commemorating Lincoln's Birthday and Boy Scout Week, the Senate recess until 1:30 p.m., February 12, 1955, which motion prevailed, and the Senate stood recessed.

EDWARD LENO, Secretary.

THIRTY-NINTH DAY AFTER RECESS  
AND FORTIETH DAY

Bismarck, February 12, 1955

The Senate reconvened at 1:30 p.m., the President presiding.

## MOTIONS

Senator Duffy moved that Senate Bills No. 176, 177, and 178 be re-referred to the Committee on Political Subdivisions, which motion prevailed.

Senator Rue moved that Senate Bill No. 154 be laid over until Monday, which motion prevailed.

Senator Page moved that Senate Bill No. 205 be laid over until Monday, which motion prevailed.

Senator Day moved that the rules be suspended and that Senate Bills No. 13, 129, 141, 196, and 197 be placed at the head of the calendar, which motion prevailed.

Senator Knudson moved that the President appoint a committee of two to escort the delegation from the Legislature of the state of South Dakota, to the rostrum, which motion prevailed.

The President appointed Senators Knudson and Schrock to escort the following delegation to the rostrum: Senators L. F. Ericsson, H. Bogue, Ralph Herseth, Representatives Evelo, Pearson and Beckers, Dr. Hack, Superintendent of the School for the Blind, Dr. Ferber, and Mr. Higgins.

Senator Knudson moved that the remarks of Senator Ericsson be printed in the Journal, which motion prevailed.

Senator Ericsson:

Gentlemen of the Senate of the great sister state of North Dakota, ladies and gentlemen. On behalf of our delegation who are here from South Dakota, we wish to thank you very, very much for the very cordial reception and the hospitality you are showing us in welcoming us here today. It is just a little unusual for me to be up in the rostrum here and I think the occasion may be overcoming me slightly. I do wish to say that some of our delegation thought it might be well to urge the gentlemen of the Senate that, although we do not wish to interfere in any legislative matters, we are particularly anxious and would be interested if you could perhaps increase the taxes here in North Dakota

slightly. We are sure it would certainly relieve us in South Dakota if something like that were done. At least the pressure might be relieved somewhat.

Seriously, we are here on a little matter, actually it is a return of the courtesy of a visit from the delegation from your Legislature to Pierre about two or three weeks ago in reference to a problem which jointly confronts the Legislatures of our two states. We really believe and hope that this step, which members of your body have so cordially and generously taken, may be the forerunner of a better spirit of cooperation in planning and working together between the sister states of the Dakotas. We are here as a delegation from our Legislature of South Dakota to discuss with your committee the matter of exploring the possibilities of establishing a joint School for the Blind. Our two great states have innumerable interests in common. There are many, many ways in which we can work together and cooperate. For myself, and I am sure for all our Committee, we hope this may be the first step in future cooperation and planning together for the mutual interests of our state.

We had the courtesy of meeting with your Governor Brunsdale, and we have visited the House chamber. At that time I neglected to mention—I didn't think of it at the time—but for a short time I was a resident of the state of North Dakota. It was for a short time but the pleasure and associations which we made were very great. In the 1930's I was captain of the CCC Camp at the International Peace Gardens and my family and I lived at Dunseith for a period of eight or nine months, which we will always remember with great pleasure.

On behalf of our delegation, we wish to again thank you very much for your warm courtesy and the friendliness that you have shown us. Thank you very much.

SECOND READING OF SENATE BILLS

Senate Bill No. 13. A Bill for an Act making an appropriation for the enforcement and administration of the Attorney General Licensing Department.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 30; nays, 0; absent and not voting, 18.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Davis      | Kamrath           | Streibel |
| Day        | Kieley            | Thomas   |
| Dolan      | Krenz             | Torno    |
| Duffy      | Livingston        | Tuff     |
| Ferry      | Luick             | Wadeson  |
| Foss       | O'Brien           | Welander |
| Fraser     | Olson             | Wolf     |
| Hagen      | Page              | Yunker   |

Absent and not voting:

|          |               |        |
|----------|---------------|--------|
| Berube   | Johnson, Cass | Nelson |
| Bridston | Klefstad      | Schmit |

|            |           |          |
|------------|-----------|----------|
| Dewing     | Knudson   | Schoeder |
| Freed      | Kusler    | Schrock  |
| Gilbertson | Leier     | Solberg  |
| Holand     | Meidinger | Wog      |

So the bill passed and the title was agreed to.

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

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

#### FORTIETH DAY

Bismarck, February 12, 1955

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

Prayer by Chaplain Rev. A. G. Hewitt, Evangelical Free Church, Bismarck, N. Dak.

Roll Call: All members present except Senators Berube, Bridston, Freed, Gilbertson, Holand, Johnson (Cass), Kusler, Leier, Meidinger, Nelson, Schmit, Schoeder, and Wog.

So a quorum was declared.

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 Thirty-Eighth Day after Recess and Thirty-Ninth day and find the same correct.

EUGENE TUFF, Vice-Chairman.

Senator Tuff 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. 173  
Senate Bill No. 196  
Senate Bill No. 205

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

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

Mr. President: Your Committee on Education, to whom was referred Senate Bill No. 58, have had the same under consideration and recommend that the same do pass.

C. W. SCHROCK, Chairman.

Senator Schrock 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. 67, have had the same under consideration and recommend that the same be amended as follows:

In Line 30 after the words "Devils Lake" delete the word "and" and insert a comma and after the words "Stump Lake"

delete the semicolon, insert a comma and add the following: "Lake Williams and Turtle Lake;"

In Line 56 after the word "Ramsey" insert the word "Ransom,"

Renumber the lines accordingly.

And when so amended recommend the same do pass.

IVER SOLBERG, Chairman.

Senator Solberg 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. 92, have had the same under consideration and recommend that the same do pass.

C. W. SCHROCK, Chairman.

Senator Schrock 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. 133, have had the same under consideration and recommend that the same do pass.

C. W. SCHROCK, Chairman.

Senator Schrock 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. 158, have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill in line 6 after the word "annuities," insert the words "reduced annuities,"

Strike out all of line 78. In line 79 strike out all the words up to and including the semicolon.

In line 162 strike out the figure "1947" and insert in lieu thereof the figure "1949".

In line 170 strike out the words "SECTION 6." and insert in lieu thereof "SECTION 7."

After line 169 insert a new SECTION 6. as follows:

SECTION 6. 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. Before any reduction of annuities of one thousand two hundred dollars or less may be made, all annuities of over one thousand two hundred dollars shall be reduced to one thousand two hundred dollars per year on a pro-rata basis, except that no annuity shall be reduced below one thousand two hundred dollars until all annuities in excess of one thousand two hundred dollars have been reduced to one thousand two hundred dollars.

Renumber the lines accordingly.

And when so amended recommend the same do pass.

C. W. SCHROCK, Chairman.

Senator Schrock 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. 160, have had the same under

consideration and recommend that the same be amended as follows:

In Line 10 delete the brackets and the word "shall".

In Line 19 strike out the word "may" and insert in lieu thereof the word "shall".

In Line 20 strike out the word "may" and insert in lieu thereof the word "shall".

In Line 21 after the word "transportation" insert the words "satisfactory to the patron"

In Line 22 after the word "lodging" insert the words "satisfactory to patron".

Renumber the lines accordingly.

And when so amended recommend the same do pass.

C. W. SCHROCK, Chairman.

Senator Schrock 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. 172, have had the same under consideration and recommend that the same be amended as follows:

In Lines 17 and 26 delete the brackets.

In Line 17 after the period delete the remainder of the line.

Strike out all of Line 18, and in Line 19 strike out the words "during the year 1948-1949" and insert in lieu thereof "Districts that did not maintain high schools during the year of 1954-1955"

Renumber the lines accordingly.

And when so amended recommend the same do pass.

C. W. SCHROCK, Chairman.

Senator Schrock 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. 174, have had the same under consideration and recommend that the same do pass.

C. W. SCHROCK, Chairman.

Senator Schrock 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. 226, have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. SCHROCK, Chairman.

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

#### CONSIDERATION OF AMENDMENTS

Senator Page moved that the proposed amendments to Senate Bill No. 68 be adopted, which motion prevailed.

Senator Page moved that the proposed amendments to Senate Bill No. 88 be adopted, which motion prevailed.

Senator Solberg moved that the proposed amendments to Senate Bill No. 118 be adopted, which motion prevailed.

Senator Welander moved that the proposed amendments to Senate Bill No. 165 be adopted, which motion prevailed.

Senator Page moved that the proposed amendment to Senate Bill No. 195 be adopted, which motion prevailed.

Senator Day moved that the proposed amendments to Senate Bill No. 223 be adopted, which motion prevailed.

Senator Page moved that the proposed amendments to House Bill No. 512 be adopted, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

**House Bill No. 591.** A Bill for an Act making an appropriation for the purpose of refunding to Steele County amounts erroneously paid by such county for the care of a patient at the state hospital.

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

**House Bill No. 661.** A Bill for an Act to provide for nurse preparation scholarships for qualified residents of North Dakota who express an intent to prepare for nursing; designating the state board to administer the provisions of this Act; and making an appropriation.

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

**House Bill No. 673.** A Bill for an Act relating to bees and bee equipment, their control and regulation, amending sections 4-1204, 4-1209, 4-1212, 4-1220, and creating subsections 4 and 5 of section 4-1201 of the North Dakota Revised Code of 1943 and repealing sections 4-1214, 4-1218 and 4-1219 thereof.

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

**House Bill No. 682.** A Bill for an Act relating to the registration of driveaway transporters of vehicles, providing for in-transit plates and fees, providing penalties, and declaring an emergency.

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

**House Bill No. 715.** A Bill for an Act to amend and reenact section 47-1007 and 47-1905 of the North Dakota Revised Code of 1943, relating to the requirement that the post office address of each grantee be shown in documents describing real estate.

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

**House Bill No. 717.** A Bill for an Act to amend and reenact Section 15-5601 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to elementary per pupil payments from the county tuition fund.

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

**House Bill No. 739.** A Bill for an Act to amend and reenact section 16-0102 of the North Dakota Revised Code of 1943, relating to opening and closing of polls at primary and general elections and providing for extension of polling hours in any precinct upon resolution of the gov-



erning body of the city, village, or township in which such precinct is located.

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

**House Bill No. 789.** A Bill for an Act to amend and reenact section 24-0628 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to obstruction of section lines.

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

**House Bill No. 790.** A Bill for an Act to amend and reenact sections 24-1001 and 24-1002 of the North Dakota Revised Code of 1943, relating to cattle guards across county and township roads.

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

**House Bill No. 804.** A Bill for an Act providing for and establishing the maximum cost and price for public printing furnished to political subdivisions, and declaring an emergency.

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

#### MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 12, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 134

Senate Bill No. 173

Senate Bill No. 189

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

EDWARD LENO, Secretary.

#### MESSAGE TO THE SENATE

House Chamber

Bismarck, February 12, 1955

Mr. President: I have the honor to transmit:

House Concurrent Resolution "T"

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

#### MOTIONS

Senator Wolf moved that the Senate reconsider its action in defeating Senate Bill No. 207, which motion prevailed.

Senator Wolf moved that the Senate reconsider its action in indefinitely postponing Senate Bill No. 208, which motion prevailed.

Senator Wolf moved that Senate Bills No. 207 and 208 be re-referred to the Committee on Appropriations, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Concurrent Resolution "T"

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

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 12, 1955

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "T"

Which the President has signed.

EDWARD LENO, Secretary.

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

Senator Streibel moved that after the reading of the remaining bills on the calendar, the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

## FORTY-SECOND DAY

Bismarck, February 14, 1955

The Senate convened at 2:00 p.m., the President presiding.  
Prayer by Chaplain Rev. Geo. Sherbondy, Seventh Day Adventist Church, Bismarck, No. Dak.

Roll Call: All members present except Senators Holand, Kusler, and Wog.

So a quorum was declared.

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-ninth day after recess and fortieth day and recommend that the same be corrected as follows:

Page 362, line 8, change the first word to read "House" instead of "Senate".

And when so corrected recommends that the same be approved.

JOHN LEIER, Chairman.

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

## PETITIONS AND COMMUNICATIONS

A communication addressed to Rep. Roen and Senator Leier was read from Jack Miller, House of Representatives, Des Moines, Iowa, extending his best wishes to the lawyers in North Dakota.

## REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 68  
Senate Bill No. 88  
Senate Bill No. 118  
Senate Bill No. 165  
Senate Bill No. 195  
Senate Bill No. 223

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

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

Mr. President: Your Committee on Social Welfare, to whom was referred Senate Bill No. 77, have had the same under consideration and recommend that the same be indefinitely postponed.

ROSAMOND O'BRIEN, Chairman.

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

Mr. President: Your Committee on Industry and Business to whom was referred Senate Bill No. 151, have had the same under consideration and recommend that the same be amended as follows:

In line 153, after the word "state" insert the following:

The licensee, after each examination as provided for in this Act, shall within ten days remit to the state treasurer and credited to the general fund a fee for such examination, which shall not be less than thirty-five dollars per day for the time spent by such examiner in such examination.

Renumber the lines accordingly.

Also insert the following new section:

SECTION 25. APPROPRIATION.) For the fiscal year commencing July 1, 1955 and ending July 1, 1957, there is hereby appropriated to the department of the state examiner out of the general fund of the state, for the purposes of administration and enforcement of this Act, the sum total of the license fees and examination fees provided for in sections 4 to 6b of this Act previously credited to the general fund.

And when so amended recommend the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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. 156, have had the same under consideration and recommend that the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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. 213, have had the same under consideration and recommend that the same be amended as follows:

Line 10 delete the word "ten" and insert in lieu thereof the word "five".

Line 17 delete the word "any" and insert in lieu thereof the words "The owner or leasee of any".

And when so amended recommend the same do pass.

GUST WOG, Chairman.

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

Mr. President: Your Committee on Industry and Business, 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 all of Section 5 and insert in lieu thereof the following:

SECTION 5. An excise is hereby imposed upon the business carried on by the persons, firms and corporations subject to license under this Act equal to ten per cent of the gross receipts of each such person, firm or corporation from business done within the state of North Dakota. Each licensee shall make quarterly reports to the state treasurer upon such forms as the treasurer may prescribe, showing the total receipts from business arising in North Dakota and shall remit ten per cent of such gross receipts. Such reports shall show the amount of such receipts from each of the several counties of the state. The taxes so collected shall be apportioned as follows: one-half thereof shall be covered into the general fund of the state and the other one-half shall be distributed to the treasurers of the several counties in proportion to the receipts from such counties and shall be covered into the general funds of such counties.

SECTION 6. All retailers and others distributing such stamps to their customers shall report to the state treasurer quarterly the amounts paid by them to any person, firm or corporation subject to license under this Act, which reports shall be in such form as the state treasurer may prescribe.

SECTION 7. Any person violating any portion of this Act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than five hundred dollars, and if a license shall have been granted to such person under this Act, such license shall be revoked.

And when so amended recommend the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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 Senate Bill No. 243, have had the same under consideration and recommend that the same do pass.

CLARENCE WELANDER, Chairman.

Senator Welander 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. 560, have had the same under consideration and recommend that the same do pass.

DUNCAN FRASER, Chairman.

Senator Fraser 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. 580, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

DUNCAN FRASER, Chairman.

Senator Fraser moved that the report be adopted.

Senator Welander made a substitute motion that further action on House Bill No. 580 be indefinitely postponed, which motion prevailed.

Senator Kusler moved that the vote by which House Bill No. 580 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Solberg moved that the proposed amendments to Senate Bill No. 67 be adopted, which motion prevailed.

Senator Schrock moved that the proposed amendments to Senate Bill No. 158 be adopted, which motion prevailed.

Senator Schrock moved that the proposed amendments to Senate Bill No. 160 be adopted, which motion prevailed.

Senator Schrock moved that the proposed amendments to Senate Bill No. 172 be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 14, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 13

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

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, February 14, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 580

Which the Senate has indefinitely postponed.

EDWARD LENO, Secretary.

MOTIONS AND RESOLUTIONS

Senator Bridston moved that the action whereby Senate Bill No. 124 was indefinitely postponed, be reconsidered, which motion was declared lost.

Senator Day moved that Senate Bill No. 154 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS  
AND RESOLUTIONS

Senate Bill No. 154. A Bill for an Act relating to the use and furnishing of trading stamps or other similar schemes or devices or substitutes therefor, for or with the sale of goods, wares and merchandise, and prohibiting the same.

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, 5; absent and not voting, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Olson    |
| Berube     | Johnson, Cavalier | Page     |
| Bilden     | Kamrath           | Sayer    |
| Bridston   | Kielely           | Schmit   |
| Davis      | Klefstad          | Schoeder |
| Day        | Knudson           | Schrock  |
| Dewing     | Krenz             | Solberg  |

|         |            |          |
|---------|------------|----------|
| Dolan   | Kusler     | Streibel |
| Ferry   | Leier      | Thomas   |
| Foss    | Livingston | Torno    |
| Fraser  | Luick      | Tuff     |
| Freed   | Meidinger  | Welander |
| Hagen   | Nelson     | Wolf     |
| Hernett | O'Brien    |          |

Those voting in the negative were:

|            |         |        |
|------------|---------|--------|
| Duffy      | Rue     | Yunker |
| Gilbertson | Wadeson |        |

Absent and not voting:

|        |     |
|--------|-----|
| Holand | Wog |
|--------|-----|

So the bill passed and the title was agreed to.

Senator Freed:

I voted for the measure to do away with the stamps, and there is only one reason why. I considered the many small business places in my community and in smaller communities surrounding Dickinson that would be handicapped by the stamps and are not in favor of them. It works a hardship on them. They have to struggle as it is to get by without this kind of competition. I am going to get criticized when I get home as I told my wife I was going to vote for this bill and she said "Don't you do it because I am saving stamps." I think she has enough stamps to buy herself a rolling pin or baseball bat, and I think she is on her way right now to a redemption center. I wouldn't be a bit surprised if she was on her way to Bismarck and if you hear anyone hollering for help all those Senators who voted for this bill will have to come to my rescue.

**Senate Concurrent Resolution "C".** A Concurrent Resolution requesting the army corps of engineers to provide for the development of recreational areas along the Garrison Dam Reservoir and authorizing the state historical society to explore avenues of cooperation in the management and maintenance of such areas.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the concurrent resolution, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Bilden     | Johnson, Cavalier | Rue      |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Klefstad          | Schoeder |
| Day        | Knudson           | Schrock  |
| Dewing     | Krenz             | Solberg  |
| Dolan      | Kusler            | Streibel |
| Duffy      | Leier             | Thomas   |
| Ferry      | Livingston        | Torno    |
| Foss       | Luick             | Tuff     |
| Fraser     | Meidinger         | Wadeson  |
| Freed      | Nelson            | Welander |
| Gilbertson | O'Brien           | Wolf     |
| Hagen      | Olson             | Yunker   |
| Hernett    | Page              |          |

Absent and not voting:

|            |               |       |
|------------|---------------|-------|
| Baeverstad | Johnson, Cass | Sayer |
| Berube     | Kieley        | Wog   |
| Holand     |               |       |

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

Senator Streibel moved that the bills on the calendar that have not been read be placed at the foot of the calendar, which motion prevailed.

Senator O'Brien:

In answer to Senator Livingston's query as to where my beautiful roses came from, I too, wish somebody would shed some light on this mystery for me. A little gremlin has told me they are a gift from the Senators and in keeping with the lovely sentiment that should prevail on St. Valentine's Day, I want to thank you all from the bottom of my heart.

Senator Knudson:

Mr. President, Mrs. Knudson regrets that it has not been possible for her to visit the session this year except for a few days the first part of the session. As many of you know, she had been a frequent visitor during the two previous sessions, she enjoyed her visits and her many fine associations and friendships with the members of the Senate and their wives.

On this Valentine's Day, wishing to express her appreciation for all the kindnesses and expressions of friendship extended to her, she has prepared this box of candy to be presented to the President, the members and the employees of the Senate, with her love and greetings.

President:

In behalf of myself, the employees and members of the Senate, we certainly wish to thank Mrs. Knudson for presenting to the Senate this lovely Valentine gift of home-made candy. We regret that Mrs. Knudson is unable to be with us as much as she used to be in past sessions because I know that everybody enjoyed her gracious company. I hope Senator Knudson will convey these words of thanks to his good wife.

Senator Streibel moved that the remarks of Senators O'Brien and Knudson, and the President, be printed in the Journal, which motion prevailed.

## SECOND READING OF SENATE BILLS AND RESOLUTIONS

**Senate Concurrent Resolution "M".** A Concurrent Resolution for an amendment to the Constitution of the state of North Dakota authorizing a bond issue for the construction of highways.

Which has been read.

Senator Page moved that Senate Concurrent Resolution "M" be amended as follows:

In the third line of the title after the word "highways" place a period, and strike out the remainder of the title.

Strike out lines 16, 17, 18, and 19.

Remember the lines accordingly.

Which motion prevailed.

Senator Page moved that the rules be suspended and Senate Concurrent Resolution "M" be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.



## ROLL CALL

The question being on the final passage of the concurrent resolution, as amended, the roll was called and there were ayes, 44; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Rue      |
| Berube     | Johnson, Cass     | Sayer    |
| Bilden     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Kieley            | Schrock  |
| Day        | Klefstad          | Solberg  |
| Dewing     | Knudson           | Streibel |
| Dolan      | Krenz             | Thomas   |
| Duffy      | Kusler            | Torno    |
| Ferry      | Leier             | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Freed      | Nelson            | Wolf     |
| Gilbertson | O'Brien           | Yunker   |
| Hagen      | Page              |          |

Those voting in the negative were:

Luick Olson

Absent and not voting:

Holand Wog

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

Senator Page moved that the vote by which Senate Concurrent Resolution "M" was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 129. A Bill for an Act to amend and reenact section 26-2223 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to state hail insurance.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, roll was called and there were ayes, 29; nays 16; absent and not voting, 3.

Those voting in the affirmative were:

|        |           |          |
|--------|-----------|----------|
| Berube | Kamrath   | Schrock  |
| Bilden | Kieley    | Solberg  |
| Davis  | Klefstad  | Streibel |
| Day    | Knudson   | Thomas   |
| Dewing | Kusler    | Torno    |
| Dolan  | Leier     | Tuff     |
| Ferry  | Meidinger | Welander |
| Foss   | Olson     | Wolf     |
| Fraser | Schmit    | Yunker   |
| Hagen  | Schoeder  |          |

Those voting in the negative were:

|            |                   |         |
|------------|-------------------|---------|
| Baeverstad | Johnson, Cass     | Nelson  |
| Bridston   | Johnson, Cavalier | Page    |
| Duffy      | Krenz             | Rue     |
| Freed      | Livingston        | Sayer   |
| Gilbertson | Luick             | Wadeson |
| Hernett    |                   |         |

Absent and not voting:

Holand O'Brien Wog

So the bill passed and the title was agreed to.

Senator Olson moved that the vote by which Senate Bill No. 129 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

**Senate Bill No. 141.** A Bill for an Act to amend and reenact sections 27-1122 and 27-1204 of the North Dakota Revised Code of 1943, relating to annual attorneys' licenses to practice law, the fee therefor, and payment from the state bar fund.

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, 3.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | Olson             | Yunker   |

Absent and not voting:

Holand O'Brien Wog

So the bill passed and the title was agreed to.

Senator Olson moved that the vote by which Senate Bill No. 141 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

**Senate Bill No. 196.** A Bill for an Act authorizing the board of administration to sell certain lands belonging to the school for the deaf.

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, 3.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |

|            |            |          |
|------------|------------|----------|
| Ferry      | Leier      | Torno    |
| Foss       | Livingston | Tuff     |
| Fraser     | Luick      | Wadeson  |
| Freed      | Meidinger  | Welander |
| Gilbertson | Nelson     | Wolf     |
| Hagen      | Olson      | Yunker   |

Absent and not voting:

|        |         |     |
|--------|---------|-----|
| Holand | O'Brien | Wog |
|--------|---------|-----|

So the bill passed and the title was agreed to.

Senator Duffy moved that the vote by which Senate Bill No. 196 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

**Senate Bill No. 197.** A Bill for an Act to amend and reenact section 61-0101 of the North Dakota Revised Code of 1943, relating to public waters.

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, 3; absent and not voting, 4.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schoeder |
| Davis      | Klefstad          | Schrock  |
| Day        | Knudson           | Streibel |
| Dewing     | Krenz             | Thomas   |
| Dolan      | Kusler            | Torno    |
| Duffy      | Leier             | Tuff     |
| Ferry      | Livingston        | Wadeson  |
| Foss       | Luick             | Welander |
| Fraser     | Meidinger         | Wolf     |
| Freed      | Nelson            | Yunker   |
| Gilbertson | Page              |          |

Those voting in the negative were:

|                        |         |         |
|------------------------|---------|---------|
| Hagen                  | Olson   | Solberg |
| Absent and not voting: |         |         |
| Holand                 | O'Brien | Wog     |
| Johnson, Cass          |         |         |

So the bill passed and the title was agreed to.

Senator Duffy moved that the vote by which Senate Bill No. 197 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

**Senate Bill No. 205.** A Bill for an Act to exempt tractors used only for moving buildings from the payment of registration, gross ton, or ton mile taxes or fees and to provide for an annual house mover's motor vehicle license and to provide a penalty, and declaring an emergency.

Which has been read.

Senator Duffy moved that Senate Bill No. 205 be amended as follows:

In line 2 of the title of the amended bill the word "ton" be changed to "truck", and in the last line of Sub-Section 3, the word "ton" be changed to "truck", which motion prevailed.

Senator Duffy moved that the rules be suspended and that Senate Bill No. 205 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | Olson             | Yunker   |

Absent and not voting:

|        |         |     |
|--------|---------|-----|
| Holand | O'Brien | Wog |
|--------|---------|-----|

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

Senator Schmidt moved that the vote by which Senate Bill No. 205 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

**MESSAGE TO THE HOUSE**

Senate Chamber

Bismarck, February 14, 1955

Mr. Speaker: I have the honor to transmit:

- Senate Bill No. 129
- Senate Bill No. 141
- Senate Bill No. 196
- Senate Bill No. 197

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

**EDWARD LENO, Secretary.**

Senator Streibel moved that after the reading of the bills remaining on the calendar, the Senate recess until 1:00 p.m., February 15th, which motion prevailed, and the Senate stood recessed.

**EDWARD LENO, Secretary.**

FORTY-SECOND DAY AFTER RECESS  
AND FORTY-THIRD DAY

Bismarck, February 15, 1955

The Senate reconvened at 1:00 p.m., the President presiding.

REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 67  
Senate Bill No. 158  
Senate Bill No. 160  
Senate Bill No. 172  
Senate Bill No. 205  
Senate Concurrent Resolution "M"

And find the same correctly Engrossed.

ROSAMOND O'BRIEN, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 1, have had the same under consideration and recommend that the same be amended as follows:

After line 42 insert the following line:

"Deputy Clerk ..... \$7,200.00".

In line 51 strike out the figure "\$163,700.00" and insert the figure "\$170,900.00" in lieu thereof.

In line 64 strike out the number "15" and the figure "\$240,000.00" and insert the number "16" and the figure "\$256,000.00" in lieu thereof.

In line 69 strike out the figure "\$308,090.00" and insert the figure "\$324,090.00" in lieu thereof.

Strike out all of line 91.

In line 92 strike out the figure "\$43,800.00" and insert the figure "\$40,800.00" in lieu thereof.

In line 97 strike out the figure "\$52,000.00" and insert the figure "\$60,000.00" in lieu thereof.

In line 107 strike out the figure "\$95,000.00" and insert the figure "\$103,000.00" in lieu thereof.

In line 115 strike out the figure "\$4,200.00" and insert the figure "\$2,200.00" in lieu thereof.

After line 115 insert the following line:

"Bond Premium ..... \$2,000.00"

In line 163 strike out the figure "\$112,500.00" and insert the figure "\$124,500.00" in lieu thereof.

In line 172 strike out the figure "\$1,000.00" and insert the figure "\$2,000.00" in lieu thereof.

In line 173 strike out the figure "\$177,140.00" and insert the figure "\$190,140.00" in lieu thereof.

Strike out all of line 177.

In line 178 strike out the figure "\$100,600.00" and insert the figure "\$115,480.00" in lieu thereof.

Strike out all of line 179.

In line 223 strike out the figure "\$27,450.00" and insert the figure "\$30,000.00" in lieu thereof.

In line 231 strike out the figure "\$14,000.00" and insert the figure "\$12,000.00" in lieu thereof.

In line 233 strike out the figure "\$3,000.00" and insert the figure "\$5,000.00" in lieu thereof.

In line 239 strike out the figure "\$201,300.00" and insert the figure "\$203,850.00" in lieu thereof.

In line 357 strike out the figure "\$8,400.00" and insert the figure "\$9,000.00" in lieu thereof.

In line 367 strike out the figure "\$84,400.00" and insert the figure "\$85,000.00" in lieu thereof.

In line 396 strike out the figure "\$42,500.00" and insert the figure "\$44,500.00" in lieu thereof.

In line 398 strike out the figure "\$63,200.00" and insert the figure "\$65,200.00" in lieu thereof.

In line 406 after the word "Janitor" insert the following: "& Engineering".

Strike out all of line 462.

In line 463 strike out the word "Other".

In line 463 strike out the figure "\$8,000.00" and insert the figure "\$18,000.00" in lieu thereof.

In line 470 strike out the figure "\$53,055.00" and insert the figure "\$54,855.00" in lieu thereof.

In line 471 strike out the figure "\$4,703,737.22" and insert the figure "\$4,751,887.22" in lieu thereof.

Renumber the lines accordingly.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Social Welfare to whom was referred Senate Bill No. 99, have had the same under consideration and recommend that the same be indefinitely postponed.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted.

Senator Olson made a substitute motion that Senate Bill No. 99 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions, to whom was referred Senate Bill No. 176, have had the same under consideration and recommend that the same be amended as follows:

In line 42 of the printed bill, after the word "deficiency" delete the words "is anticipated or".

In line 46 of the printed bill, after the word "deficiency" delete the remainder of the line, and lines 47, 48, 49, 50 and up to the period in line 51.

Renumber the lines accordingly.

And when so amended recommend the same do pass.

STEVE THOMAS, Chairman.

Senator Thomas 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. 177, have had the same under consideration and recommend that the same be amended as follows:

In line 38 of the printed bill strike out the word "is".

In line 39 of the printed bill strike out the words "anticipated or".

In line 43 of the printed bill after the word "deficiency" delete the remainder of the line and lines 44, 45, 46, 47 and up to the period in line 48.

Renumber the lines accordingly.

STEVE THOMAS, Chairman.

Senator Thomas 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:

In line 34 of the printed bill after the word "deficiency", delete the words "is anticipated or".

In line 38 of the printed bill after the word "deficiency" delete the remainder of the sentence and lines 39, 40, 41, 42 and up to the period in line 43.

Renumber the lines accordingly.

And when so amended recommend the same do pass.

STEVE THOMAS, Chairman.

Senator Thomas 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. 181, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

RALPH DEWING, Chairman.

Senator Dewing 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. 207, have had the same under consideration and recommend that the same be indefinitely postponed.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 208, have had the same under consideration and recommend that the same be indefinitely postponed.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 216, have had the same under consideration and recommend that the same be amended as follows:

In line 16 after the word "revenues" add the following: "of all such companies".

Renumber the lines as necessary.

And when so amended recommend the same be placed on the calendar without recommendation.

RALPH DEWING, Chairman.

Senator Dewing 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. 241, have had the same under consideration and recommend that the same be amended as follows:

In line 4 after the word "cent" insert the following words: ", or so much as may be necessary".

In line 10 after the word "Act" insert the following words: ", provided that an audit of the books and accounts of Richland County by the State Examiner shows that this amount or a lesser amount was paid in error".

Renumber the lines accordingly.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

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

Mr. President: Your Committee on Transportation, to whom was referred Senate Concurrent Resolution "N", have had the same under consideration and recommend that the same do pass.

GUST WOG, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 650, have had the same under consideration and recommend that the same be amended as follows:

In line 17 of the printed bill delete the words "is anticipated or".

In line 22 of the printed bill after the word "deficiency" delete the remainder of the line and lines 23, 24, 25, 26 and up to the period in line 27.

Renumber the lines accordingly.



And when so amended recommend the same do pass.

STEVE THOMAS, Chairman.

Senator Thomas 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. 681, have had the same under consideration and recommend that the same do pass.

ROSAMOND O'BRIEN, Chairman.

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

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 15, 1955

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "M"

Senate Bill No. 205

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

EDWARD LENO, Secretary.

#### FIRST READING OF SENATE BILLS AND RESOLUTIONS

The Delayed Bills Committee introduced:

Senate Bill No. 244. A Bill for an Act authorizing the creation of an interstate joint advisory commission for the school for the blind, and declaring an emergency.

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

The Delayed Bills Committee introduced:

Senate Bill No. 245. A Bill for an Act authorizing the board of administration to enter into a contract with the state of South Dakota for the schooling of blind students and setting forth provisions of said contract, and declaring an emergency.

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

The Delayed Bills Committee introduced:

Senate Bill No. 246. A Bill for an Act providing for the payment of expenses of Public Service Commissioners, and declaring an emergency.

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

....Senators Baeverstad, Berube, Bilden, Bridston, Davis, Day, Dewing, Dolan, Duffy, Ferry, Fraser, Freed, Hernet, Holand, Johnson (Cass), Kieley, Knudson, Krenz, Leier, Livingston, O'Brien, Olson, Page, Nelson, Rue, Solberg, Streibel, Torno, Tuff and Wadson introduced:

Senate Resolution No. 6. A Senate Resolution to the Honorable Dwight D. Eisenhower, President of the United States; to the Congress of the United States; to the Honorable Sinclair Weeks, Secretary of the Department of Commerce; to the Honorable Charles E. Wilson, Secretary of Defense; to the Honorable C. D. Curtiss, Chief of Administration for the

Bureau of Public Roads; to the Honorable Milton R. Young and the Honorable William Langer, United States Senators from the State of North Dakota; to the Honorable Otto Krueger and the Honorable Usher L. Burdick, Congressmen from the State of North Dakota; requesting a re-allocation and increased strategic mileage in the Federal Aid Highway Act of 1944 to add United States Highway Two to the National Interstate Highway System.

Senator Livingston moved that the Senate dispense with the reading of Senate Resolution No. 6 and that it be printed in the Journal and laid over one legislative day, which motion prevailed.

#### SENATE RESOLUTION NO. 6

Introduced by Senators Baeverstad, Berube, Bilden, Bridston, Davis, Day, Dewing, Dolan, Duffy, Ferry, Fraser, Freed, Hernet, Holand, Johnson (Cass), Kieley, Knudson, Krenz, Leier, Livingston, O'Brien, Olson, Page, Nelson, Rue, Solberg, Streibel, Torno, Tuff and Wadeson.

A Senate Resolution to the Honorable Dwight D. Eisenhower, President of the United States; to the Congress of the United States; to the Honorable Sinclair Weeks, Secretary of the Department of Commerce; to the Honorable Charles E. Wilson, Secretary of Defense; to the Honorable C. D. Curtiss, Chief of Administration for the Bureau of Public Roads; to the Honorable Milton R. Young and the Honorable William Langer, United States Senators from the State of North Dakota; to the Honorable Otto Krueger and the Honorable Usher L. Burdick, Congressmen from the State of North Dakota; requesting a re-allocation and increased strategic mileage in the Federal Aid Highway Act of 1944 to add United States Highway Two to the National Interstate Highway System.

- 1 WHEREAS, the Federal Aid Highway Act of 1944,
- 1a which act
- 2 amended the Federal Road Act, approved July 11, 1916,
- 2a as
- 3 amended and supplemented, provided that "There shall
- 3a be
- 4 designated in the Continental United States a national
- 5 system of interstate highways not exceeding forty
- 5a thousand
- 6 miles in extent, so located as to connect by routes as
- 7 direct as practicable the principal metropolitan areas,
- 8 cities and industrial centers, to serve the national
- 9 defense and to connect at suitable border points with
- 10 routes of continental importance in the Dominion of
- 10a Canada
- 11 and the Republic of Mexico", and
- 12 WHEREAS, the Act further provided that "The
- 12a routes of the
- 13 National System of Interstate Highways shall be
- 13a selected by
- 14 joint action of the highway departments of the several
- 15 states and the adjoining states", and in another
- 15a provision
- 16 required approval by the Federal Works Administrator,
- 16a and
- 17 WHEREAS, Phillip B. Fleming, Major General,
- 17a United
- 18 States Army, Administrator of the Federal Works

18a Agencies,  
 19 caused to be entered a certificate of approval of the  
 20 National System of Interstate Highways, dated the  
 20a second  
 21 day of August, 1947, which adopted a National System of  
 22 Interstate Highways, selected by the joint action of the  
 23 State Highway Departments of each state and adjoining  
 24 states, and  
 25 WHEREAS, the National System of Interstate  
 25a Highways  
 26 selected, modified and revised, as aforesaid, is  
 26a comprised  
 27 of routes totaling approximately thirty seven thousand  
 28 eight hundred miles in extent, and  
 29 WHEREAS, there is a balance of two thousand two  
 29a hundred  
 30 miles within the forty thousand mile limit provided for  
 30a in  
 31 the Federal Aid Act of 1944 which can be placed on the  
 32 Interstate System, and  
 33 WHEREAS, United States Highway Two is the  
 33a shortest  
 34 route through arterial highway link between Sault Ste.  
 35 Marie, Michigan and Seattle, Washington, and runs  
 35a parallel  
 36 to the northern border of the United States and  
 36a intercepts  
 37 all highway communications with Canada in the State of  
 38 North Dakota as well as the several other boundary  
 38a states,  
 39 and  
 40 WHEREAS, said United States Highway Two plays  
 40a an ever  
 41 increasing integral and necessary role in the  
 41a tremendous  
 42 development of the country's natural resources,  
 42a namely,  
 43 oil, coal, gas, iron ore, nuclear and other minerals, as  
 44 well as the vast timber industry, and in the vast  
 44a develop-  
 45 ment of power being generated by the dams constructed  
 45a and  
 46 being constructed in the northwest, and in the  
 46a expanding  
 47 industrial development potential in the several states  
 47a and  
 48 in Canada, notably in the Provinces of Manitoba and  
 49 Alberta, all of which demands a revision and an  
 49a increase  
 50 in our vital defense needs, and  
 51 WHEREAS, the said United States Highway Two,  
 51a which can  
 52 without any difficulty be linked from east coast to west  
 53 coast through the States of New York, Vermont, New  
 54 Hampshire and Maine, and connected with Canada's  
 54a highways  
 55 Nine from New York to Montreal and Highway  
 55a Seventeen from  
 56 Montreal to Sault Ste. Marie, which are of importance in  
 57 Dominion of Canada, is the only connection between  
 57a our air

58 defense bases, the number of which and the personnel  
59 involved are known only to Congress, and Department of  
60 Defense officials, along the entire northern defense  
61 perimeter of the continental United States, and

62 WHEREAS, under the hourly maximum traffic  
62a classifica-  
63 tions, the interstate designation of the United States  
64 Highway Two to be determined by the Bureau of  
64a Public Roads,  
65 can be the classification of interstate rural, under the  
66 specification for the interstate system set out by the  
67 bureau, this could call for a two-lane highway with a  
67a one  
68 hundred foot right of way, and

69 WHEREAS, the total mileage involved in this petition  
69a is  
70 approximately two thousand one hundred seventy eight  
70a miles  
71 in length and connects at points in seven states from  
71a the  
72 City of Sault Ste. Marie, Michigan, to the City of  
72a Everett,  
73 Washington, and

74 WHEREAS, while this is a petition from the State  
74a of  
75 North Dakota, it is contemplated the joining by the  
75a several  
76 other states with similar petitions, action having  
76a already  
77 been started in the states of Montana, Idaho and  
77a Washington,  
78 this is especially true in view of the gigantic growth  
79 and expansion of the areas served by, contiguous to  
79a and  
80 adjacent to United States Highway Two because such  
80a areas,  
81 at their accelerated progress, resulting from a shift of  
82 population and industry to the northwestern states, and  
83 increasing industrial expansion in all areas, demand a  
84 revision of the transportation needs, and

85 WHEREAS, this request that the designation of the  
85a United  
86 States Highway Two be placed on the National System  
86a of  
87 Interstate Highways is made without prejudice to  
87a existing  
88 Interstate Highways in the state of North Dakota  
88a and in the  
89 other states served by the United States Highway Two;

90 NOW, THEREFORE, BE IT RESOLVED BY THE  
90a SENATE

91 OF THE STATE OF NORTH DAKOTA: That the  
91a Senate  
92 does hereby, most earnestly and respectfully, request  
93 that the Congress of the United States recognize the  
94 strategic importance of United States Highway Two,  
95 and through the proper federal agencies take  
95a immediate  
96 action to have United States Highway Two designated  
96a an

97 integral part of the National System of defense  
 97a highways,  
 98 and that it be placed on the National System of  
 99 Interstate Highways.  
 100 BE IT FURTHER RESOLVED that copies of this  
 101 resolution be transmitted by the Honorable Norman  
 102 Brunsdale, Governor of the State of North Dakota, and  
 103 by the Honorable Ben Meier, Secretary of State of  
 104 North Dakota, to the Honorable Dwight D. Eisenhower,  
 105 President of the United States; to the Congress of the  
 106 United States; to the Honorable Sinclair Weeks,  
 106a Secretary  
 107 of the Department of Commerce; to the Honorable  
 107a Charles  
 108 E. Wilson, Secretary of Defense; to the Honorable C. D.  
 109 Curtiss, Chief of Administration for the Bureau of  
 110 Public Roads; to the Honorable Milton R. Young and  
 110a the  
 111 Honorable William Langer, United States Senators  
 111a from  
 112 North Dakota; and to the Honorable Otto Krueger  
 112a and the  
 113 Honorable Usher L. Burdick, Congressman from North  
 113a Dakota.

The Transportation Committee introduced:

Senate Concurrent Resolution "S". A Concurrent Resolution urging the interstate commerce commission to investigate the use of lamps or reflectors as warning devices on railroad cars.

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

#### SECOND READING OF SENATE BILLS

Senate Bill No. 58. A Bill for an Act authorizing the state board of higher education to convey five acres, more or less, of a tract of land situated in the northwest quarter of section four, township one hundred thirty-nine north, range ninety-six west of the fifth principal meridian, in the city of Dickinson, Stark County, North Dakota.

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, 4.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schrock  |
| Davis      | Klefstad          | Solberg  |
| Day        | Knudson           | Streibel |
| Dewing     | Krenz             | Thomas   |
| Dolan      | Kusler            | Torno    |
| Ferry      | Leier             | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |

|                        |         |          |
|------------------------|---------|----------|
| Hagen                  | O'Brien | Yunker   |
| Hernett                | Olson   |          |
| Absent and not voting: |         |          |
| Duffy                  | Rue     | Schoeder |
| Johnson, Cass          |         |          |

So the bill passed and the title was agreed to.

Senator Freed moved that the vote by which Senate Bill No. 58 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

**Senate Bill No. 68.** A Bill for an Act making an appropriation for the purpose of constructing a highway bridge across the Little Beaver Creek in Slope County at the city of Marmarth, North Dakota.

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, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schoeder |
| Davis      | Klefstad          | Schrock  |
| Day        | Knudson           | Solberg  |
| Dewing     | Krenz             | Streibel |
| Dolan      | Kusler            | Thomas   |
| Duffy      | Leier             | Torno    |
| Ferry      | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | O'Brien           | Wolf     |
| Hagen      | Olson             | Yunker   |
| Hernett    |                   |          |

Absent and not voting:

Johnson, Cass      Rue

So the bill passed and the title was agreed to.

Senator Wog moved that the vote by which Senate Bill No. 68 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

**Senate Bill No. 88.** A Bill for an Act appropriating four hundred and four thousand dollars for armory purposes and providing for the disbursement thereof, and declaring an emergency.

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, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schoeder |
| Davis      | Klefstad          | Schrock  |

|            |            |          |
|------------|------------|----------|
| Day        | Knudson    | Solberg  |
| Dewing     | Krenz      | Streibel |
| Dolan      | Kusler     | Thomas   |
| Duffy      | Leier      | Torno    |
| Ferry      | Livingston | Tuff     |
| Foss       | Luick      | Wadeson  |
| Fraser     | Meidinger  | Welander |
| Freed      | Nelson     | Wog      |
| Gilbertson | O'Brien    | Wolf     |
| Hagen      | Olson      | Yunker   |
| Hernett    |            |          |

Absent and not voting:

Johnson, Cass      Rue

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

Senator Baeverstad moved that the vote by which Senate Bill No. 88 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

**Senate Bill No. 92.** A Bill for an Act to amend and reenact sections 15-5903, 15-5904 and 15-5905, and to repeal section 15-5902 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to the program of special education of exceptional children.

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, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schoeder |
| Davis      | Klefstad          | Schrock  |
| Day        | Knudson           | Solberg  |
| Dewing     | Krenz             | Streibel |
| Dolan      | Kusler            | Thomas   |
| Duffy      | Leier             | Torno    |
| Ferry      | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | O'Brien           | Wolf     |
| Hagen      | Olson             | Yunker   |
| Hernett    |                   |          |

Absent and not voting:

Johnson, Cass      Rue

So the bill passed and the title was agreed to.

Senator Page moved that the vote by which Senate Bill No. 92 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

**Senate Bill No. 118.** A Bill for an Act to amend and reenact section 20-1001 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the seizure or confiscation of property by the game and fish commissioner and his agents.

Which has been read.

Senator Duffy moved that Senate Bill No. 118 be amended as follows:

In line 10, after the word "law" delete the comma, insert a period and strike out the balance of the bill, which motion prevailed.

Senator Duffy moved that the rules be suspended and that Senate Bill No. 118 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |

Those voting in the negative were:

Bridston

Absent and not voting:

Johnson, Cass      Rue

So the bill passed and the title was agreed to.

Senator Solberg moved that the vote by which Senate Bill No. 118 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### FIRST READING OF SENATE RESOLUTION

Senators Solberg, Dewing, Hagen, Meidinger, Freed and Kusler introduced:

**Senate Concurrent Resolution "T".** A Concurrent Resolution memorializing Congress to restrict the importation of crude oil.

Senator Solberg moved that Senate Concurrent Resolution "T" be printed in the Journal and action laid over one legislative day, which motion prevailed.

#### SENATE CONCURRENT RESOLUTION "T"

Introduced by Senators Solberg, Dewing, Hagen, Meidinger, Freed, and Kusler

A Concurrent Resolution memorializing Congress to restrict the importation of crude oil.

- 1 WHEREAS, substantial imports of crude oil from
- 2 foreign countries into the United States during the past
- 3 several years have resulted in a surplus of domestic
- 3a crude
- 4 oil; and
- 5 WHEREAS, such surplus of crude oil has a depressing
- 6 effect upon the entire oil industry and results in



6a curtail-  
 7 ment of domestic production and exploration for new  
 7a crude  
 8 oil reserves; and  
 9 WHEREAS, it is essential to the national defense  
 9a that  
 10 the oil industry continue its exploration activities at a  
 11 high level in order to develop adequate reserves for any  
 12 emergency when increased production of oil would be  
 12a needed  
 13 and foreign importations might be cut off;  
 14 NOW, THEREFORE, BE IT RESOLVED BY THE  
 14a SENATE  
 15 OF THE STATE OF NORTH DAKOTA, THE HOUSE  
 15a OF  
 16 REPRESENTATIVES CONCURRING THEREIN:  
 16a That the  
 17 Congress of the United States is hereby urged and  
 17a requested  
 18 to pass suitable legislation restricting the importation  
 18a of  
 19 crude oil into the United States.  
 20 BE IT FURTHER RESOLVED that copies of this  
 20a resolution  
 21 be sent by the secretary of the Senate to all members of  
 22 the North Dakota congressional delegation.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 133. A Bill for an Act to amend and reenact Sections 15-5704 and 15-5707 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to teaching scholarships.

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, 3.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Page     |
| Berube     | Holand            | Sayer    |
| Bilden     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Kieley            | Schrock  |
| Day        | Klefstad          | Solberg  |
| Dewing     | Krenz             | Streibel |
| Dolan      | Kusler            | Thomas   |
| Duffy      | Leier             | Torno    |
| Ferry      | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | O'Brien           | Wolf     |
| Hagen      | Olson             | Yunker   |

Absent and not voting:

|               |         |     |
|---------------|---------|-----|
| Johnson, Cass | Knudson | Rue |
|---------------|---------|-----|

So the bill passed and the title was agreed to.

Senator Berube moved that the vote by which Senate Bill No. 133 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

**Senate Bill No. 165.** A Bill for an Act to amend and reenact section 43-1536 of the North Dakota Revised Code of 1943, relating to rules and regulations of the Pharmacy Board, and declaring an emergency.

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, 17; nays, 28; absent and not voting, 3.

Those voting in the affirmative were:

|            |          |          |
|------------|----------|----------|
| Baeverstad | Klefstad | Streibel |
| Day        | Kusler   | Thomas   |
| Dewing     | Olson    | Tuff     |
| Fraser     | Schmit   | Welander |
| Gilbertson | Schrock  | Wog      |
| Kamrath    | Solberg  |          |

Those voting in the negative were:

|          |                   |           |
|----------|-------------------|-----------|
| Berube   | Hernett           | Meidinger |
| Bilden   | Holand            | Nelson    |
| Bridston | Johnson, Cavalier | O'Brien   |
| Davis    | Kieley            | Sayer     |
| Dolan    | Knudson           | Schoeder  |
| Duffy    | Krenz             | Torno     |
| Ferry    | Leier             | Wadeson   |
| Foss     | Livingston        | Wolf      |
| Freed    | Luick             | Yunker    |
| Hagen    |                   |           |

Absent and not voting:

|               |      |     |
|---------------|------|-----|
| Johnson, Cass | Page | Rue |
|---------------|------|-----|

So the bill was declared lost.

Senator Foss moved that the vote by which Senate Bill No. 165 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Schrock: I don't want to make patriotic speeches but I do believe in the democratic principles of free enterprise; therefore, I introduced this bill and support this legislation.

Senator Day moved that Senate Bill No. 166 be placed at the foot of the calendar, which motion prevailed.

**Senate Bill No. 169.** A Bill for an Act to permit municipalities to borrow money and to issue general obligation bonds for part of the cost and revenue bonds for part of the cost of purchasing, acquiring or establishing a public transportation system.

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, 3.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Page     |
| Berube     | Holand            | Sayer    |
| Bilden     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Kieley            | Schrock  |
| Day        | Klefstad          | Solberg  |

|            |            |          |
|------------|------------|----------|
| Dewing     | Krenz      | Streibel |
| Dolan      | Kusler     | Thomas   |
| Duffy      | Leier      | Torno    |
| Ferry      | Livingston | Tuff     |
| Foss       | Luick      | Wadeson  |
| Fraser     | Meidinger  | Welander |
| Freed      | Nelson     | Wog      |
| Gilbertson | O'Brien    | Wolf     |
| Hagen      | Olson      | Yunker   |

Absent and not voting:

|               |         |     |
|---------------|---------|-----|
| Johnson, Cass | Knudson | Rue |
|---------------|---------|-----|

So the bill was passed and the title was agreed to.

Senator Day moved that the vote by which Senate Bill No. 169 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

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

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

#### FORTY-THIRD DAY

Bismarck, February 15, 1955

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

Prayer by Chaplain Rev. K. T. Anderson, Salvation Army, Bismarck, N. Dak.

Roll Call: All members present except Senators Johnson (Cass) and Rue.

So a quorum was declared.

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

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

JOHN LEIER, Chairman.

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

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 15, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 58  
 Senate Bill No. 68  
 Senate Bill No. 88  
 Senate Bill No. 92  
 Senate Bill No. 133  
 Senate Bill No. 154  
 Senate Concurrent Resolution "C"

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

EDWARD LENO, Secretary.

## CONSIDERATION OF AMENDMENTS

Senator Kusler moved that the proposed amendments to Senate Bill No. 151 be adopted, which motion prevailed.

Senator Wog moved that the proposed amendments to Senate Bill No. 213 be adopted, which motion prevailed.

Senator Leier moved that Senate Bill No. 213 be further amended as follows:

On Line 6, after the first word "state" delete the balance of the sentence, and lines 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16.

Renumber the lines accordingly.

Which motion prevailed.

Senator Foss moved that the proposed amendments to Senate Bill No. 225 be adopted, which motion prevailed.

## FIRST READING OF SENATE BILLS

The Delayed Bills Committee introduced:

Senate Bill No. 247. A Bill for an Act to amend and reenact subsection 1 of section 10-0330 of the North Dakota Revised Code of 1943, relating to the increasing or diminishing of the capital stock of corporations.

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

## MOTIONS AND RESOLUTIONS

Senator Day moved that Senate Bill No. 166 be placed at the head of the calendar, which motion prevailed.

## SECOND READING OF SENATE BILLS

Senate Bill No. 166. A Bill for an Act to amend and reenact sub-paragraph e of subsection 2 of section 21-0306 of the North Dakota Revised Code of 1943, to permit municipalities to borrow money and issue general obligation bonds for the purchase or acquisition or establishment of a public transportation system.

Which has been read.

Senator Day moved to amend Senate Bill No. 166 as follows:

In Line 8 strike out the word "or" and insert in lieu thereof the following language:

"and in cities having a population of more than 5,000 to purchase or acquire a". Renumber the lines accordingly.

Which motion prevailed.

Senator Day moved that the rules be suspended and Senate Bill No. 166 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Page     |
| Berube     | Holand            | Sayer    |
| Bilden     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Kieley            | Schrock  |
| Day        | Klefstad          | Solberg  |
| Dewing     | Knudson           | Streibel |

|            |            |          |
|------------|------------|----------|
| Dolan      | Krenz      | Thomas   |
| Duffy      | Leier      | Torno    |
| Ferry      | Livingston | Tuff     |
| Fraser     | Luick      | Wadeson  |
| Freed      | Meidinger  | Welander |
| Foss       | Nelson     | Wog      |
| Gilbertson | O'Brien    | Wolf     |
| Hagen      | Olson      | Yunker   |

Absent and not voting:

|               |        |     |
|---------------|--------|-----|
| Johnson, Cass | Kusler | Rue |
|---------------|--------|-----|

So the bill was passed and the title was agreed to.

Senator Foss moved that the vote by which Senate Bill No. 166 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 174. A Bill for an Act to amend and reenact Section 15-3611 of the North Dakota Revised Code of 1943, relating to teachers' certificates.

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, 16; absent and not voting, 2.

Those voting in the affirmative were:

|            |            |          |
|------------|------------|----------|
| Baeverstad | Freed      | Page     |
| Berube     | Gilbertson | Schmit   |
| Bridston   | Hagen      | Schoeder |
| Davis      | Kamrath    | Schrock  |
| Day        | Kieley     | Streibel |
| Dewing     | Krenz      | Thomas   |
| Dolan      | Livingston | Tuff     |
| Ferry      | Meidinger  | Welander |
| Foss       | Nelson     | Wolf     |
| Fraser     | O'Brien    | Yunker   |

Those voting in the negative were:

|                   |         |         |
|-------------------|---------|---------|
| Bilden            | Knudson | Sayer   |
| Duffy             | Kusler  | Solberg |
| Hernett           | Leier   | Torno   |
| Holand            | Luick   | Wadeson |
| Johnson, Cavalier | Olson   | Wog     |
| Klefstad          |         |         |

Absent and not voting:

|               |     |
|---------------|-----|
| Johnson, Cass | Rue |
|---------------|-----|

So the bill passed and the title was agreed to.

Senator Livingston moved that the vote by which Senate Bill No. 174 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Duffy:

I want to explain my vote on Senate Bill No. 174—this is the first time I think I have ever explained one. You are going to repeal or extend the time two years from now for the simple reason that you are not going to have sufficient qualified teachers. We are extending the number of scholarships this year in the hopes we can get teachers. We won't have them in 1958 and you are going to extend the time two years from now. I won't be back here to do it so I am going to vote against it now.

**Senate Bill No. 195.** A Bill for an appropriation to continue the operation of the North Dakota Civil Defense as provided for by chapter 37-17 of the 1953 Supplement to the North Dakota Revised Code of 1943 and repealing section 37-1712 of the 1953 Supplement to the North Dakota Revised Code of 1943.

Which has been read.

Senator Duffy moved that Senate Bill No. 195 be amended as follows:

In Line 3, delete the word "fifteen" and insert in lieu thereof the word "twenty".

Which motion prevailed.

Senator Duffy moved that the rules be suspended and Senate Bill No. 195 be deemed properly engrossed, and placed on second reading and final passage, which motion prevailed.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Johnson, Cavalier | Sayer     |
| Berube     | Kamrath           | Schmit    |
| Bilden     | Kieley            | Schoeder  |
| Bridston   | Klefstad          | Schrock   |
| Davis      | Knudson           | Solberg   |
| Dewing     | Krenz             | Streibel  |
| Duffy      | Kusler            | Thomas    |
| Ferry      | Leier             | Torno     |
| Foss       | Livingston        | Tuff      |
| Fraser     | Luick             | Wadeson   |
| Freed      | Meidinger         | Welandner |
| Gilbertson | Nelson            | Wog       |
| Hagen      | O'Brien           | Wolf      |
| Hernett    | Olson             | Yunker    |
| Holand     | Page              |           |

Those voting in the negative were:

Day

Absent and not voting:

|       |               |     |
|-------|---------------|-----|
| Dolan | Johnson, Cass | Rue |
|-------|---------------|-----|

So the bill passed and the title was agreed to.

Senator Page moved that the vote by which Senate Bill No. 195 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

**Senate Bill No. 199.** A Bill for an Act to amend and reenact section 34-0908 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to enforcements of contracts.

Which has been read.

Senator Day moved that further consideration of Senate Bill No. 199 be indefinitely postponed, which motion prevailed.

**Senate Bill No. 200.** A Bill for an Act relating to the settlement of labor disputes, amending and reenacting sections 34-1002 and 34-1006 of the 1953 Supplement to the North Dakota Revised Code of 1943, and providing for the appointment of a labor dispute board setting forth its powers

and duties; providing for employees representation for collective bargaining with elections; defining unfair labor practices; providing for the payment of expenses of the labor dispute board; making orders of labor dispute board appealable to the district courts of this state and repealing sections 34-1003, 34-1004 and 34-1005 of the 1953 Supplement to the North Dakota Revised Code of 1943, and providing a savings clause.

Which has been read.

Senator Duffy moved that the proposed amendments to Senate Bill No. 200 be printed in the Journal and the bill laid over one legislative day, which motion prevailed.

PROPOSED AMENDMENTS TO SENATE  
BILL NO. 200

In line 29 after the word "governor" insert "for a term of three years".

In line 37 after the word "labor" insert "and one shall represent the public".

In line 45 delete the word "deemed".

In line 62 place a period after the word "recommendations" and delete the balance of the line.

Delete lines 63 and 64.

In line 81 after the period insert the following sentence: "Such election shall not be called more frequently than once a year".

Insert subsection 2 reading as follows: "For any group of employees by agreement or concerted action to absent themselves from their regular employment when such employees are not on lawful strike, and such concerted absence shall be grounds for discharge and replacement of such employees."

In line 92 change the figure "2" to "3".

In line 94 change the figure "3" to "4".

In line 115 strike subsection 3 and in line 119 change "4" to "3".

Between lines 123 and 124 insert the following: "Where an agreement shall be reached pursuant to mediation as provided in this Act,"

In line 124 uncapitalize the letter "i" in the word "it".

After the period in line 127 insert the following: "Either party may bring an action in the district court to establish a contract which shall have been orally agreed upon."

Between lines 127 and 128 insert Section 4 to read as follows: "Section 4.) In the event the board, on complaint of either party and after due hearing, shall find either party guilty of unfair labor practices, it may issue its order requiring such party to desist therefrom and to make due restitution if such be deemed proper. Such order may be enforced upon application of the board to the district court."

In line 128 change the figure "5" after the word Section to "6".

MOTION

Senator Duffy moved that the Senate recognize the eighth grade class and instructor from St. Mary's School, Bismarck, which motion prevailed.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 202.** A Bill for an Act to amend and reenact sections 5-0207 and 5-0208 of the North Dakota Revised Code of 1943, relating to local licensing and regulating of the vending of beer and ale.

Which has been read.

Senator Page moved that Senate Bill No. 202 be amended as follows:

In line 37 after the word "ale" add the following: "on County Fair Grounds and".

Renumber the lines accordingly.

Which motion prevailed.

Senator Page moved that the rules be suspended and Senate Bill No. 202 be deemed properly engrossed and placed on second reading and final passage.

Senator Leier moved that further consideration of Senate Bill No. 202 be indefinitely postponed, which motion prevailed.

Senator Bridston moved that the vote by which Senate Bill No. 202 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Day moved that Senate Bill No. 223 be placed at the foot of the calendar, which motion prevailed.

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 15, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 174

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

EDWARD LENO, Secretary.

Senator Streibel moved that after the reading of the remaining bills on the calendar, the Senate recess for ten minutes, which motion prevailed.

The Senate reconvened at the call of the Chair.

Senator Streibel moved that the Journal for February 14th be corrected as follows:

Page 365, delete the words "Forty-First Day" and insert in lieu thereof the words "Forty-Second Day", which motion prevailed.

## FIRST READING

## OF SENATE CONCURRENT RESOLUTION

Senators Olson and Thomas introduced:

**Senate Concurrent Resolution "U".** A Concurrent Resolution authorizing and requesting the state board of higher education to provide for a study and analysis to determine the percentage distribution of consumers' money spent for goods derived from farm products.

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

## SECOND READING OF SENATE BILLS

**Senate Bill No. 67.** A Bill for an Act creating the Garrison Diversion Conservancy District in order to facilitate the



establishment, construction and maintenance of the Garrison Diversion Unit of the Missouri River Basin Project and defining its purposes, functions, powers and duties and repealing Chapter 61-24 of the 1953 Supplement to the North Dakota Revised Code for 1943.

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, 2; absent and not voting, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Olson    |
| Berube     | Holand            | Page     |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Streibel |
| Dolan      | Krenz             | Thomas   |
| Duffy      | Kusler            | Torno    |
| Ferry      | Leier             | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wolf     |
| Gilbertson | Nelson            | Yunker   |
| Hagen      | O'Brien           |          |

Those voting in the negative were:

|                        |     |
|------------------------|-----|
| Solberg                | Wog |
| Absent and not voting: |     |
| Johnson, Cass          | Rue |

So the bill passed and the title was agreed to.

Senator Wadeson moved that the vote by which Senate Bill No. 67 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 156. A Bill for an Act to amend and reenact Section 10-1313, North Dakota Revised Code of 1943, relating to by-laws of electric cooperative corporations.

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, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schoeder |
| Davis      | Klefstad          | Schrock  |
| Day        | Knudson           | Solberg  |
| Dewing     | Krenz             | Streibel |
| Dolan      | Kusler            | Thomas   |
| Duffy      | Leier             | Torno    |
| Ferry      | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | O'Brien           | Wolf     |

Hagen                      Olson                      Yunker  
Hernett

Absent and not voting:

Johnson, Cass              Rue

So the bill passed and the title was agreed to.

Senator Duffy moved that the vote by which Senate Bill No. 156 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

**Senate Bill No. 158.** A Bill for an Act to amend and reenact sections 15-3914, 15-3915, 15-3926 and subsection 1 of section 15-3928 and section 15-3940 of the 1953 Supplement to the North Dakota Revised Code of 1943, and section 15-3923 of the North Dakota Revised Code of 1943, all relating to assessments, annuities, reduced annuities, with drawals, qualifications and investment of funds of the North Dakota teachers' insurance and retirement fund.

Which has been read.

Senator Schrock moved that the proposed amendments to Senate Bill No. 158 be printed in the Journal and further consideration of the bill be laid over one legislative day, which motion prevailed.

#### PROPOSED AMENDMENTS TO SENATE

##### BILL NO. 158

In lines 5 and 6 remove the brackets.

In line 6 after the semi-colon delete the remainder of the line and line 7.

Remove the brackets in lines 8, 10, 11, 13, 14, and 16.

At the end of line 8 change the word "fifty" to "one hundred twenty".

In line 11 change the word "four" to "five".

In line 12 change the word "twenty" to "eighty".

In line 14 delete the word "one".

In line 15 delete the words "one hundred eighty" and insert in lieu thereof the words "two hundred".

**Senate Bill No. 160.** A Bill for an Act to amend and reenact section 15-2509 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to discontinuance of schools in common school districts having abnormally low pupil attendance.

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, 28; absent and not voting, 2.

Those voting in the affirmative were:

|         |           |          |
|---------|-----------|----------|
| Berube  | Kieley    | Schoeder |
| Bilden  | Leier     | Streibel |
| Day     | Luick     | Thomas   |
| Dewing  | Meidinger | Torno    |
| Fraser  | O'Brien   | Welander |
| Kamrath | Olson     | Wolf     |

Those voting in the negative were:

|            |                   |        |
|------------|-------------------|--------|
| Baeverstad | Hernett           | Page   |
| Bridston   | Holand            | Sayer  |
| Davis      | Johnson, Cavalier | Schmit |

|            |            |         |
|------------|------------|---------|
| Dolan      | Klefstad   | Schrock |
| Duffy      | Knudson    | Solberg |
| Ferry      | Krenz      | Tuff    |
| Foss       | Kusler     | Wadeson |
| Freed      | Livingston | Wog     |
| Gilbertson | Nelson     | Yunker  |
| Hagen      |            |         |

Absent and not voting:

Johnson, Cass      Rue

So the bill was declared lost.

#### MOTION

Senator Klefstad moved that the Senate recognize the high school class and mayor of Forman, No. Dak., which motion prevailed.

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 172.** A Bill for an Act to amend and reenact section 15-4014 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to high school tuition payments from state equalization fund, and declaring an emergency.

Which has been read.

Senator Schrock moved that Senate Bill No. 172 be amended as follows:

In the title of the bill after the last word "fund", strike the period, insert a comma and add the words "and declaring an emergency".

Add line 35, section 2, add the emergency clause.

Which motion prevailed.

Senator Schrock moved that the rules be suspended and Senate Bill No. 172 be deemed properly engrossed and placed on second reading and final action, which motion prevailed.

#### ROLL CALL

The question now 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, 3.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Page     |
| Berube     | Holand            | Sayer    |
| Bilden     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Kieley            | Schrock  |
| Day        | Knudson           | Solberg  |
| Dewing     | Krenz             | Streibel |
| Dolan      | Kusler            | Thomas   |
| Duffy      | Leier             | Torno    |
| Ferry      | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | O'Brien           | Wolf     |
| Hagen      | Olson             | Yunker   |

Absent and not voting:

Johnson, Cass      Klefstad      Rue

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

Senator Welander moved that the vote by which Senate Bill No. 172 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Streibel moved that action on Senate Bill No. 243 be laid over until Wednesday, February 16th, which motion prevailed.

**Senate Bill No. 223.** A Bill for an Act relating to cause for divorce.

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, 28; nays, 16; absent and not voting, 4.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Bridston   | Hernett           | Page     |
| Davis      | Holand            | Sayer    |
| Day        | Johnson, Cavalier | Schoeder |
| Dewing     | Kamrath           | Schrock  |
| Dolan      | Kieley            | Streibel |
| Duffy      | Knudson           | Thomas   |
| Foss       | Krenz             | Tuff     |
| Fraser     | Luick             | Wog      |
| Freed      | Meidinger         | Wolf     |
| Gilbertson |                   |          |

Those voting in the negative were:

|            |            |          |
|------------|------------|----------|
| Baeverstad | Leier      | Schmit   |
| Berube     | Livingston | Solberg  |
| Bilden     | Nelson     | Wadson   |
| Ferry      | O'Brien    | Welander |
| Hagen      | Olson      | Yunker   |
| Kusler     |            |          |

Absent and not voting:

|               |     |       |
|---------------|-----|-------|
| Johnson, Cass | Rue | Torno |
| Klefstad      |     |       |

So the bill passed and the title was agreed to.

Senator Day moved that the vote by which Senate Bill No. 223 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 15, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 67  
Senate Bill No. 156  
Senate Bill No. 169  
Senate Bill No. 223

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

EDWARD LENO, Secretary.

Senator Streibel moved that the Senate recess until 1:55 p.m., February 16th, which motion prevailed, and the Senate stood recessed.

EDWARD LENO, Secretary.

FORTY-THIRD DAY AFTER RECESS  
AND FORTY-FOURTH DAY

Bismarck, February 16, 1955

The Senate reconvened at 1:55 p.m., the President presiding.

REPORT OF STANDING COMMITTEE

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

Senate Bill No. 118  
Senate Bill No. 151  
Senate Bill No. 166  
Senate Bill No. 172  
Senate Bill No. 195  
Senate Bill No. 213  
Senate Bill No. 225

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

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

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 16, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 118  
Senate Bill No. 166  
Senate Bill No. 172  
Senate Bill No. 195

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

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, February 16, 1955

Mr. Speaker: I have the honor to inform you that the Senate has appointed as a committee to act with a like committee from the House, Senators Knutson, Schrock and Dewing, relative to the location and operation of the School for the Blind.

EDWARD LENO, Secretary.

## MESSAGE TO THE SENATE

House Chamber

Bismarck, February 16, 1955

Mr. President: I have the honor to inform you that the Speaker has appointed a committee to act with a like committee from the Senate, Representatives Heimes, Haugland, and Hofstrand, relative to the location and operation of the school for the Blind.

KENNETH L. MORGAN, Chief Clerk.

## MOTIONS AND RESOLUTIONS

Senator Kusler moved that Senate Bill No. 247 be returned to the Senate from the Committee on Industry and Business, which motion prevailed.

Senator Kusler moved that Senate Bill No. 247 be referred to the Judiciary Committee, which motion prevailed.

Senator Johnson (Cass) moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair.

## FIRST READING OF SENATE BILLS

The Delayed Bills Committee at the request of the North Dakota County Commissioners Association introduced:

Senate Bill No. 248. A Bill for an Act to amend and reenact section 57-1506 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to limitations on county tax levies.

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

## REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on General Affairs to whom was referred Senate Bill No. 122, have had the same under consideration and recommend that the same do pass.

LAVERN SCHOEDER, Chairman.

Senator Schoeder 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 indefinitely postponed.

RALPH DEWING, Chairman.

Senator Dewing 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. 219, have had the same under consideration and recommend that the same be placed on 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 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, which motion prevailed and the report was adopted.

Senator Johnson (Cass) moved that the vote by which Senate Bill No. 227 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

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 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 Education, to whom was referred Senate Bill No. 244, have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. SCHROCK, Chairman.

Senator Schrock 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. 245, have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. SCHROCK, Chairman.

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

Senator Schrock moved that the vote by which Senate Bill No. 244 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Schrock moved that the vote by which Senate Bill No. 245 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Livingston moved that the vote by which Senate Bill No. 214 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Day moved that the vote by which Senate Bill No. 231 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 247, have had the same under consideration and recommend that the same be amended as follows:

Line 13, strike out the word "ten" and in lieu thereof insert "fifteen".

Line 21, strike out the word "ten" and in lieu thereof insert "fifteen".

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 Social Welfare to whom was referred Senate Bill No. 248, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

ROSAMOND O'BRIEN, Chairman.

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

Mr. President: Your Committee on Agriculture to whom was referred Senate Concurrent Resolution "U", have had the same under consideration and recommend that the same be amended as follows:

In line 20 after the word "university" add the following: "or North Dakota Agricultural College".

Renumber the lines as necessary.

And when so amended recommend the same do pass.

DUNCAN FRASER, Chairman.

Senator Fraser 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. 240, have had the same under consideration and recommend that the same be amended as follows:

Delete everything after the words "A Bill" and insert in lieu thereof the following:

"For an Act relating to old age assistance and amending and reenacting section 50-0723 of the North Dakota Revised Code of 1943 and section 50-0713 of the 1953 Supplement thereto.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

- 1 SECTION 1. AMENDMENT.) Section 50-0723 of
- 1a the North Dakota
- 2 Revised Code of 1943 is hereby amended and reenacted to
- 3 read as follows:
- 4 50-0723. COUNTY SHARE OF OLD AGE
- 4a ASSISTANCE.) Each county
- 5 in this state shall reimburse the state agency for
- 5a ((fifteen))
- 6 forty percent of the amount expended for old age
- 6a assistance in
- 7 such county in excess of ((the amount provided by the
- 7a federal
- 8 government for old age assistance payments))) seventy
- 8a dollars
- 9 per month, less other income, unless there is more than
- 9a one
- 10 recipient in a family, in which case the reimbursement
- 10a shall be
- 11 forty percent of the amount expended in excess of fifty
- 11a dollars
- 12 per month per person, less other income, for each
- 12a recipient in
- 13 the family.
- 14 SECTION 2. AMENDMENT.) Section 50-0713 of
- 14a the 1953
- 15 Supplement to the North Dakota Revised Code of 1943
- 15a is hereby



16 amended and reenacted to read as follows:  
 17 50-0713. AMOUNT OF ASSISTANCE; MINIMUM.)  
 17a The amount of  
 18 assistance which any person shall receive under the  
 18a provisions  
 19 of this chapter shall be sufficient, when added to all  
 19a other  
 20 income of the recipient, to provide such person with a  
 20a reasonable  
 21 subsistence compatible with decency and health. The  
 21a amount of  
 22 such assistance to each recipient shall not be less than a  
 23 minimum of ((sixty)) seventy dollars per month unless  
 23a there  
 24 is more than one recipient in a family, in which case it  
 24a shall  
 25 not be less than ((forty-five)) fifty dollars a month for  
 25a each  
 26 recipient of the family.”

And when so amended recommend the same do pass.

ROSAMOND O'BRIEN, Chairman.

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

#### MOTION

Senator Streibel moved that the Senate recognize the Senior Class and their instructor, Miss Hougood, from Harvey, North Dakota, which motion prevailed.

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

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

#### FORTY-FOURTH DAY

Bismarck, February 16, 1955

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

Prayer by Chaplain Rev. K. T. Andersen, Salvation Army, Bismarck, No. Dak.

Roll Call: All members present except Senator Kieley.  
 So a quorum was declared.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the forty-second day after recess and forty-third day and find the same correct.

JOHN LEIER, Chairman.

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

MESSAGES TO THE SENATE

House Chamber  
Bismarck, February 16, 1955

Mr. President: I have the honor to transmit:  
House Concurrent Resolution "I-1"

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

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, February 16, 1955

Mr. President: I have the honor to transmit:

House Bill No. 503  
House Bill No. 508  
House Bill No. 523  
House Bill No. 558  
House Bill No. 568  
House Bill No. 582  
House Bill No. 606  
House Bill No. 647  
House Bill No. 670  
House Bill No. 675  
House Bill No. 702  
House Bill No. 703  
House Bill No. 720  
House Bill No. 725  
House Bill No. 770  
House Bill No. 774  
House Bill No. 748  
House Bill No. 749  
House Bill No. 775

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

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, February 16, 1955

Mr. President: I have the honor to transmit:

House Bill No. 779  
House Bill No. 796  
House Bill No. 797  
House Bill No. 799  
House Bill No. 816  
House Bill No. 817  
House Bill No. 837  
House Bill No. 831  
House Bill No. 835  
House Bill No. 840  
House Bill No. 847  
House Bill No. 851  
House Bill No. 852  
House Concurrent Resolution "B-1"  
House Concurrent Resolution "E-1"  
House Concurrent Resolution "F-1"  
House Concurrent Resolution "P"  
House Concurrent Resolution "V"  
House Concurrent Resolution "W"  
House Concurrent Resolution "Y"

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

KENNETH L. MORGAN, Chief Clerk.

## MOTIONS

Senator Streibel moved that on page 380 of the Journal, in the third line of Resolution 6, the word "Cass" be deleted and the word "Cavalier" be inserted in lieu thereof, which motion prevailed.

Senator Day moved that the proposed amendments to Senate Resolution No. 6, as amended on the floor, be adopted, which motion prevailed.

Senator Day moved that Senate Resolution No. 6 be adopted, as amended, which motion prevailed.

Senator Solberg moved that Senate Concurrent Resolution "T" be adopted, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

Senator Johnson (Cass) moved that the Senate dispense with the reading of the proposed amendments to Senate Bill No. 1, and that the amendments be adopted.

Senator Leier moved that the proposed amendments to Senate Bill No. 1 be further amended as follows:

In line 208 delete the figure "\$72,000.00", and insert in lieu thereof the figure "\$75,840.00", and in line 209 delete the figure "\$72,000.00", and insert in lieu thereof the figure "\$75,840.00". Correct the Grand Total accordingly.

Which motion was declared lost.

Senator Page moved that the proposed amendments to Senate Bill No. 1 be adopted, which motion prevailed.

Senator Duffy moved that the following amendment to the proposed amendments on Senate Bill No. 176 be made:

In line 42 of the printed bill delete the word "anticipated" and in lieu thereof the following words substituted: "likely to occur within one year".

Which motion prevailed.

Senator Thomas moved that the proposed amendments to Senate Bill No. 176, as amended from the floor, be adopted, which motion prevailed.

Senator Duffy moved that the following amendment to the proposed amendments to Senate Bill No. 177 be made:

In line 39 of the printed bill delete the word "anticipated", and in lieu thereof insert the following: "likely to occur within one year".

Which motion prevailed.

Senator Thomas moved that the proposed amendments to Senate Bill No. 177 as amended from the floor, be adopted, which motion prevailed.

Senator Duffy moved that the following amendment to the proposed amendments of Senate Bill No. 178 be made:

In line 34 of the printed bill delete the word "anticipated" and substitute in lieu thereof the following: "likely to occur within one year".

Which motion prevailed.

Senator Thomas moved that the proposed amendments to Senate Bill No. 178, as amended from the floor, be adopted, which motion prevailed.

Senator Dewing moved that the proposed amendment to Senate Bill No. 216 be adopted, which motion prevailed.

Senator Page moved that the proposed amendments to Senate Bill No. 241 be adopted, which motion prevailed.

Senator Duffy moved that the following amendment to the proposed amendments on House Bill No. 650 be made:

Delete the first line of the amendments and in lieu thereof substitute the following:

"In line 17 of the printed bill delete the word "anticipated" and substitute the following: "likely to occur within one year".

Which motion prevailed.

Senator Thomas moved that the proposed amendments to House Bill No. 650, as amended from the floor, be adopted, which motion prevailed.

SECOND READING OF SENATE BILLS  
AND RESOLUTIONS

Senate Concurrent Resolution "N". A Concurrent Resolution directing the legislative research committee to study the feasibility of a ton mile tax.

Which has been read.

Senator Day moved that Senate Concurrent Resolution "N" be amended as follows:

In Line 16, after the word "administration," insert the words "in conjunction with adjoining states".

Which motion prevailed.

Senator Day moved that the rules be suspended and that Senate Concurrent Resolution "N" be deemed properly engrossed and placed on second reading and final action, which motion prevailed.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Holand            | Page      |
| Berube     | Johnson, Cass     | Sayer     |
| Bilden     | Johnson, Cavalier | Schmit    |
| Bridston   | Kamrath           | Schoeder  |
| Davis      | Klefstad          | Schrock   |
| Day        | Knudson           | Solberg   |
| Dewing     | Krenz             | Streibel  |
| Dolan      | Kusler            | Thomas    |
| Duffy      | Leier             | Torno     |
| Ferry      | Livingston        | Tuff      |
| Foss       | Luick             | Wadeson   |
| Fraser     | Meidinger         | Welandner |
| Freed      | Nelson            | Wog       |
| Gilbertson | O'Brien           | Wolf      |
| Hagen      | Olson             | Yunker    |
| Hernett    |                   |           |

Absent and not voting:

Kieley Rue

So the resolution passed and the title was agreed to.

Senator Day moved that the vote by which Senate Concurrent Resoluion "N" was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

**Senate Bill No. 99.** A Bill for an Act to repeal chapter 54-38 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the state commission on alcoholism.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 23; nays, 24; absent and not voting, 1.

Those voting in the affirmative were:

|                   |          |           |
|-------------------|----------|-----------|
| Berube            | Klefstad | Streibel  |
| Day               | Luick    | Thomas    |
| Dewing            | Nelson   | Torno     |
| Ferry             | Page     | Welanders |
| Gilbertson        | Schmit   | Wog       |
| Hagen             | Schoeder | Wolf      |
| Johnson, Cavalier | Schrock  | Yunker    |
| Kamrath           | Solberg  |           |

Those voting in the negative were:

|            |               |            |
|------------|---------------|------------|
| Baeverstad | Freed         | Livingston |
| Bilden     | Hernett       | Meidinger  |
| Bridston   | Holand        | O'Brien    |
| Davis      | Johnson, Cass | Olson      |
| Dolan      | Knudson       | Rue        |
| Duffy      | Krenz         | Sayer      |
| Foss       | Kusler        | Tuff       |
| Fraser     | Leier         | Wadeson    |

Absent and not voting:

Kieley

So the bill was declared lost due to the lack of a constitutional majority.

Senator Olson moved to change his vote from aye to nay for the purpose of reconsideration, which motion prevailed.

**Senate Bill No. 151.** A Bill for an Act to define and regulate the business of lending in amounts of \$1000 or less; to authorize the licensing of persons engaged in such business; to permit such licensees to make charges at a greater rate than lenders not licensed hereunder; to prescribe maximum rates of charge which licensees are permitted to make; to regulate assignments of wages or salaries, earned or to be earned, when given as security for a loan of or as consideration for a payment of \$1000 or less; to provide for the administration and enforcement of this Act and the issuance of regulations and orders therefor by the State Examiner; to authorize the making of examinations and investigations and the publication of reports thereof; to provide that the State Examiner shall use the facilities of the Banking Department in administering and enforcing this Act and that he may have a deputy and other necessary employees; to provide for disposition of license and investigation fees; to provide for a review of administrative acts hereunder; to prescribe penalties; and to repeal all acts and parts of acts in conflict herewith.

Which has been read.

Senator Hagen moved that Senate Bill No. 151 be indefinitely postponed, which motion prevailed.

**Senate Bill No. 99.** A Bill for an Act to repeal chapter 54-38 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the state commission on alcoholism.

Senator Olson moved that the Senate reconsider its action by which Senate Bill No. 99 was lost, which motion prevailed.

Senator Olson moved that Senate Bill No. 99 be placed at the head of the calendar, which motion prevailed.

#### 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, 1.

Those voting in the affirmative were:

|                   |          |          |
|-------------------|----------|----------|
| Berube            | Kusler   | Solberg  |
| Day               | Luick    | Streibel |
| Dewing            | O'Brien  | Thomas   |
| Ferry             | Olson    | Torno    |
| Gilbertson        | Page     | Welander |
| Hagen             | Schmit   | Wog      |
| Johnson, Cavalier | Schoeder | Wolf     |
| Kamrath           | Schrock  | Yunker   |
| Klefstad          |          |          |

Those voting in the negative were:

|            |               |            |
|------------|---------------|------------|
| Baeverstad | Freed         | Livingston |
| Bilden     | Hernett       | Meidinger  |
| Bridston   | Holand        | Nelson     |
| Davis      | Johnson, Cass | Rue        |
| Dolan      | Knudson       | Sayer      |
| Duffy      | Krenz         | Tuff       |
| Foss       | Leier         | Wadeson    |
| Fraser     |               |            |

Absent and not voting:

Kieley

So the bill passed and the title was agreed to.

**Senate Bill No. 158.** A Bill for an Act to amend and reenact sections 15-3914, 15-3915, 15-3926 and subsection 1 of section 15-3928 and section 15-3940 of the 1953 Supplement to the North Dakota Revised Code of 1943, and section 15-3923 of the North Dakota Revised Code of 1943, all relating to assessments, annuities, reduced annuities, with draws, qualifications and investment of funds of the North Dakota teachers' insurance and retirement fund.

Which has been read.

Senator Schrock moved that the amendments to Senate Bill No. 158 as printed in the Journal, be adopted, which motion prevailed.

Senator Schrock moved that the rules be suspended and that Senate Bill No. 158 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

|            |               |      |
|------------|---------------|------|
| Baeverstad | Holand        | Page |
| Berube     | Johnson, Cass | Rue  |

|            |                   |          |
|------------|-------------------|----------|
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Klefstad          | Schoeder |
| Day        | Knudson           | Schrock  |
| Dewing     | Krenz             | Solberg  |
| Dolan      | Kusler            | Streibel |
| Duffy      | Leier             | Thomas   |
| Fraser     | Livingston        | Tuff     |
| Ferry      | Luick             | Wadeson  |
| Foss       | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | O'Brien           | Wolf     |
| Hagen      | Olson             | Yunker   |
| Hernett    |                   |          |

Absent and not voting:

Kieley                      Torno

So the bill passed and the title was agreed to.

Senator Schrock moved that the vote by which Senate Bill No. 158 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MOTION

Senator Solberg moved that the Senate Journal be corrected as follows:

On Page 386, Lines 39 and 47 add the names of the following Senators: Meidinger, Freed, and Kusler.

Which motion prevailed.

#### PETITIONS AND COMMUNICATIONS

A communication was read from the Tribal Council of the El Zagal Indians regarding a meeting on February 18, 1955.

Senator Streibel moved that the Senate recess until 1:55 p.m., February 17, 1955, which motion prevailed, and the Senate stood recessed.

EDWARD LENO, Secretary.

FORTY-FOURTH DAY AFTER RECESS  
AND FORTY-FIFTH DAY

Bismarck, February 17, 1955

The Senate reconvened at 1:55 p.m., the President presiding.

Senator Day moved that Senate Bill No. 137 be returned to the Senate from the Judiciary Committee, which motion prevailed.

Senator Day requested permission to withdraw Senate Bill No. 137 from further consideration, which request was granted.

Senator Olson requested permission to withdraw Senate Bill No. 122 from further consideration, which request was granted.

Senator Rue requested that his name be deleted from the introduction of Senate Resolution No. 6, which request was granted.

Senator Freed requested that his name be deleted from the introduction of Senate Resolution No. 6, which request was granted.

Senator Holand requested that his name be deleted from the introduction of Senate Resolution No. 6, which request was granted.

## 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. 158  
Senate Bill No. 176  
Senate Bill No. 177  
Senate Bill No. 178  
Senate Bill No. 216  
Senate Bill No. 241  
Senate Resolution No. 6  
Senate Concurrent Resolution "N"

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

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



Mr President: Your Committee on Industry and Business, to whom was referred Senate Bill No. 215, have had the same under consideration and recommend that the same be indefinitely postponed.

JOHN KUSLER, Chairman.

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

Senator Day:

The Northwestern Bell Telephone Company is collecting at the present time approximately \$800,000 a year that it ought not to collect because of their system of charging higher intra-state rates than inter-state rates for comparable service.

For example, the rate from Bismarck to Fargo is substantially higher than the rate from Bismarck to Moorhead, although in the Fargo-Moorhead office both calls are handled in the same office by the same employees and with the same equipment.

There has been considerable work done in that field to try to straighten that matter out. Obviously the reason for it is the rates where the toll lines cross state lines are under the control of the Federal Government while the rates for purely intra-state calls are controlled by our Public Service Commission, which has seen fit in the past to permit those rates to be raised above the comparable inter-state rate. We elected a new Public Service Commissioner in the hopes that that could be corrected at a hearing for that purpose, but it occurred to some of us that possibly that particular matter might be handled rather simply by a short bill that simply outlawed, as this bill does, the charging of any higher rate on an intra-state call than is permitted on a comparable inter-state call. However, when the bill was introduced we did not realize the complications that would result because of participation to some extent, of the small individual telephone companies. There are about fifty small individual telephone companies in the state of North Dakota, not one of them has a single line that crosses the state border so on any inter-state calls they must deal with the Northwestern Bell and its affiliate AT&T. In intra-state calls covering any distance within the state they must divide their rate with Northwestern Bell.

Now at first it occurred that by a simple amendment we could exclude from the operation of this act the small individual telephone company but we found that such an amendment would be ineffective because we had no way of providing by a single statute just how Northwestern Bell Telephone company would in turn divide its intra-state rates with the small independents, and that naturally became our concern. Some of them would be affected only to the extent of one or three thousand dollars a year in their income, presuming Northwestern Bell would pay them the same proportion as they are at the present time. However, two or three thousand dollars is a lot of money to some of those independents who only take in twelve or thirteen thousand dollars a year.

Further than that, so-called RTA groups are presently in the midst of a re-financing program in which their representatives have included their income based on the current rate structure as a part of their representations. It, therefore, became apparent that this law would not accomplish its

purpose without unduly burdening others, consequently this action of indefinite postponement.

The problem still is with us and it now becomes a problem we recognize must be handled by the Public Service Commission.

Senator Johnson (Cass) moved that the vote by which Senate Bill 215 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 242, have had the same under consideration and recommend that the same be amended as follows:

Line 6, after the word "sale" insert a period. Strike out the remainder of line 6.

Line 7, strike out the words "of sections 15-0710 and 15-0813 of this Code."

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 the proposed amendments to Senate Bill No. 242 be adopted, which motions prevailed.

Senator Day moved that the rules be suspended and that Senate Bill No. 242 be further amended as follows:

In line 4 strike out the word "private" and insert in lieu thereof the word "public".

In line 7 beginning with the word "any" strike out the balance of the line, all of line 8 and line 9 to and including the word "cash" and the period.

Which motion prevailed.

Senator Day moved that Senate Bill No. 242 be placed at the head of the calendar, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 539, have had the same under consideration and recommend that the same do pass.

RALPH DEWING, Chairman.

Senator Dewing 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. 607, have had the same under consideration and recommend that the same be indefinitely postponed.

ROSAMOND O'BRIEN, Chairman.

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

Senator Schrock moved that the vote by which House Bill No. 607 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 728, have had the

same under consideration and recommend that the same be indefinitely postponed.

RALPH DEWING, Chairman.

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

Senator Dewing moved that the vote by which House Bill No. 728 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 729, have had the same under consideration and recommend that the same be indefinitely postponed.

RALPH DEWING, Chairman.

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

Senator Berube moved that the vote by which House Bill No. 729 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. M. B. Fallgatter:

Gentlemen, most of you fellows knew former Senator Brant quite well. I think you appreciated him as a legislator and friend or any office he chose to fill. My chief claim to notoriety, if you care to call it that, is that I am from Brant's county and enjoyed his friendship many, many years. Of course, you know he has gone to his reward now. He left his trail here very bright with the legislation he helped to put through. I thank your Presiding Officer for inviting me up here. I have been a resident of the state for over fifty years and have never had an opportunity to enjoy an occasion such as this, and I assure you, I do enjoy it.

I don't envy any of you fellows your jobs. The days you spend here away from your business, etc., denote the patriotic trend. You surely can't come here for the wages you get. As far as the pretty girls, I can tell you we have as many where I come from as you do here.

Thanks again, and the best of luck to all of you.

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

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 17, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 99

Senate Bill No. 158

Senate Concurrent Resolution "N"

Senate Concurrent Resolution "T"

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

EDWARD LENO, Secretary.

#### UNFINISHED BUSINESS

Senator Duffy moved that the proposed amendments to Senate Bill No. 200 as printed in the Journal, be adopted.

Senator Johnson (Cass) moved to amend the proposed amendments to Senate Bill No. 200 as follows:

In line 44 of the printed bill after the word "witnesses" strike out the balance of the line.

In line 45 strike out the words "papers and documents deemed".

Senator Day moved the question of the amendments to Senate Bill No. 200 be divided, which motion prevailed.

Senator Streibel moved that the proposed amendments to Senate Bill No. 200 as read from the Journal and amended from the floor, be adopted, which motion prevailed.

Senator Wadeson moved that further consideration of Senate Bill No. 200 be indefinitely postponed.

Senator Johnson (Cass) requested permission to pass his vote on Senate Bill No. 200, on the basis of Rule 24.

Senator Day moved that the Senator be permitted to vote.

The Chair ruled that Senator Johnson (Cass) may be excused from voting.

Senator Rue requested permission to pass his vote on Senate Bill No. 200, on the basis of Rule 24. The Senator then withdrew his request.

**ROLL CALL**

The question being on the motion of Senator Wadeson that Senate Bill No. 200 be indefinitely postponed, the roll was called and there were ayes, 25; nays, 22; excused from voting, 1.

Those voting in the affirmative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Holand            | Meidinger |
| Davis      | Johnson, Cavalier | Nelson    |
| Dolan      | Kieley            | Olson     |
| Duffy      | Klefstad          | Page      |
| Ferry      | Knudson           | Rue       |
| Foss       | Krenz             | Sayer     |
| Freed      | Livingston        | Torno     |
| Hagen      | Luick             | Wadeson   |
| Hernett    |                   |           |

Those voting in the negative were:

|            |          |          |
|------------|----------|----------|
| Berube     | Kusler   | Streibel |
| Bilden     | Leier    | Thomas   |
| Bridston   | O'Brien  | Tuff     |
| Day        | Schmit   | Welander |
| Dewing     | Schoeder | Wog      |
| Fraser     | Schrock  | Wolf     |
| Gilbertson | Solberg  | Yunker   |
| Kamrath    |          |          |

Absent and not voting:

Johnson, Cass

So the bill was declared indefinitely postponed.

Senator Livingston moved that the vote by which Senate Bill No. 200 was indefinitely postponed be reconsidered, and the vote to reconsider be laid on the table, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 34, have had the same under consideration and recommend that the same be amended as follows:

Strike out sections 1, 2, 3, 5, 7, 8, 9, 10 and 12.

Strike out lines 158 and 159 and insert in lieu thereof the following: "65-0427. PAYMENT OF CLAIMS WHERE EMPLOYERS IN DEFAULT".

In line 171 strike out the remainder of the section after the word "default" and insert the following: "the injured employee shall be paid the same as where the premium is not in default".

In line 432 strike out the remainder of the line after the bracket.

In line 433 strike out all of the line up to the word "Section".

In line 435 strike out the word "are" and insert in lieu thereof the word "is".

Following Section 13 insert the following:

"SECTION..... RETROACTIVE PROVISION.)

65-0518 AMENDMENT. The provisions of Section 65-0517 as amended by Section 7 of Chapter 353 of the Session Laws of 1953 are retroactive to July 1, 1953, and the bureau, upon application or upon its own motion, shall adjust compensation paid since that date in accordance with this section.

SECTION..... AMENDMENT.) Section 65-1011 of the 1953 Supplement to the North Dakota Revised Code of 1943, approved March 9, 1951, is hereby amended and reenacted to read as follows:

"65-1001. APPEAL: RIGHT OF; HOW TAKEN. If the final action of the bureau denies the right of the claimant to participate at all in the fund on the ground that the injury was self-inflicted, or on the ground that the accident did not arise in the course of employment, or upon any other ground going to the basis of the claimant's right, or if the bureau allows the claimant to participate in the fund to a lesser degree than that claimed by the claimant, if such allowance is less than the maximum allowance provided by this title, the claimant may appeal to the district court of the county wherein the injury was inflicted. An appeal involving injuries received under insurance provided under contracts with extraterritorial coverage shall be triable in the district court of Burleigh county. Such appeal shall be taken in the manner provided in chapter 32 (28-32) of the title Judicial Procedure, Civil. In such a proceeding the state's attorney of the county wherein the appeal is taken without additional compensation shall represent the bureau. The clerk of court of the county within which the appeal is taken shall notify the state's attorney of the filing of such appeal.

And when so amended recommend the same do pass.

CARROLL E. DAY, Chairman.

Senator Day moved that the rules be suspended and the proposed amendments to Senate Bill No. 34 as read from the desk, be adopted, which motion prevailed.

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

Senator Streibel moved that after the reading of the remaining bills on the calendar the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

FORTY-FIFTH DAY

Bismarck, February 17, 1955

The Senate convened at 2:00 p.m., the President presiding.  
Prayer by Chaplain Rev. K. T. Andersen, Salvation Army,  
Bismarck, N. Dak.

Roll Call: All members present.

So a quorum was declared.

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 Forty-third Day after Recess and Forty-fourth day and  
find the same correct.

JOHN LEIER, Chairman.

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

MESSAGES TO THE SENATE

House Chamber

Bismarck, February 17, 1955

Mr. President: I have the honor to transmit:

House Bill No. 517  
House Bill No. 535  
House Bill No. 557  
House Bill No. 581  
House Bill No. 611  
House Bill No. 667  
House Bill No. 676  
House Bill No. 678  
House Bill No. 680  
House Bill No. 695  
House Bill No. 754  
House Bill No. 755  
House Bill No. 756  
House Bill No. 777  
House Bill No. 781  
House Bill No. 786  
House Bill No. 711  
House Bill No. 713  
House Bill No. 802

Which the House has passed and your favorable considera-  
tion is requested.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, February 17, 1955

Mr. President: I have the honor to transmit:

House Bill No. 809  
House Bill No. 812  
House Bill No. 822  
House Bill No. 830  
House Bill No. 836  
House Bill No. 855  
House Concurrent Resolution "C-1"  
House Concurrent Resolution "D-1"  
House Concurrent Resolution "O"  
House Concurrent Resolution "U"

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

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, February 17, 1955

Mr. President: I have the honor to return:

Senate Concurrent Resolution "L"

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

#### CONSIDERATION OF AMENDMENTS

Senator Fraser moved that the rules be suspended and the proposed amendments to Senate Concurrent Resolution "U" be adopted, which motion prevailed.

Senator O'Brien moved that the rules be suspended and the proposed amendments to Senate Bill No. 240 be adopted.

#### ROLL CALL

The roll was called and there were ayes, 26; nays, 22; absent and not voting, 0.

Those voting in the affirmative were:

|                   |          |          |
|-------------------|----------|----------|
| Berube            | Kamrath  | Solberg  |
| Bilden            | Kusler   | Streibel |
| Day               | Leier    | Thomas   |
| Dewing            | O'Brien  | Tuff     |
| Ferry             | Olson    | Welander |
| Fraser            | Page     | Wog      |
| Gilbertson        | Schmit   | Wolf     |
| Hagen             | Schoeder | Yunker   |
| Johnson, Cavalier | Schrock  |          |

Those voting in the negative were:

|            |               |           |
|------------|---------------|-----------|
| Baeverstad | Holand        | Luick     |
| Bridston   | Johnson, Cass | Meidinger |
| Davis      | Kieley        | Nelson    |
| Dolan      | Klefstad      | Rue       |
| Duffy      | Knudson       | Sayer     |
| Foss       | Krenz         | Torno     |
| Freed      | Livingston    | Wadeson   |
| Hernett    |               |           |

So the amendments were declared lost due to the lack of a two-thirds vote.

#### ROLL CALL

Senator Day appealed the decision of the Chair. The question being on whether the Chair should be sustained, the roll was called and there were ayes, 23; nays, 25; absent and not voting, 0.

Those voting in the affirmative were:

|            |               |           |
|------------|---------------|-----------|
| Baeverstad | Holand        | Meidinger |
| Bridston   | Johnson, Cass | Nelson    |
| Davis      | Kieley        | Rue       |
| Dolan      | Klefstad      | Sayer     |
| Duffy      | Knudson       | Torno     |
| Foss       | Krenz         | Wadeson   |
| Freed      | Livingston    | Wolf      |
| Hernett    | Luick         |           |

Those voting in the negative were:

|        |         |         |
|--------|---------|---------|
| Berube | Kamrath | Schrock |
|--------|---------|---------|

|                   |          |          |
|-------------------|----------|----------|
| Bilden            | Kusler   | Solberg  |
| Day               | Leier    | Streibel |
| Dewing            | O'Brien  | Thomas   |
| Ferry             | Olson    | Tuff     |
| Fraser            | Page     | Welander |
| Gilbertson        | Schmit   | Wog      |
| Hagen             | Schoeder | Yunker   |
| Johnson, Cavalier |          |          |

So the Chair stands over-ruled.

Senator Day moved that the proposed amendments to Senate Bill No. 247 be adopted, which motion prevailed.

REPORT OF STANDING COMMITTEE

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

Senate Bill No. 242

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 242. A Bill for an Act to amend and reenact section 15-0704 of the North Dakota Revised Code of 1943, relating to private sale of non-grant lands.

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, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Rue      |
| Berube     | Johnson, Cass     | Sayer    |
| Bilden     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Klefstad          | Schrock  |
| Day        | Knudson           | Solberg  |
| Dewing     | Krenz             | Streibel |
| Dolan      | Kusler            | Thomas   |
| Duffy      | Leier             | Torno    |
| Ferry      | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | O'Brien           | Wolf     |
| Hagen      | Olson             | Yunker   |
| Hernett    | Page              |          |

Absent and not voting:

Kieley

So the bill passed and the title was agreed to.

Senator Streibel moved that the vote by which Senate Bill No. 242 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 1. A Bill for an Act to appropriate money for the expenses of the executive, legislative and judicial departments of the State Government, and for all of the



subdivisions thereof, and for public schools, specifying the amount and time for which such appropriations shall be available, and repealing all acts, or parts of acts, insofar as the same shall relate to appropriations conflicting herewith or to appropriations for the same matters or purposes provided for herein, and declaring an emergency.

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, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |

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

Senator Page moved that the vote by which Senate Bill No. 1 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Duffy moved that Senate Bill No. 181 be placed at the head of the calendar.

Senator Dewing made a substitute motion to place Senate Bill No. 181 at the foot of the calendar, which motion was declared lost.

The question being on the original motion of Senator Duffy that Senate Bill No. 181 be placed at the head of the calendar, vote was taken and the motion prevailed.

Senator Hagen moved that further consideration of Senate Bill No. 181 be indefinitely postponed.

#### ROLL CALL

The question being on the motion of Senator Hagen, the roll was called and there were ayes, 28; nays, 20; absent and not voting, 0.

Those voting in the affirmative were:

|            |               |           |
|------------|---------------|-----------|
| Baeverstad | Johnson, Cass | Meidinger |
| Bridston   | Kieley        | Nelson    |
| Davis      | Klefstad      | O'Brien   |
| Dolan      | Knudson       | Rue       |
| Duffy      | Krenz         | Sayer     |
| Foss       | Kusler        | Solberg   |
| Freed      | Leier         | Torno     |
| Hagen      | Livingston    | Wadeson   |
| Hernett    | Luick         | Wolf      |
| Holand     |               |           |

Those voting in the negative were:

|            |                   |          |
|------------|-------------------|----------|
| Berube     | Johnson, Cavalier | Streibel |
| Bilden     | Kamrath           | Thomas   |
| Day        | Olson             | Tuff     |
| Dewing     | Page              | Welander |
| Ferry      | Schmit            | Wog      |
| Fraser     | Schoeder          | Yunker   |
| Gilbertson | Schrock           |          |

So the motion prevailed and Senate Bill No. 181 was indefinitely postponed.

Senator Hagen moved that the vote by which Senate Bill No. 181 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Duffy moved that the Senate recess until 10:00 a.m., February 18, 1955, which motion prevailed, and the Senate stood recessed.

EDWARD LENO, Secretary.

FORTY-FIFTH DAY AFTER RECESS  
AND FORTY-SIXTH DAY

Bismarck, February 18, 1955

The Senate reconvened at 10:00 a.m., the President presiding.

The Chairman of the Appropriations Committee returned Senate Bill No. 246 to the Senate.

REPORT OF STANDING COMMITTEE

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

Senate Bill No. 34

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

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

PETITIONS AND COMMUNICATIONS

A communication was read from Senator Milton R. Young expressing thanks for receiving Concurrent Resolution "S".

SECOND READING OF SENATE BILLS

**Senate Bill No. 34.** A Bill for an Act to amend and reenact sections 65-0205, 65-0427, 65-0801, 65-0518, 65-1011 of the North Dakota Revised Code of 1943 as amended; and to repeal section 10 of chapter 344 of the North Dakota Session Laws of 1951 relating to Workmen's Compensation.

Was read the second time.

Senator Day moved that the engrossed bill of Senate Bill No. 34 be amended as follows:

On line 1 strike out the figure "4" after the word "Section" and insert the figure "1".

On line 28 after the word "Section" strike the figure "6" and insert the figure "2".

On line 46 after the word "Section" strike out the figure "11" and insert the figure "3".

On line 65 after the word "Section" insert the figure "4".

On line 71 after the word "Section" insert the figure "5".

Which motion prevailed.

Senator Day moved that the rules be suspended and that Senate Bill No. 34 be deemed 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, 41; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Page     |
| Berube     | Holand            | Sayer    |
| Bilden     | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schoeder |
| Day        | Kieley            | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Thomas   |
| Duffy      | Kusler            | Tuff     |
| Ferry      | Leier             | Wadeson  |
| Foss       | Livingston        | Welander |
| Fraser     | Luick             | Wog      |
| Freed      | Meldinger         | Wolf     |
| Gilbertson | O'Brien           | Yunker   |
| Hagen      | Olson             |          |

Those voting in the negative were:

Johnson, Cass

Absent and not voting:

|          |        |          |
|----------|--------|----------|
| Bridston | Nelson | Streibel |
| Klefstad | Rue    | Torno    |

So the bill passed and the title was agreed to.

Senator Day moved that the vote by which Senate Bill No. 34 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

**Senate Bill No. 176.** A Bill for an Act to amend and reenact section 40-2805 of the North Dakota Revised Code of 1943, relating to sewer and water connections assessment funds of municipalities; providing for the issuance and payment of warrants and for contingent liability.

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, 2; absent and not voting, 5.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Sayer    |
| Berube     | Holand            | Schmit   |
| Bilden     | Johnson, Cass     | Schoeder |
| Davis      | Johnson, Cavalier | Schrock  |
| Day        | Kamrath           | Solberg  |
| Dewing     | Kieley            | Thomas   |
| Dolan      | Knudson           | Torno    |
| Duffy      | Krenz             | Tuff     |
| Ferry      | Kusler            | Wadeson  |
| Foss       | Leier             | Welander |
| Fraser     | Livingston        | Wog      |
| Freed      | Luick             | Wolf     |
| Gilbertson | Meldinger         | Yunker   |
| Hagen      | O'Brien           |          |



Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hagen             | O'Brien  |
| Berube     | Hernett           | Sayer    |
| Bilden     | Holand            | Schmit   |
| Bridston   | Johnson, Cass     | Schoeder |
| Davis      | Johnson, Cavalier | Schrock  |
| Day        | Kamrath           | Thomas   |
| Dewing     | Kieley            | Torno    |
| Dolan      | Knudson           | Tuff     |
| Duffy      | Krenz             | Wadeson  |
| Ferry      | Kusler            | Welander |
| Foss       | Leier             | Wog      |
| Fraser     | Livingston        | Wolf     |
| Freed      | Luick             | Yunker   |
| Gilbertson | Meidinger         |          |

Those voting in the negative were:

|       |      |         |
|-------|------|---------|
| Olson | Page | Solberg |
|-------|------|---------|

Absent and not voting:

|          |     |          |
|----------|-----|----------|
| Klefstad | Rue | Streibel |
| Nelson   |     |          |

So the bill passed and the title was agreed to.

Senator Duffy moved that the vote by which Senate Bill No. 178 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 213. A Bill for an Act relating to the use of certain types of motor vehicles upon the highways of this state and providing a penalty.

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, 23; nays, 20; absent and not voting, 5.

Those voting in the affirmative were:

|            |               |           |
|------------|---------------|-----------|
| Baeverstad | Hagen         | Leier     |
| Bilden     | Hernett       | Luick     |
| Bridston   | Holand        | Meidinger |
| Davis      | Johnson, Cass | Schrock   |
| Dewing     | Kamrath       | Torno     |
| Dolan      | Knudson       | Welander  |
| Duffy      | Krenz         | Yunker    |
| Foss       | Kusler        |           |

Those voting in the negative were:

|                   |            |         |
|-------------------|------------|---------|
| Berube            | Kieley     | Solberg |
| Day               | Livingston | Thomas  |
| Ferry             | O'Brien    | Tuff    |
| Fraser            | Olson      | Wadeson |
| Freed             | Page       | Wog     |
| Gilbertson        | Schmit     | Wolf    |
| Johnson, Cavalier | Schoeder   |         |

Absent and not voting:

|          |       |          |
|----------|-------|----------|
| Klefstad | Rue   | Streibel |
| Nelson   | Sayer |          |

So the bill was declared lost due to the lack of a constitutional majority.

Senator Day moved that Senate Bill No. 216 be placed at the foot of the calendar, which motion prevailed.

**Senate Bill No. 219.** A Bill for an Act to provide for the administration of estates of persons missing over seven years. Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 11; nays, 32; absent and not voting, 5.

Those voting in the affirmative were:

|            |         |       |
|------------|---------|-------|
| Baeverstad | Holand  | Torno |
| Day        | Kamrath | Wog   |
| Dewing     | Knudson | Wolf  |
| Freed      | Page    |       |

Those voting in the negative were:

|            |                   |          |
|------------|-------------------|----------|
| Berube     | Hernett           | Olson    |
| Bilden     | Johnson, Cass     | Schmit   |
| Bridston   | Johnson, Cavalier | Schoeder |
| Davis      | Kieley            | Schrock  |
| Dolan      | Krenz             | Solberg  |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Gilbertson | Meidinger         | Yunker   |
| Hagen      | O'Brien           |          |

Absent and not voting:

|          |       |          |
|----------|-------|----------|
| Klefstad | Rue   | Streibel |
| Nelson   | Sayer |          |

So the bill was declared lost due to the lack of a constitutional majority.

Senator Bridston requested permission to change his vote from aye to nay, which permission was granted.

Senator Day moved that the vote by which Senate Bill No. 219 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

**Senate Bill No. 225.** A Bill for an Act to tax the issuance and delivery of premium stamps.

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, 2; absent and not voting, 4.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Olson    |
| Berube     | Holand            | Page     |
| Bilden     | Johnson, Cass     | Rue      |
| Bridston   | Johnson, Cavalier | Sayer    |
| Davis      | Kamrath           | Schoeder |
| Day        | Kieley            | Solberg  |
| Dewing     | Knudson           | Thomas   |
| Dolan      | Krenz             | Torno    |
| Ferry      | Kusler            | Tuff     |
| Foss       | Leier             | Wadeson  |
| Fraser     | Livingston        | Welander |
| Freed      | Luick             | Wog      |
| Gilbertson | Meidinger         | Wolf     |
| Hagen      | O'Brien           | Yunker   |

Those voting in the negative were:

Schmit Schrock

Absent and not voting:

Duffy Nelson Streibel  
Klefstad

So the bill passed and the title was agreed to.

Senator Foss 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.

Senator Day moved that the title to Senate Bill No. 34 be corrected to read as follows:

"For an Act to Amend and reenact sections 65-0205, 65-0427, 65-0801, 65-0518, 65-1011 of the North Dakota Revised Code of 1943 as amended; and to repeal section 10 of chapter 344 of the North Dakota Session Laws of 1951 relating to Workmen's Compensation.

Which motion prevailed.

Senator Day moved that after the reading of Senate Bill No. 246 the Senate recess until 12:30 p.m., which motion prevailed.

The Senate reconvened at 12:30 p.m.

## SECOND READING OF SENATE BILLS AND RESOLUTIONS

**Senate Bill No. 241.** A Bill for an Act making an appropriation for the purpose of refunding to Richland County amounts erroneously paid to the state of North Dakota by such county for state general property taxes with its October, 1954 report of state taxes collected.

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, 0; absent and not voting, 9.

Those voting in the affirmative were:

|            |                   |           |
|------------|-------------------|-----------|
| Berube     | Hernett           | Page      |
| Bilden     | Holand            | Rue       |
| Davis      | Johnson, Cass     | Sayer     |
| Day        | Johnson, Cavalier | Schmit    |
| Dewing     | Klefstad          | Schoeder  |
| Dolan      | Krenz             | Schrock   |
| Duffy      | Kusler            | Torno     |
| Ferry      | Leier             | Tuff      |
| Foss       | Livingston        | Wadeson   |
| Fraser     | Luick             | Welandler |
| Freed      | Meidinger         | Wog       |
| Gilbertson | O'Brien           | Wolf      |
| Hagen      | Olson             | Yunker    |

Absent and not voting:

|            |         |          |
|------------|---------|----------|
| Baeverstad | Kieley  | Solberg  |
| Bridston   | Knudson | Streibel |
| Kamrath    | Nelson  | Thomas   |

So the bill passed and the title was agreed to.

Senator Luick moved that the vote by which Senate Bill No. 241 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.



**Senate Bill No. 243.** A Bill for an Act relating to claims for adjusted compensation of World War II veterans, creating a board of final review and declaring an emergency.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Berube     | Holand            | Rue      |
| Bilden     | Johnson, Cass     | Sayer    |
| Bridston   | Johnson, Cavalier | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dolan      | Krenz             | Solberg  |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welande  |
| Gilbertson | O'Brien           | Wog      |
| Hagen      | Olson             | Wolf     |
| Hernett    | Page              | Yunker   |

Absent and not voting:

|            |         |          |
|------------|---------|----------|
| Baeverstad | Kamrath | Nelson   |
| Dewing     | Knudson | Streibel |

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

Senator Welande 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.

**Senate Bill No. 246.** A Bill for an Act providing for the payment of expenses of Public Service Commissioners, and declaring an emergency.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 17; nays, 29; absent and not voting, 2.

Those voting in the affirmative were:

|               |           |         |
|---------------|-----------|---------|
| Bilden        | Klefstad  | Torno   |
| Day           | Luick     | Tuff    |
| Dolan         | Meidinger | Wadeson |
| Fraser        | O'Brien   | Welande |
| Freed         | Rue       | Wog     |
| Johnson, Cass | Schmit    |         |

Those voting in the negative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Olson    |
| Berube     | Holand            | Page     |
| Bridston   | Johnson, Cavalier | Sayer    |
| Davis      | Kamrath           | Schoeder |
| Dewing     | Kieley            | Schrock  |
| Duffy      | Knudson           | Solberg  |
| Ferry      | Krenz             | Thomas   |
| Foss       | Kusler            | Wolf     |
| Gilbertson | Leier             | Yunker   |
| Hagen      | Livingston        |          |



Senate Bill No. 247

Senate Concurrent Resolution "U"

And find the same correctly Engrossed.

ROSAMOND O'BRIEN, Chairman.

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

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 225

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

### SECOND READING OF SENATE BILLS AND RESOLUTIONS

Senate Concurrent Resolution "U". A Concurrent Resolution authorizing and requesting the state board of higher education to provide for a study and analysis to determine the percentage distribution of consumers' money spent for goods derived from farm products.

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, 42; nays, 4; absent and not voting, 2.

Those voting in the affirmative were:

|            |               |          |
|------------|---------------|----------|
| Baeverstad | Hernett       | Sayer    |
| Berube     | Holand        | Schmit   |
| Bilden     | Johnson, Cass | Schoeder |
| Davis      | Kamrath       | Schrock  |
| Day        | Kieley        | Solberg  |
| Dewing     | Klefstad      | Streibel |
| Dolan      | Knudson       | Thomas   |
| Duffy      | Krenz         | Torno    |
| Ferry      | Kusler        | Tuff     |
| Foss       | Leier         | Wadeson  |
| Fraser     | Livingston    | Welander |
| Freed      | Luick         | Wog      |
| Gilbertson | Olson         | Wolf     |
| Hagen      | Rue           | Yunker   |

Those voting in the negative were:

|                   |           |      |
|-------------------|-----------|------|
| Bridston          | Meldinger | Page |
| Johnson, Cavalier |           |      |

Absent and not voting:

Nelson O'Brien

So the resolution was adopted and the title was agreed to.

Senator Bridston requested to change his vote from aye to nay, which request was granted.

Senator Leier moved that the vote by which Senate Concurrent Resolution "U" was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 247. A Bill for an Act to amend and reenact subsection 1 of section 10-0330 of the North Dakota Revised Code of 1943, relating to the increasing or diminishing of the capital stock of corporations.

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, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Page     |
| Berube     | Holand            | Rue      |
| Bilden     | Johnson, Cass     | Sayer    |
| Bridston   | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schoeder |
| Day        | Kieley            | Schrock  |
| Dewing     | Klefstad          | Solberg  |
| Dolan      | Knudson           | Streibel |
| Duffy      | Krenz             | Thomas   |
| Ferry      | Kusler            | Torno    |
| Foss       | Leier             | Tuff     |
| Fraser     | Livingston        | Wadeson  |
| Freed      | Luick             | Wog      |
| Gilbertson | O'Brien           | Wolf     |
| Hagen      | Olson             | Yunker   |

Those voting in the negative were:

Meidinger

Absent and not voting:

Nelson Welander

So the bill passed and the title was agreed to.

Senator Berube moved that the vote by which Senate Bill No. 247 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Freed moved that the Senate reconsider its action on Senate Bill No. 213, which motion prevailed.

Senator Duffy moved that Senate Bill No. 213 be placed at the head of the calendar, which motion prevailed.

Senator Duffy moved that the rules be suspended and that Senate Bill No. 213 be amended as follows:

After Line 1 strike out Lines 2, 3, 4, 5, and 6, and insert in lieu thereof the following:

"Authorized to prescribe reasonable equipment regulations to prevent unnecessary and unusual damage to the highways, roads or streets within this state".

Which motion prevailed.

Senator Duffy moved that the rules be suspended and that Senate Bill No. 213 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

Senate Bill No. 213. A Bill for an Act relating to the use of certain types of motor vehicles upon the highways of this state and providing a penalty.

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, 9; absent and not voting, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Bilden     | Johnson, Cavalier | Rue      |
| Bridston   | Kamrath           | Sayer    |
| Davis      | Kieley            | Schrock  |
| Day        | Knudson           | Solberg  |
| Dewing     | Krenz             | Streibel |
| Dolan      | Leier             | Torno    |
| Duffy      | Livingston        | Tuff     |
| Ferry      | Luick             | Wadeson  |
| Foss       | Meidinger         | Wog      |
| Freed      | O'Brien           | Wolf     |
| Hagen      | Olson             | Yunker   |
| Hernett    |                   |          |

Those voting in the negative were:

|            |               |          |
|------------|---------------|----------|
| Berube     | Johnson, Cass | Schmit   |
| Fraser     | Klefstad      | Schoeder |
| Gilbertson | Kusler        | Thomas   |

Absent and not voting:

|        |          |
|--------|----------|
| Nelson | Welander |
|--------|----------|

So the bill passed and the title was agreed to.

Senator Wog moved that the vote by which Senate Bill No. 213 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 18, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 1  
 Senate Bill No. 176  
 Senate Bill No. 177  
 Senate Bill No. 178  
 Senate Bill No. 225  
 Senate Bill No. 241  
 Senate Bill No. 242  
 Senate Bill No. 243  
 Senate Bill No. 248  
 Senate Concurrent Resolution "U"

Which the Senate has passed and your favorable consideration is requested.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, February 18, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 247

Which the Senate has passed and your favorable consideration is requested.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, February 18, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 607  
 House Bill No. 728  
 House Bill No. 729

Which the Senate has indefinitely postponed.

EDWARD LENO, Secretary.

## CONSIDERATION OF AMENDMENTS

Senator Day moved that Senate Bill No. 240 be amended as follows:

In Section 1, Line 6, strike out the word "forty" and insert in lieu thereof the word "five".

In Line 7 strike the brackets before the word "the".

In Line 8 strike the brackets after the word "payments", insert a period, and strike the remainder of the Section.

Which motion prevailed.

Senator Knudson moved that Senate Bill No. 240 be further amended as follows:

Beginning with Line 14 strike all of Section 2 from the bill.

Which motion was declared lost.

Senator Torno made a substitute motion that further consideration of Senate Bill No. 240 be indefinitely postponed, which motion was declared lost.

Senator Day moved that the rules be suspended and that Senate Bill No. 240, as amended, be deemed properly re-engrossed and placed on second reading and final action, as amended.

## ROLL CALL

At the request of Senator Day, the roll was called and there were ayes, 26; nays, 20; absent and not voting, 2.

Those voting in the affirmative were:

|                   |          |          |
|-------------------|----------|----------|
| Berube            | Kamrath  | Schrock  |
| Bilden            | Klefstad | Solberg  |
| Day               | Kusler   | Streibel |
| Dewing            | Leier    | Thomas   |
| Ferry             | O'Brien  | Tuff     |
| Fraser            | Olson    | Wog      |
| Gilbertson        | Page     | Wolf     |
| Hagen             | Schmit   | Yunker   |
| Johnson, Cavalier | Schoeder |          |

Those voting in the negative were:

|            |               |           |
|------------|---------------|-----------|
| Baeverstad | Hernett       | Luick     |
| Bridston   | Holand        | Meidinger |
| Davis      | Johnson, Cass | Rue       |
| Dolan      | Kieley        | Sayer     |
| Duffy      | Knudson       | Torno     |
| Foss       | Krenz         | Wadeson   |
| Freed      | Livingston    |           |

Absent and not voting:

|        |          |
|--------|----------|
| Nelson | Welander |
|--------|----------|

So the motion was declared lost due to the lack of a two-thirds majority.

Senator Bridston:

It is my belief that Senate Bill No. 240 was introduced for political purposes only. Proponents of the bill admit that it would cost our State Welfare Fund an additional \$3,600,000.00 per year. Other estimates presented on the Senate floor today estimate this additional cost of almost \$5,000,000.00 per year. This bill will deplete the State Welfare Fund entirely in six years, according to Welfare Department estimates.

If the proponents were really serious about doing something for the aged they would have provided an additional tax to pay for this increased cost.

It is always easy to propose additional public service. Larger relief allowances, of course, are politically popular. Thinking citizens, however, should ask, and do ask, how these additional services should be financed. Where is the money coming from? Inasmuch as the proponents have not arranged for this in this bill I regret that I must vote no on this motion that would put Senate Bill No. 240 on the calendar.

The President:

In order that the position of the Chair may be clarified in the matter of ruling on Senate Bill No. 240 I want to clarify the record as follows. When the Senate convened it adopted a set of rules for procedure. I take no responsibility for any committee chairman for failing to get a bill out of Committee in time to be handled in the regular routine way. The responsibility of the Chair is to comply with the rules as submitted by the Rules Committee and adopted by the Senate. The ruling of a two-thirds requirement to adopt a motion does not indicate that the Chair is taking an arbitrary position in regard to the motion in question, but is bound under the rules adopted by the Senate.

Senator Day:

I wasn't aware that anyone was criticizing the President for his ruling that this took a two-thirds vote. I think every Senator in this body knew it took a two-thirds vote. Obviously if we didn't get a two-thirds vote to put the bill on the calendar we would not have the two-thirds vote to pass it. There was no oversight on anyone's part, nor is there any complaint on the ruling of the Chair. I stated yesterday it would take a two-thirds vote. We didn't intend to press the matter of an amendment earlier for that reason.

As far as the statement here that this Old Age Pension program is purely political, I think that what occurs in this field in the future will prove otherwise. I will refer you back to this statement at another time.

Senator Schrock:

I feel sincerely that in voting the way I did I was voting in the interests of ten thousand old people of the state of North Dakota. My only regret is that in their behalf we failed to pass a good bill.

#### 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. 34

Senate Bill No. 213

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 18, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 34

Senate Bill No. 213

Which the Senate has passed and your favorable consideration is requested.

EDWARD LENO, Secretary.

Mr. President: Your Committee on Transportation begs to advise that the following is the report of our committee as the result of a subcommittee hearing held in Des Moines, Iowa regarding reciprocity in the use of highways.

On February 11, 1955 a meeting on Reciprocity was held in Des Moines, Iowa to discuss the various problems arising on this subject. This was one of a series of meetings called by the Highway Users Conference to attempt to formulate a uniform agreement and law for presentation to legislators for the purpose of having uniform reciprocal privileges. At this particular meeting members of the various state governments were invited to attend. Representatives of the Highway Users from Iowa, Illinois, Kansas, Minnesota, Missouri, Nebraska, Wisconsin, South Dakota, and North Dakota were present. Representatives of the State government from Iowa, Missouri, Nebraska, North Dakota and Wisconsin were in attendance. North Dakota was represented by Senator Leier, Representative Roen, and C. J. Crawford of the State Highway Department.

A discussion of the difficulties of attempting to have uniform reciprocity laws was discussed and representatives of State government were very much in agreement on the fact that while such conditions were desirable for the highway user, it was at this time not practicable from the state's level. One of the main obstacles was the present variation in basic methods of truck taxation that has become a policy in each of the states. The second main point of difficulty was caused by the fact that in several instances there was a marked difference in the vehicle miles of use obtained by foreign vehicles within a state as compared to the miles of travel out of state made by residents from that state.

As far as solving the overall problems of reciprocity this meeting was not very productive, however, continued efforts toward finding a solution must be made. It was the consensus of opinion of the state officials present that an equitable solution of this problem must be found and presented by the highway users, and if they were unable to make such a determination, they then could expect the states to take whatever action they individually found necessary to protect their interests.

In individual discussions, our North Dakota group and Mr. Boyles, Representative from Nebraska, agreed to a free movement of North Dakota vehicles in Nebraska upon the payment of a mile tax similar to that imposed on Nebraska vehicles in North Dakota. By doing this North Dakota vehicles would be relieved of the Nebraska requirement of buying license. They must, however, when entering Nebraska enter through one of their ports of entry. The ports of entry, at the present time, are located at Chadron, Yankton, and Sioux City. Additional ports are expected to be opened at Valentine and Mariman. These ports of entry will be publicized in North Dakota. It was also agreed that North Dakota vehicles carrying North Dakota dealers plates



could be operated in Nebraska on an intransit base and the same privileges would be extended to similarly licensed Nebraska vehicles operating in North Dakota, without the imposition of any fee by either State.

In these discussions it was also brought out that Nebraska has an impounding law similar to the one imposed in North Dakota. The Nebraska law requires that the safety of perishable loads that may be involved in these impoundments remain with the driver and owner.

Representative Roen was very much interested in discussing the problems that exist with South Dakota, however, officials from that State failed to attend the meeting.

JOHN LEIER, Subcommittee Chairman.

GUST WOG, Chairman.

Senator Wog 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. 504, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 518, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 689, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

#### FIRST READING OF HOUSE BILLS AND RESOLUTIONS

**House Bill No. 503.** A Bill for an Act making an appropriation to the Livestock Sanitary Board for its operating and maintenance expense, and for indemnifying owners of animals, to the Bangs Disease Fund and to the Bovine Tuberculosis Fund.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 508.** 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, as amended by Sections 36-0203 and 36-0205 of the 1953 Supplement to the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 523.** A Bill for an Act making an appropriation for the payment of expenses of delegates to national

conventions of political parties recognized as such by the laws of the State of North Dakota.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 558.** A Bill for an Act to prohibit the feeding of raw garbage to swine in North Dakota and to provide for the licensing and regulation of garbage feeders and to provide minimum standards for the operation of garbage feeding establishments.

Was read the first time and referred to the Committee on Agriculture.

**House Bill No. 568.** A Bill for an Act requiring all county and township roads to be constructed with back sloped grades and ditches and that grass be planted thereon, for control of weeds.

Was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 582.** A Bill for an Act providing for a state game and fish department controlled and supervised by a state game and fish board and for officers of the department; prescribing duties, powers, and compensation; amending and reenacting subsection 1 and 2 of section 20-0101, sections 20-0201, 20-0202, 20-0204 and 20-0205 of the North Dakota Revised Code of 1943, and section 20-0203 of the 1953 Supplement to the North Dakota Revised Code of 1943, and repealing sections 20-0207, 20-0209 and 20-0212 of the 1953 Supplement to the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Natural Resources.

**House Bill No. 606.** A Bill for an Act to amend and reenact section 26-2211 of the North Dakota 1953 Supplement to the North Dakota Revised Code of 1943, relating to crops insurable; dates 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. 647.** A Bill for an Act to provide a method of enforcement of the Initiated Measure which appeared on the ballot at the primary election held in the State of North Dakota on the 29th day of June, 1954, and identified as measure No. 2 on the said ballot, prohibiting members of the Legislative Assembly and their spouses, and partnerships, corporations, and associations in which such members or spouses have a specified interest, from doing business with the State of North Dakota or its subdivisions under certain conditions, and providing penalties.

Was read the first time and referred to the Committee on Industry and Business.

**House Bill No. 670.** A Bill for an Act relating to restrictions on the powers of police magistrates and municipal justices of the peace, and providing a penalty, and declaring an emergency.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 675.** A Bill for an Act to amend and reenact subsection 67 of section 40-0501 and section 40-3301 of the North Dakota Revised Code of 1943, relating to the acquisition and operation of municipal utilities and authorizing municipalities to construct and operate natural or artificial gas transmission lines, plants, and distribution systems.

Was read the first time and referred to the Committee on Industry and Business.

**House Bill No. 702.** A Bill for an Act to amend and reenact section 15-6004 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the limitations of purposes and amount expended from the school construction fund.

Was read the first time and referred to the Committee on Education.

**House Bill No. 703.** A Bill for an Act to amend and reenact section 26-2240 of the North Dakota Revised Code of 1943, relating to hail taxes.

Was read the first time and referred to the Committee on Industry and Business.

**House Bill No. 720.** A Bill for an Act requiring sellers of bulk petroleum fuels to equip fuel meters with devices for stamping amount of fuel metered on sales receipt.

Was read the first time and referred to the Committee on Industry and Business.

**House Bill No. 725.** A Bill for an Act making an appropriation to the state water conservation commission for aid in drainage, irrigation, and flood control programs.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 748.** A Bill for an Act to amend and reenact subsection (d) of section 4-10A06 and subsection (a) of section 4-10A08 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to the regulatory powers of the North Dakota Potato Development Commission.

Was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 749.** A Bill for an Act to amend and reenact Sections 15-2511 and 15-29082 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the approval by the county superintendent of elementary non-resident pupils.

Was read the first time and referred to the Committee on Education.

**House Bill No. 770.** A Bill for an Act to amend and reenact sections 40-2907, 40-2908, and 40-2909 of the North Dakota Revised Code of 1943, relating to sidewalk construction in municipalities; providing for advertising for bids, awarding of contracts, and extension of assessments.

Was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 774.** A Bill for an Act to provide for the rehabilitation, clearance, and redevelopment of slums and blighted areas; to define the duties, liabilities, exemptions and

powers of cities and towns in undertaking such activities, and declaring an emergency.

Was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 775.** A Bill for an Act to amend and reenact section 39-0411 of the North Dakota Revised Code of 1943, relating to motor vehicle license plates.

Was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 779.** A Bill for an Act to amend and reenact section 40-4910 of the North Dakota Revised Code of 1943, relating to board of park commissioners.

Was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 796.** A Bill for an Act providing for the transfer of state health department funds of the division of vital statistics, representing deposits where no refunds have been requested; time limit; continuing policy.

Was read the first time and referred to the Committee on Social Welfare.

**House Bill No. 797.** A Bill for an Act to amend and reenact section 10-1520 of the North Dakota Revised Code of 1943, relating to accumulations in reserve funds of cooperative associations, by including stock credits for accumulation, and renumbering the subsections.

Was read the first time and referred to the Committee on Industry and Business.

**House Bill No. 799.** A Bill for an Act to amend and reenact section 40-3703 of the North Dakota Revised Code of 1943, relating to the authorization for a levy and expenditure of funds for band purposes by municipalities.

Was read the first time and referred to the Committee on Industry and Business.

**House Bill No. 816.** A Bill for an Act to amend and reenact Section 52-0627 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to Judicial Review of Decision; Petition For; Filing Petition.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 817.** A Bill for an Act creating and enacting subsection 4 of section 46-0410 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to distribution of copies of state law to the National conference of commissioners on uniform state laws.

Was read for the first time and referred to the Committee on Judiciary.

**House Bill No. 831.** A Bill for an Act to amend and reenact Section 15-2102 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to salary and expenses of the superintendent of public instruction.

Was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 835.** A Bill for an Act to amend and reenact section 54-0704 of the 1953 Supplement to the North

Dakota Revised Code of 1943, relating to the salary of the governor.

Was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 837.** A Bill for an Act relating to unfair trade practices in the dairy industry.

Was read the first time and referred to the Committee on Agriculture.

**House Bill No. 840.** A Bill for an Act providing for bail pending determination of habeas corpus proceedings in extradition cases.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 847.** A Bill for an Act providing for the destruction of Motor Vehicle Fuel Tax Refund Claims, Invoices, and other items attached to such refund claims and repealing Section 57-4133 of the 1953 Supplement to the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 851.** A Bill for an Act to amend and reenact Section 58-0516 of the North Dakota Revised Code of 1943 relating to vacancies in township offices, the manner of filling the same, the term of office, and repealing Section 44-0206 of the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 852.** A Bill for an Act to amend and reenact Section 24-0630 of the North Dakota Revised Code of 1943 relating to the removal of fences along public highways, notification to owner of adjacent property, removal of fences by Board of County Commissioners or by Board of Township Supervisors and assessment of costs therefor against property.

Was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 517.** 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. 535.** A Bill for an Act to amend and reenact section 39-0422, 39-0424 and subsections 2 and 3 of section 39-04A04 of the 1953 Supplement to the North Dakota Revised Code of 1943; and Section 39-0451 of the North Dakota Revised Code of 1943 relating to motor vehicle registration fees, ton fees, and bus seat tax fees.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 557.** A Bill for an Act relating to traffic regulations, speed limits, establishing speed zones and coordinating highway safety activities, and amending section 39-0902 and subsection 1 of section 40-0501 of the North Dakota Revised Code of 1943, as amended.

Was read the first time and referred to the Committee on Transportation.

**House Bill No. 581.** A Bill for an Act to amend and reenact sections 63-0305 and 63-0306 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the cutting of weeds and grasses adjoining township highways.

Was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 611.** A Bill for an Act to amend and reenact section 11-3201 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to World War memorials; providing for maintenance of such memorials, authorizing agreements with public or private non-profit agencies or corporations for such purpose, and decalring an emergency.

Was read the first time and referred to the Committee on Veterans and Military Affairs.

**House Bill No. 667.** A Bill for an Act to amend and reenact section 15-2512 of the North Dakota Revised Code of 1943 and section 15-5602 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to common school districts and providing for agreements between boards of districts of residence and boards of districts of enrollment, and determining the district of enrollment of elementary pupils and the credit for tuition therefor.

Was read the first time and referred to the Committee on Education.

**House Bill No. 676.** A Bill for an Act to amend and reenact section 20-0302 of the 1953 Supplement to the North Dakota Revised Code of 1943 and section 20-0310 of the North Dakota Revised Code of 1943, relating to game and fish licenses.

Was read the first time and referred to the Committee on Natural Resources.

**House Bill No. 678.** A Bill for an Act to amend and reenact sections 23-1002, 23-1003, 23-1004, 23-1005, 23-1006, 23-1008, 23-1010, 23-1011 and 23-1012 of the North Dakota Revised Code of 1943, dealing with motor and trailer courts and to repeal sections 23-1001, 23-1007 and 23-1009 and declaring an emergency.

Was read the first time and referred to the Committee on Social Welfare.

**House Bill No. 680.** A Bill for an Act under which the State Forester will provide for fire prevention, detection and suppression in the forested areas of North Dakota.

Was read the first time and referred to the Committee on Natural Resources.

**House Bill No. 695.** A Bill for an Act to amend and reenact subsection 5 of Section 43-0442 of the North Dakota Revised Code of 1943; relating to increase in renewal fee for barber's certificate and membership in North Dakota Barber Association.

Was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 711.** A Bill for an Act prohibiting the issuance of retail beer or liquor licenses to new establishments by county commissioners without written consent of township supervisors; and declaring an emergency.

Was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 754.** A Bill for an Act to amend and reenact section 10-0807 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to real estate holdings of religious and charitable corporations.

Was read the first time and referred to the Committee on General Affairs.

**House Bill No. 755.** A Bill for an Act providing for permissive requirement by the adjutant general of a bidder's bond in lieu of certified check from a contractor.

Was read the first time and referred to the Committee on Veterans and Military Affairs.

**House Bill No. 756.** A Bill for an Act authorizing the transfer of title of national guard motor storage buildings to cities for armory purposes.

Was read the first time and referred to the Committee on Veterans and Military Affairs.

**House Bill No. 777.** A Bill for an Act to promote industrial development within municipalities of this state; to authorize municipalities to acquire or construct, but not to operate, production facilities, together with all necessary appurtenances; to authorize the issuance and sale of revenue bonds for the purpose of this Act; and providing for separability of sections.

Was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 781.** A Bill for an Act making an appropriation to the agricultural college experiment station for the purpose of providing soil testing services for irrigable or potentially irrigable land.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 786.** 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 Appropriations.

**House Bill No. 713.** A Bill for an Act to amend and reenact sections 61-1602, 61-1605, 61-1615 and section 61-1620 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to water conservation and flood control districts.

Was read the first time and referred to the Committee on Natural Resources.

**House Bill No. 802.** A Bill for an Act making an appropriation to the state board of administration for the construction and purchase of a ward building and equipment for the state hospital for the insane at Jamestown.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 809.** A Bill for an Act making an appropriation to the state school construction fund.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 812.** A Bill for an Act to amend and reenact section 39-0421 of the 1953 Supplement to the North Dakota Revised Code of 1943, and to repeal sections 39-0447 and 39-0448 of the North Dakota Revised Code of 1943, relating to exemptions from registration and reciprocal use of highways, and declaring an emergency.

Was read the first time and referred to the Committee on Transportation.

**House Bill No. 822.** A Bill for an Act authorizing the State of North Dakota Aeronautics Commission to have notice of the erection of certain buildings, structures, towers and hazards within the State of North Dakota and providing for penalties.

Was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 830.** A Bill for an Act to prohibit any insurance company or other insurance entity which is financially owned or financially controlled by any foreign government outside the United States or the territories of the United States from doing any kind of insurance business in the State of North Dakota, and to provide penalties for the violation of this Act, and declaring an emergency.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 836.** A Bill for an Act making it unlawful for any broadcasting or television station within the boundaries of the State of North Dakota to broadcast or televise any advertisement of beer or other intoxicating liquor, prescribing a penalty for violation of this Act, and repealing all acts or parts of acts in conflict herewith.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 855.** A Bill for an Act relating to brucellosis vaccination of calves.

Was read the first time and referred to the Committee on Agriculture.

**House Concurrent Resolution "O".** A Concurrent Resolution for an amendment of section 14 of the Constitution of the state of North Dakota.

Was read the first time and referred to the Committee on Industry and Business.

**House Concurrent Resolution "U".** A Concurrent Resolution authorizing and requesting the Governor to appoint a committee to select a suitable emblem to serve as a coat of arms for the state of North Dakota.

Was read the first time and referred to the Committee on Veterans and Military Affairs.

**House Concurrent Resolution "C-1".** A Concurrent Resolution authorizing and directing the legislative research committee to examine and review all current statutes and introduce bills to eliminate obsolete and outmoded statutes.

Was read the first time and referred to the Committee on Judiciary.

**House Concurrent Resolution "D-1".** A Concurrent Resolution directing the legislative research committee to make a



study of certain legal and other aspects of law enforcement problems on Indian reservations and in Indian reservation counties.

Was read the first time and referred to the Committee on State and Federal Government.

**House Concurrent Resolution "B-1".** A Concurrent Resolution directing the legislative research committee to study the operation of section 186 of the Constitution of the state of North Dakota.

Was read the first time and referred to the Committee on State and Federal Government.

**House Concurrent Resolution "E-1".** A Concurrent Resolution urging Congress to reimburse the state of North Dakota and Benson County for expenses of law enforcement upon the Fort Totten Indian reservation.

Was read the first time and referred to the Committee on State and Federal Government.

**House Concurrent Resolution "F-1".** A Concurrent Resolution supporting the passage of legislation by the Congress of the United States to prohibit the transportation in interstate commerce of advertisements of alcoholic beverages.

Was read the first time and referred to the Committee on General Affairs.

**House Concurrent Resolution "P".** A Concurrent Resolution providing for examination by the statutory revisor of all enrolled bills before signing by the President of the Senate or Speaker of the House.

Was read the first time and referred to the Committee on Judiciary.

**House Concurrent Resolution "V".** A Concurrent Resolution petitioning the Congress of the United States to enact legislation authorizing a study and investigation into the feasibility of establishing additional manufacturing enterprises adjacent to Indian reservations in this state.

Was read the first time and referred to the Committee on General Affairs.

**House Concurrent Resolution "W".** A Concurrent Resolution directing the legislative research committee to revise and modernize the statutes of North Dakota governing the taking up and disposal of estray animals.

Was read the first time and referred to the Committee on Agriculture.

**House Concurrent Resolution "Y".** A Concurrent Resolution authorizing and directing the board of administration to take necessary action to improve the lighting in the legislative chambers.

Was read the first time and referred to the Committee on General Affairs.

**House Concurrent Resolution "I-1".** A Concurrent Resolution providing and designating House and Senate Chief Engineer's and Assistant Engineer's salaries.

Was read the first time and referred to the Committee on Appropriations.

MESSAGES TO THE SENATE

House Chamber

Bismarck, February 18, 1955

Mr. President: I have the honor to transmit:

House Bill No. 501  
House Bill No. 502  
House Bill No. 525  
House Bill No. 530  
House Bill No. 538  
House Bill No. 548  
House Bill No. 556  
House Bill No. 586  
House Bill No. 593  
House Bill No. 610  
House Bill No. 641  
House Bill No. 669  
House Bill No. 672  
House Bill No. 674  
House Bill No. 690  
House Bill No. 691  
House Bill No. 704  
House Bill No. 706  
House Bill No. 710  
House Bill No. 714

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, February 18, 1955

Mr. President: I have the honor to transmit:

House Bill No. 736  
House Bill No. 744  
House Bill No. 762  
House Bill No. 771  
House Bill No. 772  
House Bill No. 782  
House Bill No. 783  
House Bill No. 784  
House Bill No. 785  
House Bill No. 801  
House Bill No. 811  
House Bill No. 818  
House Bill No. 821  
House Bill No. 825  
House Bill No. 827  
House Bill No. 828  
House Bill No. 829  
House Bill No. 832  
House Bill No. 838  
House Bill No. 848

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, February 18, 1955

Mr. President: I have the honor to transmit:

House Bill No. 854

House Bill No. 856  
 House Bill No. 857  
 House Bill No. 858  
 House Bill No. 860  
 House Bill No. 861  
 House Bill No. 862  
 House Bill No. 864  
 House Bill No. 841  
 House Bill No. 863  
 House Concurrent Resolution "L"  
 House Concurrent Resolution "J-1"

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, February 18, 1955

Mr. President: I have the honor to return:

Senate Concurrent Resolution "N"

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

#### FORTY-SIXTH DAY

Bismarck, February 18, 1955

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. Norman E. Brauer, Zion Lutheran Church, Bismarck, No. Dak.

Roll Call: All members present except Senators Bilden, Dewing, Foss, Johnson (Cass), Klefstad, Leier, Nelson, Rue, Schmit, Tuff, and Welander.

So a quorum was declared.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the forty-fourth day after recess and forty-fifth day and recommend that the same be corrected as follows:

Page 413, sixth line from the bottom, change the word "Senate" to "House".

Page 414, line 17, change the word "Senate" to "House".

Page 419, line 9, after the word "over-ruled" strike the period, insert a comma and add the words "and the proposed amendments were adopted."

And when so corrected recommend that the same be approved.

JOHN LEIER, Chairman.

Senator Leier moved that the report be adopted, which motion prevailed and the report was adopted.

## SECOND READING OF HOUSE BILLS

**House Bill No. 510.** A Bill for an Act providing an appropriation for the paying of salary, clerkhire, travel and general expenses of the office of Commissioner of Veterans' Affairs.

Which 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, 0; absent and not voting, 21.

Those voting in the affirmative were:

|            |            |          |
|------------|------------|----------|
| Berube     | Krenz      | Schrock  |
| Duffy      | Kusler     | Solberg  |
| Ferry      | Livingston | Streibel |
| Fraser     | Luick      | Thomas   |
| Gilbertson | O'Brien    | Torno    |
| Hagen      | Olson      | Wadeson  |
| Hernett    | Page       | Wog      |
| Kamrath    | Sayer      | Wolf     |
| Kieley     | Schoeder   | Yunker   |

Absent and not voting:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Foss              | Leier     |
| Bilden     | Freed             | Meidinger |
| Bridston   | Holand            | Nelson    |
| Davis      | Johnson, Cass     | Rue       |
| Day        | Johnson, Cavalier | Schmit    |
| Dewing     | Klefstad          | Tuff      |
| Dolan      | Knudson           | Welander  |

So the bill passed and the title was agreed to.

**House Bill No. 511.** A Bill for an Act making an appropriation for the administration expenses of the Veterans' Aid Commission.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 29; nays, 0; absent and not voting, 19.

Those voting in the affirmative were:

|                   |            |          |
|-------------------|------------|----------|
| Baeverstad        | Kieley     | Schrock  |
| Berube            | Krenz      | Solberg  |
| Duffy             | Kusler     | Streibel |
| Ferry             | Livingston | Thomas   |
| Fraser            | Luick      | Torno    |
| Gilbertson        | O'Brien    | Wadeson  |
| Hagen             | Olson      | Wog      |
| Hernett           | Page       | Wolf     |
| Johnson, Cavalier | Sayer      | Yunker   |
| Kamrath           | Schoeder   |          |

Absent and not voting:

|          |               |           |
|----------|---------------|-----------|
| Bilden   | Freed         | Meidinger |
| Bridston | Holand        | Nelson    |
| Davis    | Johnson, Cass | Rue       |
| Day      | Klefstad      | Schmit    |
| Dewing   | Knudson       | Tuff      |
| Dolan    | Leier         | Welander  |
| Foss     |               |           |

So the bill passed and the title was agreed to.

**House Bill No. 512.** A Bill for an Act making an appropriation for the general maintenance, improvements and special projects for the North Dakota Soldiers' Home at Lisbon, North Dakota.

Which has been read.

#### 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, 31; nays, 0; absent and not voting, 17.

Those voting in the affirmative were:

|                   |            |          |
|-------------------|------------|----------|
| Baeverstad        | Kieley     | Schoeder |
| Berube            | Krenz      | Schrock  |
| Day               | Kusler     | Solberg  |
| Duffy             | Livingston | Streibel |
| Ferry             | Luick      | Thomas   |
| Fraser            | Meidinger  | Torno    |
| Gilbertson        | O'Brien    | Wadeson  |
| Hagen             | Olson      | Wog      |
| Hernett           | Page       | Wolf     |
| Johnson, Cavalier | Sayer      | Yunker   |
| Kamrath           |            |          |

Absent and not voting:

|          |               |           |
|----------|---------------|-----------|
| Bilden   | Freed         | Nelson    |
| Bridston | Holand        | Rue       |
| Davis    | Johnson, Cass | Schmit    |
| Dewing   | Klefstad      | Tuff      |
| Dolan    | Knudson       | Welandier |
| Foss     | Leier         |           |

So the bill passed and the title was agreed to.

**House Bill No. 521.** A Bill for an Act making an appropriation to the North Dakota Firemen's Association.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 32; nays, 0; absent and not voting, 16.

Those voting in the affirmative were:

|                   |            |          |
|-------------------|------------|----------|
| Baeverstad        | Kamrath    | Schoeder |
| Berube            | Kieley     | Schrock  |
| Davis             | Krenz      | Solberg  |
| Day               | Kusler     | Streibel |
| Duffy             | Livingston | Thomas   |
| Ferry             | Luick      | Torno    |
| Fraser            | Meidinger  | Wadeson  |
| Gilbertson        | O'Brien    | Wog      |
| Hagen             | Olson      | Wolf     |
| Hernett           | Page       | Yunker   |
| Johnson, Cavalier | Sayer      |          |

Absent and not voting:

|          |               |           |
|----------|---------------|-----------|
| Bilden   | Holand        | Nelson    |
| Bridston | Johnson, Cass | Rue       |
| Dewing   | Klefstad      | Schmit    |
| Dolan    | Knudson       | Tuff      |
| Foss     | Leier         | Welandier |
| Freed    |               |           |

So the bill passed and the title was agreed to.

Senator Streibel moved that House Bill No. 539 be moved to the foot of the calendar, which motion prevailed.

**House Bill No. 560.** A Bill for an Act to amend and reenact sections 4-2204 and 4-2224 of the North Dakota Revised Code of 1943, relating to the state soil conservation committee, and county supervisors.

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, 0; absent and not voting, 15.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cavalier | Sayer    |
| Berube     | Kamrath           | Schoeder |
| Davis      | Kieley            | Schrock  |
| Day        | Krenz             | Solberg  |
| Duffy      | Kusler            | Streibel |
| Ferry      | Livingston        | Thomas   |
| Fraser     | Luick             | Torno    |
| Gilbertson | Meidinger         | Wadeson  |
| Hagen      | O'Brien           | Wog      |
| Hernett    | Olson             | Wolf     |
| Holand     | Page              | Yunker   |

Absent and not voting:

|          |               |           |
|----------|---------------|-----------|
| Bilden   | Freed         | Nelson    |
| Bridston | Johnson, Cass | Rue       |
| Dewing   | Klefstad      | Schmit    |
| Dolan    | Knudson       | Tuff      |
| Foss     | Leier         | Welanders |

So the bill passed and the title was agreed to.

**House Bill No. 572.** A Bill for an Act to amend and reenact section 18-0105 of the North Dakota Revised Code of 1943, relating to reporting fires and losses by fire insurance companies to state fire marshal.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 32; nays, 0; absent and not voting, 16.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cavalier | Schoeder |
| Berube     | Kamrath           | Schrock  |
| Davis      | Kieley            | Solberg  |
| Day        | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Livingston        | Torno    |
| Fraser     | Luick             | Wadeson  |
| Gilbertson | O'Brien           | Wog      |
| Hagen      | Olson             | Wolf     |
| Hernett    | Page              | Yunker   |
| Holand     | Sayer             |          |

Absent and not voting:

|          |               |        |
|----------|---------------|--------|
| Bilden   | Johnson, Cass | Nelson |
| Bridston | Klefstad      | Rue    |
| Dewing   | Knudson       | Schmit |
| Dolan    | Leier         | Tuff   |



|       |           |          |
|-------|-----------|----------|
| Dolan | Leier     | Tuff     |
| Foss  | Meidinger | Welander |
| Freed |           |          |

So the bill passed and the title was agreed to.

**House Bill No. 596.** A Bill for an Act exempting cigarettes given to soldiers' home from state cigarette taxes, and declaring an emergency.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 32; nays, 0; absent and not voting, 16.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cavalier | Schoeder |
| Berube     | Kamrath           | Schrock  |
| Davis      | Kieley            | Solberg  |
| Day        | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Livingston        | Torno    |
| Fraser     | Luick             | Wadeson  |
| Gilbertson | O'Brien           | Wog      |
| Hagen      | Olson             | Wolf     |
| Hernett    | Page              | Yunker   |
| Holand     | Sayer             |          |

Absent and not voting:

|          |               |          |
|----------|---------------|----------|
| Bilden   | Johnson, Cass | Nelson   |
| Bridston | Klefstad      | Rue      |
| Dewing   | Knudson       | Schmit   |
| Dolan    | Leier         | Tuff     |
| Foss     | Meidinger     | Welander |
| Freed    |               |          |

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Schrock moved that House Bill No. 650 be laid over until Monday, which motion prevailed.

Senator Sayer moved that House Bill No. 656 be laid over until Monday, which motion prevailed.

#### ANNOUNCEMENTS

The President announced that a message from the Governor had been received, which would require an Executive Session.

Senator Streibel moved that action on the message from the Governor be laid over until next week, which motion prevailed.

Senator Berube moved that the absent Senators be excused, which motion prevailed.

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.



## FORTY-SEVENTH DAY

Bismarck, February 19, 1955

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. Norman E. Brauer, Zion Lutheran Church, Bismarck, No. Dak.

Roll Call: All members present except Senators Baeverstad, Bilden, Davis, Dewing, Dolan, Foss, Freed, Gilbertson, Hernet, Kiele, Klefstad, Knudson, Kusler, Leier, Meidinger, Nelson, Sayer, Schmit, Thomas, Tuff, and Welander.

So a quorum was declared.

No report was submitted on the Revision and Correction of the Journal for the forty-fifth day after recess and forty-sixth day.

## REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 513, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 554, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

FIRST READING OF HOUSE BILLS  
AND RESOLUTIONS

**House Bill No. 501.** A Bill for an Act making an appropriation for the general maintenance, and plant improvements of the state institutions of higher learning of the State of North Dakota.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 502.** A Bill for an Act making an appropriation for the purpose of carrying out the provisions of Chapter 54-38 of the 1953 Supplement to the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 525.** A Bill for an Act making an appropriation for the purpose of carrying out the provisions of Chapter 324, Session Laws of 1949.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 530.** 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.

**House Bill No. 538.** A Bill for an Act making an appropriation from the state treasury to the state highway department construction fund for the purpose of matching federal aid.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 548.** A Bill for an Act amending and reenacting subsection 3 of sections 15-1901 and sections 15-1902, 15-1903, 15-1906, 15-4002, 15-2008, 15-4003, 15-4010 and 15-4105 of the North Dakota Revised Code of 1943; and sections 15-2002, 15-2003, 15-2004, 15-2006, 15-2010, subsections 1 and 4 of 15-2012, 15-2013, 15-2014, 15-2015, 15-4021, 15-5303, 15-5701, 15-5902, 15-5903, 15-5905, subsection 6 of 15-6001 and 15-6006 of the 1953 Supplement to the North Dakota Revised Code of 1943; and repealing sections 15-5304 and 15-6002 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to high school correspondence vocational education and rehabilitation, the state equalization emergency fund board, the advisory board for school district reorganization, the state board of teaching scholarships, the advisory council on special education, the state school construction fund and other elementary and secondary education functions, and creating the state board of public school education.

Was read the first time and referred to the Committee on Education.

**House Bill No. 556.** A Bill for an Act imposing a tax on special motor fuels, providing for the administration and enforcement thereof, providing a penalty, and repealing chapter 57-42 of the North Dakota Revised Code of 1943, as amended.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 586.** A Bill for an Act to amend and reenact section 57-1516 and subsection 1 of section 57-1517 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to tax levies for building funds in school districts and the use thereof.

Was read the first time and referred to the Committee on Education.

**House Bill No. 593.** A Bill for an Act relating to motor fuel excise taxes, providing for the coloring of tax exempt fuel and making such fuel tax exempt.

Was read the first time and referred to the Committee on Transportation.

**House Bill No. 610.** A Bill for an Act to provide for the Licensing and bonding of Mobile Home Dealers; to provide for the licensing of Mobile Homes; to provide for safety devices and regulations in the operation of Mobile Homes; to provide for the size of Mobile Homes; to provide for the suspension and revocation of Dealer's Licenses and for penalties; and repealing all Acts in conflict herewith.

Was read the first time and referred to the Committee on Industry and Business.

**House Bill No. 641.** A Bill for an Act to amend and reenact section 4-0227 of the North Dakota Revised Code of 1943, relating to county fair associations and tax levies therefor.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 669.** A Bill for an Act to amend and reenact section 52-0909 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the Rate of Contributions and subsection 5 of section 52-0920 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to definitions.

Was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 672.** A Bill for an Act relating to creation, organization, reorganization, operation, powers, purposes, reports, fees, franchise taxes and charges, and dissolution of domestic and foreign profit corporations organized or operating within this state for any lawful purpose, providing certain penalties for violation of certain sections of this Act, and repealing Chapters 10-01, 10-02, 10-03, 10-05, 10-14, 10-16 and 10-17, and Subdivisions 4, 5, 8 and 9 of section 54-0904 of the North Dakota Revised Code of 1943, and the 1953 Supplement thereto.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 674.** A Bill for an Act relating to eradication of noxious weeds, and prescribing functions of the extension service of the North Dakota agricultural college with reference thereto; providing for appointment of a commissioner of noxious weeds and deputy commissioner in each county commissioner district and in a city, village, township or irrigation district; prescribing their powers and duties and fixing their compensation, providing for a tax levy to cover compensation and expenses of such commissioner and deputy commissioner of noxious weeds, providing penalties for violation of this Act; repealing chapter 63-02 of the North Dakota Revised Code of 1943 and declaring an emergency.

Was read the first time and referred to the Committee on Agriculture.

**House Bill No. 690.** A Bill for an Act to provide for a township tax levy of five mills to be used in cooperation with a county in the construction and maintenance of federal aid

farm to market roads on the county highway system within such township, and providing for notification.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 691.** A Bill for an Act to amend and reenact Subsection 8 of Section 57-3822 of the 1943 Revised Code relating to deductions allowed in computing net income.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 704.** A Bill for an Act to authorize the industrial commission to deal with the federal government or its agencies in the disposition and utilization of government owned properties at Riverdale, North Dakota, to designate the industrial commission as a state agency authorized to co-operate under the Housing Act of 1954, authorizing the commission to apply for, receive and disburse planning funds and making an appropriation therefor.

Was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 706.** A Bill for an Act making an appropriation to the state board of administration for the construction of a school for the blind.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 710.** A Bill for an Act providing for the licensing and regulating by the state department of health of the business of cleaning, pumping, and servicing cesspools, septic tanks, or privies; fixing the license fees; providing for the issuance of permits by health officers of cities, towns, counties, and health districts, fixing the fees for such permits; authorizing local and district health officers to regulate within their jurisdictions; and providing penalties for violation of any provision of this Act.

Was read the first time and referred to the Committee on Social Welfare.

**House Bill No. 714.** A Bill for an Act to amend and reenact subdivisions 2, 3 and 4 of section 27-0905 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to fees and mileage for jurors.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 736.** A Bill for an Act to provide for the coverage under the Old Age and Survivors Insurance provisions of title II of the Federal Social Security Act, as amended, of all officers and employees of the state of North Dakota and political subdivisions within the state who are under the provisions of Chapter 52-09, entitled, Old Age and Survivors Insurance, or who may by election come under the provisions of such chapter, and of all officers and employees of political subdivisions who are under locally administered retirement systems.

Was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 744.** A Bill for an Act relating to the Destruction of Noxious Weeds on Railroad Rights-of-way; Penalty.

Was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 762.** A Bill for an Act authorizing the Public Service Commission to appoint grain elevator weighmasters; prescribing qualifications; authorizing the Public Service Commission to prescribe fees; providing for remuneration of weighmasters, revocation of license and providing a penalty, and declaring an emergency.

Was read the first time and referred to the Committee on General Affairs.

**House Bill No. 771.** A Bill for an Act to amend and reenact section 40-4608 of the North Dakota Revised Code of 1943, relating to investment of city employees' pension funds.

Was read the first time and referred to the Committee on General Affairs.

**House Bill No. 772.** A Bill for an Act to amend and reenact section 40-4506 of the North Dakota Revised Code of 1943, relating to investment of policemen's pension funds.

Was read the first time and referred to the Committee on General Affairs.

**House Bill No. 782.** A Bill for an Act establishing a revolving fund for the increase of new or improved varieties of agricultural seeds, and making an appropriation.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 783.** A Bill for an Act making an appropriation to the Agricultural college experiment station for the purpose of providing general soil testing service.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 784.** A Bill for an Act making an appropriation for a laboratory addition to Morrill Hall at the agricultural college for the purpose of soil testing and other agricultural experimentation and laboratory purposes.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 785.** A Bill for an Act to amend and reenact subsection 2 of section 11-1010 of the North Dakota Revised Code of 1943, relating to salaries of county officers, and repealing subsection 4 of section 11-1010 of the North Dakota Revised Code of 1943 and section 11-10102 of the 1953 Supplement thereto.

Was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 793.** A Bill for an Act to provide for a consolidated primary election ballot and to repeal sections 16-0415 and 16-0420 of the 1953 Supplement to the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 801.** A Bill for an Act making an appropriation for the construction of a new building and purchasing equipment therefor for the Grafton state school.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 811.** 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 the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 818.** A Bill for an Act relating to unfair methods of competition and unfair and deceptive acts and practices in the business of insurance.

Was read the first time and referred to the Committee on Industry and Business.

**House Bill No. 821.** A Bill for an Act authorizing the use of voting machines in election precincts upon county and city authorization and agreement; providing for standards of construction and operation of such machines, for procedure in use, for application of other election laws and for penalties; amending and reenacting sections 16-1103, 16-1104, 16-1105, 16-1109, 16-0901, and 16-0902 of the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 825.** A Bill for an Act relating to the prohibition of the buying, selling, distribution, designing or disseminating in any way, of obscene writings and pictures and providing for the enforcement and administration of this Act and penalties for its violation; and to repeal Sections 12-2107, 12-2109 and 12-2111 of the North Dakota Revised Code of 1943.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 827.** A Bill for an Act creating and enacting subsection 20 of section 57-0208 of the North Dakota Revised Code of 1943, relating to property exempt from taxation.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 828.** A Bill for an Act to assist in the control of tuberculosis; providing for transfer of tubercular persons committed to or confined in state or county institutions to the state tuberculosis sanatorium or other appropriate institutions.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 829.** A Bill for an Act providing for the control of tuberculosis and protection of public health; creating county tuberculosis boards; authorizing compulsory care, treatment, isolation and quarantine at the state sanatorium or other appropriate institution, and the placing of persons having active, infectious tuberculosis dangerous to public health in the custody of the state board of administration for such purposes; and prescribing procedures.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 832.** A Bill for an Act providing for the payment of expenses to the superintendent of public instruction, making an appropriation and declaring an emergency.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 838.** A Bill for an Act to amend and reenact sections 19-0601, 19-0602, 19-0603, 19-0604, 19-0605 and 19-0606 of the North Dakota Revised Code of 1943, relating to the sale of imitation ice cream.

Was read the first time and referred to the Committee on Social Welfare.

**House Bill No. 841.** A Bill for an Act to provide for compensation of surface owners of land damaged or destroyed in drilling, mining, excavating or quarrying and fixing the measure of damages.

Was read the first time and referred to the Committee on General Affairs.

**House Bill No. 848.** A Bill for an Act making an appropriation and providing for a continuing and extensive program of research, investigation and public education in the field of taxation and the study of the distribution of the tax burden among the various economic groups in the State of North Dakota.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 854.** A Bill for an Act making an additional appropriation for the per diem employees of the Thirty-fourth Legislative Assembly, and declaring an emergency.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 856.** A Bill for an Act authorizing a special ten mill levy for certain county agricultural high schools for building fund purposes, and declaring an emergency.

Was read the first time and referred to the Committee on Education.

**House Bill No. 857.** A Bill for an Act to amend and reenact section 40-0511 of the North Dakota Revised Code of 1943 relating to powers of foreign municipalities.

Was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 858.** A Bill for an Act to amend and reenact section 26-1513 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to county mutual insurance companies.

Was read the first time and referred to the Committee on Industry and Business.

**House Bill No. 860.** A Bill for an Act making an appropriation jointly to the North Dakota Legislative Research Committee and the North Dakota OASIS for the purpose of making an actuarial study of the North Dakota OASIS and maintaining the necessary expenses connected therewith.

Was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 861.** A Bill for an Act to amend and reenact subsections A., E., and F., of Section 52-0920, of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to definitions.

Was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 862.** A Bill for an Act to amend and reenact section 38-0205 of the North Dakota Revised Code of 1943 providing for alternative methods of locating mining claims in lieu of sinking discovery shafts, and declaring an emergency.

Was read the first time and referred to the Committee on Natural Resources.

**House Bill No. 863.** A Bill for an Act making an appropriation for salaries and expenses of the livestock dealer's division.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 864.** A Bill for an Act relating to tuition payments for high school students.

Was read the first time and referred to the Committee on Education.

**House Concurrent Resolution "J-1".** A Concurrent Resolution requesting Congress to authorize North Dakota, South Dakota, Montana and Wyoming to enter into a compact for an equitable division among the states of the water supply of the Little Missouri River.

Was read the first time and referred to the Committee on Natural Resources.

**House Concurrent Resolution "L".** A House Concurrent Resolution urging the division of land management of the Department of the Interior to give adjacent landowners preference in leasing lands.

Was read the first time and referred to the Committee on General Affairs.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 854, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

#### FIRST READING OF SENATE RESOLUTION

Senators Hagen, Hernet, Davis, Dewing, Day and Page introduced:

**Senate Concurrent Resolution "V".** A Concurrent Resolution memorializing Congress, the President, and the Secretary of Agriculture to take appropriate steps to correct unwarranted and unfair discrimination in respect to acreage allotments for hard spring wheat farmers in North Dakota.

Was read the first time and referred to the Committee on Agriculture.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 504.** A Bill for an Act making an appropriation to the State Historical Society for salary, clerkhire and



miscellaneous expenses and maintenance of State Parks.

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, 0; absent and not voting, 22.

Those voting in the affirmative were:

|                   |            |          |
|-------------------|------------|----------|
| Berubé            | Kamrath    | Schrock  |
| Bridston          | Krenz      | Solberg  |
| Day               | Livingston | Streibel |
| Duffy             | Luick      | Torno    |
| Ferry             | O'Brien    | Wadeson  |
| Fraser            | Olson      | Wog      |
| Hagen             | Page       | Wolf     |
| Holand            | Rue        | Yunker   |
| Johnson, Cavalier | Schoeder   |          |

Absent and not voting:

|            |               |           |
|------------|---------------|-----------|
| Baeverstad | Hernett       | Meidinger |
| Bilden     | Johnson, Cass | Nelson    |
| Davis      | Kieley        | Sayer     |
| Dewing     | Klefstad      | Schmit    |
| Dolan      | Knudson       | Thomas    |
| Foss       | Kusler        | Tuff      |
| Freed      | Leier         | Welander  |
| Gilbertson |               |           |

So the bill passed and the title was agreed to.

Senator Hagen moved that House Bill No. 518 be laid over until Monday for further consideration, which motion prevailed.

Senator Livingston moved that House Bill No. 681 be laid over until Monday, which motion prevailed.

House Bill No. 689. A Bill for an Act to appropriate and transfer moneys out of the funds available for aid to dependent children and to make such moneys available for expenditure by the Public Welfare Board for crippled children services during the remainder of the biennium ending June 30, 1955; and declaring an emergency.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 27; nays, 0; absent and not voting, 21.

Those voting in the affirmative were:

|               |                   |          |
|---------------|-------------------|----------|
| Berube        | Johnson, Cavalier | Schoeder |
| Bridston      | Kamrath           | Schrock  |
| Day           | Krenz             | Solberg  |
| Duffy         | Livingston        | Streibel |
| Ferry         | Luick             | Torno    |
| Fraser        | O'Brien           | Wadeson  |
| Hagen         | Olson             | Wog      |
| Holand        | Page              | Wolf     |
| Johnson, Cass | Rue               | Yunker   |

Absent and not voting:

|            |            |           |
|------------|------------|-----------|
| Baeverstad | Gilbertson | Meidinger |
| Bilden     | Hernett    | Nelson    |
| Davis      | Kieley     | Sayer     |

|        |          |          |
|--------|----------|----------|
| Dewing | Klefstad | Schmit   |
| Dolan  | Knudson  | Thomas   |
| Foss   | Kusler   | Tuff     |
| Freed  | Leier    | Welander |

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**House Concurrent Resolution "D".** A Concurrent Resolution providing for the issuance, sale and delivery of the bonds of the State of North Dakota not to exceed the sum of \$9,000,000.00 to be used in the payment of an adjusted compensation to North Dakota veterans of the Korean Conflict who served in the Armed Forces of the United States or any of its allies between June 25, 1950 and July 27, 1953, and to provide the levy of a tax for the payment of same.

Which has been read.

#### ROLL CALL

The question being on the final passage of the Concurrent Resolution, as amended in the Senate, the roll was called and there were ayes, 27; nays, 0; absent and not voting, 21.

Those voting in the affirmative were:

|               |                   |          |
|---------------|-------------------|----------|
| Berube        | Johnson, Cavalier | Schoeder |
| Bridston      | Kamrath           | Schrock  |
| Day           | Krenz             | Solberg  |
| Duffy         | Livingston        | Streibel |
| Ferry         | Luick             | Torno    |
| Fraser        | O'Brien           | Wadeson  |
| Hagen         | Olson             | Wog      |
| Holand        | Page              | Wolf     |
| Johnson, Cass | Rue               | Yunker   |

Absent and not voting:

|            |            |           |
|------------|------------|-----------|
| Baeverstad | Gilbertson | Meidinger |
| Bilden     | Hernett    | Nelson    |
| Davis      | Kieley     | Sayer     |
| Dewing     | Klefstad   | Schmit    |
| Dolan      | Knudson    | Thomas    |
| Foss       | Kusler     | Tuff      |
| Freed      | Leier      | Welander  |

So the Concurrent Resolution was adopted and the title was agreed to.

Senator Streibel moved that the Senate delay action on House Bill No. 539 until Monday, which motion prevailed.

Senator Page moved that the rules be suspended and that House Bill No. 854 be placed on the calendar for second reading and final passage, which motion prevailed.

**House Bill No. 854.** A Bill for an Act making an additional appropriation for the per diem employees of the Thirty-fourth Legislative Assembly, and declaring an emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 26; nays, 1; absent and not voting, 21.

Those voting in the affirmative were:

|          |                   |          |
|----------|-------------------|----------|
| Berube   | Johnson, Cass     | Rue      |
| Bridston | Johnson, Cavalier | Schoeder |
| Day      | Kamrath           | Schrock  |

|        |            |          |
|--------|------------|----------|
| Duffy  | Krenz      | Solberg  |
| Ferry  | Livingston | Streibel |
| Fraser | Luick      | Torno    |
| Haøen  | O'Brien    | Wadeson  |
| Holand | Olson      | Wolf     |
|        | Page       | Yunker   |

Those voting in the negative were:

Wog

Absent and not voting:

|            |            |           |
|------------|------------|-----------|
| Baeverstad | Gilbertson | Meidinger |
| Bilden     | Hernett    | Nelson    |
| Davis      | Kieley     | Sayer     |
| Dewing     | Klefstad   | Schmit    |
| Dolan      | Knudson    | Thomas    |
| Freed      | Kusler     | Tuff      |
| Foss       | Leier      | Welander  |

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Page moved that the vote by which House Bill No. 854 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 19, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 510  
 House Bill No. 511  
 House Bill No. 521  
 House Bill No. 560  
 House Bill No. 572  
 House Bill No. 594  
 House Bill No. 596

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, February 19, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 854

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

Senator Berube moved that the absent Senators be excused, which motion prevailed.

Senator Streibel moved that after the reading of House Bill No. 518, the Senate adjourn, which motion prevailed and the Senate stood adjourned.

EDWARD LENO, Secretary.

FORTY-NINTH DAY

Bismarck, February 21, 1955

The Senate convened at 2:00 p.m., the President presiding.  
Prayer by Chaplain Rev. C. F. Brien, First Lutheran Church, Mandan, No. Dak.

Roll Call: All members present except Senators Berube, Bilden, Gilbertson, Kieley, Klefstad, Nelson, Schmit.

So a quorum was declared.

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 forty-fifth day after recess and forty-sixth day and recommend that the same be corrected as follows:

Page 435, line 34, correct the spelling of the word "Age".

And when so corrected recommend that the same be approved.

JOHN LEIER, Chairman.

Senator Leier moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the forty-seventh day and recommend that the same be corrected as follows:

Page 463, second line from the bottom, correct the spelling of the word "motion".

Page 457, line 13, correct the spelling of the word "relating".

And when so corrected recommend that the same be approved.

JOHN LEIER, Chairman.

Senator Leier moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE TO THE SENATE

House Chamber  
Bismarck, February 21, 1955

Mr. President: I have the honor to transmit:

House Bill No. 510

House Bill No. 511

House Bill No. 521

House Bill No. 560

House Bill No. 572

House Bill No. 594

House Bill No. 596

House Bill No. 854

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following resolution:

Senate Resolution No. 6

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolutions:

Senate Resolution No. 6

Senate Concurrent Resolution "L"

Senate Concurrent Resolution "N"

And find the same correctly enrolled.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Agriculture to whom was referred Senate Concurrent Resolution "V", have had the same under consideration and recommend that the same be placed upon the calendar without recommendation.

DUNCAN FRASER, Chairman.

Senator Fraser 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 "J", have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

DUNCAN FRASER, Chairman.

Senator Fraser 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. 507, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 508, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 523, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 549, have had the same under consideration and recommend that the same do pass.

ORVILLE HAGEN, Chairman

Senator Hagen 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. 551, have had the same under consideration and recommend that the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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. 573, have had the same under consideration and recommend that the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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. 606, have had the same under consideration and recommend that the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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. 610, have had the same under consideration and recommend that the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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. 612, have had the same under consideration and recommend that the same do pass.

DUNCAN FRASER, Chairman.

Senator Fraser 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. 614, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry and Business, to whom was referred House Bill No. 616, have had the same under consideration and recommend that the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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. 625, have had the same under consideration and recommend that the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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. 633, have had the same under consideration and recommend that the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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. 637, have had the same under consideration and recommend that the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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. 658, have had the same under consideration and recommend that the same do pass.

DUNCAN FRASER, Chairman.

Senator Fraser 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. 696, have had the same under consideration and recommend that the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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. 707, have had the same under consideration and recommend that the same do pass.

DUNCAN FRASER, Chairman.

Senator Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 21, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 504

House Bill No. 689

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, February 21, 1955

Mr. Speaker: I have the honor to return:

- House Bill No. 512
- House Bill No. 595
- House Concurrent Resolution "D"
- Which the Senate has amended.

EDWARD LENO, Secretary.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

- Senate Resolution No. 6
- Senate Concurrent Resolution "L"
- Senate Concurrent Resolution "N"

And the President signed the same in the presence of the Senate.

MOTIONS AND RESOLUTIONS

Senator Fraser moved that House Bill No. 553 be returned to the Senate from the Committee, which motion prevailed.

Senator Fraser moved that House Bill No. 553 be referred to the Committee on Appropriations, which motion prevailed.

Senator Day moved that the rules be suspended and the following Senate Bills be reprinted: Nos. 109, 223, 135, 190, and 139, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 513. A Bill for an Act making an appropriation to provide funds for the arrest and return of fugitives from justice.

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, 8.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Sayer    |
| Bridston   | Johnson, Cavalier | Schoeder |
| Davis      | Kamrath           | Schrock  |
| Day        | Krenz             | Solberg  |
| Dewing     | Kusler            | Streibel |
| Dolan      | Leier             | Thomas   |
| Duffy      | Livingston        | Torno    |
| Ferry      | Luick             | Tuff     |
| Foss       | Meidinger         | Wadeson  |
| Fraser     | O'Brien           | Welander |
| Freed      | Olson             | Wog      |
| Hagen      | Page              | Wolf     |
| Hernett    | Rue               | Yunker   |
| Holand     |                   |          |

Absent and not voting:

|            |          |        |
|------------|----------|--------|
| Berube     | Kieley   | Nelson |
| Bilden     | Klefstad | Schmit |
| Gilbertson | Knudson  |        |

So the bill passed and the title was agreed to.



**House Bill No. 518.** 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.

Which has been read.

Senator Hagen moved that the engrossed bill of House Bill No. 518 be amended as follows:

In line 3, section 1, change the figure "\$60,000.00" to "\$50,000.00".

Delete line 16a "Miscellaneous 10,000.00".

Line 17, change the total to read "\$50,000.00".

Renumber the lines accordingly.

Which motion prevailed.

Senator Page moved that the rules be suspended and House Bill No. 518 be placed on the calendar for final action, as amended, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended in the Senate, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Sayer    |
| Bridston   | Johnson, Cavalier | Schoeder |
| Davis      | Kamrath           | Schrock  |
| Day        | Krenz             | Solberg  |
| Dewing     | Kusler            | Streibel |
| Dolan      | Leler             | Thomas   |
| Duffy      | Livingston        | Torno    |
| Ferry      | Luick             | Tuff     |
| Foss       | Meidinger         | Wadeson  |
| Fraser     | O'Brien           | Welander |
| Freed      | Olson             | Wog      |
| Hagen      | Page              | Wolf     |
| Hernett    | Rue               | Yunker   |
| Holand     |                   |          |

Absent and not voting:

|            |          |        |
|------------|----------|--------|
| Berube     | Kieley   | Nelson |
| Bilden     | Klefstad | Schmit |
| Gilbertson | Knudson  |        |

So the bill passed and the title was agreed to.

**House Bill No. 539.** A Bill for an Act to amend and reenact sections 57-4809, 57-4813, 57-4815, and 57-4816 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to state highway anticipation certificates and the one cent motor fuel tax imposed for the retirement thereof.

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, 2; absent and not voting, 9.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Sayer    |
| Bridston   | Johnson, Cass     | Schoeder |
| Davis      | Johnson, Cavalier | Schrock  |
| Day        | Kamrath           | Solberg  |

|         |            |          |
|---------|------------|----------|
| Dewing  | Krenz      | Thomas   |
| Dolan   | Kusler     | Torno    |
| Duffy   | Leier      | Tuff     |
| Ferry   | Livingston | Wadeson  |
| Foss    | Luick      | Welander |
| Fraser  | Meidinger  | Wog      |
| Freed   | O'Brien    | Wolf     |
| Hagen   | Page       | Yunker   |
| Hernett |            |          |

Those voting in the negative were:

|                        |          |        |
|------------------------|----------|--------|
| Olson                  | Streibel |        |
| Absent and not voting: |          |        |
| Berube                 | Kieley   | Nelson |
| Bilden                 | Klefstad | Rue    |
| Gilbertson             | Knudson  | Schmit |

So the bill passed and the title was agreed to.

House Bill No. 554. A Bill for an Act making an appropriation to the legislative research committee for carrying on statutory revision and preparing the session laws during the last five months of the biennium ending June 30, 1955, and declaring an emergency.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Sayer    |
| Bridston   | Johnson, Cass     | Schoeder |
| Davis      | Johnson, Cavalier | Schrock  |
| Day        | Kamrath           | Solberg  |
| Dewing     | Krenz             | Streibel |
| Dolan      | Kusler            | Thomas   |
| Duffy      | Leier             | Torno    |
| Ferry      | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Freed      | O'Brien           | Wog      |
| Hagen      | Olson             | Wolf     |
| Hernett    | Page              | Yunker   |

Absent and not voting:

|            |          |        |
|------------|----------|--------|
| Berube     | Kieley   | Nelson |
| Bilden     | Klefstad | Rue    |
| Gilbertson | Knudson  | Schmit |

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Page moved that the vote by which House Bill No. 554 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 650. A Bill for an Act to amend and reenact section 40-2608 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the liability of municipalities for deficiencies in special improvement funds.

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, 36; nays, 2; absent and not voting, 10.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Schoeder |
| Davis      | Johnson, Cass     | Schrock  |
| Day        | Johnson, Cavalier | Solberg  |
| Dewing     | Kamrath           | Streibel |
| Dolan      | Krenz             | Thomas   |
| Duffy      | Kusler            | Torno    |
| Ferry      | Leier             | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Sayer             | Yunker   |

Those voting in the negative were:

Olson                      Page

Absent and not voting:

|            |          |        |
|------------|----------|--------|
| Berube     | Kieley   | Nelson |
| Bilden     | Klefstad | Rue    |
| Bridston   | Knudson  | Schmit |
| Gilbertson |          |        |

So the bill passed and the title was agreed to.

Senator O'Brien moved that House Bill No. 656 be returned to the Committee on Social Welfare, which motion prevailed.

**House Bill No. 681.** A Bill for an Act to amend and reenact sections 50-0921 and 50-0922 of the North Dakota Revised Code of 1943, relating to payments of assistance to unmarried mothers or to the dependent children of unmarried mothers.

Was 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, 3; absent and not voting, 8.

Those voting in the affirmative were:

|               |                   |          |
|---------------|-------------------|----------|
| Baeverstad    | Johnson, Cavalier | Sayer    |
| Bridston      | Kamrath           | Schoeder |
| Davis         | Krenz             | Solberg  |
| Dewing        | Kusler            | Streibel |
| Dolan         | Leier             | Thomas   |
| Ferry         | Livingston        | Torno    |
| Foss          | Luick             | Tuff     |
| Fraser        | Meidinger         | Wadeson  |
| Freed         | O'Brien           | Welander |
| Hagen         | Olson             | Wog      |
| Hernett       | Page              | Wolf     |
| Holand        | Rue               | Yunker   |
| Johnson, Cass |                   |          |

Those voting in the negative were:

|                        |        |         |
|------------------------|--------|---------|
| Day                    | Duffy  | Schrock |
| Absent and not voting: |        |         |
| Berube                 | Kieley | Nelson  |

Bilden                      Klefstad                      Schmit  
 Gilbertson                  Knudson

So the bill passed and the title was agreed to.

Senator Johnson (Cass) moved that the vote by which House Bill No. 681 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

The committee on Enrollment and Engrossment respectfully reports that:

Senate Resolution No. 6

Was delivered to the Secretary of State at the hour of 2:40 o'clock p.m., February 21, 1955.

ROSAMOND O'BRIEN, Chairman.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 21, 1955

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "L"

Senate Concurrent Resolution "N"

Which the President has signed and your signature is respectfully requested.

EDWARD LENO, Secretary.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 510

House Bill No. 511

House Bill No. 521

House Bill No. 560

House Bill No. 572

House Bill No. 594

House Bill No. 596

House Bill No. 854

And the President signed the same in the presence of the Senate.

Senator Kusler moved that the Senate recognize the Senior Class and visitors from Beulah, North Dakota, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 620, 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. 666, 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. 683, 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. 684, 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 Judiciary Committee to whom was referred House Bill No. 685, have had the same under consideration and recommend that the same do pass.

CARROL 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. 686, 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. 687, 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. 714, 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 Judiciary Committee to whom was referred House Bill No. 778, have had the same under consideration and recommend that the same do pass.

CARROL 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. 817, 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. 825, 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. 840, 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.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 21, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 510

House Bill No. 511

House Bill No. 521

House Bill No. 560

House Bill No. 572

House Bill No. 594

House Bill No. 596

House Bill No. 854

Which the President has signed.

EDWARD LENO, Secretary.

Senator Sayer moved that the absent Senators be excused, which motion prevailed.

Senator Streibel moved that the Senate recess until 1:30 p.m., February 22nd, which motion prevailed, and the Senate stood recessed.

EDWARD LENO, Secretary.

FORTY-NINTH DAY AFTER RECESS  
AND FIFTIETH DAY

Bismarck, February 22, 1955

The Senate reconvened at 1:30 p.m., the President presiding.

Senator Streibel moved that the Senate be at ease subject to the call of the Chair, to meet in Joint Session with the House, which motion prevailed.

The Senate reconvened at the call of the Chair.

FIRST READING OF SENATE RESOLUTION

Senate Memorial Resolutions Committee introduced:

**Senate Memorial Resolution No. 1.** A Memorial Resolution for deceased members of the Senate of the state of North Dakota.

Was read the first time.

Senator Holand moved that Senate Memorial Resolution No. 1 be adopted, which motion prevailed.

Senator Holand moved that Senate Memorial Resolution No. 1 be printed in the Journal, which motion prevailed.

SENATE MEMORIAL RESOLUTION NO. 1

Introduced by Senate Memorial Resolutions Committee  
A Memorial Resolution for deceased members of the Senate of the state of North Dakota.

- 1 WHEREAS, since the adjournment of the thirty-
- 1a third
- 2 legislative assembly, God in His wisdom has seen fit to
- 3 summon to eternal rest His servants and our former
- 4 colleagues:
- 5 Everett Hall Brant, who served in the twentieth,
- 5a twenty-
- 6 first, and twenty-sixth to the thirty-first legislative
- 7 assemblies, inclusive, from the twenty-sixth legislative
- 8 district, died November 3, 1954.
- 9 E. F. Mutchler, who served in the twenty-fourth and
- 10 twenty-fifth legislative assemblies, from the forty-
- 10a eighth
- 11 legislative district, died January 28, 1954.
- 12 Nick N. Nelson, who served in the fourteenth,
- 12a fifteenth,
- 13 and twenty-fourth to the twenty-seventh legislative

14 assemblies, inclusive, from the sixth legislative district,  
 15 died April 1, 1954.  
 16 Harry O'Brien, who served in the twenty-seventh to  
 16a the  
 17 thirty-second legislative assemblies, inclusive, from the  
 18 third legislative district, died October 10, 1953.  
 19 Ole H. Olson, who served in the sixteenth to the  
 19a twenty-  
 20 first legislative assemblies, inclusive, from the thirty-  
 21 second legislative district, died January 30, 1954.  
 22 William H. Shure, who served in the twenty-ninth to  
 22a the  
 23 thirty-second legislative assemblies, inclusive, from the  
 24 ninth legislative district, died December 21, 1954.  
 25 Edmund C. Stucke, who served in the twenty-second  
 25a to the  
 26 thirty-fourth legislative assemblies, inclusive, from the  
 27 forty-sixth legislative district, died January 12, 1955.  
 28 Aloys Wartner, who served in the thirteenth and  
 29 fourteenth legislative assemblies, from the thirty-third  
 30 legislative district, died April 3, 1954.  
 31 Hugh J. Work, who served in the twenty-ninth to the  
 32 thirty-third legislative assemblies, inclusive, from the  
 33 eighteenth legislative district, died May 30, 1954.  
 34 John Young, who served in the twelfth to the  
 34a fifteenth  
 35 legislative assemblies, inclusive, from the forty-eighth  
 36 legislative district, died April 19, 1954.  
 37 WHEREAS, today, we as members of the Senate of  
 37a the  
 38 thirty-fourth legislative assembly of the the state of  
 38a North  
 39 Dakota, pause to mourn the passing of our former  
 39a colleagues  
 40 and to honor their memories, and  
 41 WHEREAS, these men rendered outstanding service  
 41a to the  
 42 people of this state by their contribution to their fellow  
 43 men and their communities,  
 44 NOW, THEREFORE, BE IT RESOLVED, BY THE  
 44a SENATE OF THE  
 45 THIRTY-FOURTH LEGISLATIVE ASSEMBLY OF  
 45a THE STATE OF NORTH  
 46 DAKOTA, that we express our keen sorrow on their  
 46a passing  
 47 and our appreciation, on behalf of the people of North  
 48 Dakota, of the loyal and devoted service of these, our  
 49 former colleagues.  
 50 BE IT FURTHER RESOLVED, that for the  
 50a perpetuation of  
 51 their memory, this token of respect and sympathy by  
 51a their  
 52 successors in trust be printed in the Journal of the  
 53 Senate and that duly enrolled copies of this resolution  
 54 be presented by the Secretary of State to the surviving  
 55 families of these deceased senators.

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.



## FIFTIETH DAY

Bismarck, February 22, 1955

The Senate convened at 2:00 p.m., the President presiding.  
Prayer by Chaplain Father Garvin, Cathedral, Bismarck,  
N. Dak.

Roll Call: All members present except Senators Berube,  
Bridston, Kamrath, and Rue.

So a quorum was declared.

The Committee on Revision and Correction of the Journal  
made the following report:

Mr. President: Your Committee on Revision and Correc-  
tion of the Journal have carefully examined the Journal of  
the Forty-ninth Day and find the same correct.

JOHN LEIER, Chairman.

Senator Leier moved that the report be adopted, which  
motion prevailed and the report was adopted.

## MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 22, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 513

House Bill No. 539

House Bill No. 554

House Bill No. 681

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, February 22, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 518

House Bill No. 650

Which the Senate has amended.

EDWARD LENO, Secretary.

## REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations, to  
whom was referred House Bill No. 505, have had the same  
under consideration and recommend that the same be amended  
as follows:

In line 3 strike out the figure \$412,880.00 and insert the  
figure \$367,700.00 in lieu thereof.

In line 10 strike out the figure \$230,000.00 and insert the  
figure \$200,000.00 in lieu thereof.

Strike out all of line 19.

In line 24 strike out the figure \$25,680.00 and insert the  
figure \$15,000.00 in lieu thereof.

In line 25 strike out the figure \$412,880.00 and insert the  
figure \$367,700.00 in lieu thereof.

Re-number the lines accordingly.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which  
motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations, to whom was referred House Bill No. 506, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations, to whom was referred House Bill No. 509, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations, to whom was referred House Bill No. 517, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations, to whom was referred House Bill No. 519, have had the same under consideration and recommend that the same be amended as follows:

In line 4 strike out the figure \$417,400.00 and insert the figure \$390,400.00 in lieu thereof.

In line 30 strike out the figure \$50,000.00 and insert the figure \$35,000.00 in lieu thereof.

Strike out all of line 36.

In line 37 strike out the figure \$417,400.00 and insert the figure \$390,400.00 in lieu thereof.

Renumber the lines accordingly.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations, to whom was referred House Bill No. 525, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations, to whom was referred House Bill No. 526, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations, to whom was referred House Bill No. 533, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 559, have had the same under consideration and recommend that the same do pass.

RALPH DEWING, Chairman.

Senator Dewing 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. 564, have had the same under consideration and recommend that the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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. 576, have had the same under consideration and recommend that the same be amended as follows:

In line 25 of the printed bill after the word "person" insert the words: "other than those authorized by the commissioner"

Renumber the lines accordingly.

And when so amended recommend the same do pass.

IVER SOLBERG, Chairman.

Senator Solberg 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. 584, have had the same under consideration and recommend that the same do pass.

LAVERN SCHOEDER, Chairman.

Senator Schoeder 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. 590, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation, to whom was referred House Bill No. 617, have had the same under consideration and recommend that the same do pass.

RALPH DEWING, Chairman.

Senator Dewing 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. 634, have had the same under consideration and recommend that the same be amended as follows:

In the title of the printed bill delete the words "city and"

In line 4 of the printed bill remove the brackets.

And when so amended recommend the same do pass.

STEVE THOMAS, Chairman.

Senator Thomas 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. 636, have had the same under consideration and recommend that the same be amended as follows:

Strike out all of Section 7.

And when so amended recommend the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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. 676, have had the same under consideration and recommend that the same be amended as follows:

In line 40 of the engrossed bill delete the word "fourteen" and insert in lieu thereof the word "sixteen".

In line 41 of the engrossed bill change the period to a comma and add the following words: "but the age limitation herein prescribed shall not apply to applicants for big game licenses for hunting big game by bow and arrow during any open bow and arrow season"

Renumber the lines accordingly.

And when so amended recommend the same do pass.

IVER SOLBERG, Chairman.

Senator Solberg 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. 690, have had the same under consideration and recommend that the same do pass.

RALPH DEWING, Chairman.

Senator Dewing 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. 691, have had the same under consideration and recommend that the same be amended as follows:

In line 25 of the bill strike out the word "thirty" and insert in lieu thereof "twenty".

And when so amended recommend the same do pass.

RALPH DEWING, Chairman.

Senator Dewing 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. 692, have had the same under consideration and recommend that the same do pass.

STEVE THOMAS, Chairman.

Senator Thomas 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. 703, have had the same under consideration and recommend that the same be indefinitely postponed.

JOHN KUSLER, Chairman.

Senator Kusler 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. 725, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 739, have had the same under consideration and recommend that the same do pass.

STEVE THOMAS, Chairman.

Senator Thomas 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. 771, have had the same under consideration and recommend that the same do pass.

LAVERN SCHOEDER, Chairman.

Senator Schoeder 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. 772, have had the same under consideration and recommend that the same do pass.

LAVERN SCHOEDER, Chairman.

Senator Schoeder 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. 788, have had the same under consideration and recommend that the same be amended as follows:

In line 3 of the bill delete the date "January 1, 1957", and insert in lieu thereof the date "June 30, 1955".

And when so amended recommend the same do pass.

LAVERN SCHOEDER, Chairman.

Senator Schoeder 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. 790, have had the same under consideration and recommend that the same do pass.

LAVERN SCHOEDER, Chairman.

Senator Schoeder 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. 827, have had the same under consideration and recommend that the same do pass.

RALPH DEWING, Chairman.

Senator Dewing 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. 846, have had the same under consideration and recommend that the same be amended as follows:

Delete the period at the end of the Title and add the following:

"and to create and enact subsection 8 of section 57-4003 of the North Dakota Revised Code of 1943 relating to exemptions."

Add the following after line 85:

"SECTION 8. AMENDMENT.) Section 57-4003 of the North Dakota Revised Code of 1943 is hereby amended by creating and enacting a new subsection 8 as follows:

8. Railway cars and locomotives used in interstate commerce, and tangible personal property which becomes a component part thereof."

And when so amended recommend the same do pass.

RALPH DEWING, Chairman.

Senator Dewing 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. 858, have had the same under consideration and recommend that the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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 Concurrent Resolution "V", have had the same under consideration and recommend that the same do pass.

LAVERN SCHOEDER, Chairman.

Senator Schoeder 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 Concurrent Resolution "Y", have had the same under consideration and recommend that the same do pass.

LAVERN SCHOEDER, Chairman.

Senator Schoeder moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Day moved that after the reading of the bills on the calendar, the Senate recess at the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 507.** 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 and to be used as provided by Sections 54-1601 of the 1953 Supplement to the North Dakota Revised Code of 1943 and 54-1602 to 54-1604, inclusive, and 54-1606, and also Section 54-1609 of the North Dakota Revised Code of 1943, and for civil defense.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 32; nays, 0; absent and not voting, 16.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cavalier | Schmit   |
| Bilden     | Krenz             | Schrock  |
| Bridston   | Kusler            | Streibel |

|                        |               |          |
|------------------------|---------------|----------|
| Day                    | Leier         | Torno    |
| Dewing                 | Livingston    | Tuff     |
| Dolan                  | Luick         | Wadeson  |
| Duffy                  | Meidinger     | Welander |
| Foss                   | Nelson        | Wog      |
| Fraser                 | O'Brien       | Wolf     |
| Gilbertson             | Olson         | Yunker   |
| Holand                 | Page          |          |
| Absent and not voting: |               |          |
| Berube                 | Johnson, Cass | Rue      |
| Davis                  | Kamrath       | Sayer    |
| Ferry                  | Kieley        | Schoeder |
| Freed                  | Klefstad      | Solberg  |
| Hagen                  | Knudson       | Thomas   |
| Hernett                |               |          |

So the bill passed and the title was agreed to.

**House Bill No. 508.** 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, as amended by Sections 36-0203 and 36-0205 of the 1953 Supplement to the North Dakota Revised Code of 1943.

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, 0; absent and not voting, 15.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Bilden     | Johnson, Cavalier | Schmit   |
| Bridston   | Klefstad          | Schrock  |
| Day        | Kusler            | Streibel |
| Dewing     | Leier             | Torno    |
| Dolan      | Livingston        | Tuff     |
| Duffy      | Luick             | Wadeson  |
| Foss       | Meidinger         | Welander |
| Fraser     | Nelson            | Wog      |
| Freed      | O'Brien           | Wolf     |
| Gilbertson | Olson             | Yunker   |

Absent and not voting:

|         |               |          |
|---------|---------------|----------|
| Berube  | Johnson, Cass | Rue      |
| Davis   | Kamrath       | Sayer    |
| Ferry   | Kieley        | Schoeder |
| Hagen   | Knudson       | Solberg  |
| Hernett | Krenz         | Thomas   |

So the bill passed and the title was agreed to.

**House Bill No. 523.** A Bill for an Act making an appropriation for the payment of expenses of delegates to national conventions of political parties recognized as such by the laws of the State of North Dakota.

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, 0; absent and not voting, 14.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Olson    |
| Bilden     | Johnson, Cavalier | Page     |
| Bridston   | Klefstad          | Schmit   |
| Day        | Krenz             | Schrock  |
| Dewing     | Kusler            | Streibel |
| Dolan      | Leier             | Torno    |
| Duffy      | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | O'Brien           | Wolf     |
| Hernett    |                   |          |

Absent and not voting:

|               |         |          |
|---------------|---------|----------|
| Berube        | Kamrath | Schoeder |
| Davis         | Kieley  | Solberg  |
| Ferry         | Knudson | Thomas   |
| Hagen         | Rue     | Yunker   |
| Johnson, Cass | Sayer   |          |

So the bill passed and the title was agreed to.

Senator Leier moved that House Bill No. 549 be placed at the foot of the calendar, which motion prevailed.

Senator Leier moved that House Bill No. 551 be placed at the foot of the calendar, which motion prevailed.

**House Bill No. 573.** A Bill for an Act to amend and reenact subsection 6 of section 26-0340 of the 1953 Supplement, North Dakota Revised Code of 1943, relating to a standard fire insurance policy.

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, 9; absent and not voting, 9.

Those voting in the affirmative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Freed             | Luick     |
| Bilden     | Hernett           | Meidinger |
| Bridston   | Holand            | Nelson    |
| Davis      | Johnson, Cass     | O'Brien   |
| Day        | Johnson, Cavalier | Schrock   |
| Dolan      | Kieley            | Thomas    |
| Duffy      | Klefstad          | Torno     |
| Ferry      | Knudson           | Wog       |
| Foss       | Krenz             | Wolf      |
| Fraser     | Kusler            | Yunker    |

Those voting in the negative were:

|                        |            |          |
|------------------------|------------|----------|
| Dewing                 | Olson      | Tuff     |
| Gilbertson             | Schmit     | Wadeson  |
| Leier                  | Streibel   | Welander |
| Absent and not voting: |            |          |
| Berube                 | Livingston | Sayer    |
| Hagen                  | Page       | Schoeder |
| Kamrath                | Rue        | Solberg  |

So the bill passed and the title was agreed to.

Senator Day changed his vote from nay to aye for the purpose of reconsideration.



## MOTIONS

Senator Schrock moved that the daily calendar show the amendments on House Bills, which motion prevailed.

**House Bill No. 606.** A Bill for an Act to amend and reenact section 26-2211 of the North Dakota 1953 Supplement to the North Dakota Revised Code of 1943, relating to crops insurable; dates when coverage on insured crops commences and terminates.

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, 5; absent and not voting, 4.

Those voting in the affirmative were:

|          |                   |          |
|----------|-------------------|----------|
| Bridston | Johnson, Cass     | Schmit   |
| Davis    | Johnson, Cavalier | Schoeder |
| Day      | Kamrath           | Schrock  |
| Dewing   | Kieley            | Solberg  |
| Dolan    | Klefstad          | Streibel |
| Duffy    | Knudson           | Thomas   |
| Ferry    | Krenz             | Torno    |
| Foss     | Kusler            | Tuff     |
| Fraser   | Leier             | Wadeson  |
| Freed    | Luick             | Welander |
| Hagen    | Meidinger         | Wog      |
| Hernett  | Nelson            | Wolf     |
| Holand   | O'Brien           | Yunker   |

Those voting in the negative were:

|            |            |       |
|------------|------------|-------|
| Baeverstad | Gilbertson | Olson |
| Bilden     |            |       |

Absent and not voting:

|            |      |       |
|------------|------|-------|
| Berube     | Page | Sayer |
| Livingston | Rue  |       |

So the bill passed and the title was agreed to.

Senator Kusler moved that House Bill No. 610 be placed at the foot of the calendar, which motion prevailed.

**House Bill No. 612.** A Bill for an Act to amend and reenact section 36-2301 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to inspections by the livestock sanitary board.

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, 1; absent and not voting, 5.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Olson    |
| Bilden     | Holand            | Page     |
| Bridston   | Johnson, Cass     | Schmit   |
| Davis      | Johnson, Cavalier | Schoeder |
| Day        | Kamrath           | Schrock  |
| Dewing     | Kieley            | Streibel |
| Dolan      | Klefstad          | Thomas   |
| Duffy      | Knudson           | Torno    |
| Ferry      | Krenz             | Tuff     |
| Foss       | Kusler            | Wadeson  |

|            |         |          |
|------------|---------|----------|
| Fraser     | Leier   | Welander |
| Freed      | Luick   | Wog      |
| Gilbertson | Nelson  | Wolf     |
| Hagen      | O'Brien | Yunker   |

Those voting in the negative were:

Solberg

Absent and not voting:

|            |           |       |
|------------|-----------|-------|
| Berube     | Meidinger | Sayer |
| Livingston | Rue       |       |

So the bill passed and the title was agreed to.

**House Bill No. 614.** A Bill for an Act making an appropriation for the purpose of paying a deficiency in the operating fund of the State hail insurance department for the period beginning January 1, 1955, and ending June 30, 1955, and declaring an emergency.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Bilden     | Johnson, Cass     | Schmit   |
| Bridston   | Johnson, Cavalier | Schoeder |
| Davis      | Kamrath           | Schrock  |
| Day        | Kieley            | Solberg  |
| Dewing     | Klefstad          | Streibel |
| Dolan      | Knudson           | Thomas   |
| Duffy      | Krenz             | Torno    |
| Ferry      | Kusler            | Tuff     |
| Foss       | Leier             | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | O'Brien           | Yunker   |
| Hernett    | Olson             |          |

Absent and not voting:

|            |     |       |
|------------|-----|-------|
| Berube     | Rue | Sayer |
| Livingston |     |       |

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**House Bill No. 616.** A Bill for an Act to amend and reenact subsection 9 of section 65-0102 of the North Dakota Revised Code of 1943, providing that any condition or impairment of health of municipal paid firemen in the state of North Dakota caused by tuberculosis, hypertension, or heart disease, resulting in total or partial disability, shall be presumed to have been suffered in line of duty.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 10; nays, 33; absent and not voting, 5.

Those voting in the affirmative were:

|        |         |         |
|--------|---------|---------|
| Bilden | Knudson | Page    |
| Freed  | Luick   | Wadeson |

|                                    |                   |          |
|------------------------------------|-------------------|----------|
| Johnson, Cass                      | Meidinger         | Wolf     |
| Kamrath                            |                   |          |
| Those voting in the negative were: |                   |          |
| Baeverstad                         | Hernett           | Schmit   |
| Bridston                           | Holand            | Schoeder |
| Davis                              | Johnson, Cavalier | Schrock  |
| Day                                | Kieley            | Solberg  |
| Dewing                             | Klefstad          | Streibel |
| Dolan                              | Krenz             | Thomas   |
| Duffy                              | Kusler            | Torno    |
| Ferry                              | Leier             | Tuff     |
| Foss                               | Nelson            | Welander |
| Gilbertson                         | O'Brien           | Wog      |
| Hagen                              | Olson             | Yunker   |
| Absent and not voting:             |                   |          |
| Berube                             | Livingston        | Sayer    |
| Fraser                             | Rue               |          |

So the bill was declared lost.

House Bill No. 620. A Bill for an Act to amend and reenact section 27-0740 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to filing fees in county courts.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 31; nays, 14; absent and not voting, 3.

|                                       |                   |          |
|---------------------------------------|-------------------|----------|
| Those voting in the affirmative were: |                   |          |
| Baeverstad                            | Hernett           | Sayer    |
| Bilden                                | Johnson, Cavalier | Schmit   |
| Davis                                 | Kamrath           | Schoeder |
| Day                                   | Kieley            | Streibel |
| Dewing                                | Krenz             | Thomas   |
| Dolan                                 | Livingston        | Tuff     |
| Duffy                                 | Meidinger         | Wadeson  |
| Ferry                                 | Nelson            | Wog      |
| Foss                                  | O'Brien           | Wolf     |
| Freed                                 | Page              | Yunker   |
| Hagen                                 |                   |          |

|                                    |         |          |
|------------------------------------|---------|----------|
| Those voting in the negative were: |         |          |
| Bridston                           | Knudson | Schrock  |
| Gilbertson                         | Kusler  | Solberg  |
| Holand                             | Leier   | Torno    |
| Johnson, Cass                      | Luick   | Welander |
| Klefstad                           | Olson   |          |

|                        |        |     |
|------------------------|--------|-----|
| Absent and not voting: |        |     |
| Berube                 | Fraser | Rue |

So the bill passed and the title was agreed to.

House Bill No. 625. A Bill for an Act limiting the meaning of mineral rights or royalties when used in instruments of conveyance or lease.

Which has been read.

Senator Duffy moved that House Bill No. 625 be amended as follows:

In Line 3 of the printed bill after the word "royalty", insert the words "separate from the surface rights".

Which motion prevailed.

Senator Duffy moved that the rules be suspended and that House Bill No. 625 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

## ROLL CALL

The question being on the final passage of the bill, as amended in the Senate, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Page     |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     |                   |          |

Absent and not voting:

Berube Rue

So the bill passed and the title was agreed to.

Senator Duffy moved that House Bill No. 633 be laid over one legislative day.

House Bill No. 637. A Bill for an Act to repeal chapter 36-03 of the North Dakota Revised Code of 1943, relating to the registration of stallions.

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, 7; absent and not voting, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Olson    |
| Bridston   | Johnson, Cavalier | Page     |
| Day        | Kamrath           | Sayer    |
| Dewing     | Kieley            | Schoeder |
| Dolan      | Knudson           | Schrock  |
| Duffy      | Krenz             | Solberg  |
| Foss       | Kusler            | Streibel |
| Fraser     | Leier             | Thomas   |
| Freed      | Livingston        | Tuff     |
| Gilbertson | Luick             | Wadeson  |
| Hagen      | Meidinger         | Wog      |
| Hernett    | Nelson            | Wolf     |
| Holand     | O'Brien           | Yunker   |

Those voting in the negative were:

|        |          |          |
|--------|----------|----------|
| Bilden | Klefstad | Torno    |
| Davis  | Schmit   | Welander |
| Ferry  |          |          |

Absent and not voting:

Berube                      Rue

So the bill passed and the title was agreed to.

Senator Wadson moved that House Bill No. 658 be referred to the Committee on Agriculture, which motion prevailed.

Senator Streibel moved that the absent Senators be excused, which motion prevailed.

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

## FIFTY-FIRST DAY

Bismarck, February 23, 1955

The Senate convened at 2:00 p.m., the President presiding.  
Prayer by Chaplain Rev. C. F. Brien, First Lutheran  
Church, Mandan, No. Dak.

Roll Call: All members present.

So a quorum was declared.

The Committee on Revision and Correction of the Journal  
made the following report:

Mr. President: Your Committee on Revision and Correc-  
tion of the Journal have carefully examined the Journal of  
the forty-ninth day after recess and fiftieth day and find  
the same correct.

JOHN LEIER, Chairman.

Senator Leier moved that the report be adopted, which  
motion prevailed and the report was adopted.

## MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 23, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 625

Which the Senate has amended.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, February 23, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 616

House Bill No. 703

Which the Senate has indefinitely postponed.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, February 23, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 507

House Bill No. 508

House Bill No. 523

House Bill No. 606

House Bill No. 612

House Bill No. 614

House Bill No. 620

House Bill No. 637

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Transportation, to whom was referred House Bill No. 542, have had the same under consideration and recommend that the same be amended as follows:

On line 19 delete the words "public safety division" and in lieu thereof insert the word "commissioner".

On line 90 delete the words "division of public safety" and insert in lieu thereof the word "commissioner".

On line 92 delete the words "director of the division of public safety" and insert in lieu thereof the word "commissioner".

On line 97 delete the word "director" and insert in lieu thereof the word "commissioner".

On line 107 delete the word "division" and insert in lieu thereof the word "commissioner".

On line 108 delete the words "of public safety".

On line 135 delete the words "division of public safety" and insert in lieu thereof the word "commissioner".

On line 148 delete the words "director of public" and insert in lieu thereof the word "commissioner".

On line 149 delete the word "safety".

On line 155 delete the words "division of public safety" and insert in lieu thereof the word "commissioner".

On line 159 delete the words "director of the division of public safety" and insert in lieu thereof the word "commissioner".

On line 172 delete the words "division of public safety" and insert in lieu thereof the word "commissioner".

On line 182 delete the words "division of public safety" and insert in lieu thereof the word "commissioner".

On line 215 delete the words "division of public safety" and insert in lieu thereof the word "commissioner".

On line 219 delete the words "division of public safety" and insert in lieu thereof the word "commissioner".

On line 221 delete the words "DIVISION OF PUBLIC SAFETY" and insert in lieu thereof the words "HIGHWAY COMMISSIONER".

On line 223 delete the words "division of public safety" and insert in lieu thereof the word "commissioner".

On line 234 delete the words "division of public safety" and insert in lieu thereof the word "commissioner".

On line 239 delete the words "DIRECTOR OF DIVISION OF PUBLIC SAFETY" and insert in lieu thereof the words "HIGHWAY COMMISSIONER".

On line 241 delete the words "director of the division of public safety" and insert in lieu thereof the word "commissioner".

After line 249 add the following and number the lines accordingly.

"SECTION 20. CONSTRUCTION.) This Act shall be construed as being a part of Title 39 of the Revised Code of 1943 as amended."

And when so amended recommend the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 543, have had the same under consideration and recommend that the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation, to whom was referred House Bill No. 545, have had the same under consideration and recommend that the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 546, have had the same under consideration and recommend that the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 562, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 627, have had the same under consideration and recommend that the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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. 665, have had the same under consideration and recommend that the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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. 668, have had the same under consideration and recommend that the same be indefinitely postponed.

ORVILLE HAGEN, Chairman.



Senator Hagen 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. 697, have had the same under consideration and recommend that the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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. 710, have had the same under consideration and recommend that the same do pass.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 761, have had the same under consideration and recommend that the same be amended as follows:

Strike out all of Section 1 and insert in lieu thereof the following:

"SECTION 1.) There is hereby appropriated out of any moneys in the state treasury in the permanent state capitol building fund as established from moneys realized out of and from the sale of lands donated and granted to the state of North Dakota under and by the provisions of Sections 12 and 17 of the "enabling act" approved February 22, 1889, for the purpose of erecting public buildings at the capitol of the state for legislative, executive and judicial purposes, the sum of two hundred thousand dollars, or so much thereof as may be necessary, to construct and equip an executive mansion on the capitol grounds. The Board of University and School Lands is hereby authorized and directed to sell enough securities in which these funds may be invested, to raise money to pay this appropriation."

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 789, have had the same under consideration and recommend that the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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. 796, have had the same under consideration and recommend that the same do pass.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 816, 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. 822, have had the same under consideration and recommend that the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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. 828, 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. 829, have had the same under consideration and recommend that the same be amended as follows:

Line 4, strike out the word "reputable".

Line 5, strike out the word "reputable".

Line 18, strike out the word "reputable".

Line 70, strike out the word "regularly".

Line 210, after the parenthesis mark, strike out the remainder of the line. Strike out lines 211, 212, 213, 214 and 215 and in lieu thereof insert the following: "Any person who shall observe quarantine regulations as established by the board of health shall not be subject to confinement under the provisions of this act."

Number the lines accordingly.

Line 224, strike out "Nothin" and in lieu thereof insert "Nothing".

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 House Bill No. 831, have had the same under consideration and recommend that the same do pass.

ORVILLE W. HAGEN, Chairman.

Senator Hagen 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. 835, have had the same under consideration and recommend that the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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. 860, have had the same under consideration and recommend that the same be re-referred to the Committee on Appropriations.

ORVILLE HAGEN, Chairman.

Senator Hagen 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 "B-1", have had the same under consideration and recommend that the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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 "P", have had the same under consideration and recommend that the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen moved that the report be adopted, which motion prevailed and the report was adopted.

#### CONSIDERATION OF AMENDMENTS

Senator Page moved that the proposed amendments to House Bill No. 505 be adopted, which motion prevailed.

Senator Page moved that the proposed amendments to House Bill No. 519 be adopted, which motion prevailed.

Senator Solberg moved that the proposed amendment to House Bill No. 576 be adopted, which motion prevailed.

Senator Thomas moved that the proposed amendments to House Bill No. 634 be adopted, which motion prevailed.

Senator Kusler moved that the proposed amendment to House Bill No. 636 be adopted, which motion prevailed.

Senator Solberg moved that the proposed amendments to House Bill No. 676 be adopted.

Senator Leier made a substitute motion that the amendments to House Bill No. 676 be amended to read as follows: In line 40 delete the word "sixteen", and insert in lieu thereof the word "fourteen".

The question being on the substitute motion of Senator Leier, vote was taken, and the motion prevailed.

Senator Dewing moved that the proposed amendments to House Bill No. 691 be adopted, which motion prevailed.

Senator Schoeder moved that the proposed amendment to House Bill No. 788 be adopted, which motion prevailed.

Senator Dewing moved that the proposed amendments to House Bill No. 846 be adopted, which motion prevailed.

#### FIRST READING OF SENATE RESOLUTION

Senators Leier, Duffy, Kusler and Berube introduced:

Senate Concurrent Resolution "W". A Concurrent Resolution for an amendment of paragraph 2 of section 203 of the Constitution of the state of North Dakota, relating to state jurisdiction over lands of the United States and Indian lands.

Was read the first time and referred to the Committee on State and Federal Government.

MESSAGES TO THE SENATE

House Chamber

Bismarck, February 23, 1955

Mr. President: I have the honor to transmit:

House Bill No. 513

House Bill No. 539

House Bill No. 554

House Bill No. 681

House Bill No. 689

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, February 23, 1955

Mr. President: I have the honor to return:

Senate Bill No. 35

Senate Bill No. 37

Senate Bill No. 42

Senate Bill No. 44

Senate Bill No. 48

Senate Bill No. 59

Senate Bill No. 65

Senate Bill No. 80

Senate Bill No. 82

Senate Bill No. 83

Senate Bill No. 84

Senate Bill No. 93

Senate Bill No. 104

Senate Bill No. 110

Senate Bill No. 126

Senate Bill No. 127

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, February 23, 1955

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills Nos. 595 and 650.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, February 23, 1955

Mr. President: I have the honor to return:

Senate Concurrent Resolution "L"

Senate Concurrent Resolution "N"

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, February 23, 1955

Mr. President: I have the honor to transmit:

House Concurrent Resolution "L-1"

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

## House Chamber

Bismarck, February 23, 1955

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 518 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Baker, Rolfsrud and Lindberg.

KENNETH L. MORGAN, Chief Clerk.

## House Chamber

Bismarck, February 23, 1955

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Concurrent Resolution "D" and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Brooks, Saugstad and Schuler.

KENNETH L. MORGAN, Chief Clerk.

## SECOND READING OF

## HOUSE BILLS AND RESOLUTIONS

Senator Duffy withdrew his proposed amendment to House Bill No. 633, and moved that the bill be re-referred to the Committee on Industry and Business. Roll Call was taken, and the motion was declared lost.

Senator Day moved that further consideration of House Bill No. 633 be indefinitely postponed, which motion prevailed, and the bill was indefinitely postponed.

**House Bill No. 666.** A Bill for an Act to amend and reenact section 28-1301 of the North Dakota Revised Code of 1943, relating to affidavits of prejudice in district court.

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, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | O'Brien           | Yunker   |
| Hernett    | Olson             |          |

Absent and not voting:

Wog

So the bill passed and the title was agreed to.

**House Bill No. 683.** A Bill for an Act to amend and reenact section 27-0831 of the North Dakota Revised Code

of 1943, relating to Assignment of counsel for indigent defendants in county courts having increased jurisdiction and compensation thereof.

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, 8; absent and not voting, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Rue      |
| Berube     | Holand            | Sayer    |
| Bridston   | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schoeder |
| Day        | Kieley            | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wog      |
| Freed      | Meidinger         | Wolf     |
| Gilbertson | Olson             | Yunker   |
| Hagen      |                   |          |

Those voting in the negative were:

|               |         |          |
|---------------|---------|----------|
| Bilden        | Nelson  | Wadeson  |
| Johnson, Cass | O'Brien | Welander |
| Klefstad      | Page    |          |

So the bill passed and the title was agreed to.

**House Bill No. 684.** A Bill for an Act to amend and reenact section 29-0127 of the North Dakota Revised Code of 1943, relating to compensation and limitation of assignment of counsel for indigent defendants.

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, 14; absent and not voting, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Berube     | Hagen             | Rue      |
| Bilden     | Hernett           | Schmit   |
| Bridston   | Holand            | Schoeder |
| Day        | Johnson, Cavalier | Schrock  |
| Dewing     | Kamrath           | Solberg  |
| Dolan      | Knudson           | Streibel |
| Duffy      | Krenz             | Thomas   |
| Ferry      | Kusler            | Torno    |
| Foss       | Luick             | Tuff     |
| Fraser     | Nelson            | Wolf     |
| Freed      | Olson             | Yunker   |
| Gilbertson |                   |          |

Those voting in the negative were:

|               |            |          |
|---------------|------------|----------|
| Baeverstad    | Leier      | Sayer    |
| Davis         | Livingston | Wadeson  |
| Johnson, Cass | Meidinger  | Welander |
| Kieley        | O'Brien    | Wog      |
| Klefstad      | Page       |          |

So the bill passed and the title was agreed to.

House Bill No. 685. A Bill for an Act to amend and reenact section 27-0812 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to Clerks of the County Court with increased jurisdiction, their appointment and salary.

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, 2; absent and not voting, 0.

Those voting in the affirmative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Johnson, Cass     | Rue       |
| Berube     | Johnson, Cavalier | Sayer     |
| Bilden     | Kamrath           | Schmit    |
| Bridston   | Kieley            | Schoeder  |
| Davis      | Knudson           | Schrock   |
| Day        | Krenz             | Solberg   |
| Dolan      | Kusler            | Streibel  |
| Duffy      | Leier             | Thomas    |
| Ferry      | Livingston        | Torno     |
| Foss       | Luick             | Tuff      |
| Fraser     | Meidinger         | Wadeson   |
| Freed      | Nelson            | Welanders |
| Gilbertson | O'Brien           | Wog       |
| Hagen      | Olson             | Wolf      |
| Hernett    | Page              | Yunker    |
| Holand     |                   |           |

Those voting in the negative were:

Dewing Klefstad

So the bill passed and the title was agreed to.

House Bill No. 686. A Bill for an Act to amend and reenact section 16-1016 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to election officers and their compensation.

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, 6; absent and not voting, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Olson    |
| Berube     | Johnson, Cass     | Page     |
| Bilden     | Johnson, Cavalier | Rue      |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Knudson           | Schrock  |
| Dewing     | Krenz             | Solberg  |
| Dolan      | Kusler            | Streibel |
| Duffy      | Leier             | Thomas   |
| Foss       | Livingston        | Torno    |
| Freed      | Luick             | Tuff     |
| Gilbertson | Meidinger         | Wog      |
| Hagen      | Nelson            | Wolf     |
| Hernett    | O'Brien           | Yunker   |

Those voting in the negative were:

|        |          |           |
|--------|----------|-----------|
| Ferry  | Klefstad | Wadeson   |
| Fraser | Sayer    | Welanders |

So the bill passed and the title was agreed to.

**House Bill No. 687.** A Bill for an Act to amend and reenact Section 31-0203 of the North Dakota Revised Code of 1943 relating to the examination of adverse parties before trial and declaring an emergency.

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, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**House Bill No. 696.** A Bill for an Act to repeal chapter 125 of the North Dakota Session Laws of 1953, relating to investment in farm loans by the board of university and school lands.

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, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Fraser     | Leier             | Torno    |
| Ferry      | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |

So the bill passed and the title was agreed to.

Senator Day moved that House Bill No. 707 be re-referred to the Committee on Agriculture, which motion prevailed.



**House Bill No. 714.** A Bill for an Act to amend and reenact subdivisions 2, 3 and 4 of section 27-0905 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to fees and mileage for jurors.

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, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |

So the bill passed and the title was agreed to.

**House Bill No. 778.** A Bill for an Act to amend and reenact section 30-1705 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to summary administration of small estates and providing for assignment of such estates to the surviving spouse or minor children.

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, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kielev            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |

So the bill passed and the title was agreed to.

**House Bill No. 817.** A Bill for an Act creating and enacting subsection 4 of section 46-0410 of the 1953 Supple-

ment to the North Dakota Revised Code of 1943, relating to distribution of copies of state law to the National conference of commissioners on uniform state laws.

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, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |

So the bill passed and the title was agreed to.

House Bill No. 825. A Bill for an Act relating to the prohibition of the buying, selling, distribution, designing or disseminating in any way, of obscene writings and pictures and providing for the enforcement and administration of this Act and penalties for its violation; and to repeal Sections 12-2107, 12-2109 and 12-2111 of the North Dakota Revised Code of 1943.

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, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |

So the bill passed and the title was agreed to.

Senator Day moved that the vote by which House Bill No. 825 was passed be reconsidered and the motion to reconsider be laid on the table, which motion was declared lost.

**House Bill No. 840.** A Bill for an Act providing for bail pending determination of habeas corpus proceedings in extradition cases.

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, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |

So the bill passed and the title was agreed to.

Senator Hagen moved that Senate Concurrent Resolution "V" be re-referred to the Committee on Agriculture, which motion prevailed.

**House Concurrent Resolution "J".** A Concurrent Resolution memorializing Congress and the Secretary of Agriculture to provide full one hundred per cent parity for products produced on family-type farms.

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, 40; nays, 7; absent and not voting, 1.

Those voting in the affirmative were:

|            |           |          |
|------------|-----------|----------|
| Baeverstad | Hagen     | Rue      |
| Berube     | Holand    | Schmit   |
| Bilden     | Kamrath   | Schoeder |
| Bridston   | Kieley    | Schrock  |
| Davis      | Klefstad  | Solberg  |
| Day        | Knudson   | Streibel |
| Dewing     | Krenz     | Thomas   |
| Dolan      | Kusler    | Torno    |
| Duffy      | Leier     | Tuff     |
| Ferry      | Meidinger | Welander |
| Foss       | Nelson    | Wog      |
| Fraser     | O'Brien   | Wolf     |
| Freed      | Olson     | Yunker   |
| Gilbertson |           |          |

Those voting in the negative were:

|                   |       |         |
|-------------------|-------|---------|
| Hernett           | Luick | Sayer   |
| Johnson, Cass     | Page  | Wadeson |
| Johnson, Cavalier |       |         |

**Absent and not voting:**

Livingston

So the resolution was adopted and the title was agreed to.

Senator Hagen moved that House Bill No. 549 be laid over one legislative day, which motion prevailed.

Senator Hagen moved that House Bill No. 551 be laid over one legislative day, which motion prevailed.

Senator Davis moved that House Bill No. 610 be re-referred to the Committee on Industry and Business, which motion prevailed.

#### MOTIONS

Senator Schrock moved that House Bill No. 673 be re-referred to the Committee on Agriculture, which motion prevailed.

Senator Day moved that House Bill No. 570 be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Day moved that House Bill No. 570 be re-referred to the Judiciary Committee, which motion prevailed.

The President appointed as a Conference Committee to act with a like Committee from the House to consider House Concurrent Resolution "D", Senators Welander, Davis and Krenz.

The President appointed as a Conference Committee to act with a like Committee from the House to consider House Bill No. 518, Senators Page, Dewing and Freed.

#### FIRST READING OF HOUSE RESOLUTION

**House Concurrent Resolution "L-1".** A Concurrent Resolution relating to the education of Indians.

Was read the first time and referred to the Committee on Education.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 540, have had the same under consideration and recommend that the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 557, have had the same under consideration and recommend that the same be amended as follows:

In line 48 delete the word "sixty" and insert in lieu thereof the words "sixty-five".

In line 50 delete the word "fifty" and insert in lieu thereof the words "fifty-five".

In line 54 delete the word "fifty" and insert in lieu thereof the words "fifty-five".

In line 59 strike out the words "prima facie".

In line 65 strike out the words "prima facie".

In line 144 delete the words "director of the division of the public safety" and insert in lieu thereof "state highway commissioner".

In line 145 delete the words "the state highway commissioner".

And when so amended recommend the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 513

House Bill No. 539

House Bill No. 554

House Bill No. 681

House Bill No. 689

And the President signed the same in the presence of the Senate.

#### REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution "L"

Senate Concurrent Resolution "N"

Were delivered to the Secretary of State at the hour of 3:29 o'clock p.m., February 23, 1955.

ROSAMOND O'BRIEN, Chairman.

Senator Streibel moved that after the reading of the House Bills on the calendar, the Senate recess for ten minutes, which motion prevailed.

The Senate reconvened at the call of the Chair.

#### SECOND READING OF HOUSE BILLS AND RESOLUTIONS

**House Bill No. 506.** 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.

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, 28; nays, 0; absent and not voting, 20.

Those voting in the affirmative were:

Baeverstad

Berube

Bilden

Bridston

Day

Dewing

Dolan

Duffy

Hagen

Johnson, Cavalier

Kamrath

Kieley

Krenz

Livingston

Luick

Nelson

Rue

Schmit

Solberg

Streibel

Tuff

Wadeson

Welandier

Wolf

|                        |           |          |
|------------------------|-----------|----------|
| Ferry                  | Olson     | Yunker   |
| Gilbertson             |           |          |
| Absent and not voting: |           |          |
| Davis                  | Klefstad  | Sayer    |
| Foss                   | Knudson   | Schoeder |
| Fraser                 | Kusler    | Schrock  |
| Freed                  | Leier     | Thomas   |
| Hernett                | Meidinger | Torno    |
| Holand                 | O'Brien   | Wog      |
| Johnson, Cass          | Page      |          |

So the bill passed and the title was agreed to.

**House Bill No. 509.** A Bill for an Act making an appropriation for the purpose of refunding money erroneously paid into or credited to the General Fund.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 31; nays, 0; absent and not voting, 17.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cavalier | Rue      |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Solberg  |
| Day        | Krenz             | Streibel |
| Dewing     | Kusler            | Tuff     |
| Dolan      | Leier             | Wadeson  |
| Duffy      | Livingston        | Welander |
| Ferry      | Luick             | Wolf     |
| Gilbertson | Nelson            | Yunker   |
| Hagen      |                   |          |

Absent and not voting:

|               |           |          |
|---------------|-----------|----------|
| Davis         | Klefstad  | Schoeder |
| Foss          | Knudson   | Schrock  |
| Fraser        | Meidinger | Thomas   |
| Freed         | O'Brien   | Torno    |
| Hernett       | Olson     | Wog      |
| Johnson, Cass | Sayer     |          |

So the bill passed and the title was agreed to.

**House Bill No. 517.** A Bill for an Act making an appropriation for the use of the North Dakota Research Foundation.

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, 0; absent and not voting, 13.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cavalier | Rue      |
| Bilden     | Kamrath           | Sayer    |
| Bridston   | Kieley            | Schmit   |
| Day        | Krenz             | Solberg  |
| Dewing     | Kusler            | Streibel |
| Dolan      | Leier             | Tuff     |
| Duffy      | Livingston        | Wadeson  |
| Ferry      | Luick             | Welander |

|            |           |        |
|------------|-----------|--------|
| Gilbertson | Meidinger | Wolf   |
| Hagen      | Nelson    | Yunker |
| Hernett    | Olson     |        |

Absent and not voting:

|               |          |         |
|---------------|----------|---------|
| Davis         | Klefstad | Schrock |
| Foss          | Knudson  | Thomas  |
| Fraser        | O'Brien  | Torno   |
| Freed         | Schoeder | Wog     |
| Johnson, Cass |          |         |

So the bill passed and the title was agreed to.

**House Bill No. 525.** A Bill for an Act making an appropriation for the purpose of carrying out the provisions of Chapter 324, Session Laws of 1949.

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, 0; absent and not voting, 11.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Olson    |
| Berube     | Johnson, Cavalier | Page     |
| Bilden     | Kamrath           | Rue      |
| Bridston   | Kieley            | Sayer    |
| Day        | Klefstad          | Schmit   |
| Dewing     | Krenz             | Solberg  |
| Dolan      | Kusler            | Streibel |
| Duffy      | Leier             | Tuff     |
| Ferry      | Livingston        | Wadeson  |
| Freed      | Luick             | Welander |
| Gilbertson | Meidinger         | Wolf     |
| Hagen      | Nelson            | Yunker   |
| Hernett    |                   |          |

Absent and not voting:

|               |          |        |
|---------------|----------|--------|
| Davis         | Knudson  | Thomas |
| Foss          | O'Brien  | Torno  |
| Fraser        | Schoeder | Wog    |
| Johnson, Cass | Schrock  |        |

So the bill passed and the title was agreed to.

**House Bill No. 526.** 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 sub-divisions, 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.

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, 8.

Those voting in the affirmative were:

|            |                   |        |
|------------|-------------------|--------|
| Baeverstad | Johnson, Cavalier | Page   |
| Berube     | Kamrath           | Rue    |
| Bilden     | Kieley            | Sayer  |
| Bridston   | Klefstad          | Schmit |

|            |            |          |
|------------|------------|----------|
| Day        | Krenz      | Solberg  |
| Dewing     | Kusler     | Streibel |
| Dolan      | Leier      | Thomas   |
| Duffy      | Livingston | Tuff     |
| Ferry      | Luick      | Wadeson  |
| Freed      | Meidinger  | Welander |
| Gilbertson | Nelson     | Wog      |
| Hagen      | O'Brien    | Wolf     |
| Hernett    | Olson      | Yunker   |
| Holand     |            |          |

Absent and not voting:

|        |               |         |
|--------|---------------|---------|
| Davis  | Johnson, Cass | Schrock |
| Foss   | Knudson       | Torno   |
| Fraser | Schoeder      |         |

So the bill passed and the title was agreed to.

**House Bill No. 533.** A Bill for an Act making an appropriation for the purpose of operating and maintaining the Teachers' Insurance and Retirement Fund.

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, 7.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cavalier | Page     |
| Berube     | Kamrath           | Rue      |
| Bilden     | Kieley            | Sayer    |
| Bridston   | Klefstad          | Schmit   |
| Day        | Knudson           | Solberg  |
| Dewing     | Krenz             | Streibel |
| Dolan      | Kusler            | Thomas   |
| Duffy      | Leier             | Tuff     |
| Ferry      | Livingston        | Wadeson  |
| Freed      | Luick             | Welander |
| Gilbertson | Meidinger         | Wog      |
| Hagen      | Nelson            | Wolf     |
| Hernett    | O'Brien           | Yunker   |
| Holand     | Olson             |          |

Absent and not voting:

|        |               |         |
|--------|---------------|---------|
| Davis  | Johnson, Cass | Schrock |
| Foss   | Schoeder      | Torno   |
| Fraser |               |         |

So the bill passed and the title was agreed to.

**House Bill No. 559.** A Bill for an Act to amend and reenact section 57-15101 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to authorizing counties in which are located cities having a population in excess of three thousand to levy a tax for the purpose of advertising the resources and opportunities in the county or city and promoting the industrial development thereof, and repealing all acts or parts of acts in conflict herewith and declaring an emergency.

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, 7.



- Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cavalier | Rue      |
| Bilden     | Kamrath           | Sayer    |
| Bridston   | Kieley            | Schmit   |
| Davis      | Klefstad          | Solberg  |
| Day        | Krenz             | Streibel |
| Dewing     | Kusler            | Thomas   |
| Dolan      | Leier             | Tuff     |
| Duffy      | Livingston        | Wadeson  |
| Ferry      | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | O'Brien           | Yunker   |
| Hernett    | Olson             |          |

Absent and not voting:

|        |          |         |
|--------|----------|---------|
| Foss   | Knudson  | Schrock |
| Fraser | Schoeder | Torno   |

Johnson, Cass

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Kusler moved that House Bill No. 564 be laid over one legislative day, which motion prevailed.

Senator Kusler moved that House Bill No. 636 be referred to the Committee on Industry and Business, which motion prevailed.

**House Bill No. 584.** A Bill for an Act to amend and reenact section 39-0102 of the 1953 Supplement to the North Dakota Revised Code of 1943, to remove the requirement for printing the license number on the side of state-owned motor vehicles, and declaring an emergency.

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, 2; absent and not voting, 6.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schoeder |
| Davis      | Klefstad          | Solberg  |
| Day        | Krenz             | Streibel |
| Dewing     | Kusler            | Thomas   |
| Dolan      | Leier             | Tuff     |
| Duffy      | Livingston        | Wadeson  |
| Ferry      | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | O'Brien           | Yunker   |
| Hernett    |                   |          |

Those voting in the negative were:

|       |      |
|-------|------|
| Olson | Page |
|-------|------|

Absent and not voting:

|        |               |         |
|--------|---------------|---------|
| Foss   | Johnson, Cass | Schrock |
| Fraser | Knudson       | Torno   |

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**House Bill No. 590.** A Bill for an Act authorizing the board of administration to expend the sum of ten thousand dollars for connecting the water and sewage system of the capitol building to the mains of the city of Bismarck and re-appropriating such sum for that purpose and declaring an emergency.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cavalier | Rue      |
| Bilden     | Kamrath           | Sayer    |
| Bridston   | Kieley            | Schmit   |
| Davis      | Klefstad          | Schoeder |
| Day        | Krenz             | Solberg  |
| Dewing     | Kusler            | Streibel |
| Dolan      | Leier             | Thomas   |
| Duffy      | Livingston        | Tuff     |
| Ferry      | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |

Absent and not voting:

|        |               |         |
|--------|---------------|---------|
| Foss   | Johnson, Cass | Schrock |
| Fraser | Knudson       | Torno   |

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**House Bill No. 617.** A Bill for an Act to amend and reenact section 57-0210 of the North Dakota Revised Code of 1943, relating to lands exempt from taxation, and declaring an emergency.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cavalier | Rue      |
| Bilden     | Kamrath           | Sayer    |
| Bridston   | Kieley            | Schmit   |
| Davis      | Klefstad          | Schoeder |
| Day        | Krenz             | Schrock  |
| Dewing     | Kusler            | Streibel |
| Dolan      | Leier             | Thomas   |
| Duffy      | Livingston        | Tuff     |
| Ferry      | Luick             | Wadeson  |
| Foss       | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | O'Brien           | Wolf     |

|                        |         |        |
|------------------------|---------|--------|
| Hagen                  | Olson   | Yunker |
| Hernett                |         |        |
| Absent and not voting: |         |        |
| Fraser                 | Knudson | Torno  |
| Johnson, Cass          | Solberg |        |

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**House Bill No. 690.** A Bill for an Act to provide for a township tax levy of five mills to be used in cooperation with a county in the construction and maintenance of federal aid farm to market roads on the county highway system within such township, and providing for notification.

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 5; absent and not voting, 4.

Those voting in the affirmative were:

|            |            |          |
|------------|------------|----------|
| Baeverstad | Hernett    | Rue      |
| Berube     | Holand     | Sayer    |
| Bilden     | Kamrath    | Schmit   |
| Bridston   | Kieley     | Schoeder |
| Davis      | Krenz      | Schrock  |
| Day        | Kusler     | Solberg  |
| Dewing     | Leier      | Streibel |
| Dolan      | Livingston | Thomas   |
| Duffy      | Luick      | Tuff     |
| Ferry      | Meidinger  | Wadeson  |
| Foss       | O'Brien    | Welander |
| Freed      | Olson      | Wog      |
| Hagen      | Page       | Wolf     |

Those voting in the negative were:

|                        |          |        |
|------------------------|----------|--------|
| Gilbertson             | Klefstad | Yunker |
| Johnson, Cavalier      | Nelson   |        |
| Absent and not voting: |          |        |
| Fraser                 | Knudson  | Torno  |
| Johnson, Cass          |          |        |

So the bill passed and the title was agreed to.

**House Bill No. 692.** A Bill for an Act to amend and reenact section 40-0911 of the North Dakota Revised Code of 1943, relating to meetings of boards of county commissioners.

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, 1; absent and not voting, 3.

Those voting in the affirmative were:

|            |            |          |
|------------|------------|----------|
| Baeverstad | Hernett    | Rue      |
| Berube     | Holand     | Sayer    |
| Bilden     | Kamrath    | Schmit   |
| Bridston   | Kieley     | Schoeder |
| Davis      | Klefstad   | Schrock  |
| Day        | Krenz      | Solberg  |
| Dewing     | Kusler     | Streibel |
| Dolan      | Leier      | Thomas   |
| Duffy      | Livingston | Tuff     |

|            |           |          |
|------------|-----------|----------|
| Ferry      | Luick     | Wadeson  |
| Foss       | Meidinger | Welander |
| Fraser     | Nelson    | Wog      |
| Freed      | O'Brien   | Wolf     |
| Gilbertson | Olson     | Yunker   |
| Hagen      | Page      |          |

Those voting in the negative were:

Johnson, Cavalier

Absent and not voting:

Johnson, Cass      Knudson      Torno

So the bill passed and the title was agreed to.

**House Bill No. 725.** A Bill for an Act making an appropriation to the state water conservation commission for aid in drainage, irrigation, and flood control programs.

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, 34; nays, 11; absent and not voting, 3.

Those voting in the affirmative were:

|            |            |          |
|------------|------------|----------|
| Baeverstad | Hernett    | Rue      |
| Berube     | Kamrath    | Sayer    |
| Bilden     | Kieley     | Schmit   |
| Bridston   | Klefstad   | Schoeder |
| Davis      | Leier      | Schrock  |
| Day        | Livingston | Streibel |
| Dewing     | Luick      | Thomas   |
| Dolan      | Meidinger  | Wadeson  |
| Duffy      | Nelson     | Welander |
| Foss       | O'Brien    | Wolf     |
| Fraser     | Page       | Yunker   |
| Freed      |            |          |

Those voting in the negative were:

|            |                   |         |
|------------|-------------------|---------|
| Ferry      | Johnson, Cavalier | Solberg |
| Gilbertson | Krenz             | Tuff    |
| Hagen      | Kusler            | Wog     |
| Holand     | Olson             |         |

Absent and not voting:

Johnson, Cass      Knudson      Torno

So the bill passed and the title was agreed to.

**House Bill No. 739.** A Bill for an Act to amend and reenact section 16-0102 of the North Dakota Revised Code of 1943, relating to opening and closing of polls at primary and general elections and providing for extension of polling hours in any precinct upon resolution of the governing body of the city, village, or township in which such precinct is located.

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, 4.

Those voting in the affirmative were:

|            |                   |        |
|------------|-------------------|--------|
| Baeverstad | Hernett           | Page   |
| Berube     | Holand            | Sayer  |
| Bilden     | Johnson, Cavalier | Schmit |

|                        |            |          |
|------------------------|------------|----------|
| Bridston               | Kamrath    | Schoeder |
| Davis                  | Kieley     | Schrock  |
| Day                    | Klefstad   | Solberg  |
| Dewing                 | Krenz      | Streibel |
| Dolan                  | Kusler     | Thomas   |
| Duffy                  | Leier      | Tuff     |
| Ferry                  | Livingston | Wadeson  |
| Foss                   | Luick      | Welander |
| Fraser                 | Meidinger  | Wog      |
| Freed                  | Nelson     | Wolf     |
| Gilbertson             | O'Brien    | Yunker   |
| Hagen                  | Olson      |          |
| Absent and not voting: |            |          |
| Johnson, Cass          | Rue        | Torno    |
| Knudson                |            |          |

So the bill passed and the title was agreed to.

**House Bill No. 771.** A Bill for an Act to amend and reenact section 40-4608 of the North Dakota Revised Code of 1943, relating to investment of city employees' pension funds.

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, 4.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Page     |
| Berube     | Holand            | Sayer    |
| Bilden     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Kieley            | Schrock  |
| Day        | Klefstad          | Solberg  |
| Dewing     | Krenz             | Streibel |
| Dolan      | Kusler            | Thomas   |
| Duffy      | Leier             | Tuff     |
| Ferry      | Livingston        | Wadeson  |
| Foss       | Luick             | Welander |
| Fraser     | Meidinger         | Wog      |
| Freed      | Nelson            | Wolf     |
| Gilbertson | O'Brien           | Yunker   |
| Hagen      | Olson             |          |

Absent and not voting:

|               |     |       |
|---------------|-----|-------|
| Johnson, Cass | Rue | Torno |
| Knudson       |     |       |

So the bill passed and the title was agreed to.

**House Bill No. 772.** A Bill for an Act to amend and reenact section 40-4506 of the North Dakota Revised Code of 1943, relating to investment of policemen's pension funds.

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, 4.

Those voting in the affirmative were:

|            |         |       |
|------------|---------|-------|
| Baeverstad | Hernett | Page  |
| Berube     | Holand  | Sayer |

|            |                   |          |
|------------|-------------------|----------|
| Bilden     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schoeder |
| Day        | Kielely           | Schrock  |
| Davis      | Klefstad          | Solberg  |
| Dewing     | Krenz             | Streibel |
| Dolan      | Kusler            | Thomas   |
| Duffy      | Leier             | Tuff     |
| Ferry      | Livingston        | Wadeson  |
| Foss       | Luick             | Welander |
| Fraser     | Meidinger         | Wog      |
| Freed      | Nelson            | Wolf     |
| Gilbertson | O'Brien           | Yunker   |
| Hagen      | Olson             |          |

Absent and not voting:

|               |     |       |
|---------------|-----|-------|
| Johnson, Cass | Rue | Torno |
| Knudson       |     |       |

So the bill passed and the title was agreed to.

**House Bill No. 790.** A Bill for an Act to amend and reenact sections 24-1001 and 24-1002 of the North Dakota Revised Code of 1943, relating to cattle guards across county and township roads.

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, 1; absent and not voting, 3.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Olson    |
| Berube     | Holand            | Page     |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Kielely           | Schrock  |
| Day        | Klefstad          | Solberg  |
| Dewing     | Knudson           | Streibel |
| Dolan      | Krenz             | Thomas   |
| Duffy      | Kusler            | Tuff     |
| Ferry      | Leier             | Wadeson  |
| Foss       | Livingston        | Welander |
| Fraser     | Luick             | Wog      |
| Freed      | Meidinger         | Wolf     |
| Gilbertson | Nelson            | Yunker   |
| Hagen      | O'Brien           |          |

Those voting in the negative were:

Schmit

Absent and not voting:

|               |     |       |
|---------------|-----|-------|
| Johnson, Cass | Rue | Torno |
|---------------|-----|-------|

So the bill passed and the title was agreed to.

**House Bill No. 827.** A Bill for an Act creating and enacting subsection 20 of section 57-0208 of the North Dakota Revised Code of 1943, relating to property exempt from taxation.

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, 3.

**Those voting in the affirmative were:**

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Olson    |
| Berube     | Holand            | Page     |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | O'Brien           | Yunker   |

**Absent and not voting:**

|               |     |       |
|---------------|-----|-------|
| Johnson, Cass | Rue | Torno |
|---------------|-----|-------|

So the bill passed and the title was agreed to.

**House Bill No. 858.** A Bill for an Act to amend and reenact section 26-1513 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to county mutual insurance companies.

Which has been read.

Senator Wadeson moved that House Bill No. 858 be amended as follows:

In Line 39 leave the bracket ahead of the word "temporarily" and place a bracket following the word "company" in Line 40.

In Line 40 delete the words "twenty-five" and insert in lieu thereof the word "fifty".

At the end of Line 41 strike the words "such territory" and insert in lieu thereof the words "the state", and delete the bracket at the end of the line.

Which motion prevailed.

Senator Wadeson moved that the rules be suspended and that House Bill No. 858 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

**ROLL CALL**

The question being on the final passage of the bill, as amended by the Senate, the roll was called and there were ayes, 41; nays, 3; absent and not voting, 4.

**Those voting in the affirmative were:**

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Olson    |
| Berube     | Johnson, Cavalier | Schoeder |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schrock  |
| Dewing     | Klefstad          | Solberg  |
| Dolan      | Knudson           | Streibel |
| Duffy      | Krenz             | Thomas   |
| Ferry      | Kusler            | Tuff     |
| Foss       | Leier             | Wadeson  |
| Fraser     | Livingston        | Welander |
| Freed      | Luick             | Wog      |
| Gilbertson | Meidinger         | Wolf     |

|         |         |        |
|---------|---------|--------|
| Hagen   | Nelson  | Yunker |
| Hernett | O'Brien |        |

Those voting in the negative were:

|     |      |       |
|-----|------|-------|
| Day | Page | Sayer |
|-----|------|-------|

Absent and not voting:

|        |     |       |
|--------|-----|-------|
| Bilden | Rue | Torno |
|--------|-----|-------|

Johnson, Cass

So the bill passed and the title was agreed to.

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.



## FIFTY-SECOND DAY

Bismarck, February 24, 1955

The Senate convened at 2:00 p.m., the President presiding.  
Prayer by Chaplain Father Colgan, Bismarck, No. Dak.

Roll Call: All members present except Senators Bilden,  
Duffy, Holand, Meidinger and Yunker.

So a quorum was declared.

The Committee on Revision and Correction of the Journal  
made the following report:

Mr. President: Your Committee on Revision and Correction  
of the Journal have carefully examined the Journal of  
the fifty-first day and find the same correct.

JOHN LEIER, Chairman.

Senator Leier moved that the report be adopted, which  
motion prevailed and the report was adopted.

## PETITIONS AND COMMUNICATIONS

A resolution was read from the office of the Secretary of  
State of the state of Georgia, memorializing Congress to call  
a convention for the purpose of considering an amendment to  
the Constitution of the United States relative to the adminis-  
tration by the several states of their respective school sys-  
tems, and was referred to the Committee on Education.

## 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. 35  
Senate Bill No. 37  
Senate Bill No. 42  
Senate Bill No. 44  
Senate Bill No. 48  
Senate Bill No. 59  
Senate Bill No. 65  
Senate Bill No. 80  
Senate Bill No. 82  
Senate Bill No. 83  
Senate Bill No. 84  
Senate Bill No. 93  
Senate Bill No. 104

Senate Bill No. 110  
 Senate Bill No. 126  
 Senate Bill No. 127

And find the same correctly enrolled.

ROSAMOND O'BRIEN, Chairmna.

Senator O'Brien 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. 503, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to who was referred House Bill No. 524, have had the same under consideration and recommend that the same be amended as follows:

In line 2 after the word "Moneys" insert the following words: "in the Public Welfare Fund".

In line 3 strike out the figure "\$9,804,856.00" and insert the figure "\$14,296,671.00" in lieu thereof.

In line 14 strike out the figure "\$6,276,460.00" and insert the figure "\$10,768,275.00" in lieu thereof.

In line 40 strike out the figure "\$9,804,856.00" and insert the figure "\$14,296,671.00" in lieu thereof.

Renumber the lines accordingly.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 550, have had the same under consideration and recommend that the same do pass.

ORVILLE W. HAGEN, Chairman.

Senator Hagen 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. 568, have had the same under consideration and recommend that the same do pass.

STEVE THOMAS, Chairman.

Senator Thomas 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. 610, have had the same under consideration and recommend that the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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. 619, have had the same under consideration and recommend that the same do pass.

STEVE THOMAS, Chairman.

Senator Thomas 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. 628, have had the same under consideration and recommend that the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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. 636, have had the same under consideration and recommend that the same be indefinitely postponed.

JOHN KUSLER, Chairman.

Senator Kusler 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. 663, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

ORVILLE HAGEN, Chairman.

Senator Hagen 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. 698, have had the same under consideration and recommend that the same be amended as follows:

Strike everything after the words "A BILL" and insert in lieu thereof the following:

"For an Act authorizing the industrial commission to make payments to certain school districts subject to appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. PAYMENTS FROM BURLINGTON  
 1a PROJECT TO  
 2 SCHOOL DISTRICTS.) The state industrial commis-  
 2a sion is  
 3 hereby authorized to make such agreements as it may  
 3a deem  
 4 appropriate with the Burlington School District Number  
 4a 7  
 5 and St. Mary's School District Number 17, in Ward  
 5a County,  
 6 for payments to be made to those school districts  
 6a annually  
 7 in amounts to reimburse the schools for the tuition  
 8 cost of children attending and residing within the  
 9 Burlington Project area, pursuant to legislative  
 10 appropriation.

And when so amended recommend the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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. 720, have had the same under consideration and recommend that the same be indefinitely postponed.

JOHN KUSLER, Chairman.

Senator Kusler 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. 762, have had the same under consideration and recommend that the same be amended as follows:

Section 1. Line 5 after "who" insert the following: "is a paid employee of a municipality, Chamber of Commerce or other similar organization and who"

Section 2. Line 33 after the word "hand" insert the following: "in the name of the state of North Dakota on a form to be prescribed by the Public Service Commission"

Delete Section 4.

Renumber the lines accordingly.

And when so amended recommend the same do pass.

LAVERN SCHOEDER, Chairman.

Senator Schoeder 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. 770, have had the same under consideration and recommend that the same do pass.

STEVE THOMAS, Chairman.

Senator Thomas 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. 775, have had the same under consideration and recommend that the same be indefinitely postponed.

ORVILLE HAGEN, Chairman.

Senator Hagen moved that the report be adopted.

Senator Fraser made a substitute motion that House Bill No. 775 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Industry and Business, to whom was referred House Bill No. 797, have had the same under consideration and recommend that the same be amended as follows:

Strike out Subsection 3 and renumber Subsection and lines accordingly.

And when so amended recommend the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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. 804, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

STEVE THOMAS, Chairman.

Senator Thomas 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. 821, have had the same under consideration and recommend that the same do pass.

STEVE THOMAS, Chairman.

Senator Thomas 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. 847, have had the same under consideration and recommend that the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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 Concurrent Resolution "L", have had the same under consideration and recommend that the same do pass.

LAVERN SCHOEDER, Chairman.

Senator Schoeder 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 "R", have had the same under consideration and recommend that the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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 Concurrent Resolution "F-1", have had the same under consideration and recommend that the same be reported back to be placed on the calendar without recommendation.

LAVERN SCHOEDER, Chairman.

Senator Schoeder moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Kusler moved that the Senate recognize the senior class, Superintendent and instructors from Hazen, North Dakota, which motion prevailed.

Senator Livingston moved that the Senate recognize the juniors and seniors from St. Leo's, Minot High School, Sacred Heart Academy, Dakota Lutheran, Model High School, and their sponsors, the Kiwanis Club, all of Minot, which motion prevailed.

## MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 24, 1955

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill 518, Senators Page, Dewing and Freed.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, February 24, 1955

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House

Concurrent Resolution "D", Senators Welander, Davis and Krenz.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, February 24, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 506  
House Bill No. 509  
House Bill No. 517  
House Bill No. 525  
House Bill No. 526  
House Bill No. 533  
House Bill No. 559  
House Bill No. 573  
House Bill No. 584  
House Bill No. 590  
House Bill No. 617  
House Bill No. 666  
House Bill No. 683  
House Bill No. 684  
House Bill No. 685  
House Bill No. 686  
House Bill No. 687  
House Bill No. 690  
House Bill No. 692  
House Bill No. 696  
House Bill No. 714  
House Bill No. 725

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, February 24, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 739  
House Bill No. 771  
House Bill No. 772  
House Bill No. 778  
House Bill No. 790  
House Bill No. 817  
House Bill No. 825  
House Bill No. 827  
House Bill No. 840  
House Concurrent Resolution "J"

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, February 24, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 858

Which the Senate has amended.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, February 24, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 633

House Bill No. 668

Which the Senate has indefinitely postponed.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, February 24, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 513

House Bill No. 539

House Bill No. 554

House Bill No. 681

House Bill No. 689

Which the President has signed.

EDWARD LENO, Secretary.

## FIRST READING OF SENATE RESOLUTION

Senators Krenz, Luick and Dolan introduced:

Senate Concurrent Resolution "X". A Concurrent Resolution memorializing the Congress of the United States to enact legislation which would create an agricultural rating for pilots engaged in the aerial application of agricultural chemicals.

Was read the first time and referred to the Committee on General Affairs.

## REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 563, 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. 618, have had the same under consideration and recommend that the same be placed on 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 House Bill No. 629, 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.

## CONSIDERATION OF AMENDMENTS

Senator Wog moved that the proposed amendments to House Bill No. 542 be adopted, which motion prevailed.

Senator Wog moved to further amend House Bill No. 557 as follows:

In line 51 of the engrossed bill delete the word "fifty" and insert in lieu thereof the word "fifty-five".

Which motion prevailed.

Senator Wog moved that the proposed amendments to House Bill No. 557 be adopted, which motion prevailed.

Senator Page moved that the proposed amendments to House Bill No. 761 be adopted, which motion prevailed.

Senator Day moved that the proposed amendments to House Bill No. 829 be adopted, which motion prevailed.

#### MESSAGES TO THE SENATE

House Chamber

Bismarck, February 24, 1955

Mr. President: I have the honor to transmit:  
House Concurrent Resolution "P-1"

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, February 24, 1955

Mr. President: I have the honor to return:

Senate Bill No. 14  
Senate Bill No. 22  
Senate Bill No. 25  
Senate Bill No. 27  
Senate Bill No. 28  
Senate Bill No. 29  
Senate Bill No. 40  
Senate Bill No. 56  
Senate Bill No. 66  
Senate Bill No. 75  
Senate Bill No. 88  
Senate Bill No. 100  
Senate Bill No. 133  
Senate Bill No. 134  
Senate Bill No. 141

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, February 24, 1955

Mr. President: I have the honor to return:

Senate Bill No. 71  
Senate Bill No. 131  
Senate Bill No. 144  
Senate Bill No. 221  
Senate Bill No. 223

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, February 24, 1955

Mr. President: I have the honor to return:

Senate Bill No. 16 which the House has amended as follows:

In Line 6 following the word "Chapter" strike out "147, Session Laws of 1947" and insert "15-53 of the 1953 Supplement to the North Dakota Revised Code of 1943".



Senate Bill No. 17, which the House has amended as follows:

In Line 7 following the word "Chapter" strike out "136, Session Laws of 1953" and insert "15-60 of the 1953 Supplement to the North Dakota Revised Code of 1943".

Senate Bill No. 23 which the House has amended as follows:

In Lines 5, 6 and 7 strike out the parentheses and all of the words contained within, and the comma following the last parenthesis.

Senate Bill No. 51 which the House has amended as follows:

After the word "spouse" on line 77 add a new paragraph as follows: "SECTION 3. APPLICATION.) This act shall be applicable to estates of all decedents who shall have died subsequent to January 1, 1955."; On line 78 after the word "SECTION" strike the numeral "3" and insert in lieu thereof the numeral "4";

And renumber the lines accordingly.

Senate Bill No. 61 which the House has amended as follows:

In line 12 strike out the word "DIRECTOR" and insert the word "DIRECTION" in lieu thereof.

Senate Bill No. 115 which the House has amended as follows:

In the title delete the word "Safety" and in line 4 of the bill delete the word "Safety".

And renumber the lines accordingly.

KENNETH L. MORGAN, Chief Clerk.

## SECOND READING OF HOUSE BILLS AND RESOLUTIONS

House Bill No. 549. A Bill for an Act relating to the licensing and sale of alcoholic beverages, and the licensing of games and amusements and other activities; creating a division of licensing and inspections within the state laboratories department; amending and reenacting sections 53-0406, 53-0601, 53-0602, 53-0603, 53-0604, 53-0605, 53-0606, 53-0607, subsection 7 of section 53-0608, and section 53-0610 of the North Dakota Revised Code of 1943 and sections 5-0501, 5-0503, 5-0510, 5-0511, 5-0512, 5-0513, 5-0514, 5-0515, 5-0516, and 53-0405 of the 1953 Supplement to the North Dakota Revised Code of 1943; providing for the transfer of any balance in the attorney general's licensing fund to the general fund; and repealing subsection 5 of section 53-0608 and section 53-0610 of the North Dakota Revised Code of 1943 and section 54-1212 of the 1953 Supplement to the North Dakota Revised Code of 1943.

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, 4; nays, 44; absent and not voting, 0.

Those voting in the affirmative were:

|               |      |         |
|---------------|------|---------|
| Johnson, Cass | Page | Solberg |
| Knudson       |      |         |

Those voting in the negative were:

|            |                   |        |
|------------|-------------------|--------|
| Baeverstad | Hernett           | Rue    |
| Berube     | Holand            | Sayer  |
| Bilden     | Johnson, Cavalier | Schmit |

|            |            |          |
|------------|------------|----------|
| Bridston   | Kamrath    | Schoeder |
| Davis      | Kieley     | Schrock  |
| Day        | Klefstad   | Streibel |
| Dewing     | Krenz      | Thomas   |
| Dolan      | Kusler     | Torno    |
| Duffy      | Leier      | Tuff     |
| Ferry      | Livingston | Wadeson  |
| Foss       | Luick      | Welander |
| Fraser     | Meidinger  | Wog      |
| Freed      | Nelson     | Wolf     |
| Gilbertson | O'Brien    | Yunker   |
| Hagen      | Olson      |          |

So the bill was declared lost.

**House Bill No. 551.** A Bill for an Act to amend and reenact sections 5-0205, 5-0206, 5-0211, 5-0212, 5-0213, 5-0217, 5-0218, 5-0220, and 5-0307 of the North Dakota Revised Code of 1943 and subsection 1 of section 5-0222 of the 1953 Supplement to the North Dakota Revised Code of 1943, and to repeal sections 5-0203 and 5-0204 of the North Dakota Revised Code of 1943, relating to the licensing of alcoholic beverage dealers and distributors, and the taxation of alcoholic beverages; and to amend and reenact section 57-3602 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the licensing of tobacco dealers and distributors.

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, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Olson    |
| Berube     | Johnson, Cass     | Page     |
| Bridston   | Johnson, Cavalier | Sayer    |
| Davis      | Kieley            | Schmit   |
| Day        | Klefstad          | Schrock  |
| Dolan      | Knudson           | Solberg  |
| Duffy      | Krenz             | Torno    |
| Foss       | Kusler            | Tuff     |
| Freed      | Leier             | Wadeson  |
| Gilbertson | Luick             | Welander |
| Hagen      | Nelson            | Wog      |
| Hernett    | O'Brien           | Yunker   |

Those voting in the negative were:

|        |            |          |
|--------|------------|----------|
| Bilden | Kamrath    | Schoeder |
| Dewing | Livingston | Streibel |
| Ferry  | Meidinger  | Thomas   |
| Fraser | Rue        | Wolf     |

So the bill passed and the title was agreed to.

Senator Freed moved that the vote by which House Bill No. 551 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

**House Bill No. 564.** A Bill for an Act to amend and reenact subsection 6 of Section 57-3822 of the North Dakota Revised Code of 1943, as amended March 13, 1953 (Chapter 326) of the 1953 Supplement of the North Dakota Revised Code of 1943, relating to deductions allowed in computing net income for income tax purposes, to encourage and pro-

mote the mining and production of lignite coal in North Dakota and encourage its utilization as a natural resource.

Was read the second time.

Senator Day moved that House Bill No. 564 be amended as follows:

In Line 42 of the engrossed bill strike out the word "twenty-seven", and in Line 43 strike out the word "one-half" and insert in lieu of the words "twenty-seven and one-half" the word "ten".

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, 3; absent and not voting, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Olson    |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Thomas   |
| Duffy      | Kusler            | Torno    |
| Ferry      | Leier             | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Hagen      | Nelson            | Wolf     |
| Hernett    | O'Brien           | Yunker   |

Those voting in the negative were:

|            |      |          |
|------------|------|----------|
| Gilbertson | Page | Streibel |
|------------|------|----------|

So the bill passed and the title was agreed to.

Senator Sayer moved that the vote by which House Bill No. 564 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

**House Concurrent Resoluion "V".** A Concurrent Resolution petitioning the Congress of the United States to enact legislation authorizing a study and investigation into the feasibility of establishing additional manufacturing enterprises adjacent to Indian reservations in this state.

Which has been read.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Sayer    |
| Bilden     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Klefstad          | Schrock  |
| Day        | Knudson           | Solberg  |
| Dewing     | Krenz             | Streibel |
| Dolan      | Kusler            | Thomas   |
| Duffy      | Leier             | Torno    |

|            |            |          |
|------------|------------|----------|
| Ferry      | Livingston | Tuff     |
| Foss       | Luick      | Wadeson  |
| Fraser     | Meidinger  | Welander |
| Freed      | Nelson     | Wog      |
| Gilbertson | O'Brien    | Wolf     |
| Hagen      | Olson      | Yunker   |
| Hernett    |            |          |

Absent and not voting:

|        |     |
|--------|-----|
| Kieley | Rue |
|--------|-----|

So the resolution was adopted and the title was agreed to.

House Concurrent Resolution "Y". A Concurrent Resolution authorizing and directing the board of administration to take necessary action to improve the lighting in the legislative chambers.

Which has been read.

**ROLL CALL**

The question being on the final passage of the resolution, the roll was called and there were ayes, 43; nays, 4; absent and not voting, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Sayer    |
| Berube     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Kieley            | Schrock  |
| Dewing     | Krenz             | Solberg  |
| Dolen      | Kusler            | Streibel |
| Duffy      | Leier             | Thomas   |
| Ferry      | Livingston        | Torno    |
| Foss       | Luick             | Tuff     |
| Fraser     | Nelson            | Wadeson  |
| Freed      | O'Brien           | Welander |
| Gilbertson | Olson             | Wog      |
| Hagen      | Page              | Wolf     |
| Hernett    | Rue               | Yunker   |
| Holand     |                   |          |

Those voting in the negative were:

|        |          |           |
|--------|----------|-----------|
| Bilden | Klefstad | Meidinger |
| Day    |          |           |

Absent and not voting:

Knudson

So the resolution was adopted and the title was agreed to.

**SIGNING OF BILLS**

The Secretary announced that the President was about to sign:

|                 |    |
|-----------------|----|
| Senate Bill No. | 35 |
| Senate Bill No. | 37 |
| Senate Bill No. | 42 |
| Senate Bill No. | 44 |
| Senate Bill No. | 48 |
| Senate Bill No. | 59 |
| Senate Bill No. | 65 |
| Senate Bill No. | 80 |
| Senate Bill No. | 82 |
| Senate Bill No. | 83 |
| Senate Bill No. | 84 |
| Senate Bill No. | 93 |

Senate Bill No. 104  
 Senate Bill No. 110  
 Senate Bill No. 126  
 Senate Bill No. 127

And the President signed the same in the presence of the Senate.

#### FIRST READING OF HOUSE RESOLUTION

**House Concurrent Resolution "P-1".** A House Concurrent Resolution directing the legislative research committee to study and modernize statutes relating to minimum wages and hours of labor.

Was read the first time and referred to the Committee on Labor Relations.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 24, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 35  
 Senate Bill No. 37  
 Senate Bill No. 42  
 Senate Bill No. 44  
 Senate Bill No. 48  
 Senate Bill No. 59  
 Senate Bill No. 65  
 Senate Bill No. 80  
 Senate Bill No. 82  
 Senate Bill No. 83  
 Senate Bill No. 84  
 Senate Bill No. 93  
 Senate Bill No. 104  
 Senate Bill No. 110  
 Senate Bill No. 126  
 Senate Bill No. 127

Which the President has signed and your signature is respectfully requested.

EDWARD LENO, Secretary.

Senator Streibel moved that after the second reading of the House Bills on the calendar the Senate recess for ten minutes, which motion prevailed.

The Senate reconvened at the call of the Chair.

#### SECOND READING OF SENATE BILLS

Senator Page moved that the Senate concur in the House amendments to Senate Bill No. 16, which motion prevailed.

Senator Page moved that the rules be suspended and Senate Bill No. 16 be deemed properly re-engrossed and placed on second reading and final action as amended by the House, which motion prevailed.

**Senate Bill No. 16.** 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.

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, 37; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hagen             | Nelson   |
| Berube     | Hernett           | O'Brien  |
| Bilden     | Holand            | Olson    |
| Bridston   | Johnson, Cass     | Page     |
| Davis      | Johnson, Cavalier | Rue      |
| Day        | Kamrath           | Schmit   |
| Dewing     | Klefstad          | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Tuff     |
| Ferry      | Livingston        | Wadeson  |
| Foss       | Luick             | Welander |
| Fraser     | Meidinger         | Wolf     |
| Gilbertson |                   |          |

Absent and not voting:

|         |          |        |
|---------|----------|--------|
| Freed   | Sayer    | Torno  |
| Kieley  | Schoeder | Wog    |
| Knudson | Schrock  | Yunker |
| Leier   | Thomas   |        |

So the bill passed and title was agreed to.

Senator Page moved that the Senate concur in the House amendments to Senate Bill No. 17, which motion prevailed.

Senator Page moved that the rules be suspended and Senate Bill No. 17 be deemed properly re-engrossed and placed on second reading and final action as amended by the House, which motion prevailed.

**Senate Bill No. 17.** A Bill for an Act making an appropriation for the administrative expenses of the State School Construction Fund and State School Construction Board.

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, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Sayer    |
| Bilden     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Kieley            | Schrock  |
| Day        | Klefstad          | Solberg  |
| Dewing     | Knudson           | Streibel |
| Dolan      | Krenz             | Thomas   |
| Duffy      | Kusler            | Torno    |
| Ferry      | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Freed      | Nelson            | Wolf     |
| Gilbertson | O'Brien           | Wog      |
| Hagen      | Olson             | Yunker   |
| Hernett    |                   |          |

Absent and not voting:

|       |     |
|-------|-----|
| Leier | Rue |
|-------|-----|

So the bill passed and the title was agreed to.

Senator Page moved that the Senate concur in the House amendments to Senate Bill No. 23, which motion prevailed.

Senator Page moved that the rules be suspended and Senate Bill No. 23 be deemed properly re-engrossed and placed on second reading and final action as amended by the House, which motion prevailed.

**Senate Bill No. 23.** A Bill for an Act making appropriations for the Divisions of Vocational Rehabilitation and Vocational Education, and declaring an emergency.

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, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leter             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 24, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 551

House Bill No. 564

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 505.** A Bill for an Act making an appropriation for the operating and maintenance expenses of the Public Health Department, and declaring an emergency.

Which has been read.

#### 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, 47; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schoeder |

|            |            |          |
|------------|------------|----------|
| Davis      | Klefstad   | Schrock  |
| Dewing     | Knudson    | Solberg  |
| Dolan      | Krenz      | Streibel |
| Duffy      | Kusler     | Thomas   |
| Ferry      | Leier      | Torno    |
| Foss       | Livingston | Tuff     |
| Fraser     | Luick      | Wadeson  |
| Freed      | Meidinger  | Welander |
| Gilbertson | Nelson     | Wog      |
| Hagen      | O'Brien    | Wolf     |
| Hernett    | Olson      | Yunker   |
| Holand     | Page       |          |

Absent and not voting:

Day

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**House Bill No. 519.** A Bill for an Act making an appropriation into the "Administrative Fund" for the State Water Conservation Commission for general administration expenses, maintenance and construction of dams and planning and surveying projects, expenses of state compacts and for water conservation and irrigation districts for construction and development.

Which has been read.

Senator Duffy moved that House Bill No. 519 be amended as follows:

Between lines 35 and 36 of the printed bill insert the following line:

"35a Water Right Investigations \$12,000.00".

Change the total accordingly.

Which motion was declared lost.

**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, 45; nays, 3; absent and not voting, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Streibel |
| Dolan      | Krenz             | Thomas   |
| Duffy      | Kusler            | Torno    |
| Ferry      | Leier             | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Hagen      | Nelson            | Wolf     |
| Hernett    | Olson             | Yunker   |

Those voting in the negative were:

|            |         |         |
|------------|---------|---------|
| Gilbertson | O'Brien | Solberg |
|------------|---------|---------|

So the bill passed and the title was agreed to.

**House Bill No. 540.** A Bill for an Act regulating traffic on highways and defining certain crimes in the use and opera-



tion of vehicles, providing for traffic signs and signals and defining the power of local and state authorities to enact or enforce ordinances, rules, or regulations in regard to matters embraced within the provisions of this Act and to provide for the enforcement of this Act and to make uniform the law relating to the subject matter of this Act; creating subsections numbered 27 through 59 to section 39-0101, and repealing subsections 6, 15, 16 and 23 of section 39-0101 of the North Dakota Revised Code of 1943 and all sections of chapter 39-10 of the Code and the 1953 Supplement thereto.

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, 26; nays, 17; absent and not voting, 5.

Those voting in the affirmative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Johnson, Cass     | Meidinger |
| Bilden     | Johnson, Cavalier | O'Brien   |
| Davis      | Kieley            | Rue       |
| Dolan      | Klefstad          | Sayer     |
| Duffy      | Knudson           | Schmit    |
| Foss       | Krenz             | Schoeder  |
| Hagen      | Leier             | Wadeson   |
| Hernett    | Livingston        | Wog       |
| Holand     | Luick             |           |

Those voting in the negative were:

|            |          |          |
|------------|----------|----------|
| Berube     | Kusler   | Thomas   |
| Day        | Nelson   | Tuff     |
| Ferry      | Olson    | Welander |
| Fraser     | Schrock  | Wolf     |
| Gilbertson | Solberg  | Yunker   |
| Kamrath    | Streibel |          |

Absent and not voting:

|          |       |       |
|----------|-------|-------|
| Bridston | Freed | Torno |
| Dewing   | Page  |       |

So the bill passed and the title was agreed to.

Senator Baeverstad moved that the vote by which House Bill No. 540 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

**House Bill No. 543.** A Bill for an Act relating to installation, specification, use, authorization of equipment on vehicles, amending and reenacting Sections 39-1103, 39-1108, 39-1109, 39-1119, 39-1120, 39-1130, 39-1132 and repealing section 39-1112 of the North Dakota Revised Code of 1943.

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, 36; nays, 8; absent and not voting, 4.

Those voting in the affirmative were:

|            |            |          |
|------------|------------|----------|
| Baeverstad | Kieley     | Rue      |
| Bilden     | Klefstad   | Sayer    |
| Bridston   | Knudson    | Schmit   |
| Davis      | Krenz      | Schoeder |
| Dolan      | Kusler     | Schrock  |
| Duffy      | Leier      | Solberg  |
| Foss       | Livingston | Thomas   |

|                   |           |          |
|-------------------|-----------|----------|
| Hagen             | Luick     | Tuff     |
| Hernett           | Meidinger | Wadeson  |
| Holand            | Nelson    | Welander |
| Johnson, Cass     | O'Brien   | Wog      |
| Johnson, Cavalier | Olson     | Wolf     |

Those voting in the negative were:

|        |            |          |
|--------|------------|----------|
| Berube | Fraser     | Streibel |
| Day    | Gilbertson | Yunker   |
| Ferry  | Kamrath    |          |

Absent and not voting:

|        |      |       |
|--------|------|-------|
| Dewing | Page | Torno |
| Freed  |      |       |

So the bill passed and the title was agreed to.

**House Bill No. 545.** A Bill for an Act permitting school districts to make contracts for joint employment of qualified driver education instructors and equipment.

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, 6; absent and not voting, 3.

Those voting in the affirmative were:

|               |                   |          |
|---------------|-------------------|----------|
| Baeverstad    | Johnson, Cavalier | Rue      |
| Berube        | Kieley            | Sayer    |
| Bilden        | Klefstad          | Schmit   |
| Bridston      | Knudson           | Schrock  |
| Davis         | Krenz             | Solberg  |
| Dolan         | Kusler            | Thomas   |
| Duffy         | Leier             | Torno    |
| Ferry         | Livingston        | Tuff     |
| Foss          | Luick             | Wadeson  |
| Fraser        | Meidinger         | Welander |
| Hernett       | Nelson            | Wog      |
| Holand        | O'Brien           | Wolf     |
| Johnson, Cass | Olson             | Yunker   |

Those voting in the negative were:

|            |         |          |
|------------|---------|----------|
| Day        | Hagen   | Schoeder |
| Gilbertson | Kamrath | Streibel |

Absent and not voting:

|        |       |      |
|--------|-------|------|
| Dewing | Freed | Page |
|--------|-------|------|

So the bill passed and the title was agreed to.

**House Bill No. 546.** A Bill for an Act relating to the state highway patrol and giving the superintendent authority to take summary disciplinary action against members of the patrol in certain cases for inefficiency, misconduct or insubordination, but with right of appeal in certain cases to a disciplinary board of review; removing the limitation on number of patrolmen; lowering the entry age limit; authorizing the superintendent to reorganize the patrol, designate ranks and establish promotional procedures; providing for the admissibility and relating to the use of evidence by electrical devices in speed violations; establishing a uniform traffic summons and complaint; and amending and reenacting section 39-0303 and subsection 1 of section 39-0304 of the 1953 Supplement to the North Dakota Revised Code of 1943.

Which has been read.

Senator Solberg moved that House Bill No. 546 be amended as follows:

In line 10 after the word "procedures" delete the semi-colon, and insert a period.

Strike out all lines including line 11 down to and including line 48 on page 4.

Renumber the sections and lines accordingly.

Which motion was declared lost.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 26; nays, 18; absent and not voting, 4.

Those voting in the affirmative were:

|                   |           |          |
|-------------------|-----------|----------|
| Baeverstad        | Kieley    | Sayer    |
| Bridston          | Knudson   | Streibel |
| Davis             | Krenz     | Thomas   |
| Dolan             | Leier     | Tuff     |
| Duffy             | Luick     | Wadeson  |
| Hernett           | Meidinger | Welander |
| Holand            | Nelson    | Wog      |
| Johnson, Cavalier | Olson     | Wolf     |
| Kamrath           | Rue       |          |

Those voting in the negative were:

|        |               |          |
|--------|---------------|----------|
| Berube | Gilbertson    | Schmit   |
| Bilden | Hagen         | Schoeder |
| Day    | Johnson, Cass | Schrock  |
| Ferry  | Klefstad      | Solberg  |
| Foss   | Livingston    | Torno    |
| Fraser | O'Brien       | Yunker   |

Absent and not voting:

|        |        |      |
|--------|--------|------|
| Dewing | Kusler | Page |
| Freed  |        |      |

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 546 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 562. A Bill for an Act making an appropriation for the purpose of paying special assessments for public improvements levied against the state of North Dakota by the city of Bismarck.

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, 3; absent and not voting, 4.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cavalier | Schmit   |
| Berube     | Kamrath           | Schoeder |
| Bilden     | Kieley            | Schrock  |
| Bridston   | Klefstad          | Solberg  |
| Davis      | Knudson           | Streibel |
| Day        | Krenz             | Thomas   |
| Dolan      | Livingston        | Torno    |
| Duffy      | Luick             | Tuff     |
| Ferry      | Meidinger         | Wadeson  |
| Foss       | Nelson            | Welander |

|               |         |        |
|---------------|---------|--------|
| Fraser        | O'Brien | Wog    |
| Hernett       | Olson   | Wolf   |
| Holand        | Rue     | Yunker |
| Johnson, Cass | Sayer   |        |

Those voting in the negative were:

|            |       |       |
|------------|-------|-------|
| Gilbertson | Hagen | Leier |
|------------|-------|-------|

Absent and not voting:

|        |        |      |
|--------|--------|------|
| Dewing | Kusler | Page |
| Freed  |        |      |

So the bill passed and the title was agreed to.

Senator Schrock moved that House Bill No. 576 be laid over one legislative day, which motion prevailed.

Senator Streibel moved that House Bill No. 627 be moved to the foot of the calendar, which motion prevailed.

**House Bill No. 634.** A Bill for an Act to amend and reenact section 40-1904 of the North Dakota Revised Code of 1943 relating to the compensation of city and village assessors.

Which has been read.

**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, 48; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |

So the bill passed and the title was agreed to.

**House Bill No. 665.** A Bill for an Act to amend and reenact section 12-1006 of the North Dakota Revised Code of 1943, relating to personal interest in contract by public officer.

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, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |

|            |            |          |
|------------|------------|----------|
| Day        | Klefstad   | Schrock  |
| Dewing     | Knudson    | Solberg  |
| Dolan      | Krenz      | Streibel |
| Duffy      | Kusler     | Thomas   |
| Ferry      | Leier      | Torno    |
| Foss       | Livingston | Tuff     |
| Fraser     | Luick      | Wadeson  |
| Freed      | Meidinger  | Welander |
| Gilbertson | Nelson     | Wog      |
| Hagen      | O'Brien    | Wolf     |
| Hernett    | Olson      | Yunker   |

So the bill passed and the title was agreed to.

**House Bill No. 676.** A Bill for an Act to amend and reenact section 20-0302 of the 1953 Supplement to the North Dakota Revised Code of 1943 and section 20-0310 of the North Dakota Revised Code of 1943, relating to game and fish licenses.

Which has been read.

#### 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, 34; nays, 14; absent and not voting, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Olson    |
| Bridston   | Johnson, Cavalier | Page     |
| Davis      | Kieley            | Sayer    |
| Day        | Knudson           | Schoeder |
| Dolan      | Krenz             | Thomas   |
| Duffy      | Kusler            | Torno    |
| Ferry      | Leier             | Tuff     |
| Foss       | Luick             | Wadeson  |
| Freed      | Meidinger         | Wog      |
| Hagen      | Nelson            | Wolf     |
| Hernett    | O'Brien           | Yunker   |
| Holand     |                   |          |

Those voting in the negative were:

|            |            |          |
|------------|------------|----------|
| Berube     | Kamrath    | Schrock  |
| Bilden     | Klefstad   | Solberg  |
| Dewing     | Livingston | Streibel |
| Fraser     | Rue        | Welander |
| Gilbertson | Schmit     |          |

So the bill passed and the title was agreed to.

**House Bill No. 691.** A Bill for an Act to amend and reenact Subsection 8 of Section 57-3822 of the 1943 Revised Code relating to deductions allowed in computing net income.

Which has been read.

#### 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, 48; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |

|            |            |          |
|------------|------------|----------|
| Day        | Klefstad   | Schrock  |
| Dewing     | Knudson    | Solberg  |
| Dolan      | Krenz      | Streibel |
| Duffy      | Kusler     | Thomas   |
| Ferry      | Leier      | Torno    |
| Foss       | Livingston | Tuff     |
| Fraser     | Luick      | Wadeson  |
| Freed      | Meidinger  | Welander |
| Gilbertson | Nelson     | Wog      |
| Hagen      | O'Brien    | Wolf     |
| Hernett    | Olson      | Yunker   |

So the bill passed and the title was agreed to.

**House Bill No. 697.** A Bill for an Act to amend and reenact section 11-1512 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to sheriff's mileage.

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, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Berube     | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kielely           | Schoeder |
| Day        | Klefstad          | Schrock  |
| Davis      | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     | Page              |          |

Absent and not voting:

Dewing

So the bill passed and the title was agreed to.

**House Bill No. 710.** A Bill for an Act providing for the licensing and regulating by the state department of health of the business of cleaning, pumping, and servicing cesspools, septic tanks, or privies; fixing the license fees; providing for the issuance of permits by health officers of cities, towns, counties, and health districts, fixing the fees for such permits; authorizing local and district health officers to regulate within their jurisdictions; and providing penalties for violation of any provision of this Act.

Which has been read.

#### 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, 8; absent and not voting, 2.

Those voting in the affirmative were:

|            |          |        |
|------------|----------|--------|
| Baeverstad | Klefstad | Sayer  |
| Berube     | Knudson  | Schmit |

|                   |            |          |
|-------------------|------------|----------|
| Bilden            | Krenz      | Schoeder |
| Bridston          | Kusler     | Schrock  |
| Davis             | Leier      | Thomas   |
| Dolan             | Livingston | Torno    |
| Duffy             | Luick      | Tuff     |
| Freed             | Meidinger  | Wadeson  |
| Hagen             | Nelson     | Welander |
| Holand            | O'Brien    | Wog      |
| Johnson, Cass     | Olson      | Wolf     |
| Johnson, Cavalier | Page       | Yunker   |
| Kieley            | Rue        |          |

Those voting in the negative were:

|       |            |          |
|-------|------------|----------|
| Day   | Fraser     | Solberg  |
| Ferry | Gilbertson | Streibel |
| Foss  | Kamrath    |          |

Absent and not voting:

|        |         |
|--------|---------|
| Dewing | Hernett |
|--------|---------|

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Bridston moved that the title to House Bill No. 710 be amended to include the emergency clause, which motion prevailed.

Senator Bridston moved that House Bill No. 627 be mimeographed and distributed to the Senate, which motion prevailed.

**House Bill No. 788.** A Bill for an Act providing for the termination of stock districts established under the herd law.

Which has been read.

#### 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, 48; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |

So the bill passed and the title was agreed to.

**House Bill No. 789.** A Bill for an Act to amend and reenact section 24-0628 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to obstruction of section lines.

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, 5; absent and not voting, 0.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Berube     | Holand            | Olson    |
| Bilden     | Johnson, Cass     | Page     |
| Bridston   | Johnson, Cavalier | Rue      |
| Davis      | Kamrath           | Schoeder |
| Day        | Kieley            | Schrock  |
| Dewing     | Klefstad          | Solberg  |
| Dolan      | Knudson           | Streibel |
| Duffy      | Krenz             | Thomas   |
| Ferry      | Leier             | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | O'Brien           | Yunker   |
| Hernett    |                   |          |

Those voting in the negative were:

|            |        |       |
|------------|--------|-------|
| Baeverstad | Sayer  | Torno |
| Kusler     | Schmit |       |

So the bill passed and the title was agreed to.

House Bill No. 796. A Bill for an Act providing for the transfer of state health department funds of the division of vital statistics, representing deposits where no refunds have been requested; time limit; continuing policy.

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, 3.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Rue      |
| Berube     | Johnson, Cass     | Sayer    |
| Bilden     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Kieley            | Schrock  |
| Day        | Klefstad          | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Nelson            | Welander |
| Gilbertson | O'Brien           | Wog      |
| Hagen      | Olson             | Wolf     |
| Hernett    | Page              | Yunker   |

Absent and not voting:

|        |         |           |
|--------|---------|-----------|
| Dewing | Knudson | Meidinger |
|--------|---------|-----------|

So the bill passed and the title was agreed to.

House Bill No. 816. A Bill for an Act to amend and reenact Section 52-0627 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to Judicial Review of Decision; Petition For; Filing Petition.

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, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Rue      |
| Berube     | Johnson, Cass     | Sayer    |
| Bilden     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Kieley            | Schrock  |
| Day        | Klefstad          | Solberg  |
| Dewing     | Knudson           | Streibel |
| Dolan      | Krenz             | Thomas   |
| Duffy      | Kusler            | Torno    |
| Ferry      | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | O'Brien           | Wolf     |
| Hagen      | Olson             | Yunker   |
| Hernett    | Page              |          |

Absent and not voting:

Leier

So the bill passed and the title was agreed to.

**House Bill No. 822.** A Bill for an Act authorizing the State of North Dakota Aeronautics Commission to have notice of the erection of certain buildings, structures, towers and hazards within the State of North Dakota and providing for penalties.

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, 3.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Streibel |
| Dolan      | Krenz             | Thomas   |
| Duffy      | Kusler            | Torno    |
| Ferry      | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |

Absent and not voting:

|       |       |         |
|-------|-------|---------|
| Freed | Leier | Solberg |
|-------|-------|---------|

So the bill passed and the title was agreed to.

**House Bill No. 828.** A Bill for an Act to assist in the control of tuberculosis; providing for transfer of tubercular persons committed to or confined in state or county institu-

tions to the state tuberculosis sanatorium or other appropriate institutions.

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, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Rue      |
| Berube     | Johnson, Cass     | Sayer    |
| Bilden     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Kieley            | Schrock  |
| Day        | Klefstad          | Solberg  |
| Dewing     | Knudson           | Streibel |
| Dolan      | Krenz             | Thomas   |
| Duffy      | Kusler            | Torno    |
| Ferry      | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | O'Brien           | Wolf     |
| Hagen      | Olson             | Yunker   |
| Hernett    | Page              |          |

Absent and not voting:

Leier

So the bill passed and the title was agreed to.

**House Bill No. 831.** A Bill for an Act to amend and reenact Section 15-2102 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to salary and expenses of the superintendent of public instruction.

Which has been read.

**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, 3.

Those voting in the affirmative were:

|         |               |         |
|---------|---------------|---------|
| Bilden  | Johnson, Cass | O'Brien |
| Day     | Kieley        | Rue     |
| Dolan   | Klefstad      | Sayer   |
| Duffy   | Knudson       | Schrock |
| Foss    | Krenz         | Torno   |
| Freed   | Livingston    | Wadeson |
| Hernett | Nelson        | Yunker  |
| Holand  |               |         |

Those voting in the negative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cavalier | Solberg  |
| Berube     | Kamrath           | Streibel |
| Davis      | Kusler            | Thomas   |
| Dewing     | Luick             | Tuff     |
| Ferry      | Olson             | Welander |
| Fraser     | Page              | Wog      |
| Gilbertson | Schmit            | Wolf     |
| Hagen      | Schoeder          |          |

Absent and not voting:

|          |       |           |
|----------|-------|-----------|
| Bridston | Leier | Meidinger |
|----------|-------|-----------|

So the bill was declared lost due to the lack of a constitutional majority.

Senator Day moved that House Bill No. 835 be indefinitely postponed. Vote was taken and the motion prevailed.

Senator O'Brien moved that the remarks of Senator Streibel be printed in the Journal, which motion prevailed.

Senator Streibel: Mr. President, the next bill on the calendar is one that Senator Dewing says is hard for him to explain. You have noticed perhaps that he has been nervous all day. Well, I'll tell you the reason why. He told me that his good wife gave birth to a baby girl at 2:15 p.m. He now is the happy father of two boys and three girls. You poker players will recognize that as a full house. What he may draw next, the future will tell.

Senator Streibel moved that action be delayed on House Bill No. 846 until tomorrow, which motion prevailed.

Senator Bridston moved that action be delayed on House Bill No. 627 until tomorrow, which motion prevailed.

#### COMMUNICATIONS

A communication addressed to Senator Day was read from the Ward County Old Settlers' Association, Minot, No. Dak., offering congratulations for the efforts put forth on the Old Age pension bill.

Senator Streibel moved that the absent Senators be excused, which motion prevailed.

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

## FIFTY-THIRD DAY

Bismarck, February 25, 1955

The Senate convened at 2:00 p.m., the President presiding. Prayer by Chaplain Father Feehan, St. Mary's, Bismarck, No. Dak.

Roll Call: All members present except Senators Berube and Rue.

So a quorum was declared.

The Committee on Revision and Correction of the Journal made the following report:

•Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the fifty-second day and recommend that the same be corrected as follows:

Page 524, line 17, correct the spelling of the word "prescribed".

Page 533, line 9, correct the spelling of the word "Resolution"

Page 535, line 31, after the word "to" add the phrase "and the emergency clause was declared carried".

And when so corrected recommend that the same be approved.

JOHN LEIER, Chairman.

Senator Leier moved that the report be adopted, which motion prevailed and the report was adopted.

## MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 25, 1955

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to Senate Bills No. 16, 17 and 23.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, February 25, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 540

House Bill No. 543

House Bill No. 545

House Bill No. 546  
 House Bill No. 562  
 House Bill No. 665  
 House Bill No. 697  
 House Bill No. 789  
 House Bill No. 796  
 House Bill No. 816  
 House Bill No. 822  
 House Bill No. 828  
 House Concurrent Resolution "V"  
 House Concurrent Resolution "Y"

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.  
 Senate Chamber

Bismarck, February 25, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 549  
 House Bill No. 636  
 House Bill No. 720  
 House Bill No. 831  
 House Bill No. 835

Which the Senate has indefinitely postponed.

EDWARD LENO, Secretary.  
 Senate Chamber

Bismarck, February 25, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 505  
 House Bill No. 519  
 House Bill No. 634  
 House Bill No. 676  
 House Bill No. 691  
 House Bill No. 710  
 House Bill No. 788

Which the Senate has amended.

EDWARD LENO, 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. 16  
 Senate Bill No. 17  
 Senate Bill No. 23

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 516, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 528, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 553, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 570, have had the same under consideration and recommend that the same be amended as follows:

Line 181, strike out the words "In any action involving".  
Strike out lines 182, 183, 184, and 185.

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 Industry and Business, to whom was referred House Bill No. 585, have had the same under consideration and recommend that the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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. 615, have had the same under consideration and recommend that the same be indefinitely postponed.

JOHN KUSLER, Chairman.

Senator Kusler 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. 638, have had the same under consideration and recommend that the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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. 644, have had the same under consideration and recommend that the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Industry and Business to whom was referred House Bill No. 655, have had the same under consideration and recommend that the same be indefinitely postponed.

JOHN KUSLER, Chairman.

Senator Kusler 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. 656, have had the same under consideration and recommend that the same be amended as follows:

Strike everything after the words "A BILL" and insert in lieu thereof the following:

"For an Act relating to the cost of burial in county welfare cases, and amending and reenacting subsection 5 of section 23-0603 of the 1953 Supplement to the North Dakota Revised Code of 1943.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. AMENDMENT.) Subsection 5 of

1a section

2 23-0603 of the 1953 Supplement to the North Dakota

2a Revised

3 Code of 1943 is hereby amended and reenacted to read as

4 follows:

5 23-0603. DUTY OF BURIAL.) The duty of burying

5a the body

6 of a deceased person devolves upon the following

6a persons:

7 5. If the deceased left no husband, wife, or kindred

8 answering the foregoing description and did not

9 leave means sufficiently to defray his funeral

9a expenses, including the cost of a casket, upon

10 the county welfare board of the county in which

11 the deceased had residence for poor relief purposes

12 and if such residence cannot be established, then

13 in the county in which the death occurs, and

14 such board shall employ some person to arrange

15 for and supervise the burial. The necessary and

16 reasonable expense thereof, not exceeding

16a ((one))

17 two hundred dollars, shall be borne by the county.

18 The county also shall pay reasonable costs of

19 transporting the body to the place of burial

20 when burial is made in a cemetery out of the

21 county in which death occurred, but not exceed-

22 ing one hundred dollars.

And when so amended recommend the same do pass.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 658, have had the same under consideration and recommend that the same be amended as follows:

In line 21 after the word "use" insert the following: "either by farmers or veterinarians".

Re-number the lines accordingly.

And when so amended recommend the same do pass.

DUNCAN FRASER, Chairman.

Senator Fraser 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. 674, have had the same under consideration and recommend that the same do pass.

DUNCAN FRASER, Chairman.

Senator Fraser 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. 675, have had the same under consideration and recommend that the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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. 678, have had the same under consideration and recommend that the same do pass.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 680, have had the same under consideration and recommend that the same do pass.

IVER SOLBERG, Chairman.

Senator Solberg 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 707, have had the same under consideration and recommend that the same be amended as follows:

In lines 73 and 74 delete the brackets.

In line 75 change the capital "T" to a small "t".

In line 76 after the word "assembly" insert a comma.

And when so amended recommend the same do pass.

DUNCAN FRASER, Chairman.

Senator Fraser 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. 799, have had the same under consideration and recommend that the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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. 818, have had the same under consideration and recommend that the same be amended as follows:

In line 25 after the word "act" delete the comma and insert the comma after the word "as".

In line 195 delete the word "show" and insert in lieu thereof the word "shown".

In line 327 delete the word "cause" and insert in lieu thereof the word "cease".

In line 392 after the word "additional" insert the word "evidence".



And when so amended recommend the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Judiciary Committee to whom was referred House Bill No. 830, have had the same under consideration and recommend that the same be amended as follows:

Line 14, after the word "Dakota." insert the following: "This Act shall not affect any insurance company qualified to do business in this State on or prior to January 1, 1955" Renumber the lines accordingly.

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. 836, 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.

Senator Day requested that the following remarks be printed in the Journal: Mr. President, House Bill No. 836 is the bill that would eliminate or make unlawful the advertising of alcoholic beverages on radio and television in the state of North Dakota.

During the last few days the representatives of the radio and television companies in the state, and the ministerial representatives of the Ministerial Association, together with Rev. Parish, who is the legislative counsel for the consolidated dries, have had several meetings. As a consequence of these meetings, they agreed yesterday morning on a joint statement, which they all signed, that this bill might be indefinitely postponed. They agreed to set up a committee to consist of ten members, five of which shall be representatives of organized religious groups, and five shall be representatives of broadcasters, to be appointed by the North Dakota Broadcasters' Association. The Committee shall be under the chairmanship of a chairman designated by the president of the North Dakota Broadcasters' Association until its formal organization. The committee shall meet at the call of the chairman and shall proceed under rules of its own adoption to consider radio and television program content, to solicit comments from the public, and to make recommendations to broadcasters and other interested groups. This statement is subscribed to by those I have mentioned who have met many hours in recent days. This action is prompted partly by the recognition of the almost certain decision by a Supreme Court, if the thing should be tested, that the attempt would be unconstitutional because the matter of regulation of radio and television is entirely covered by the Federal Act; however, the broadcasters and the Ministerial Association both agreed that the matter was of too great a public concern not to be given considerable attention, and the Broadcasting Association indicated its willingness to get together on a

voluntary code that would be satisfactory to the public and satisfactory to the Ministerial Association.

I am happy to report to this body that the interested groups are banding together to take care of this problem without the necessity of legislation.

Mr. President: Your Committee on Agriculture, to whom was referred House Bill No. 837, have had the same under consideration and recommend that the same be amended as follows:

In line 22 after the word "matter" insert the following: "except materials or matter".

Renumber the lines accordingly.

And when so amended recommend the same do pass.

DUNCAN FRASER, Chairman.

Senator Fraser 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. 838, have had the same under consideration and recommend that the same do pass.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Natural Resources, to whom was referred House Bill No. 862, have had the same under consideration and recommend that the same do pass.

IVER SOLBERG, Chairman.

Senator Solberg 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 "W", have had the same under consideration and recommend that the same do pass.

DUNCAN FRASER, Chairman.

Senator Fraser 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 Concurrent Resolution "O", have had the same under consideration and recommend that the same do pass.

JOHN KUSLER, Chairman.

Senator Kusler 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. | 16 |
| Senate Bill No. | 17 |
| Senate Bill No. | 22 |
| Senate Bill No. | 23 |
| Senate Bill No. | 25 |
| Senate Bill No. | 27 |
| Senate Bill No. | 28 |
| Senate Bill No. | 29 |
| Seante Bill No. | 40 |

Senate Bill No. 56  
 Senate Bill No. 66  
 Senate Bill No. 75  
 Senate Bill No. 88  
 Senate Bill No. 100  
 Senate Bill No. 133  
 Senate Bill No. 134  
 Senate Bill No. 141

Memorial Resolution No. 1

And find the same correctly enrolled.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed, and the report was adopted.

#### MESSAGES TO THE SENATE

House Chamber

Bismarck, February 25, 1955

Mr. President: I have the honor to transmit:

House Concurrent Resolution "G-1"

House Concurrent Resolution "Q-1"

House Concurrent Resolutoin "R-1"

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, February 25, 1955

Mr. President: I have the honor to transmit:

Senate Bill No. 35

Senate Bill No. 37

Senate Bill No. 42

Senate Bill No. 44

Senate Bill No. 48

Senate Bill No. 59

Senate Bill No. 65

Senate Bill No. 80

Senate Bill No. 82

Senate Bill No. 83

Seante Bill No. 84

Senate Bill No. 93

Senate Bill No. 104

Senate Bill No. 110

Senate Bill No. 126

Senate Bill No. 127

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, February 25, 1955

Mr. President: I have the honor to transmit:

House Bill No. 504

House Bill No. 507

House Bill No. 508

House Bill No. 512

House Bill No. 523

House Bill No. 595

House Bill No. 606

House Bill No. 612

House Bill No. 614  
 House Bill No. 620  
 House Bill No. 637  
 House Bill No. 650

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, February 25, 1955

Mr. President: I have the honor to return:

Senate Bill No. 98  
 Senate Bill No. 123  
 Senate Concurrent Resolution "U"

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, February 25, 1955

Mr. President: I have the honor to return:

Senate Bill No. 5  
 Senate Bill No. 26  
 Senate Bill No. 86  
 Senate Bill No. 87  
 Senate Bill No. 96  
 Senate Bill No. 101  
 Senate Bill No. 106  
 Senate Bill No. 107  
 Senate Bill No. 112  
 Senate Bill No. 113  
 Senate Bill No. 114  
 Senate Bill No. 135  
 Senate Bill No. 136  
 Senate Bill No. 146  
 Senate Bill No. 158  
 Senate Bill No. 161  
 Senate Bill No. 162  
 Senate Bill No. 163  
 Senate Bill No. 168

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, February 25, 1955

Mr. President: I have the honor to return:

Senate Bill No. 179  
 Senate Bill No. 184  
 Senate Bill No. 195  
 Senate Bill No. 217  
 Senate Concurrent Resolution "F"  
 Senate Concurrent Resolution "O"

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

Senator Kamrath moved that the Chair appoint a Committee of two to escort the Honorable William Langer to the rostrum, which motion prevailed. The President appointed Senators Kamrath and Wog to so act.

Senator Langer:

Mr. President, this is certainly a very unexpected pleasure. I am delighted to be here. I want you to know I came here to protect my own interests. I understand that Carroll Day has been called the Alex McKenzie of North Dakota, and it worries me. I remember the days when A. C. Townley had that title and I want to protect Mr. Townley.

You will be interested in knowing why I came here today. When the decision of the Supreme Court came out, three to two, leaving the matter of the Indians outside the jurisdiction of the state of North Dakota, I believed it was time for me to act. After a four day hearing of the Senate Committee on juvenile delinquency I realized the desperate shape these Indians are in here in this state. When the decision of the Supreme Court came out there was a conference between myself, Senator Young, Congressmen Burdick and Krueger, and we decided to get in touch with Glen Emmons, the Indian Commissioner. He issued a statement saying that if the Legislature of North Dakota would take steps to give the people of this state an opportunity at the first possible election to vote upon the constitutional amendment whereby the people of this state will have the chance to accept what the Congress tried to give the Indians in 1946, he will recommend to the Congress of the United States that very, very substantial appropriation be made by the Congress so that we may alleviate some of the suffering among these people.

Senator Young, being a member of the Appropriations Committee, is in a very strategic spot to help out in this matter. Congressmen Burdick and Krueger said they would do all they could to help, so if we could get this resolution passed before your adjournment, you can be certain that down there in Washington the North Dakota delegation will help along all we possibly can so that we may assist our red brothers.

I can only say in conclusion that this is the first time in my life I have ever been in the Senate Chambers. All the time I was governor of the state—the Senators in those days were very jealous of their prerogatives and one of the prior governors stepped in the door while the Senate was in session, and of course, Bill Allen and Happy Paulson said he was trying to influence the Senate. The result was that all the time I was governor I never put my foot in the Chamber—as I was afraid I might be accused of influencing the Senators.

I am very grateful for having been invited here today and want you to know if we can work out this Indian problem, which is worse than the average man and woman anticipates or knows about in the state, we will do all in our power to bring about a solution. If you will read the record of the hearings of the Senate Committee on juvenile delinquents among the Indians in Standing Rock and in South Dakota—I hope and beg of you to read that—and after you discuss that you will meet Congress in Washington half way—perhaps not in funds, because I don't believe North Dakota should contribute half the funds toward these Indians. They were brought from Minnesota, Montana and South Dakota—and I believe the United States Government ought

to pay by far the larger share of that money to protect the descendants of those Indians that they have forced upon the people of this state. Thank you very much indeed.

Senator Wog moved that Senator Langer's remarks be printed in the Journal, which motion prevailed.

#### MOTIONS

Senator Day moved that a Committee of one be appointed to escort the two daughters of Senator Yunker to the rostrum to present a vocal selection, which motion prevailed.

The president appointed Senator Yunker to so act.

Senator Kusler moved that the Senate recognize the High School students, Superintendent, and faculty members of the Beulah high school, which motion prevailed.

Senator Livingston moved that the Senate recognize the Washburn High School Band, which motion prevailed.

#### COMMUNICATIONS

Senator Holand read a communication from Senator Milton R. Young, requesting corrections be made in the permanent Journal as follows:

Page 283, second line of the second paragraph should read as follows: "Each Senator from North Dakota is allowed approximately \$50,000.00 for clerk hire".

The fifth line of the same paragraph should read: "This year I am allowed \$3800.00 for telegrams".

Senator Holand moved that the corrections be made, which motion prevailed.

#### FIRST READING OF SENATE RESOLUTIONS

The Judiciary Committee introduced:

Senate Concurrent Resolution "Y". A Concurrent Resolution for an amendment of section 92 of the Constitution of the state of North Dakota, relating to the selection of the chief justice of the supreme court.

Was read the first time and referred to the Committee on Judiciary.

Senator Foss and Page introduced:

Senate Concurrent Resolution "Z". A Concurrent Resolution directing the legislative research committee to study the feasibility of consolidating the state health department with the medical center at the university of North Dakota.

Was read the first time and referred to the Committee on Social Welfare.

#### REPORT OF STANDING COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

|                 |    |
|-----------------|----|
| Senate Bill No. | 35 |
| Senate Bill No. | 37 |
| Senate Bill No. | 42 |
| Senate Bill No. | 44 |
| Senate Bill No. | 48 |
| Senate Bill No. | 59 |
| Senate Bill No. | 65 |
| Senate Bill No. | 80 |

Senate Bill No. 82  
 Senate Bill No. 83  
 Senate Bill No. 84  
 Senate Bill No. 93  
 Senate Bill No. 104  
 Senate Bill No. 110  
 Senate Bill No. 126  
 Senate Bill No. 127

Were delivered to the Governor for his approval at the hour of 2:55 o'clock p.m., February 25, 1955.

ROSAMOND O'BRIEN, Chairman.

#### CONSIDERATION OF AMENDMENTS

Senator Page moved that the proposed amendments to House Bill No. 524 be adopted.

Senator Duffy moved to amend the amendments to House Bill No. 524, and asked that his remarks be printed in the Journal.

Senator Duffy: I move the amendment to House Bill No. 524 be further amended as follows:

In line 14, delete the figure "\$10,768,275.00" and insert in lieu thereof "\$8,123,150.00".

In line 40 delete the figure "\$14,296,671.00" and insert in lieu thereof "\$11,651,546.00".

In line 3 delete the figure "\$14,296,671.00", and insert in lieu thereof the figure "\$11,651,546.00".

Senator Duffy:

Mr. President, there has been some disagreement in this Chamber heretofore as to the purpose of the discussions that have come before us relating to Old Age Assistance. Whether or not these suggestions were politically inspired or otherwise, I think they have served a purpose. I think they have called to our attention the fact that we are not appropriating and never have appropriated the money to meet the statutes as we have enacted them with relation to minimum payments to the old age recipients.

In 1949 we adopted an amendment to the statute in which we declared that the minimum should be \$60.00 where there is only one in the family, and \$45.00 where there are more than one in the family receiving old age assistance. We have never appropriated the money so that the Welfare Boards could carry out that mandate. The figures that I have just offered you will carry out the mandate of that statute.

I have received from the Public Welfare Office here in the Capitol the figures with reference to that matter. The total expenditures required to carry out the 60-45 minimum per biennium, will be \$15,998,760.00, of which the Federal Government will contribute \$6,498,000.00. In that connection may I say that that is based on the assumption that the Federal contribution will be only \$50.00 a month instead of \$55.00 as it is at present, for the reason that the \$55.00 a month allowance by the Federal Government will expire on October 1, 1956 unless it is extended by the Congress. Consequently, if it is extended the Federal contribution will be somewhat higher for the rest of the biennium after October 1, 1956, and consequently the contributions of the state and the counties should be correspondingly decreased but the amount

involved would not be great. On that assumption, the state would contribute the figure that I have offered as an amendment, to-wit, \$8,123,150.00, and the counties would contribute under the present matching arrangement \$1,377,610.00. That represents an increase over the requirements, under the present allocation, of all of the governmental sub-divisions of \$2,618,970.00. Of that increase, the Federal Government would bear \$459,700.00. The state would bear the additional \$1,846,690.00, and the counties would bear an additional \$312,580.00.

Now, Mr. President, I also made some further investigation with reference to our position in comparison with the rest of the nation with reference to the old age payments, and let me tell you, the information that was given you some days ago was most inaccurate. It was suggested by the Senator from Grand Forks that if we raised the old age minimum to 70-50 as proposed in his bill, we would then rank No. 12. The fact of the matter is that today we rank No. 11, and if we adopt the amendment I am offering in which we would implement by sufficient appropriations our minimum of 60-45 as established by our statute, we will rank even higher than that. In that connection I think you would be interested in knowing that contrary to the information that was given you the other day, we out-ranked every state in this part of the country with the exception of Minnesota. I have in my hands the publication of the Federal Government listing all of the states with their relative payments to the old age recipients, and in that connection, may I say the average for the whole United States is \$51.65, while the average for North Dakota is \$61.01. In other words, we are paying the old folks today an average of \$10.00 a month more than the average throughout the United States of America.

Let me also call your attention to the amounts paid by some of the corresponding states. In Idaho the average monthly payment is \$54.49. In Illinois it is \$56.73. In Indiana it is \$47.35. In Iowa it is \$56.89. In Michigan it is \$54.10. Minnesota, which as I said is the only one in this area that is above us, is \$66.59. Montana is \$57.62. Nebraska is \$49.68. Ohio is \$57.80. South Dakota is \$44.54. I have a somewhat later computation that was prepared by the Welfare Office here. This is for the month of September 1954, which is the latest compilation they had, and we had been, as I said, moved up to eleventh position, with monthly payments averaging \$62.23. In that connection, I think it is interesting also that we occupy exactly the same position with reference to our payments as aid to dependent children. Again we occupy the eleventh position in the nation.

Now, if we are going to raise the standards for the old—and I say we definitely feel we owe them sufficient money to carry out the promises we made in 1949—if we do that then I think it is incumbent upon us to make a similar increase for aid to dependent children. For my own part I feel the state owes an obligation to the upcoming generation, the generation that is going to carry on in the future, even more than it does to us old folks who are ending our careers in this world, so I hope if we make that increase for old age



assistance we will make similar increases for the youngsters so they will at least be on a comparable basis.

It was called to your attention the other day that in comparing the percentage of our total appropriations we ranked down as compared to the other states around us, but you members of the Senate know that that sort of comparison is wholly misleading for the simple reason we have the so-called jackpot amendment to the constitution which makes it necessary for us to appropriate, for instance, the money the Bank of North Dakota earns so they can carry on their operating expenses. It makes it necessary to appropriate the money which the state mill earns so they can carry on their operating expenses. In other words, millions of dollars of our appropriation will simply represent transfers of what you might call revolving funds that have no relation to tax payments whatever. Other states do not have similar appropriations. Money for such payments is on continuing appropriations. Our appropriations two years ago aggregated something like 84 million dollars, while South Dakota's was approximately half of that. That doesn't mean we were spending twice as much money as South Dakota—it meant we were appropriating some of these revolving funds for our state institutions that they would not have to do, so comparison is wholly without meaning in view of the difference in circumstances, but the comparison of the payments that are actually made to these old folks is, I think, a fair way and the way the Federal Government communication does compare these payments to the aged residents of the several states. Therefore, it seems to me that if it is the desire of the members of the Senate to eliminate politics from this discussion and the care of the aged or dependent children is the last place in the world where politics should intrude—and if it is the desire of the members of this Senate that we take this issue out of politics, let us raise the appropriation to meet this payment of 60-45, which the Legislature solemnly promised to these people. Let us not adopt an appropriation tied to a bill that has already been killed. If this amendment goes through as it is written your whole welfare program will collapse in six years for the simple reason that you will have dissipated all of the reserve and the outgo will be far beyond the income. If you adopt the amendment I am proposing it will, it is true, dissipate the reserve gradually over a period of some twelve years, at which time the Social Security payments coming to those now advancing in age will permit some reduction in our old age payment. Therefore I sincerely hope we can all agree on doing that which is practicable, which will take care of the aged in a fashion that I think is comparable with the best in the United States, and I believe that will be satisfactory to everybody. In that connection, I also call your attention to something I was happy to learn from the Welfare office, and that was that the appeals to the State Board from all of the departments, the old age, aid to dependent children and aid to crippled children, now average only five a month. I think, therefore, it may be said that the Welfare Departments of the various counties must be doing a pretty fair job of distributing the moneys we appropriate, and with the additional amount I am proposing I am sure they will do even a better job, and that the aged of

North Dakota will have received something concrete and not merely promises.

Senator Schmit:

Since 1949, when the Legislature raised the legal welfare maximums, we Legislators have been living a farce so far as old age aid is concerned. Our law books say these aged people are to receive up to \$60.45 and yet in these six years the Legislature has never appropriated enough money to make even these meager payments.

Many of our elder citizens find themselves living in poverty on a meager allowance from welfare. These people deserve a happier ending than they now have. Their dignity and value does not end when they can no longer hold a job because they are too old. Most old people earned a living for their families and contributed to the building of their communities. They should not have to live like paupers now.

We have built up a surplus in the welfare department. This money which we pay to the sales tax was intended to take care of the needs of our aged. We should use it for that.

Let us recognize the special needs of the aged and make it our duty to help them live out their lives in peace and comfort.

I am a young man. My future seems secure. I have a business, a home and a happy family. Who could ask for more. It would be difficult for me to believe that in my old age I would be destitute, but in my short span of life I have seen others who through sickness, accidents, or unfortunate economic conditions have lost everything they took a lifetime to gain. This could happen to me and it could happen to you.

Mr. President, Gentlemen, I implore you, let's not forget our aged people.

Senator Welander moved that Senator Schmit's remarks be printed in the Journal, which motion prevailed.

Senator Streibel moved that the Senate delay action on the proposed amendments to House Bill No. 524 until Monday, which motion prevailed.

Senator Hagen moved that the proposed amendments to House Bill No. 698 be adopted, which motion prevailed.

Senator Schoeder moved that the proposed amendments to House Bill No. 762 be adopted, which motion prevailed.

Senator Dewing moved that further consideration of House Bill No. 797 be indefinitely postponed, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully report that:

Senate Memorial Resolution No. 1

Was delivered to the Secretary of State at the hour of 3:54 o'clock p.m., February 25, 1955.

ROSAMOND O'BRIEN, Chairman.

#### FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution "G-1". A Concurrent Resolution memorializing Congress to authorize the payment of one hundred per cent of the cost of acquisition of right-of-

way, construction, and maintenance of military highways in North Dakota.

Was read the first time and referred to the Committee on Transportation.

House Concurrent Resolution "R-1". A Concurrent Resolution directing the legislative research committee to study the vocational agriculture and vocational home economics program within high schools of this state.

Was read the first time and referred to the Committee on Education.

House Concurrent Resolution "Q-1". A Concurrent Resolution relating to law enforcement problems upon Indian reservations.

Was read the first time and referred to the Committee on Judiciary.

### SECOND READING OF SENATE BILLS

Senator Day moved that the Senate concur in the House amendments to Senate Bill No. 51, which motion prevailed.

Senator Day moved that the rules be suspended and that Senate Bill No. 51 be deemed properly engrossed and placed on second reading and final action, which motion prevailed.

Senate Bill No. 51. A Bill for an Act to amend and reenact subdivisions b and i of subsection 2 of section 57-3711 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to terminable interests and interests in property considered as passing from a decedent, and declaring an emergency.

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, 7.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Schmit   |
| Bilden     | Johnson, Cavalier | Schoeder |
| Bridston   | Kamrath           | Schrock  |
| Davis      | Kieley            | Solberg  |
| Day        | Knudson           | Streibel |
| Dolan      | Krenz             | Thomas   |
| Ferry      | Kusler            | Torno    |
| Foss       | Leier             | Tuff     |
| Fraser     | Livingston        | Wadeson  |
| Freed      | Luick             | Welander |
| Gilbertson | Meidinger         | Wolf     |
| Hagen      | O'Brien           | Yunker   |
| Hernett    | Olson             |          |

Absent and not voting:

|          |        |       |
|----------|--------|-------|
| Dewing   | Nelson | Sayer |
| Duffy    | Rue    | Wog   |
| Klefstad |        |       |

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator O'Brien moved that the Senate concur in the House amendments to Senate Bill No. 61, which motion prevailed.

Senator O'Brien moved that the rules be suspended and that Senate Bill No. 61 be deemed properly engrossed and placed on second reading and final action, which motion prevailed.

**Senate Bill No. 61.** A Bill for an Act to amend and reenact section 19-0311 of the North Dakota Revised Code of 1943, relating to the professional use of narcotic drugs.

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, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Sayer    |
| Bilden     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Kieley            | Schrock  |
| Day        | Klefstad          | Solberg  |
| Dewing     | Knudson           | Streibel |
| Dolan      | Krenz             | Thomas   |
| Duffy      | Kusler            | Torno    |
| Ferry      | Leier             | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | O'Brien           | Yunker   |
| Hernett    | Olson             |          |

Absent and not voting:

Rue

So the bill passed and the title was agreed to.

Senator Schmit moved that the Senate concur in the House amendments to Senate Bill No. 115, which motion prevailed.

Senator Schmit moved that the rules be suspended and that Senate Bill No. 115 be deemed properly engrossed and placed on second reading and final action, which motion prevailed.

**Senate Bill No. 115.** A Bill for an Act to provide for rules affecting safety, sanitation and shelter for railroad employees.

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, 3.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Berube     | Johnson, Cass     | Sayer    |
| Bilden     | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schoeder |
| Day        | Kieley            | Schrock  |
| Dewing     | Klefstad          | Solberg  |
| Dolan      | Knudson           | Streibel |
| Duffy      | Krenz             | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |

|            |           |          |
|------------|-----------|----------|
| Freed      | Meidinger | Welander |
| Gilbertson | Nelson    | Wog      |
| Hagen      | O'Brien   | Wolf     |
| Hernett    | Olson     | Yunker   |

Absent and not voting:

|          |        |     |
|----------|--------|-----|
| Bridston | Kusler | Rue |
|----------|--------|-----|

So the bill passed and the title was agreed to.

#### MOTIONS

Senator Day moved that Walter R. Fiedler of Legislative District No. 46, McLean County, be seated as a Senator and that he be permitted to take the oath of office as State Senator, which motion prevailed.

Senator Day moved that the Chief Justice be notified to administer the oath to the newly elected Senator from the 46th District, which motion prevailed.

Senator Davis moved that the House be requested to return House Bill No. 831, which motion prevailed.

Senator Day moved that after the reading of the House Bills and Resolutions on the calendar, the Senate be at ease, subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 25, 1955

Mr. Speaker: I have the honor to inform you that the Senate has requested the return of House Bill No. 831.

EDWARD LENO, Secretary.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

- House Bill No. 504
- House Bill No. 507
- House Bill No. 508
- House Bill No. 512
- House Bill No. 523
- House Bill No. 595
- House Bill No. 606
- House Bill No. 612
- House Bill No. 614
- House Bill No. 620
- House Bill No. 637
- House Bill No. 650

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. 14
- Senate Bill No. 16
- Senate Bill No. 17
- Senate Bill No. 22
- Senate Bill No. 23
- Senate Bill No. 25

Senate Bill No. 27  
Senate Bill No. 28  
Senate Bill No. 29  
Senate Bill No. 40  
Senate Bill No. 56  
Senate Bill No. 66  
Senate Bill No. 75  
Senate Bill No. 88  
Senate Bill No. 100  
Senate Bill No. 133

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. 134  
Senate Bill No. 141  
Senate Memorial Resolution No. 1

And the President signed the same in the presence of the Senate.

Senator O'Brien moved that the Chair appoint a Committee of one to escort the Senator-elect from the 46th District to the rostrum to receive the oath of office, which motion prevailed.

The President appointed Senator O'Brien to so act.

The oath of office was administered by Chief Justice Burke.

Senator Duffy moved that the Senate be at ease while Senator Fiedler took his chair, which motion prevailed.

The Senate reconvened at the call of the Chair.

#### COMMUNICATION

A communication was read from the Honorable Milton R. Young, thanking the Senate for sending him Senate Resolution No. 5.

Senator Streibel moved that the Senate recess until 1:00 p.m., February 26th, which motion prevailed, and the Senate stood recessed.

EDWARD LENO, Secretary.

FIFTY-THIRD DAY AFTER RECESS  
AND FIFTY-FOURTH DAY

Bismarck, February 26, 1955

The Senate reconvened at 1:00 p.m., the President presiding.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 26, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 504  
House Bill No. 507  
House Bill No. 508  
House Bill No. 512  
House Bill No. 523  
House Bill No. 595  
House Bill No. 606  
House Bill No. 612  
House Bill No. 614  
House Bill No. 620  
House Bill No. 637  
House Bill No. 650

Which the President has signed.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, February 26, 1955

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to Senate Bills No. 51, 61, and 115.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, February 26, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 14  
Senate Bill No. 16  
Senate Bill No. 17  
Senate Bill No. 22  
Senate Bill No. 23  
Senate Bill No. 25  
Senate Bill No. 27

Senate Bill No. 28  
 Senate Bill No. 29  
 Senate Bill No. 40

Which the President has signed and your signature is respectfully requested.

EDWARD LENO, Secretary.  
 Senate Chamber  
 Bismarck, February 26, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 56  
 Senate Bill No. 66  
 Senate Bill No. 75  
 Senate Bill No. 100  
 Senate Bill No. 133  
 Senate Bill No. 134  
 Senate Bill No. 141

Which the President has signed and your signature is respectfully requested.

EDWARD LENO, Secretary.

#### MESSAGE TO THE SENATE

House Chamber  
 Bismarck, February 26, 1955

Mr. President: I have the honor to return House Bill No. 831 as requested by the Senate.

KENNETH L. MORGAN, Chief Clerk.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 51  
 Senate Bill No. 61  
 Senate Bill No. 115

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

#### REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 518 has had the same under consideration and recommends:

That the House does concur with the Senate amendments.

For the Senate:

SENATOR PAGE  
 SENATOR DEWING  
 SENATOR FREED

For the House:

REP. BAKER  
 REP. LINDBERG  
 REP. ROLFSRUD

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.



## SECOND READING OF HOUSE BILLS

**House Bill No. 503.** 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.

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, 0; absent and not voting, 14.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Olson    |
| Berube     | Johnson, Cavalier | Page     |
| Bridston   | Klefstad          | Schrock  |
| Day        | Knudson           | Solberg  |
| Dewing     | Krenz             | Streibel |
| Dolan      | Kusler            | Torno    |
| Duffy      | Leier             | Tuff     |
| Fiedler    | Livingston        | Wadeson  |
| Freed      | Luick             | Wog      |
| Gilbertson | Meidinger         | Wolf     |
| Hagen      | Nelson            | Yunker   |
| Hernett    | O'Brien           |          |

Absent and not voting:

|        |               |          |
|--------|---------------|----------|
| Bilden | Johnson, Cass | Schmit   |
| Davis  | Kamrath       | Schoeder |
| Ferry  | Kieley        | Thomas   |
| Foss   | Rue           | Welander |
| Fraser | Saver         |          |

So the bill passed and the title was agreed to.

Senator Duffy moved that House Bill No. 542 be amended as follows:

Delete Section 7 from the bill.

Which motion prevailed.

Senator Duffy moved that further consideration of House Bill No. 542 be delayed until Monday, which motion prevailed.

Senator Leier moved that further consideration of House Bill No. 550 be indefinitely postponed, which motion prevailed.

**House Bill No. 557.** A Bill for an Act relating to traffic regulations, speed limits, establishing speed zones and coordinating highway safety activities, and amending section 39-0902 and subsection 1 of section 40-0501 of the North Dakota Revised Code of 1943, as amended.

Which has been read.

Senator Livingston moved that House Bill No. 557 be laid over one legislative day, which motion was declared lost.

Senator Livingston moved that the Senate amendments to House Bill No. 557 be further amended as follows:

In line 59 re-insert the words "prima facie".

In line 65 re-insert the words "prima-facie".

Which motion was declared lost.

Senator Duffy moved that the Senate amendments to House Bill No. 557 be amended as follows:

In line 65 re-insert the words "prima-facie".

Which motion prevailed.

Senator Duffy moved that the rules be suspended and House Bill No. 557 be placed on the calendar as amended from the floor, which motion prevailed.

Senator Dewing moved that the amendments to House Bill No. 557 be further amended as follows:

In line 50, delete the words "fifty-five", and insert in lieu thereof the word "fifty".

Which motion prevailed.

Senator Duffy moved that the rules be suspended and House Bill No. 557 be placed on the calendar for final action as amended from the floor, 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, 41; nays, 1; absent and not voting, 7.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Olson    |
| Berube     | Holand            | Page     |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridstom   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schrock  |
| Day        | Klefstad          | Solberg  |
| Dewing     | Knudson           | Streibel |
| Dolan      | Krenz             | Torno    |
| Duffy      | Kusler            | Tuff     |
| Foss       | Leier             | Wadeson  |
| Fiedler    | Luick             | Wog      |
| Freed      | Meidinger         | Wolf     |
| Gilbertson | Nelson            | Yunker   |
| Hagen      | O'Brien           |          |

Those voting in the negative were:

Livingston

Absent and not voting:

|               |          |          |
|---------------|----------|----------|
| Ferry         | Rue      | Thomas   |
| Fraser        | Schoeder | Welander |
| Johnson, Cass |          |          |

So the bill passed and the title was agreed to.

Senator Davis moved that the Senate reconsider its action on House Bill No. 831. Vote was taken, and the motion prevailed.

Senator Davis moved that House Bill No. 831 be laid over until Monday, which motion prevailed.

**House Bill No. 563.** A Bill for an Act to amend and reenact section 27-1603 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the compensation of juvenile commissioners, and providing for a reporter or an assistant and their compensation.

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:

|            |         |         |
|------------|---------|---------|
| Baeverstad | Hernett | O'Brien |
|------------|---------|---------|

|                        |                   |          |
|------------------------|-------------------|----------|
| Berube                 | Holand            | Olson    |
| Bilden                 | Johnson, Cavalier | Page     |
| Bridston               | Kamrath           | Sayer    |
| Davis                  | Kieley            | Schmit   |
| Day                    | Klefstad          | Schrock  |
| Dewing                 | Knudson           | Solberg  |
| Dolan                  | Krenz             | Streibel |
| Duffy                  | Kusler            | Torno    |
| Fiedler                | Leier             | Tuff     |
| Foss                   | Livingston        | Wadeson  |
| Freed                  | Luick             | Wog      |
| Gilbertson             | Meidinger         | Wolf     |
| Hagen                  | Nelson            | Yunker   |
| Absent and not voting: |                   |          |
| Ferry                  | Rue               | Thomas   |
| Fraser                 | Schoeder          | Welander |
| Johnson, Cass          |                   |          |

So the bill passed and the title was agreed to.

**House Bill No. 568.** A Bill for an Act requiring all county and township roads to be constructed with back sloped grades and ditches and that grass be planted thereon, for control of weeds.

Which has been read.

Senator Knudson moved that House Bill No. 568 be amended as follows:

In line 8 after the word "thereon" insert a period. Strike out the rest of line 8, and all of lines 9, 10, 11, 12, 13, 14, 15, and 16.

In section 1, in line 2 delete the semi-colon, insert a period and strike out the balance of the line and all of line 2a.

In the Title, in the second line insert a period after the word "ditches", and delete the balance of the title.

Vote was taken and the motion was declared lost.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 6; absent and not voting, 8.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hagen             | Page     |
| Berube     | Hernett           | Sayer    |
| Bilden     | Holand            | Schmit   |
| Bridston   | Johnson, Cavalier | Schrock  |
| Davis      | Kamrath           | Streibel |
| Day        | Klefstad          | Torno    |
| Dewing     | Kusler            | Tuff     |
| Dolan      | Leier             | Wadeson  |
| Fiedler    | Luick             | Wog      |
| Foss       | Meidinger         | Wolf     |
| Freed      | O'Brien           | Yunker   |
| Gilbertson | Olson             |          |

Those voting in the negative were:

|                        |            |         |
|------------------------|------------|---------|
| Duffy                  | Krenz      | Nelson  |
| Knudson                | Livingston | Solberg |
| Absent and not voting: |            |         |
| Ferry                  | Kieley     | Thomas  |

Fraser Rue Welander  
Johnson, Cass Schoeder

So the bill passed and the title was agreed to.

Senator Streibel moved that the vote by which House Bill No. 568 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Berube moved that the absent Senators be excused, which motion prevailed.

Senator Streibel moved that after the reading of the balance of the House Bills on the calendar, the Senate adjourn, which motion prevailed and the Senate stood adjourned.

EDWARD LENO, Secretary.

#### FIFTY-FOURTH DAY

Bismarck, February 26, 1955

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Father Feehan, St. Mary's, Bismarck, No. Dak.

Roll Call: All members present except Senators Bilden, Ferry, Fraser, Johnson (Cass), Rue, Schoeder, Thomas, Welander.

So a quorum was declared.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President, Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the fifty-third day and find the same correct.

JOHN LEIER, Chairman.

Senator Leier moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 26, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 615

House Bill No. 655

House Bill No. 797

House Bill No. 836

Which the Senate has indefinitely postponed.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, February 26, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 568

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

#### MESSAGE FROM THE GOVERNOR

State of North Dakota

#### OFFICE OF THE GOVERNOR

Bismarck, February 26, 1955

Members of the Senate  
Thirty-fourth Legislative Assembly  
Senate Chambers  
Bismarck, North Dakota

Gentlemen:

Today I have approved Senate Bills 35, 37, 42, 44, 48, 59, 65, 80, 82, 83, 84, 93, 104, 110, 126 and 127.

These bills have been filed with the Secretary of State.

Sincerely yours,

NORMAN BRUNSDALE  
Governor

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Education, to whom was referred House Bill No. 548, have had the same under consideration and recommend that the same be amended as follows:

In sections 25, 26, 27, 28, and 29 strike out the brackets and new language.

And when so amended recommend the same do pass.

C. W. SCHROCK, Chairman.

Senator Schrock 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. 586, have had the same under consideration and recommend that the same do pass.

C. W. SCHROCK, Chairman.

Senator Schrock 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. 587, have had the same under consideration and recommend that the same do pass.

C. W. SCHROCK, Chairman.

Senator Schrock 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. 588, have had the same under consideration and recommend that the same do pass.

C. W. SCHROCK, Chairman.

Senator Schrock 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. 589, have had the same under consideration and recommend that the same do pass.

C. W. SCHROCK, Chairman.

Senator Schrock 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. 593, have had the same under consideration and recommend that the same be returned without recommendation.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education, to whom was referred House Bill No. 600, have had the same under consideration and recommend that the same do pass.

C. W. SCHROCK, Chairman.

Senator Schrock 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. 601, have had the same under consideration and recommend that the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 605, have had the same under consideration and recommend that the same do pass.

RALPH DEWING, Chairman.

Senator Dewing 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. 613, have had the same under consideration and recommend that the same do pass.

C. W. SCHROCK, Chairman.

Senator Schrock 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. 623, have had the same under consideration and recommend that the same do pass.

C. W. SCHROCK, Chairman.

Senator Schrock 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. 631, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

RALPH DEWING, Chairman.

Senator Dewing 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. 639, have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. SCHROCK, Chairman.

Senator Schrock 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. 640, have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. SCHROCK, Chairman.

Senator Schrock moved that the report be adopted.

Senator Knudson made a substitute motion that House Bill No. 640 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation, to whom was referred House Bill No. 641, have had the

same under consideration and recommend that the same do pass.

RALPH DEWING, Chairman.

Senator Dewing 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. 643, have had the same under consideration and recommend that the same do pass.

RALPH DEWING, Chairman.

Senator Dewing 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. 649, have had the same under consideration and recommend that the same do pass.

C. W. SCHROCK, Chairman.

Senator Schrock 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. 662, have had the same under consideration and recommend that the same do pass.

C. W. SCHROCK, Chairman.

Senator Schrock 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. 667, have had the same under consideration and recommend that the same do pass.

C. W. SCHROCK, Chairman.

Senator Schrock 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. 669, have had the same under consideration and recommend that the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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. 682, have had the same under consideration and recommend that the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education, to whom was referred House Bill No. 694, have had the same under consideration and recommend that the same do pass.

C. W. SCHROCK, Chairman.

Senator Schrock 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. 702, have had the same under consideration and recommend that the same do pass.

C. W. SCHROCK, Chairman.

Senator Schrock 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. 708, have had the same under consideration and recommend that the same be amended as follows:

In line 38 after the word "county" insert the following language: "to the state school for the blind, state school for the deaf and the state training school,"

Renumber the lines accordingly.

And when so amended recommend the same do pass.

C. W. SCHROCK, Chairman.

Senator Schrock 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. 717, have had the same under consideration and recommend that the same be amended as follows:

In line 29 of the engrossed bill after the word "schools" insert the following language: "including the state school for the blind, the state school for the deaf and the state training school,"

Renumber the lines accordingly.

And when so amended recommend the same do pass.

C. W. SCHROCK, Chairman.

Senator Schrock 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. 727, have had the same under consideration and recommend that the same do pass.

C. W. SCHROCK, Chairman.

Senator Schrock 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. 736, have had the same under consideration and recommend that the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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. 740, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

RALPH DEWING, Chairman.

Senator Dewing 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. 742, have had the same under consideration and recommend that the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.



Mr. President: Your Committee on State and Federal Government, to whom was referred House Bill No. 748, have had the same under consideration and recommend that the same do pass.

ORVILLE HAGEN, Chairman.

Seantor Hagen 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. 749, have had the same under consideration and recommend that the same be amended as follows:

In line 21 of the engrossed bill after the word "schools" insert the language "within fifteen days".

In line 58 after the word "schools" insert the language "within fifteen days".

And when so amended recommend the same do pass.

C. W. SCHROCK, Chairman.

Senator Schrock 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. 774, have had the same under consideration and recommend that the same do pass.

ORVILLE HAGEN, Chairman.

Seantor Hagen 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. 810, have had the same under consideration and recommend that the same do pass.

RALPH DEWING, Chairman.

Senator Dewing 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. 812, have had the same under consideration and recommend that the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education, to whom was referred House Bill No. 856, have had the same under consideration and recommend that the same do pass.

C. W. SCHROCK, Chairman.

Senator Schrock 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. 861, have had the same under consideration and recommend that the same be amended as follows:

In line 29 of the original bill after the period add the following: "for the purpose of determining the average monthly wage as provided in this section, an individual employee may at his option disregard or "drop out" not to exceed ten quarters of employment in instances where the total quarterly

wages received from employment subject to this chapter did not exceed three hundred dollars and where such wages were received in quarters prior to July 1, 1951. Such quarters of employment as may be dropped out or disregarded by the employee may be considered, however, in determining whether such employee has a sufficient number of quarters of covered employment to become eligible for benefits under this chapter.

Renumber the lines accordingly.

And when so amended recommend the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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. 864, have had the same under consideration and recommend that the same do pass.

C. W. SCHROCK, Chairman.

Senator Schrock 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 "D-1", have had the same under consideration and recommend that the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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 "E-1", have had the same under consideration and recommend that the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education, to whom was referred House Concurrent Resolution "L-1", have had the same under consideration and recommend that the same do pass.

C. W. SCHROCK, Chairman.

Senator Schrock moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education, to whom was referred House Concurrent Resolution "R-1", have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. SCHROCK, Chairman.

Senator Schrock 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 "W", have had the same under consideration and recommend that the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen moved that the report be adopted, which motion prevailed and the report was adopted.

## CONFERENCE COMMITTEES

The President appointed as a Conference Committee to meet with a like committee from the House, to consider House Bill No. 505, Senators Foss, Hagen and Knudson.

The President appointed as a Conference Committee to meet with a like committee from the House, to consider House Bill No. 519, Senators Page, Leier, and Duffy.

Senator Day reported that the Committee of Committees moves that the following changes be made in Committee assignments:

Senator Streibel to be entered as Vice-Chairman of the Appropriations Committee.

Senator Fiedler to be made a member of the Agriculture Committee, Appropriations Committee, and the Committee on Veterans and Military Affairs.

Which motion prevailed.

## MESSAGES TO THE SENATE

House Chamber

Bismarck, February 26, 1955

Mr. President: I have the honor to transmit:

House Bill No. 506  
 House Bill No. 509  
 House Bill No. 517  
 House Bill No. 525  
 House Bill No. 526  
 House Bill No. 533  
 House Bill No. 551  
 House Bill No. 559  
 House Bill No. 564  
 House Bill No. 573  
 House Bill No. 584  
 House Bill No. 590  
 House Bill No. 617  
 House Bill No. 625  
 House Bill No. 666  
 House Bill No. 683  
 House Bill No. 684  
 House Bill No. 685  
 House Bill No. 686

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, February 26, 1955

Mr. President: I have the honor to transmit:

House Concurrent Resoluuion "H-1"  
 House Concurrent Resolution "N-1"

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, February 26, 1955

Mr. President: I have the honor to return:

Senate Bill No. 9  
 Senate Bill No. 10

Senate Bill No. 33  
 Senate Bill No. 36  
 Senate Bill No. 38  
 Senate Bill No. 43  
 Senate Bill No. 52  
 Senate Bill No. 62  
 Senate Bill No. 70  
 Senate Bill No. 103  
 Senate Bill No. 130  
 Senate Bill No. 142  
 Senate Bill No. 149  
 Senate Bill No. 150  
 Senate Bill No. 204  
 Senate Bill No. 235  
 Senate Bill No. 237  
 Senate Concurrent Resolution "J"

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, February 26, 1955

Mr. President: I have the honor to return:

Senate Bill No. 74  
 Senate Bill No. 99  
 Senate Bill No. 139  
 Senate Bill No. 238  
 Senate Concurrent Resolution "E"

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, February 26, 1955

Mr. President: I have the honor to return:

Senate Bill No. 203, which the House has amended as follows:

In line 21 after the word signature insert the words "and address".

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, February 26, 1955

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills Nos. 625, 634, 676, 691, 710, 788, and 858.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, February 26, 1955

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 519, and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Heimes, Anderson of Richland, and Fine.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, February 26, 1955

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to

House Bill No. 505 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Baker, Mueller, and Thompson of McLean.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, February 26, 1955

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 518.

KENNETH L. MORGAN, Chief Clerk.

#### CONSIDERATION OF AMENDMENTS

Senator Day moved that the proposed amendments to House Bill No. 570 be adopted, which motion prevailed.

Senator O'Brien moved that the proposed amendments to House Bill No. 656 be adopted, which motion prevailed.

Senator Kusler moved that the proposed amendments to House Bill No. 658 be adopted, which motion prevailed.

Senator Berube moved that the proposed amendments to House Bill No. 707 be adopted, which motion prevailed.

Senator Kusler moved that House Bill No. 818 be re-referred to the Committee on Industry and Business for further consideration, which motion prevailed.

Senator Day moved that the proposed amendments to House Bill No. 830 be adopted, which motion prevailed.

Senator Berube moved that the proposed amendments to House Bill No. 837 be adopted, which motion prevailed.

#### FIRST READING OF HOUSE RESOLUTIONS

**House Concurrent Resolution "H-1".** A Concurrent Resolution authorizing and directing the board of administration to take necessary action to improve the air conditioning and ventilation of the legislative chambers.

Was read the first time and referred to the Committee on State and Federal Government.

**House Concurrent Resolution "N-1".** A Concurrent Resolution memorializing the President of the United States and his Commission on Intergovernmental Relations not to approve the reported recommendations of the Committee on Federal Aid to Agriculture relative to transfer of the function of soil conservation technical assistance to the various states.

Was read the first time and referred to the Committee on Agriculture.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 516.** A Bill for an Act making an appropriation for salaries, operation, maintenance, general and miscellaneous expenses for the State Laboratories Department.

Which has been read.

Senator Page moved that House Bill No. 516 be amended as follows:

In line 3, delete the figure "\$450,800.00" and insert in lieu thereof the figure "\$462,800.00".

In line 10 delete the figure "\$290,000.00" and insert in lieu thereof the figure "\$300,000.00".

In line 12 delete the figure "\$55,000.00" and insert in lieu thereof the figure "\$57,000.00".

Correct the total in line 25 to read "\$462,800.00".

Which motion prevailed.

Senator Page moved that the rules be suspended and that House Bill No. 516 be deemed properly engrossed and placed on second reading and final action as amended by the Senate, 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, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

|            |            |          |
|------------|------------|----------|
| Baeverstad | Hagen      | O'Brien  |
| Berube     | Hernett    | Olson    |
| Bilden     | Holand     | Page     |
| Bridston   | Kamrath    | Sayer    |
| Davis      | Kieley     | Schmit   |
| Day        | Klefstad   | Schrock  |
| Dewing     | Knudson    | Streibel |
| Dolan      | Krenz      | Tuff     |
| Duffy      | Kusler     | Wadeson  |
| Fiedler    | Leier      | Wog      |
| Foss       | Livingston | Wolf     |
| Freed      | Luick      | Yunker   |
| Gilbertson |            |          |

Absent and not voting:

|                   |           |          |
|-------------------|-----------|----------|
| Ferry             | Meidinger | Solberg  |
| Fraser            | Nelson    | Thomas   |
| Johnson, Cass     | Rue       | Torno    |
| Johnson, Cavalier | Schoeder  | Welander |

So the bill passed and the title was agreed to.

**House Bill No. 528.** A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the State Highway Department.

Which 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, 3; absent and not voting, 13.

Those voting in the affirmative were:

|            |            |          |
|------------|------------|----------|
| Baeverstad | Hernett    | Olson    |
| Berube     | Holand     | Page     |
| Bilden     | Kieley     | Sayer    |
| Bridston   | Klefstad   | Schmit   |
| Davis      | Knudson    | Schrock  |
| Dolan      | Krenz      | Streibel |
| Duffy      | Kusler     | Tuff     |
| Fiedler    | Leier      | Wadeson  |
| Foss       | Livingston | Wog      |
| Freed      | Luick      | Wolf     |
| Hagen      | O'Brien    | Yunker   |

Those voting in the negative were:

|     |            |         |
|-----|------------|---------|
| Day | Gilbertson | Kamrath |
|-----|------------|---------|

Absent and not voting:

|                   |           |          |
|-------------------|-----------|----------|
| Dewing            | Meidinger | Solberg  |
| Ferry             | Nelson    | Thomas   |
| Fraser            | Rue       | Torno    |
| Johnson, Cass     | Schoeder  | Welander |
| Johnson, Cavalier |           |          |

So the bill passed and the title was agreed to.

**House Bill No. 553.** A Bill for an Act making an appropriation for the purpose of defraying expenses of the final two years of a four-year soil reconnaissance survey and land classification program to facilitate rural land assessment.

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, 0; absent and not voting, 13.

Those voting in the affirmative were:

|            |            |          |
|------------|------------|----------|
| Baeverstad | Hagen      | O'Brien  |
| Berube     | Hernett    | Olson    |
| Bilden     | Holand     | Page     |
| Bridston   | Kamrath    | Sayer    |
| Davis      | Kieley     | Schmit   |
| Day        | Klefstad   | Schrock  |
| Dolan      | Knudson    | Streibel |
| Duffy      | Krenz      | Tuff     |
| Fiedler    | Kusler     | Wadeson  |
| Foss       | Leier      | Wog      |
| Freed      | Livingston | Wolf     |
| Gilbertson | Luick      | Yunker   |

Absent and not voting:

|                   |           |          |
|-------------------|-----------|----------|
| Dewing            | Meidinger | Solberg  |
| Ferry             | Nelson    | Thomas   |
| Fraser            | Rue       | Torno    |
| Johnson, Cass     | Schoeder  | Welander |
| Johnson, Cavalier |           |          |

So the bill passed and the title was agreed to.

**House Bill No. 576.** A Bill for an Act to provide for the regulation of propagation, taking, catching, destroying, and disposing of fish in this state; to provide for the regulation of bait vendors; to provide for the regulation of construction and maintenance of fishways; providing a penalty; and to repeal sections 20-0316, 20-0317, 20-0601, 20-0602, 20-0603, 20-0606, 20-0607, 20-0608, 20-0609, 20-0610, 20-0612, 20-0613, 20-0614, and 20-0615 of the North Dakota Revised Code of 1943, and to repeal sections 20-0314, 20-0315, 20-0604, 20-0605, 20-0611, and 20-0616 of the 1953 Supplement to the North Dakota Revised Code of 1943.

Which has been read.

#### 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, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

|            |         |       |
|------------|---------|-------|
| Baeverstad | Holand  | Olson |
| Berube     | Hernett | Page  |

|            |            |          |
|------------|------------|----------|
| Bilden     | Kamrath    | Sayer    |
| Bridston   | Kieley     | Schmit   |
| Davis      | Klefstad   | Schrock  |
| Day        | Knudson    | Solberg  |
| Dolan      | Krenz      | Streibel |
| Duffy      | Kusler     | Tuff     |
| Fiedler    | Leier      | Wadeson  |
| Foss       | Livingston | Wog      |
| Freed      | Luick      | Wolf     |
| Gilbertson | O'Brien    | Yunker   |
| Hagen      |            |          |

Absent and not voting:

|               |                   |          |
|---------------|-------------------|----------|
| Dewing        | Johnson, Cavalier | Schoeder |
| Ferry         | Meidinger         | Thomas   |
| Fraser        | Nelson            | Torno    |
| Johnson, Cass | Rue               | Welander |

So the bill passed and the title was agreed to.

**House Bill No. 585.** A Bill for an Act to amend and reenact sections 26-2229 and 26-2230 of the North Dakota Revised Code of 1943 relating to levies for hail indemnity taxes, and declaring an emergency.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 34; nays, 2; absent and not voting, 13.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Berube     | Hernett           | Olson    |
| Bilden     | Holand            | Page     |
| Bridston   | Johnson, Cavalier | Sayer    |
| Davis      | Kamrath           | Schrock  |
| Day        | Kieley            | Solberg  |
| Dolan      | Klefstad          | Streibel |
| Duffy      | Krenz             | Tuff     |
| Fiedler    | Kusler            | Wadeson  |
| Foss       | Leier             | Wog      |
| Freed      | Luick             | Wolf     |
| Gilbertson | O'Brien           | Yunker   |
| Hagen      |                   |          |

Those voting in the negative were:

|                        |            |          |
|------------------------|------------|----------|
| Baeverstad             | Livingston |          |
| Absent and not voting: |            |          |
| Dewing                 | Meidinger  | Schoeder |
| Ferry                  | Nelson     | Thomas   |
| Fraser                 | Rue        | Torno    |
| Johnson, Cass          | Schmit     | Welander |
| Knudson                |            |          |

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**House Bill No. 610.** A Bill for an Act to provide for the Licensing and bonding of Mobile Home Dealers; to provide for the licensing of Mobile Homes; to provide for safety devices and regulations in the operation of Mobile Homes; to provide for the size of Mobile Homes; to provide for the suspension and revocation of Dealer's Licenses and for penalties; and repealing all Acts in conflict herewith.

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, 0; absent and not voting, 12.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Berube     | Holand            | Olson    |
| Bilden     | Johnson, Cavalier | Page     |
| Bridston   | Kamrath           | Sayer    |
| Davis      | Kieley            | Schmit   |
| Day        | Klefstad          | Schrock  |
| Dolan      | Knudson           | Solberg  |
| Duffy      | Krenz             | Streibel |
| Fiedler    | Kusler            | Tuff     |
| Foss       | Leier             | Wadeson  |
| Freed      | Livingston        | Wog      |
| Gilbertson | Luick             | Wolf     |
| Hagen      | O'Brien           | Yunker   |
| Hernett    |                   |          |

Absent and not voting:

|            |               |          |
|------------|---------------|----------|
| Baeverstad | Johnson, Cass | Schoeder |
| Dewing     | Meidinger     | Thomas   |
| Ferry      | Nelson        | Torno    |
| Fraser     | Rue           | Welander |

So the bill passed and the title was agreed to.

Senator Knudson moved that further action on House Bill No. 618 be delayed until Monday, which motion prevailed.

House Bill No. 619. A Bill for an Act to amend and reenact subsection 3 of section 11-1010 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to salaries of county officers and declaring an emergency and making the provision of this Act retroactive to January 1, 1955.

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, 0; absent and not voting, 14.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Olson    |
| Berube     | Holand            | Page     |
| Bridston   | Johnson, Cavalier | Sayer    |
| Davis      | Kamrath           | Schmit   |
| Day        | Klefstad          | Solberg  |
| Dolan      | Knudson           | Streibel |
| Duffy      | Krenz             | Tuff     |
| Fiedler    | Kusler            | Wadeson  |
| Foss       | Leier             | Wog      |
| Freed      | Livingston        | Wolf     |
| Gilbertson | Luick             | Yunker   |
| Hagen      | O'Brien           |          |

Absent and not voting:

|               |           |          |
|---------------|-----------|----------|
| Bilden        | Kieley    | Schrock  |
| Dewing        | Meidinger | Thomas   |
| Ferry         | Nelson    | Torno    |
| Fraser        | Rue       | Welander |
| Johnson, Cass | Schoeder  |          |

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**House Bill No. 628.** A Bill for an Act to authorize county commissioners to provide for or furnish clerical assistance to supervisors of soil conservation districts.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 31; nays, 5; absent and not voting, 13.

Those voting in the affirmative were:

|            |            |          |
|------------|------------|----------|
| Baeverstad | Hagen      | Olson    |
| Berube     | Hernett    | Page     |
| Bilden     | Holand     | Sayer    |
| Bridston   | Kamrath    | Schmit   |
| Davis      | Knudson    | Solberg  |
| Day        | Krenz      | Streibel |
| Dolan      | Kusler     | Tuff     |
| Duffy      | Leier      | Wadeson  |
| Fiedler    | Livingston | Wog      |
| Foss       | Luick      | Wolf     |
| Freed      |            |          |

Those voting in the negative were:

|                   |          |        |
|-------------------|----------|--------|
| Gilbertson        | Klefstad | Yunker |
| Johnson, Cavalier | O'Brien  |        |

Absent and not voting:

|               |           |          |
|---------------|-----------|----------|
| Dewing        | Meidinger | Schrock  |
| Ferry         | Nelson    | Thomas   |
| Fraser        | Rue       | Torno    |
| Johnson, Cass | Schoeder  | Welander |
| Kieley        |           |          |

So the bill passed and the title was agreed to.

**House Bill No. 629.** A Bill for an Act to provide for appeal from orders of the Insurance Commissioner and declaring an emergency.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Olson    |
| Berube     | Holand            | Page     |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Klefstad          | Schrock  |
| Day        | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Tuff     |
| Fiedler    | Leier             | Wadeson  |
| Foss       | Livingston        | Wog      |
| Freed      | Luick             | Wolf     |
| Gilbertson | O'Brien           | Yunker   |
| Hagen      |                   |          |

Absent and not voting:

|        |           |          |
|--------|-----------|----------|
| Dewing | Kieley    | Schoeder |
| Ferry  | Meidinger | Thomas   |

|               |        |          |
|---------------|--------|----------|
| Fraser        | Nelson | Torno    |
| Johnson, Cass | Rue    | Welander |

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**House Bill No. 638.** A Bill for an Act relating to licensing and regulation of transient merchants doing business by auction or otherwise, and repealing chapter 51-04 of the North Dakota Revised Code of 1943 and sections 51-0401 and 51-0402 of the 1953 Supplement to the North Dakota Revised Code of 1943.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 31; nays, 5; absent and not voting, 13.

Those voting in the affirmative were:

|            |            |            |
|------------|------------|------------|
| Baeverstad | Gilbertson | Livingston |
| Berube     | Hagen      | Luick      |
| Bilden     | Hernett    | Page       |
| Bridston   | Holand     | Sayer      |
| Davis      | Kamrath    | Solberg    |
| Day        | Kieley     | Streibel   |
| Dolan      | Knudson    | Tuff       |
| Duffy      | Krenz      | Wadeson    |
| Fiedler    | Kusler     | Wolf       |
| Foss       | Leier      | Yunker     |
| Freed      |            |            |

Those voting in the negative were:

|                   |         |     |
|-------------------|---------|-----|
| Johnson, Cavalier | Olson   | Wog |
| Klefstad          | Schrock |     |

Absent and not voting:

|               |         |          |
|---------------|---------|----------|
| Dewing        | Nelson  | Schoeder |
| Ferry         | O'Brien | Thomas   |
| Fraser        | Rue     | Torno    |
| Johnson, Cass | Schmit  | Welander |
| Meidinger     |         |          |

So the bill passed and the title was agreed to.

**House Bill No. 644.** A Bill for an Act to amend and reenact section 24-0105 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the designation of a secondary highway system.

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, 0; absent and not voting, 12.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Olson    |
| Berube     | Holand            | Page     |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schrock  |
| Day        | Klefstad          | Solberg  |
| Dolan      | Knudson           | Streibel |
| Duffy      | Krenz             | Tuff     |
| Foss       | Kusler            | Wadeson  |

|                        |            |          |
|------------------------|------------|----------|
| Freed                  | Leier      | Wog      |
| Gilbertson             | Livingston | Wolf     |
| Hagen                  | Luick      | Yunker   |
| Absent and not voting: |            |          |
| Dewing                 | Meidinger  | Schoeder |
| Ferry                  | Nelson     | Thomas   |
| Fraser                 | O'Brien    | Torno    |
| Johnson, Cass          | Rue        | Welander |

So the bill passed and the title was agreed to.

Senator Hagen moved that further action on House Bill No. 663 be delayed until Monday, which motion prevailed.

Senator Leier moved that further action on House Bill No. 674 be delayed until Monday, which motion prevailed.

Senator Duffy moved that further action on House Bill No. 675 be delayed until Monday, which motion prevailed.

House Bill No. 678. A Bill for an Act to amend and reenact sections 23-1002, 23-1003, 23-1004, 23-1005, 23-1006, 23-1008, 23-1010, 23-1011 and 23-1012 of the North Dakota Revised Code of 1943, dealing with motor and trailer courts and to repeal sections 23-1001, 23-1007 and 23-1009 and declaring an emergency.

#### ROLL CALL

Which has been read.

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.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hagen             | Luick    |
| Berube     | Hernett           | Page     |
| Bilden     | Holand            | Sayer    |
| Bridston   | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schrock  |
| Day        | Kieley            | Solberg  |
| Dolan      | Klefstad          | Streibel |
| Duffy      | Knudson           | Tuff     |
| Fiedler    | Krenz             | Wadeson  |
| Foss       | Kusler            | Wog      |
| Freed      | Leier             | Wolf     |
| Gilbertson | Livingston        | Yunker   |

Those voting in the negative were:

Olson

Absent and not voting:

|               |           |          |
|---------------|-----------|----------|
| Dewing        | Meidinger | Schoeder |
| Ferry         | Nelson    | Thomas   |
| Fraser        | O'Brien   | Torno    |
| Johnson, Cass | Rue       | Welander |

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Leier moved that House Bill No. 680 be laid over until Monday, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your committee on Enrollment and Engrsment respectfully report that they have examined the following bills:

Senate Bill No. 5  
Senate Bill No. 26

Senate Bill No. 86  
 Senate Bill No. 87  
 Senate Bill No. 96  
 Senate Bill No. 101  
 Senate Bill No. 106  
 Senate Bill No. 107  
 Senate Bill No. 112  
 Senate Bill No. 114  
 Senate Bill No. 115  
 Senate Bill No. 135  
 Senate Bill No. 136  
 Senate Bill No. 146  
 Senate Bill No. 161  
 Senate Bill No. 162  
 Senate Bill No. 168  
 Senate Bill No. 179  
 Senate Bill No. 184  
 Senate Bill No. 195  
 Senate Bill No. 217  
 Senate Concurrent Resolution "F"  
 Senate Concurrent Resolution "O"

And find the same correctly enrolled.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

Senate Bill No. 51  
 Senate Bill No. 61  
 Senate Bill No. 113  
 Senate Bill No. 163

And find the same correctly enrolled.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGE TO THE SENATE

House Chamber

Bismarck, February 26, 1955

Mr. President: I have the honor to transmit:

House Bill No. 687  
 House Bill No. 690  
 House Bill No. 692  
 House Bill No. 696  
 House Bill No. 714  
 House Bill No. 725  
 House Bill No. 739  
 House Bill No. 771  
 House Bill No. 772  
 House Bill No. 773  
 House Bill No. 790  
 House Bill No. 817  
 House Bill No. 825

House Bill No. 827

House Bill No. 840

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

MOTIONS

Senator Schrock moved that the vote by which House Concurrent Resolution "R-1", was indefinitely postponed, be reconsidered, which motion prevailed.

Senator Schrock moved that House Concurrent Resolution "R-1" be re-referred to the Committee on Education.

Senator Streibel moved that the Senate recess until 1:00 p.m., February 28th, which motion prevailed, and the Senate stood recessed.

EDWARD LENO, Secretary.

**FIFTY-FOURTH DAY AFTER RECESS  
AND FIFTY-SIXTH DAY**

**Bismarck, February 28, 1955**

The Senate reconvened at 1:00 p.m., the President presiding.

**MESSAGES TO THE HOUSE**

Senate Chamber

**Bismarck, February 28, 1955**

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 519, Senators Page, Leier and Duffy.

**EDWARD LENO, Secretary.**

Senate Chamber

**Bismarck, February 28, 1955**

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 505, Senators Foss, Hagen and Knudson.

**EDWARD LENO, Secretary.**

**SIGNING OF BILLS**

The Secretary announced that the President was about to sign:

Senate Bill No. 5  
Senate Bill No. 26  
Senate Bill No. 86  
Senate Bill No. 87  
Senate Bill No. 96  
Senate Bill No. 101  
Senate Bill No. 106  
Senate Bill No. 107  
Senate Bill No. 112  
Senate Bill No. 114  
Senate Bill No. 115  
Senate Bill No. 135  
Senate Bill No. 136  
Senate Bill No. 146  
Senate Bill No. 161  
Senate Bill No. 162  
Senate Bill No. 168  
Senate Bill No. 179  
Senate Bill No. 184

Senate Bill No. 195  
Senate Bill No. 217  
Senate Concurrent Resolution "F"  
Senate Concurrent Resolution "O"

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 51  
Senate Bill No. 61  
Senate Bill No. 113  
Senate Bill No. 163

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. 506  
House Bill No. 509  
House Bill No. 517  
House Bill No. 525  
House Bill No. 526  
House Bill No. 533  
House Bill No. 551  
House Bill No. 559  
House Bill No. 564  
House Bill No. 573  
House Bill No. 584  
House Bill No. 590  
House Bill No. 617  
House Bill No. 625  
House Bill No. 666  
House Bill No. 683  
House Bill No. 684  
House Bill No. 685  
House Bill No. 686

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. 687  
House Bill No. 690  
House Bill No. 692  
House Bill No. 696  
House Bill No. 714  
House Bill No. 725  
House Bill No. 739  
House Bill No. 771  
House Bill No. 772  
House Bill No. 778  
House Bill No. 790  
House Bill No. 817  
House Bill No. 825  
House Bill No. 827  
House Bill No. 840

And the President signed the same in the presence of the Senate.



## SECOND READING OF HOUSE BILLS

Senator Duffy moved that House Bill No. 542 be moved to the foot of the calendar, which motion prevailed.

**House Bill No. 618.** A Bill for an Act relating to negligent homicide, defining the crime, and providing for a penalty and revocation of driving privilege.

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:

|            |            |           |
|------------|------------|-----------|
| Baeverstad | Holand     | Luick     |
| Bridston   | Kieley     | Meidinger |
| Dolan      | Klefstad   | Nelson    |
| Duffy      | Knudson    | Sayer     |
| Freed      | Krenz      | Wadeson   |
| Hernett    | Livingston |           |

Those voting in the negative were:

|            |                   |          |
|------------|-------------------|----------|
| Bilden     | Johnson, Cass     | Schrock  |
| Davis      | Johnson, Cavalier | Solberg  |
| Day        | Kamrath           | Streibel |
| Dewing     | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Fiedler    | O'Brien           | Tuff     |
| Foss       | Olson             | Welander |
| Fraser     | Page              | Wog      |
| Gilbertson | Schmit            | Wolf     |
| Hagen      | Schoeder          | Yunker   |

Absent and not voting:

|        |     |
|--------|-----|
| Berube | Rue |
|--------|-----|

So the bill was declared lost.

**House Bill No. 663.** A Bill for an Act to provide for the joint exercise of powers of two or more governmental units or municipal corporations, including every city, village, county, town, park district, school district, and states and United States Governments and departments of each thereof; and also to provide that two or more of such governmental units, by agreement entered into through action of their governing bodies, may jointly or cooperatively exercise any of their respective separate powers or any power common to such contracting parties or any similar powers; to provide for disbursements from public funds, including funds already raised to buy real estate for public buildings and other proper funds or properties already on hand; repealing all acts or parts of acts in conflict herewith; and declaring an emergency.

Which has been read.

Senator Duffy moved that House Bill No. 663 be amended as follows:

On line 2 following the word "corporations" but before the comma, insert the following words: "having in common any portion of their territory or boundary".

On line 7 following the word "exercised" but before the period insert the following words: "for the purpose of acquiring, constructing and maintaining any building for their joint use in providing office space or related facilities, for

their administrative and judicial functions of government".

Which motion prevailed.

Senator Duffy moved that the rules be suspended and House Bill No. 663 be placed on second reading and final action, 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, 41; nays, 6; absent and not voting, 2.

Those voting in the affirmative were:

|               |                   |          |
|---------------|-------------------|----------|
| Baeverstad    | Johnson, Cavalier | Schmit   |
| Bilden        | Kieley            | Schoeder |
| Bridston      | Klefstad          | Schrock  |
| Davis         | Knudson           | Solberg  |
| Dewing        | Krenz             | Streibel |
| Dolan         | Kusler            | Thomas   |
| Duffy         | Leier             | Torno    |
| Foss          | Livingston        | Tuff     |
| Fraser        | Luick             | Wadeson  |
| Freed         | Meidinger         | Welander |
| Hagen         | Nelson            | Wog      |
| Hernett       | Olson             | Wolf     |
| Holand        | Page              | Yunker   |
| Johnson, Cass | Sayer             |          |

Those voting in the negative were:

|       |            |         |
|-------|------------|---------|
| Day   | Fiedler    | Kamrath |
| Ferry | Gilbertson | O'Brien |

Absent and not voting:

|        |     |
|--------|-----|
| Berube | Rue |
|--------|-----|

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Johnson (Cass) moved that the vote by which House Bill No. 663 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

**House Bill No. 674.** A Bill for an Act relating to eradication of noxious weeds, and prescribing functions of the extension service of the North Dakota agricultural college with reference thereto; providing for appointment of a commissioner of noxious weeds and deputy commissioner in each county commissioner district and in a city, village, township or irrigation district; prescribing their powers and duties and fixing their compensation, providing for a tax levy to cover compensation and expenses of such commissioner and deputy commissioner of noxious weeds, providing penalties for violation of this Act; repealing chapter 63-02 of the North Dakota Revised Code of 1943 and declaring an emergency.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 28; nays, 19; absent and not voting, 2.

Those voting in the affirmative were:

|            |            |         |
|------------|------------|---------|
| Baeverstad | Gilbertson | O'Brien |
| Bilden     | Hagen      | Schmit  |
| Bridston   | Holand     | Schrock |

|         |            |          |
|---------|------------|----------|
| Davis   | Kamrath    | Solberg  |
| Day     | Knudson    | Thomas   |
| Dolan   | Krenz      | Wadeson  |
| Ferry   | Leier      | Welander |
| Fiedler | Livingston | Wog      |
| Foss    | Meidinger  | Wolf     |
| Fraser  |            |          |

Those voting in the negative were:

|                   |          |          |
|-------------------|----------|----------|
| Dewing            | Klefstad | Sayer    |
| Duffy             | Kusler   | Schoeder |
| Freed             | Luick    | Streibel |
| Hernett           | Nelson   | Torno    |
| Johnson, Cass     | Olson    | Tuff     |
| Johnson, Cavalier | Page     | Yunker   |

Absent and not voting:

|        |     |
|--------|-----|
| Berube | Rue |
|--------|-----|

So the bill passed and the title was agreed to, but the emergency clause was declared lost.

Senator Hagen moved that the vote by which House Bill No. 674 was passed be reconsidered and the motion to reconsider be laid on the table, which motion was declared lost.

#### MESSAGE TO THE SENATE

House Chamber

Bismarck, February 28, 1955

Mr. President: I have the honor to request the return of Senate Bill No. 158.

KENNETH L. MORGAN, Chief Clerk.

Senator Streibel moved that the absent Senators be excused, which motion prevailed.

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

#### FIFTY-SIXTH DAY

Bismarck, February 28, 1955

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. J. E. Grygo, Bismarck Baptist Church, Bismarck, No. Dak.

Roll Call: All members present except Senators Berube and Rue.

So a quorum was declared.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the fifty-third day after recess and fifty-fourth day and finds the same correct.

JOHN LEIER, Chairman.

Senator Leier moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, February 28, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 503  
House Bill No. 528  
House Bill No. 553  
House Bill No. 563  
House Bill No. 585  
House Bill No. 610  
House Bill No. 619  
House Bill No. 628  
House Bill No. 629  
House Bill No. 638  
House Bill No. 644  
House Bill No. 678

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.  
Senate Chamber  
Bismarck, February 28, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 516  
House Bill No. 557  
House Bill No. 576

Which the Senate has amended.

EDWARD LENO, Secretary.  
Senate Chamber  
Bismarck, February 28, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 550  
House Bill No. 639

Which the Senate has indefinitely postponed.

EDWARD LENO, Secretary.  
Senate Chamber  
Bismarck, February 28, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 5  
Senate Bill No. 26  
Senate Bill No. 86  
Senate Bill No. 87  
Senate Bill No. 96  
Senate Bill No. 101  
Senate Bill No. 106  
Senate Bill No. 107  
Senate Bill No. 112  
Senate Bill No. 114  
Senate Bill No. 115  
Senate Bill No. 135  
Senate Bill No. 136  
Senate Bill No. 146  
Senate Bill No. 161  
Senate Bill No. 162  
Senate Bill No. 168  
Senate Bill No. 179

Senate Bill No. 184  
 Senate Bill No. 195  
 Senate Bill No. 217  
 Senate Concurrent Resolution "F"  
 Senate Concurrent Resolution "O"

Which the President has signed and your signature is respectfully requested.

EDWARD LENO, Secretary.  
 Senate Chamber  
 Bismarck, February 28, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 51  
 Senate Bill No. 61  
 Senate Bill No. 113  
 Senate Bill No. 163

Which the President has signed and your signature is respectfully requested.

EDWARD LENO, Secretary.  
 Senate Chamber  
 Bismarck, February 28, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 506  
 House Bill No. 509  
 House Bill No. 517  
 House Bill No. 525  
 House Bill No. 526  
 House Bill No. 533  
 House Bill No. 551  
 House Bill No. 559  
 House Bill No. 564  
 House Bill No. 573  
 House Bill No. 584  
 House Bill No. 590  
 House Bill No. 617  
 House Bill No. 625  
 House Bill No. 666  
 House Bill No. 683  
 House Bill No. 684  
 House Bill No. 685  
 House Bill No. 686  
 House Bill No. 687  
 House Bill No. 690

Which the President has signed.

EDWARD LENO, Secretary.  
 Senate Chamber  
 Bismarck, February 28, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 692  
 House Bill No. 696  
 House Bill No. 714  
 House Bill No. 725  
 House Bill No. 739  
 House Bill No. 771  
 House Bill No. 772  
 House Bill No. 778  
 House Bill No. 790  
 House Bill No. 817

House Bill No. 825  
 House Bill No. 827  
 House Bill No. 840

Which the President has signed.

EDWARD LENO, Secretary.

Senator Schrock moved that the Senate accede to the request of the House to return Senate Bill No. 158, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 28, 1955

Mr. Speaker: I have the honor to return Senate Bill No. 158, which the House has requested.

EDWARD LENO, Secretary.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Transportation, to whom was referred House Bill No. 598, have had the same under consideration and recommend that the same be amended as follows:

In line 37 after the word "season" add the following language: "and whose resident state has no reciprocal agreement with North Dakota to the contrary,"

In line 42 after the period add: "This permit shall allow the holder to move agricultural products harvested by said permit holder in intrastate commerce."

And when so amended recommend the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government, to whom was referred House Bill No. 632, have had the same under consideration and recommend that the same be amended as follows:

In line 9 delete the word "fifteen" and insert in lieu thereof the word "ten".

And when so amended recommend the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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. 651, have had the same under consideration and recommend that the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 672, 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 Political Subdivisions to whom was referred House Bill No. 693, have had the same under consideration and recommend that the same be amended as follows:

In italics, line 8, after the word "may" insert the following words:

"call a special city election to fill such vacancy for the unexpired term, or may, after fifteen days of the date of such vacancy,"

In line 11 delete the comma and insert a period in lieu thereof.

In line 13 delete the bracket and the italicized words "or may call".

In line 14 delete the brackets.

In line 15 insert an end bracket after the period.

In line 20 delete the period and insert in lieu thereof a comma, and add the following italicized words:

"provided such petition has been submitted within fifteen days of the date of such vacancy."

In line 36 after the word "may" insert a comma and the following italicized words: "after fifteen days from the date of such vacancy,"

In line 36 delete the bracket before the word "and".

In line 37 insert a bracket before the word "such".

In line 44 delete the period and insert in lieu thereof a comma, and add the following italicized words after the comma:

"provided such petition is submitted within fifteen days of the date of such vacancy."

In line 57 after the word "may" insert the following italicized words:

"call a special city election to fill such vacancy for the unexpired term, or may, after fifteen days from the date of such vacancy,"

In line 59 delete the italicized words "or may call".

In line 61 delete the bracket.

In line 62 delete all brackets and the italicized words "such vacancy".

In line 63 insert a closing bracket after the period.

In line 68 delete the period and insert a comma in lieu thereof, and after the comma insert the following italicized words:

"provided such petition has been submitted within fifteen days of the date of such vacancy."

Renumber the lines accordingly.

And when so amended recommend the same do pass.

STEVE THOMAS, Chairman.

Senator Thomas 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. 695, have had the same under consideration and recommend that the same be indefinitely postponed.

ORVILLE HAGEN, Chairman.

Senator Hagen moved that the report be adopted.

Senator Day made a substitute motion that House Bill No. 695 be placed on the calendar, which motion was declared lost.

The question being on the original motion that House Bill No. 695 be indefinitely postponed, vote was taken and the motion prevailed.

Mr. President: Your Committee on State and Federal Government, to whom was referred House Bill No. 704, have had the same under consideration and recommend that the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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. 705, have had the same under consideration and recommend that the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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. 713, have had the same under consideration and recommend that the same do pass.

IVER SOLBERG, Chairman.

Senator Solberg 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. 785, have had the same under consideration and recommend that the same do pass.

ORVILLE HAGEN, Chairman.

Senator Hagen 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 "J-1", have had the same under consideration and recommend that the same do pass.

IVER SOLBERG, Chairman.

Senator Solberg 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 Concurrent Resolution "Q-1" have had the same under consideration and recommend that the same be amended as follows:

After line 33 insert a paragraph reading as follows:

"That the legislative research committee is hereby authorized and directed to study such matters and to appoint a subcommittee to give detailed consideration to the financial aspects of such readjustment of historic responsibility and such subcommittee is hereby authorized to confer with the executive and legislative branches of the Federal government in arriving at an equitable solution to such problems, and the legislative research committee is further directed, upon the completion of such study and said conferences, to publish its



findings and recommendations, and to make its report to the Thirty-fifth Legislative Assembly in such form as it may deem expedient."

Renumber the lines accordingly.

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 House Concurrent Resolution "M", have had the same under consideration and recommend that the same be indefinitely postponed.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation, to whom was referred House Concurrent Resolution "Q", have had the same under consideration and recommend that the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on State and Federal Government, to whom was referred House Concurrent Resolution "H-1", have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

ORVILLE HAGEN, Chairman.

Senator Hagen 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 "R", have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

ORVILLE HAGEN, Chairman.

Senator Hagen 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 Concurrent Resolution "S", have had the same under consideration and recommend that the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution "Y", 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 Hagen moved that House Bill No. 704 be referred to the Committee on Appropriations, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

Senator Dolan made a substitute motion that the proposed amendments to House Bill No. 548 as submitted by the committee, do not be adopted, which motion prevailed.

Senator Schrock moved that House Bill No. 548 be amended as follows:

In the title of the bill, after the word "re-enacting" insert the word "Section" and delete the balance of that line, delete Line 2, and delete the figure "15-4002" and the comma in the third line.

Starting with Line 507, Section 25, delete the rest of the bill.

In Line 12 of the title, after the figure "1943" delete the remainder of the line, and the word "correspondence" in Line 13.

Vote was taken and the motion prevailed.

Senator Schrock moved that the rules be suspended and House Bill No. 548 be placed on the calendar as amended by the Senate, for final action, which motion prevailed.

**House Bill No. 548.** A Bill for an Act amending and reenacting subsection 3 of sections 15-1901 and sections 15-1902, 15-1903, 15-1906, 15-4002, 15-2008, 15-4003, 15-4010 and 15-4105 of the North Dakota Revised Code of 1943; and sections 15-2002, 15-2003, 15-2004, 15-2006, 15-2010, subsections 1 and 4 of 15-2012, 15-2013, 15-2014, 15-2015, 15-4021, 15-5303, 15-5701, 15-5902, 15-5903, 15-5905, subsection 6 of 15-6001 and 15-6006 of the 1953 Supplement to the North Dakota Revised Code of 1943; and repealing sections 15-5304 and 15-6002 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to high school correspondence vocational education and rehabilitation, the state equalization emergency fund board, the advisory board for school district reorganization, the state board of teaching scholarships, the advisory council on special education, the state school construction fund and other elementary and secondary education functions, and creating the state board of public school education.

Which has been read.

## 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, 35; nays, 12; absent and not voting, 2.

Those voting in the affirmative were:

|               |            |          |
|---------------|------------|----------|
| Baeverstad    | Kamrath    | Sayer    |
| Bilden        | Klefstad   | Schoeder |
| Bridston      | Knudson    | Schrock  |
| Day           | Kusler     | Solberg  |
| Ferry         | Leier      | Thomas   |
| Fiedler       | Livingston | Tuff     |
| Foss          | Luick      | Wadeson  |
| Fraser        | Meidinger  | Welander |
| Gilbertson    | Nelson     | Wog      |
| Hernett       | O'Brien    | Wolf     |
| Holand        | Olson      | Yunker   |
| Johnson, Cass | Page       |          |

Those voting in the negative were:

|        |       |        |
|--------|-------|--------|
| Davis  | Freed | Krenz  |
| Dewing | Hagen | Schmit |

|                        |                   |          |
|------------------------|-------------------|----------|
| Dolan                  | Johnson, Cavalier | Streibel |
| Duffy                  | Kieley            | Torno    |
| Absent and not voting: |                   |          |
| Berube                 | Rue               |          |

So the bill passed and the title was agreed to.

#### CONSIDERATION OF AMENDMENTS

Senator Schrock moved that the proposed amendment to House Bill No. 708 be adopted, which motion prevailed.

Senator Schrock moved that the proposed amendment to House Bill No. 717 be adopted, which motion prevailed.

Senator Schrock moved that the proposed amendments to House Bill No. 749 be adopted, which motion prevailed.

Senator Hagen moved that the proposed amendments to House Bill No. 861 be adopted, which motion prevailed.

Senator Duffy moved that the substitute amendments to House Bill No. 524, as printed on page 560 of the Senate Journal, be adopted, which motion was declared lost.

Senator Page moved that the original amendments to House Bill No. 524 as submitted by the Committee, be adopted, which motion prevailed.

#### REPORT OF SELECT COMMITTEES

The Conference Committee on House Concurrent Resolution "D" made the following report:

Mr. President: Your Conference Committee to whom was referred House Concurrent Resolution "D", have had the same under consideration and recommend that the House concur with the Senate amendment, and that it be further amended as follows:

After the number "1953" in line 6 of the title, delete the comma and insert a period, and delete the balance of the title.

For the Senate:

SENATOR WELANDER  
SENATOR DAVIS  
SENATOR KRENZ

For the House:

REP. BROOKS  
REP. SCHULER  
REP. SAUGSTAD

Sen. Davis moved that the report be adopted, which motion prevailed and the report was adopted.

**House Concurrent Resolution "D".** A Concurrent Resolution providing for the issuance, sale and delivery of the bonds of the State of North Dakota not to exceed the sum of \$9,000,000.00 to be used in the payment of an adjusted compensation to North Dakota veterans of the Korean Conflict who served in the Armed Forces of the United States or any of its allies between June 25, 1950 and July 27, 1953.

Which has been read.

#### ROLL CALL

The question being on the final passage of the resolution, as amended in Conference Committee, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Bilden     | Johnson, Cass     | Sayer    |
| Bridston   | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Fiedler    | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | O'Brien           | Wolf     |
| Hagen      | Olson             | Yunker   |
| Hernett    |                   |          |

Absent and not voting:

|        |        |     |
|--------|--------|-----|
| Berube | Kieley | Rue |
|--------|--------|-----|

So the resolution was adopted.

#### MESSAGES TO THE SENATE

House Chamber

Bismarck, February 28, 1955

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 512.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, February 28, 1955

Mr. President: I have the honor to return:

Senate Bill No. 14  
 Senate Bill No. 16  
 Senate Bill No. 17  
 Senate Bill No. 22  
 Senate Bill No. 23  
 Senate Bill No. 25  
 Senate Bill No. 27  
 Senate Bill No. 28  
 Senate Bill No. 29  
 Senate Bill No. 40  
 Senate Bill No. 56  
 Senate Bill No. 66  
 Senate Bill No. 75  
 Senate Bill No. 88  
 Senate Bill No. 100  
 Senate Bill No. 133  
 Senate Bill No. 134  
 Senate Bill No. 141

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, February 28, 1955

Mr. President: I have the honor to return:

Senate Bill No. 45  
 Senate Bill No. 50

Senate Bill No. 143

Senate Bill No. 171

Senate Bill No. 209

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, February 28, 1955

Mr. President: I have the honor to return:

Senate Bill No. 11

Senate Bill No. 196

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

#### AMENDMENTS

Senate Bill No. 11

In line 3 strike out the figure "\$1,913,094.00" and insert the figure "\$2,023,094.00" in lieu thereof.

Following line 17 add a new line 17a and title it "New Water Main" and the figure "\$110,000.00".

In line 18 strike out the figure "\$1,913,094.00" and insert the figure "\$2,023,094.00" in lieu thereof.

Senate Bill No. 196

In line 27 after the word "deaf" strike out the period and insert in lieu thereof a comma. Then add the following words: "after paying all costs incurred for the surveying, platting, recording, selling and transferring title to the purchasers out of the proceeds of such sale or sales." Re-number the lines accordingly.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 675.** A Bill for an Act to amend and reenact subsection 67 of section 40-0501 and section 40-3301 of the North Dakota Revised Code of 1943, relating to the acquisition and operation of municipal utilities and authorizing municipalities to construct and operate natural or artificial gas transmission lines, plants, and distribution systems.

Which has been read.

Senator Duffy moved that House Bill No. 675 be amended as follows:

After the word "plants" in line 27 of the printed bill the remainder of the section be stricken.

Vote was taken and the motion was declared lost.

Senator Duffy moved that further consideration of House Bill No. 675 be indefinitely postponed, which motion was declared lost.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 9; absent and not voting, 2.

Those voting in the affirmative were:

|          |            |           |
|----------|------------|-----------|
| Bilden   | Kamrath    | Schmit    |
| Bridston | Klefstad   | Schoeder  |
| Davis    | Knudson    | Schrock   |
| Day      | Krenz      | Solberg   |
| Dewing   | Kusler     | Streibel  |
| Ferry    | Leier      | Thomas    |
| Fiedler  | Livingston | Tuff      |
| Foss     | Meidinger  | Wadeson   |
| Fraser   | Nelson     | Welandier |

|            |         |        |
|------------|---------|--------|
| Gilbertson | O'Brien | Wog    |
| Hagen      | Olson   | Wolf   |
| Hernett    | Page    | Yunker |
| Holand     | Sayer   |        |

Those voting in the negative were:

|            |                   |        |
|------------|-------------------|--------|
| Baeverstad | Freed             | Kieley |
| Dolan      | Johnson, Cass     | Luick  |
| Duffy      | Johnson, Cavalier | Torno  |

Absent and not voting:

|        |     |
|--------|-----|
| Berube | Rue |
|--------|-----|

So the bill passed and the title was agreed to.

Senator Streibel moved that after the second reading of the House Bills and resolutions on the calendar, the Senate recess for ten minutes, which motion prevailed, and the Senate stood recessed.

The Senate reconvened at the call of the Chair.

#### REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 14  
 Senate Bill No. 16  
 Senate Bill No. 17  
 Senate Bill No. 22  
 Senate Bill No. 23  
 Senate Bill No. 25  
 Senate Bill No. 27  
 Senate Bill No. 28  
 Senate Bill No. 29  
 Senate Bill No. 40  
 Senate Bill No. 56  
 Senate Bill No. 66  
 Senate Bill No. 75  
 Senate Bill No. 88  
 Senate Bill No. 100  
 Senate Bill No. 133  
 Senate Bill No. 134  
 Senate Bill No. 141

Were delivered to the Governor for his approval at the hour of 3:55 o'clock p.m., February 28, 1955.

ROSAMOND O'BRIEN, Chairman.

Senator Page moved that the Senate do concur in the House amendments to Senate Bill No. 11, which motion prevailed.

Senator Page moved that the rules be suspended and Senate Bill No. 11 be deemed properly engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 11.** 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.

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, 0; absent and not voting, 10.

Those voting in the affirmative were:

|                        |            |          |
|------------------------|------------|----------|
| Baeverstad             | Klefstad   | Schmit   |
| Berube                 | Knudson    | Schoeder |
| Davis                  | Krenz      | Schrock  |
| Day                    | Kusler     | Solberg  |
| Dewing                 | Leier      | Streibel |
| Dolan                  | Livingston | Thomas   |
| Ferry                  | Luick      | Torno    |
| Fraser                 | Meidinger  | Tuff     |
| Gilbertson             | Nelson     | Wadeson  |
| Hagen                  | O'Brien    | Welander |
| Johnson, Cass          | Olson      | Wog      |
| Johnson, Cavalier      | Page       | Wolf     |
| Kamrath                | Sayer      | Yunker   |
| Absent and not voting: |            |          |
| Bilden                 | Foss       | Holand   |
| Bridston               | Freed      | Kieley   |
| Duffy                  | Hernett    | Rue      |
| Fiedler                |            |          |

So the bill passed and the title was agreed to.

Senator Hagen moved that the Senate do concur in the House amendments to Senate Bill No. 196, which motion prevailed.

Senator Hagen moved that the rules be suspended and that Senate Bill No. 196 be deemed properly engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

Senate Bill No. 196. A Bill for an Act authorizing the board of administration to sell certain lands belonging to the school for the deaf.

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, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

|                        |                   |          |
|------------------------|-------------------|----------|
| Baeverstad             | Johnson, Cass     | Sayer    |
| Berube                 | Johnson, Cavalier | Schmit   |
| Bridston               | Kamrath           | Schoeder |
| Day                    | Kieley            | Schrock  |
| Dewing                 | Klefstad          | Solberg  |
| Dolan                  | Krenz             | Streibel |
| Duffy                  | Kusler            | Thomas   |
| Ferry                  | Livingston        | Torno    |
| Fiedler                | Luick             | Tuff     |
| Foss                   | Meidinger         | Wadeson  |
| Fraser                 | Nelson            | Welander |
| Gilbertson             | O'Brien           | Wog      |
| Hagen                  | Olson             | Wolf     |
| Holand                 | Page              | Yunker   |
| Absent and not voting: |                   |          |
| Bilden                 | Hernett           | Leier    |
| Davis                  | Knudson           | Rue      |
| Freed                  |                   |          |

So the bill passed and the title was agreed to.

## SECOND READING OF HOUSE BILLS

House Bill No. 570. A Bill for an Act providing for a lien in favor of persons performing labor or furnishing material or services in relation to the drilling or operating of oil or gas wells or in the construction of pipelines or in constructing or repairing of any material used or employed therein, and providing for the filing, perfection and enforcement of said lien.

Which has been read.

## 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, 29; nays, 18; absent and not voting, 2.

Those voting in the affirmative were:

|          |            |          |
|----------|------------|----------|
| Bridston | Holand     | Schoeder |
| Davis    | Kamrath    | Schrock  |
| Dolan    | Kieley     | Solberg  |
| Duffy    | Knudson    | Streibel |
| Ferry    | Krenz      | Thomas   |
| Fiedler  | Leier      | Tuff     |
| Foss     | Livingston | Wadeson  |
| Fraser   | Luick      | Wog      |
| Freed    | Meidinger  | Wolf     |
| Hagen    | Sayer      |          |

Those voting in the negative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Olson    |
| Berube     | Johnson, Cavalier | Page     |
| Bilden     | Klefstad          | Schmit   |
| Dewing     | Kusler            | Torno    |
| Gilbertson | Nelson            | Welander |
| Hernett    | O'Brien           | Yunker   |

Absent and not voting:

|     |     |
|-----|-----|
| Day | Rue |
|-----|-----|

So the bill passed and the title was agreed to.

House Bill No. 586. A Bill for an Act to amend and reenact section 57-1516 and subsection 1 of section 57-1517 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to tax levies for building funds in school districts and the use thereof.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Olson    |
| Berube     | Holand            | Page     |
| Bilden     | Johnson, Cass     | Sayer    |
| Bridston   | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schoeder |
| Day        | Kieley            | Schrock  |
| Dewing     | Klefstad          | Solberg  |
| Dolan      | Knudson           | Streibel |
| Duffy      | Krenz             | Thomas   |
| Ferry      | Kusler            | Torno    |
| Fiedler    | Leier             | Tuff     |



|            |            |           |
|------------|------------|-----------|
| Foss       | Livingston | Wadeson   |
| Fraser     | Luick      | Welanders |
| Freed      | Meidinger  | Wog       |
| Gilbertson | Nelson     | Wolf      |
| Hagen      | O'Brien    | Yunker    |

Absent and not voting:

Rue

So the bill passed and the title was agreed to.

**House Bill No. 587.** A Bill for an Act to amend and reenact section 15-4701 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to school ages.

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, 1; absent and not voting, 1.

Those voting in the affirmative were:

|            |               |           |
|------------|---------------|-----------|
| Baeverstad | Hernett       | Page      |
| Berube     | Holand        | Sayer     |
| Bilden     | Johnson, Cass | Schmit    |
| Bridston   | Kamrath       | Schoeder  |
| Davis      | Kieley        | Schrock   |
| Day        | Klefstad      | Solberg   |
| Dewing     | Knudson       | Streibel  |
| Dolan      | Krenz         | Thomas    |
| Duffy      | Kusler        | Torno     |
| Ferry      | Leier         | Tuff      |
| Fiedler    | Livingston    | Wadeson   |
| Foss       | Luick         | Welanders |
| Fraser     | Meidinger     | Wog       |
| Freed      | Nelson        | Wolf      |
| Gilbertson | O'Brien       | Yunker    |
| Hagen      | Olson         |           |

Those voting in the negative were:

Johnson, Cavalier

Absent and not voting:

Rue

So the bill passed and the title was agreed to.

**House Bill No. 588.** A Bill for an Act to amend and reenact Section 15-4727 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to renewal of teachers' contracts.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Olson    |
| Berube     | Holand            | Page     |
| Bilden     | Johnson, Cass     | Sayer    |
| Bridston   | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schoeder |
| Day        | Kieley            | Schrock  |
| Dewing     | Klefstad          | Solberg  |

|            |            |          |
|------------|------------|----------|
| Dolan      | Knudson    | Streibel |
| Duffy      | Krenz      | Thomas   |
| Ferry      | Kusler     | Torno    |
| Fiedler    | Leier      | Tuff     |
| Foss       | Livingston | Wadeson  |
| Fraser     | Luick      | Welander |
| Freed      | Meidinger  | Wog      |
| Gilbertson | Nelson     | Wolf     |
| Hagen      | O'Brien    | Yunker   |

Absent and not voting:

Rue

So the bill passed and the title was agreed to.

**House Bill No. 589.** A Bill for an Act to amend and reenact Section 15-3412 of the North Dakota Revised Code of 1943, relating to vehicular school transportation.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Page     |
| Berube     | Holand            | Sayer    |
| Bilden     | Johnson, Cass     | Schmit   |
| Bridston   | Johnson, Cavalier | Schoeder |
| Davis      | Kamrath           | Schrock  |
| Day        | Klefstad          | Solberg  |
| Dewing     | Knudson           | Streibel |
| Dolan      | Krenz             | Thomas   |
| Duffy      | Kusler            | Torno    |
| Ferry      | Leier             | Tuff     |
| Fiedler    | Livingston        | Wadeson  |
| Foss       | Luick             | Welander |
| Fraser     | Meidinger         | Wog      |
| Freed      | Nelson            | Wolf     |
| Gilbertson | O'Brien           | Yunker   |
| Hagen      | Olson             |          |

Absent and not voting:

Kieley

Rue

So the bill passed and the title was agreed to.

Senator Wog moved that House Bill No. 593 be laid over until Wednesday, which motion was declared lost.

Senator Dewing moved that further consideration of House Bill No. 593 be indefinitely postponed, which motion prevailed.

**House Bill No. 600.** A Bill for an Act relating to contracts for fire protection in unorganized townships or in school districts comprising unorganized townships and authorizing a tax for the payment thereof.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hagen             | Nelson   |
| Berube     | Hernett           | O'Brien  |
| Bilden     | Holand            | Page     |
| Bridston   | Johnson, Cass     | Sayer    |
| Davis      | Johnson, Cavalier | Schmit   |
| Day        | Kamrath           | Schoeder |
| Dewing     | Kieley            | Schrock  |
| Dolan      | Klefstad          | Solberg  |
| Duffy      | Knudson           | Streibel |
| Ferry      | Krenz             | Torno    |
| Fiedler    | Kusler            | Tuff     |
| Foss       | Leier             | Wadeson  |
| Fraser     | Livingston        | Welander |
| Freed      | Luick             | Wolf     |
| Gilbertson | Meidinger         | Yunker   |

Those voting in the negative were:

Olson                      Wog

Absent and not voting:

Rue                        Thomas

So the bill passed and the title was agreed to.

Senator Kusler moved that the vote by which House Bill No. 593 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table, which motion was declared lost.

**House Bill No. 601.** A Bill for an Act to create and enact subsection 6 of section 39-0704 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to powers of local authorities in traffic regulation.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Olson    |
| Berube     | Holand            | Page     |
| Bilden     | Johnson, Cass     | Sayer    |
| Bridston   | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schoeder |
| Day        | Kieley            | Schrock  |
| Dewing     | Klefstad          | Solberg  |
| Dolan      | Knudson           | Streibel |
| Duffy      | Krenz             | Thomas   |
| Ferry      | Kusler            | Torno    |
| Fiedler    | Leier             | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | O'Brien           | Yunker   |

Absent and not voting:

Rue

So the bill passed and the title was agreed to.

House Bill No. 605. A Bill for an Act to validate certain estate tax determinations made by the state tax commissioner.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 12; nays, 35; absent and not voting, 2.

Those voting in the affirmative were:

|          |         |        |
|----------|---------|--------|
| Bridston | Duffy   | Page   |
| Davis    | Foss    | Schmit |
| Dewing   | Knudson | Tuff   |
| Dolan    | Krenz   | Wog    |

Those voting in the negative were:

|               |                   |          |
|---------------|-------------------|----------|
| Baeverstad    | Johnson, Cavalier | Sayer    |
| Berube        | Kamrath           | Schoeder |
| Bilden        | Kieley            | Schrock  |
| Day           | Klefstad          | Solberg  |
| Ferry         | Kusler            | Streibel |
| Fiedler       | Leier             | Thomas   |
| Freed         | Livingston        | Torno    |
| Gilbertson    | Luick             | Wadeson  |
| Hagen         | Meidinger         | Welander |
| Hernett       | Nelson            | Wolf     |
| Holand        | O'Brien           | Yunker   |
| Johnson, Cass | Olson             |          |

Absent and not voting:

|        |     |
|--------|-----|
| Fraser | Rue |
|--------|-----|

So the bill was declared lost.

Senator Bridston: I rise to a point of personal privilege. I only want to make a record of the fact that on this fifty-sixth day we finally received our 1955 Legislative Rule Book.

Senator Streibel moved that the Senate recess until 1:00 p.m., March 1, 1955, which motion prevailed, and the Senate stood recessed.

EDWARD LENO, Secretary.

FIFTY-SIXTH DAY AFTER RECESS  
AND FIFTY-SEVENTH DAY

Bismarck, March 1, 1955

The Senate reconvened at 1:00 p.m., the President presiding.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 1, 1955

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 11 by a vote of 39-0-10 and Senate Bill No. 196 by a vote of 42-0-7.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, March 1, 1955

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Concurrent Resolution "D" by a vote of 46-0-3.

EDWARD LENO, Secretary.

Senator Fraser moved that the Senate do concur in the House amendment to Senate Bill No. 203, which motion prevailed.

Senator Fraser moved that the rules be suspended and that Senate Bill No. 203 be deemed properly re-engrossed and placed on second reading and final action as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

**Senate Bill No. 203.** A Bill for an Act providing for the regulation of information required on sales agreements or contracts made between a buyer and seller of agricultural seeds, when full or partial payment is made to the seller before the seed is delivered to the buyer, providing a penalty and declaring an emergency.

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, 0; absent and not voting, 10.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Olson    |
| Bridston   | Johnson, Cavalier | Page     |
| Davis      | Kamrath           | Sayer    |
| Dewing     | Kieley            | Schoeder |
| Dolan      | Klefstad          | Schrock  |
| Duffy      | Knudson           | Streibel |
| Fiedler    | Krenz             | Thomas   |
| Foss       | Kusler            | Torno    |
| Fraser     | Leier             | Tuff     |
| Freed      | Luick             | Wadeson  |
| Hagen      | Meidinger         | Welander |
| Hernett    | Nelson            | Wolf     |
| Holand     | O'Brien           | Yunker   |

Absent and not voting:

|        |            |         |
|--------|------------|---------|
| Berube | Gilbertson | Schmit  |
| Bilden | Livingston | Solberg |
| Day    | Rue        | Wog     |
| Ferry  |            |         |

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

#### FIRST READING OF SENATE RESOLUTION

Senators Holand and Leier introduced:

**Senate Concurrent Resolution "A-1".** A Concurrent Resolution authorizing and directing the legislative research committee to conduct a comparative study of the old age assistance and aid to dependent children programs in the state of North Dakota.

Was read the first time.

Senator Holand moved that the rules be suspended and Senate Concurrent Resolution "A-1" be placed on second reading and final action.

Senator Day made a substitute motion that action on Senate Concurrent Resolution "A-1" be deferred until Tuesday, which motion prevailed.

Senator Holand moved that Senate Concurrent Resolution "A-1" be printed in the Journal, which motion prevailed.

#### SENATE CONCURRENT RESOLUTION "A-1"

Introduced by Senators Holand and Leier

A Concurrent Resolution authorizing and directing the legislative research committee to conduct a comparative study of the old age assistance and aid to dependent children programs in the state of North Dakota.

- 1 WHEREAS, no detailed study and analysis of the old
- 1a age
- 2 assistance and aid to dependent children programs in
- 2a North
- 3 Dakota has been made in recent years; and
- 4 WHEREAS, it appears desirable that these programs
- 4a be
- 5 re-evaluated in the light of existing conditions;
- 6 NOW, THEREFORE, BE IT RESOLVED BY THE
- 7 SENATE OF THE STATE OF NORTH DAKOTA,
- 7a THE
- 8 HOUSE OF REPRESENTATIVES CONCURRING
- 8a THEREIN:

9 That the legislative research committee is hereby  
 10 authorized and directed to supervise and conduct a  
 10a detailed  
 11 comparative study and analysis of old age assistance in  
 12 the state of North Dakota, including but not limited to  
 13 an analysis of per capita cost, average payments, basis  
 14 of payments, cost to state and county of any increased  
 15 benefits, equitable reapportionment of costs between  
 16 county and state; and a parallel study of the aid to  
 17 dependent children program; such studies shall include a  
 18 survey of county and state welfare boards to determine  
 19 their views as to existing deficiencies, if any, in either  
 20 program; and the legislative research committee shall  
 20a make  
 21 its report and recommendations to the Thirty-fifth  
 21a Legisla-  
 22 tive Assembly in such form as it may deem expedient.  
 23 BE IT FURTHER RESOLVED, That the state public  
 24 welfare department shall provide such assistance and  
 24a make  
 25 available such data as the legislative research committee  
 26 may deem necessary in making these studies.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 11

Senate Bill No. 196

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 9

Senate Bill No. 10

Senate Bill No. 33

Senate Bill No. 36

Senate Bill No. 38

Senate Bill No. 43

Senate Bill No. 52

Senate Bill No. 62

Senate Bill No. 70

Senate Bill No. 103

Senate Bill No. 130

Senate Bill No. 142

Senate Bill No. 149

Senate Bill No. 150

Senate Bill No. 204

Senate Bill No. 235

Senate Bill No. 237

Senate Concurrent Resolution "J"

And find the same correctly enrolled.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Freed moved that the Senate reconsider its action by which House Bill No. 695 was indefinitely postponed, which motion was declared lost.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 502, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 520; have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 527, have had the same under consideration and recommend that the same be amended as follows:

In line 4 strike out the figure \$539,000.00 and insert the figure \$537,000.00 in lieu thereof.

In line 9 strike out the figure \$12,000.00 and insert the figure \$10,000.00 in lieu thereof.

In line 22 strike out the figure \$539,000.00 and insert the figure \$537,000.00 in lieu thereof.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 530, have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill in the first two lines strike out the following words: "Highway Patrol Fund in the".

In line 2 after the word "of" strike out the words "the highway patrol fund" and insert the words "any moneys" in lieu thereof.

In line 3 strike out the figure \$938,723.60 and insert the figure \$815,250.00 in lieu thereof.

In line 9 strike out the figure \$12,000.00 and insert the figure \$11,000.00 in lieu thereof.

In line 10 strike out the figure \$10,800.00 and insert the figure \$10,000.00 in lieu thereof.

In line 11 strike out the figure \$458,010.00.

In line 11 after the word "Patrolmen" insert the following words and figure:

“, not to exceed 46 patrolmen the first  
year of the biennium and not to exceed  
49 patrolmen the second year of the  
biennium \$400,000.00

In line 12 strike out the figure \$31,020.00 and insert the figure \$25,000.00 in lieu thereof.



In line 16 strike out the figure \$90,000.00 and insert the figure \$86,000.00 in lieu thereof.

In line 17 strike out the figure \$26,617.60 and insert the figure \$20,000.00 in lieu thereof.

In line 18 strike out the figure \$4,026.00 and insert the figure \$3,000.00 in lieu thereof.

In line 20 strike out the figure \$266,000.00 and insert the figure \$220,000.00 in lieu thereof.

In line 25 strike out the figure \$938,723.60 and insert the figure \$815,250.00 in lieu thereof.

Renumber the lines accordingly.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 531, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 532, have had the same under consideration and recommend that the same be amended as follows:

In line 3 strike out the figure \$813,716.00 and insert the figure \$810,716.00 in lieu thereof.

In line 12 strike out the figure \$13,000.00 and insert the figure \$10,000.00 in lieu thereof.

In line 39 strike out the figure \$813,716.00 and insert the figure \$810,716.00 in lieu thereof.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation, to whom was referred House Bill No. 534, have had the same under consideration and recommend that the same be amended as follows:

In line 35 of the bill delete the brackets around the word "auditor" and strike the words "tax commissioner".

And when so amended recommend the same do pass.

RALPH DEWING, Chairman.

Senator Dewing 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. 537, have had the same under consideration and recommend that the same do pass.

RALPH DEWING, Chairman.

Senator Dewing 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. 538, have had the

same under consideration and recommend that the same do pass.

RALPH DEWING, Chairman.

Senator Dewing 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. 556, have had the same under consideration and recommend that the same do pass.

RALPH DEWING, Chairman.

Senator Dewing 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. 558, have had the same under consideration and recommend that the same do pass.

DUNCAN FRASER, Chairman.

Senator Fraser 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. 577, have had the same under consideration and recommend that the same do pass.

STEVE THOMAS, Chairman.

Senator Thomas 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. 581, have had the same under consideration and recommend that the same do pass.

STEVE THOMAS, Chairman.

Senator Thomas 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. 602, have had the same under consideration and recommend that the same do pass.

STEVE THOMAS, Chairman.

Senator Thomas 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. 611, have had the same under consideration and recommend that the same do pass.

CLARENCE WELANDER, Chairman.

Senator Welander 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. 673, have had the same under consideration and recommend that the same do pass.

DUNCAN FRASER, Chairman.

Senator Fraser 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. 688, have had the same under consideration and recommend that the same do pass.

LAVERN SCHOEDER, Chairman.

Senator Schoeder 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. 704, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 711, have had the same under consideration and recommend that the same be amended as follows:

In the title of the bill delete the words "township supervisors" and insert in lieu thereof "the board of township supervisors."

Delete all of line 4 of the printed bill and insert in lieu thereof the following words: "board of township supervisors."

And when so amended recommend the same do pass.

STEVE THOMAS, Chairman.

Senator Thomas 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. 755, have had the same under consideration and recommend that the same do pass.

CLARENCE WELANDER, Chairman.

Senator Welander 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. 756, have had the same under consideration and recommend that the same do pass.

CLARENCE WELANDER, Chairman.

Senator Welander 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. 777, have had the same under consideration and recommend that the same do pass.

STEVE THOMAS, Chairman.

Senator Thomas 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. 779, have had the same under consideration and recommend that the same do pass.

STEVE THOMAS, Chairman.

Senator Thomas 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. 786, have had the same under consideration and recommend that the same be amended as follows:

In line 11 strike out the figure "\$450,000.00" and insert the figure "\$600,000.00" in lieu thereof.

In line 14 strike out the word "Men's".

After line 14 insert the following line:

"b. Permanent Housing..... \$300,000.00"

Renumber the lines accordingly.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 809, have had the same under consideration and recommend that the same be indefinitely postponed.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 832, have had the same under consideration and recommend that the same be indefinitely postponed.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on General Affairs to whom was referred House Bill No. 841, have had the same under consideration and recommend that the same do pass.

LAVERN SCHOEDER, Chairman.

Senator Schoeder 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. 851, have had the same under consideration and recommend that the same do pass.

STEVE THOMAS, Chairman.

Senator Thomas 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. 852, have had the same under consideration and recommend that the same do pass.

STEVE THOMAS, Chairman.

Senator Thomas 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. 855, have had the same under consideration and recommend that the same do pass.

DUNCAN FRASER, Chairman.

Senator Fraser 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. 863, have had the same under consideration and recommend that the same be indefinitely postponed.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted.

Senator Freed made a substitute motion that House Bill No. 863 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Concurrent Resolution "G", have had the same under consideration and recommend that the same do pass.

STEVE THOMAS, Chairman.

Senator Thomas 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 Concurrent Resolution "U", have had the same under consideration and recommend that the same do pass.

CLARENCE WELANDER, Chairman.

Senator Welander 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 Concurrent Resolution "G-1", have had the same under consideration and recommend that the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Concurrent Resolution "I-1", have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Agriculture to whom was referred House Concurrent Resolution "N-1", have had the same under consideration and recommend that the same do pass.

DUNCAN FRASER, Chairman.

Senator Fraser 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 "X", have had the same under consideration and recommend that the same do pass.

LAVERN SCHOEDER, Chairman.

Senator Schoeder 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 Concurrent Resolution "P-1", have had the same under consideration and recommend that the same do pass.

NICK SCHMIT, Chairman.

Senator Schmit moved that the report be adopted, which motion prevailed and the report was adopted.

#### MOTIONS

Senator Livingston moved that the Senate recognize the students from the Sawyer High School, their superintendent Mr. Tollerud, teacher Mr. Johnson, and bus drivers, which motion prevailed.

Senator Leier moved that the Senate recognize the students from the Benson County Agricultural School of Mad-dock, North Dakota, the superintendent Thomas Tate, the principal, Mr. Roan, which motion prevailed.

Senator Fiedler moved that the Senate recognize the students from the Garrison High School, and Al Keck, in-structor, which motion prevailed.

Senator Kusler moved that Senator Fiedler be allowed mileage for 210 miles.

### ROLL CALL

The question being on the motion of Senator Kusler, roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

|                        |                   |          |
|------------------------|-------------------|----------|
| Baeverstad             | Johnson, Cavalier | Sayer    |
| Bilden                 | Kamrath           | Schmit   |
| Davis                  | Kieley            | Schoeder |
| Day                    | Klefstad          | Schrock  |
| Dewing                 | Knudson           | Solberg  |
| Dolan                  | Krenz             | Streibel |
| Duffy                  | Kusler            | Thomas   |
| Ferry                  | Leier             | Torno    |
| Foss                   | Livingston        | Tuff     |
| Fraser                 | Luick             | Wadeson  |
| Freed                  | Meidinger         | Welander |
| Gilbertson             | Nelson            | Wog      |
| Hagen                  | O'Brien           | Wolf     |
| Hernett                | Olson             | Yunker   |
| Johnson, Cass          | Page              |          |
| Absent and not voting: |                   |          |
| Berube                 | Fiedler           | Rue      |
| Bridston               | Holand            |          |

So the motion prevailed.

Senator Streibel moved that the absent Senators be ex-cused, which motion prevailed.

Senator Streibel moved that after the bills and resolutions on the calendar have been read a second time, the Senate adjourn, which motion prevailed, and the Senate stood ad-journed.

EDWARD LENO, Secretary.

### FIFTY-SEVENTH DAY

Bismarck, March 1, 1955

The Senate convened at 2:00 p.m., the President presid-ing.

Prayer by Chaplain Rev. J. E. Grygo, Bismarck Baptist Church, Bismarck, No. Dak.

Roll Call: All members present except Senators Berube and Rue.

So a quorum was declared.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correc-tion of the Journal have carefully examined the Journal of

the fifty-fourth day after recess and fifty-sixth day and recommends that the same be corrected as follows:

Page 607, line 25 insert the following: "Second Reading of House Bills".

And when so corrected recommend that the same be approved.

JOHN LEIER, Chairman.

Senator Leier moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Livingston moved that the President appoint a committee of two to escort Dr. C. C. Swain to the rostrum, which motion prevailed. The President appointed Senators Livingston and Welander to so act.

Senator Meidinger moved that the remarks of Dr. Swain be printed in the Journal, which motion prevailed.

Dr. Swain:

Ladies and Gentlemen of this North Dakota Senate and friends:

Knowing how busy you are, I am exceedingly complimented by your permission to say just a word. Now that I no longer have an institution to sponsor for appropriations, I can tell you the truth, and the truth is that you are a conscientious group of lawmakers. I am sure that you have taken to heart the words of that great democrat, Grover Cleveland who said a public office is a public trust.

As you know since I have retired from the Presidency at Minot, I have taken up the building of a home for the aged. Looking over this assembly, with apologies to the women, I have come to the conclusion that I am not providing enough rooms. Our new building is going to be a long affair. I am going to have two special rooms, one in either end just as far apart as possible for the two distinguished senators from my home county of Grand Forks. Seeing so many I have known over the years, I am reminded of a situation that occurred in a mining town in Montana. The local congregation lost the church by fire. There was no other building available for services except a large saloon. The saloon-keeper said he would clean up the place as well as he could and have it ready for Sunday morning service. However, he left a parrot in the saloon. As the Minister marched in that morning, the parrot said, "Aha, a new MC this morning." As the choir marched in, the parrot said, "Aha, a new set of chorus girls." As the congregation filed in, the parrot said, "Aha, same old customers."

In conclusion, may I say that my 31 years in North Dakota has convinced me that this is a great state, a state with a record of great achievement in the past and possibilities for greater achievements in the future. How well one may say, "No one is ever lost by having faith in North Dakota." I wish you Senators well and trust you will return to your reward in the eyes of a grateful people, especially these young folks who today are looking down on you from the galleries.

#### MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 1, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 593

House Bill No. 605  
 House Bill No. 618  
 House Bill No. 672  
 House Bill No. 695  
 House Concurrent Resolution "M"

Which the Senate has indefinitely postponed.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, March 1, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 548  
 House Bill No. 570  
 House Bill No. 663

Which the Senate has amended.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, March 1, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 586  
 House Bill No. 587  
 House Bill No. 588  
 House Bill No. 589  
 House Bill No. 600  
 House Bill No. 601  
 House Bill No. 675

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

### COMMUNICATIONS

A communication was read from Mrs. Clyde Kieley thanking the Senate members for the bouquet of flowers.

A communication was read requesting that the transcript of the Pearce hearing be made public, and signed by twenty-five names.

Senator Gilbertson moved that the communication be printed in the Journal, which motion prevailed.

Be it resolved that the following undersigned request that the transcript of the Pearce hearing be made public, insofar as that if it constitutes sufficient ground of dismissal of four professors, the evidence should be known by the taxpayers of North Dakota:

- |    |                             |                     |
|----|-----------------------------|---------------------|
| 1  | Alex Lelach .....           | Kathryn, N. Dak.    |
| 2  | Ralph M. Wings .....        | Litchville, N. Dak. |
| 3  | John H. Tooley .....        | Kathryn, N. Dak.    |
| 4  | Otto Elen .....             | Litchville, N. Dak. |
| 5  | Claus Tomren .....          | Kathryn, N. Dak.    |
| 6  | Clayton Elm .....           | Litchville, N. Dak. |
| 7  | Mrs. A. Flach .....         | Kathryn, N. Dak.    |
| 8  | L. P. Zubrod .....          | Kathryn, N. Dak.    |
| 9  | Mrs. John Tooley .....      | Kathryn, N. Dak.    |
| 10 | Mrs. Claus Tomren .....     | Kathryn, N. Dak.    |
| 11 | Mrs. Otto Elm .....         | Litchville, N. Dak. |
| 12 | Mrs. Torger Syvertson ..... | Kathryn, N. Dak.    |
| 13 | Mrs. Claudine Olson .....   | Kathryn, N. Dak.    |
| 14 | Mrs. Frank Sorenson .....   | Kathryn, N. Dak.    |



|    |                          |                      |
|----|--------------------------|----------------------|
| 15 | Louis Prime .....        | Kathryn, N. Dak.     |
| 16 | Edna E. Johnson .....    | Litchville, N. Dak.  |
| 17 | A. N. Winge .....        | Litchville, N. Dak.  |
| 18 | Mrs. A. N. Winge .....   | Litchville, N. Dak.  |
| 19 | Alton L. Olson .....     | Kathryn, N. Dak.     |
| 20 | Frank H. Lorensen .....  | Kathryn, N. Dak.     |
| 21 | Donald S. Reiter .....   | Hasting, N. Dak.     |
| 22 | Roy Sorenson .....       | Kathryn, N. Dak.     |
| 23 | Mrs. Vernon Zubrod ..... | Kathryn, N. Dak.     |
| 24 | Vernon Zubrod .....      | Kathryn, N. Dak.     |
| 25 | Elmer Bjorlie .....      | Valley City, N. Dak. |

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Industry and Business, to whom was referred House Bill No. 647, have had the same under consideration and recommend that the same be placed on the calendar without recommendation.

**JOHN KUSLER, Chairman.**

Seantor Kusler 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. 818, have had the same under consideration and recommend that the same be amended as follows:

In line 25 delete the comma after the word "Act" and insert the comma after the word "as".

In line 195 delete the word "show" and insert in lieu thereof the word "shown".

In line 327 delete the word "cause" and insert in lieu thereof the word "cease".

Strike out all of Section 9.

Renumber the lines accordingly.

And when so amended recommend the same do pass.

**JOHN KUSLER, Chairman.**

Senator Kusler moved that the report be adopted, which motion prevailed and the report was adopted.

#### CONSIDERATION OF AMENDMENTS

Senator Day moved that the proposed amendments to House Concurrent Resolution "Q-1" be adopted, which motion prevailed.

Senator Thomas moved that the proposed amendments to House Bill No. 693 be further amended as follows:

In line 36 after the word "mayor" delete the period and insert a comma.

In line 59 after the word "fill" delete the comma and insert a period.

Which motion prevailed.

Senator Thomas moved that the proposed amendments to House Bill No. 693 be adopted, which motion prevailed.

Senator Hagen moved that the proposed amendments to House Bill No. 632 be adopted, which motion prevailed.

Senator Wog moved that the proposed amendments to House Bill No. 598 be adopted, which motion prevailed.

MESSAGES TO THE SENATE

House Chamber  
Bismarck, March 1, 1955

Mr. President: I have the honor to return:

Senate Bill No. 5  
Senate Bill No. 26  
Senate Bill No. 51  
Senate Bill No. 61  
Senate Bill No. 86  
Senate Bill No. 87  
Senate Bill No. 96  
Senate Bill No. 101  
Senate Bill No. 106  
Senate Bill No. 107  
Senate Bill No. 112  
Senate Bill No. 113  
Senate Bill No. 114  
Senate Bill No. 115  
Senate Bill No. 135  
Senate Bill No. 136  
Senate Bill No. 146  
Senate Bill No. 161  
Senate Bill No. 162  
Senate Bill No. 163

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 1, 1955

Mr. President: I have the honor to return:

Senate Bill No. 168  
Senate Bill No. 179  
Senate Bill No. 184  
Senate Bill No. 195  
Senate Bill No. 217  
Senate Concurrent Resolution "O"  
Senate Concurrent Resolution "F"

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 1, 1955

Mr. President: I have the honor to transmit:

House Bill No. 543  
House Bill No. 545  
House Bill No. 562  
House Bill No. 634  
House Bill No. 665  
House Bill No. 676  
House Bill No. 691  
House Bill No. 697  
House Bill No. 788  
House Bill No. 822

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 1, 1955

Mr. President: I have the honor to return:

Senate Bill No. 67  
Senate Bill No. 129  
Senate Bill No. 153  
Senate Bill No. 156  
Senate Bill No. 157  
Senate Bill No. 180  
Senate Bill No. 197  
Senate Bill No. 205  
Senate Bill No. 210  
Senate Bill No. 247  
Senate Bill No. 248

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 1, 1955

Mr. President: I have the honor to return:

Senate Bill No. 46  
Senate Bill No. 57  
Senate Bill No. 116  
Senate Bill No. 138  
Senate Bill No. 152

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

#### HOUSE AMENDMENTS

Senate Bill No. 46

In line 6, after the word "program", insert the following language: "by using Department funds".

In line 10, after the word "for", insert the following language: "reimbursement of other department funds expended and for".

Renumber the lines accordingly.

Senate Bill No. 57

In line 13 after the word "government" insert the words "except school districts" and renumber the lines.

Senate Bill No. 116

In line 8 delete the following: "The defense of governmental immunity", and insert in lieu thereof: "This Act shall not deprive any political subdivision of the state of its right to claim governmental immunity but such immunity", and then continue as the Bill now reads.

Renumber the lines accordingly.

Senate Bill No. 138

In line 9, after the word "municipal" insert the words "or county".

In line 11 strike out the comma after the word "state", and insert in lieu thereof a period, and strike out the balance of the sentence, and renumber the lines accordingly.

Senate Bill No. 152

After the word "paid" in line 7, strike out the balance of line 7, all of line 8, and all of line 9, and substitute in lieu there-

of, the following words: "All sales and use taxes payable as a result of the performance of the contract for which the bond is given, as well as the payment of gasoline and special motor fuels taxes used in the performance of the contract for which the bond is given, and all motor vehicle fees required for commercial motor vehicles used in connection with the performance of such a contract."

After the word "paid" in line 14, strike out the balance of the line and strike out all of lines 15 and 16, and in lieu thereof, substitute the following language: "The taxes and fees mentioned and described in Section 1 of this Act."

Renumber the lines accordingly.

House Chamber  
Bismarck, March 1, 1955

Mr. President: I have the honor to return:

Senate Bill No. 63  
Senate Bill No. 64  
Senate Bill No. 94  
Senate Bill No. 95  
Senate Bill No. 109  
Senate Bill No. 118  
Senate Bill No. 140  
Senate Bill No. 147  
Senate Bill No. 174  
Senate Bill No. 189  
Senate Bill No. 222

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 1, 1955

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Concurrent Resolution "D" and further amended by the conference committee.

KENNETH L. MORGAN, Chief Clerk.

## SECOND READING OF HOUSE BILLS

**House Bill No. 524.** 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 providing assistance to the needy aged and general assistance for relief to destitute and necessitous persons, aid to permanently and totally disabled, and for the necessary costs of administration of all of the programs above mentioned.

Which has been read.

## 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, 45; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

|            |                   |        |
|------------|-------------------|--------|
| Baeverstad | Hernett           | Page   |
| Bilden     | Holand            | Sayer  |
| Bridston   | Johnson, Cavalier | Schmit |

|            |            |          |
|------------|------------|----------|
| Davis      | Kamrath    | Schoeder |
| Day        | Kieley     | Schrock  |
| Dewing     | Knudson    | Solberg  |
| Dolan      | Krenz      | Streibel |
| Duffy      | Kusler     | Thomas   |
| Ferry      | Leier      | Torno    |
| Fiedler    | Livingston | Tuff     |
| Foss       | Luick      | Wadesor  |
| Fraser     | Meidinger  | Welander |
| Freed      | Nelson     | Wog      |
| Gilbertson | O'Brien    | Wolf     |
| Hagen      | Olson      | Yunker   |

Those voting in the negative were:

Johnson, Cass

Absent and not voting:

|        |          |     |
|--------|----------|-----|
| Berube | Klefstad | Rue |
|--------|----------|-----|

So the bill passed and the title was agreed to.

Senator Page moved that the vote by which House Bill No. 524 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Johnson (Cass):

I voted "No" on House Bill 524. If the appropriation is passed it will deplete the entire reserve in the welfare fund within six years. This reserve was created by  $\frac{1}{2}$ th's of the sales tax. After this fund has been depleted there will be no money to pay the increased payments as called for in this appropriation.

House Bill No. 613. A Bill for an Act relating to the payment of publication costs in school district reorganization proceedings.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hagen             | Sayer    |
| Bilden     | Hernett           | Schmit   |
| Bridston   | Holand            | Schoeder |
| Davis      | Johnson, Cass     | Schrock  |
| Day        | Johnson, Cavalier | Solberg  |
| Dewing     | Knudson           | Streibel |
| Dolan      | Krenz             | Thomas   |
| Duffy      | Leier             | Torno    |
| Ferry      | Livingston        | Tuff     |
| Fiedler    | Luick             | Wadeson  |
| Foss       | Meidinger         | Welander |
| Fraser     | Nelson            | Wog      |
| Freed      | O'Brien           | Wolf     |
| Gilbertson | Page              | Yunker   |

Absent and not voting:

|         |          |       |
|---------|----------|-------|
| Berube  | Klefstad | Olson |
| Kamrath | Kusler   | Rue   |
| Kieley  |          |       |

So the bill passed and the title was agreed to.

**House Bill No. 623.** A Bill for an Act to amend and reenact section 15-3409 of the North Dakota Revised Code of 1943, relating to transportation or maintenance of pupils on discontinuance of a high school, and authorizing a levy for such purposes.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Page     |
| Bilden     | Holand            | Sayer    |
| Bridston   | Johnson, Cass     | Schmit   |
| Davis      | Johnson, Cavalier | Schoeder |
| Day        | Kamrath           | Schrock  |
| Dewing     | Kieley            | Solberg  |
| Dolan      | Knudson           | Streibel |
| Duffy      | Krenz             | Thomas   |
| Ferry      | Leier             | Torno    |
| Fiedler    | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | O'Brien           | Wolf     |
| Hagen      | Olson             | Yunker   |

Absent and not voting:

|          |        |     |
|----------|--------|-----|
| Berube   | Kusler | Rue |
| Klefstad |        |     |

So the bill passed and the title was agreed to.

**House Bill No. 631.** A Bill for an Act to amend and reenact Section 57-2226 of the North Dakota Revised Code of 1943, relating to deduction of personal property taxes from salaries and claims against public funds.

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, 5; absent and not voting, 4.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Bridston   | Johnson, Cass     | Sayer    |
| Davis      | Johnson, Cavalier | Schoeder |
| Day        | Kamrath           | Schrock  |
| Dewing     | Kieley            | Streibel |
| Dolan      | Knudson           | Thomas   |
| Duffy      | Krenz             | Torno    |
| Ferry      | Livingston        | Tuff     |
| Fiedler    | Luick             | Wadeson  |
| Foss       | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | O'Brien           | Wolf     |
| Hagen      | Olson             | Yunker   |
| Hernett    |                   |          |

Those voting in the negative were:

|        |        |         |
|--------|--------|---------|
| Bilden | Leier  | Solberg |
| Fraser | Schmit |         |

Absent and not voting:

Berube                      Kusler                      Rue  
Klefstad

So the bill passed and the title was agreed to.

#### 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. 11  
Senate Bill No. 45  
Senate Bill No. 50  
Senate Bill No. 143  
Senate Bill No. 171  
Senate Bill No. 196  
Senate Bill No. 209

And find the same correctly enrolled.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

#### SECOND READING OF HOUSE BILLS

House Bill No. 640. A Bill for an Act to prohibit the offering or giving of commissions, fees or rewards to the agent of any school or school district for or on account of the purchase of any school books, furniture or other supplies for the use of such school, school district, employees thereof, or students, and to provide a penalty.

Which has been read.

Senator Sayer moved that House Bill No. 640 be amended as follows:

In line 8 after the word "there-in" insert the words "or for such persons to receive".

Renumber the lines accordingly.

Which motion prevailed.

Senator Sayer moved that the rules be suspended and House Bill No. 640 be placed on the calendar for second reading and final passage, as amended by the Senate, 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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Holand            | Sayer     |
| Bilden     | Johnson, Cass     | Schmit    |
| Bridston   | Johnson, Cavalier | Schoeder  |
| Davis      | Kamrath           | Schrock   |
| Day        | Kieley            | Solberg   |
| Dewing     | Knudson           | Streibel  |
| Dolan      | Krenz             | Thomas    |
| Ferry      | Leier             | Torno     |
| Fiedler    | Livingston        | Tuff      |
| Foss       | Luick             | Wadeson   |
| Fraser     | Meidinger         | Welandner |
| Freed      | Nelson            | Wog       |
| Gilbertson | O'Brien           | Wolf      |

|         |       |        |
|---------|-------|--------|
| Hagen   | Olson | Yunker |
| Hernett | Page  |        |

Absent and not voting:

|        |          |     |
|--------|----------|-----|
| Berube | Klefstad | Rue |
| Duffy  | Kusler   |     |

So the bill passed and the title was agreed to.

**House Bill No. 641.** A Bill for an Act to amend and reenact section 4-0227 of the North Dakota Revised Code of 1943, relating to county fair associations and tax levies therefor.

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, 3; absent and not voting, 5.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Schmit   |
| Bilden     | Johnson, Cass     | Schoeder |
| Bridston   | Johnson, Cavalier | Schrock  |
| Davis      | Kamrath           | Solberg  |
| Day        | Kieley            | Streibel |
| Dewing     | Knudson           | Thomas   |
| Dolan      | Krenz             | Torno    |
| Ferry      | Leier             | Tuff     |
| Fiedler    | Livingston        | Wadeson  |
| Foss       | Luick             | Welander |
| Fraser     | Meidinger         | Wog      |
| Freed      | O'Brien           | Wolf     |
| Haøen      | Olson             | Yunker   |
| Hernett    | Sayer             |          |

Those voting in the negative were:

|            |        |      |
|------------|--------|------|
| Gilbertson | Nelson | Page |
|------------|--------|------|

Absent and not voting:

|        |          |     |
|--------|----------|-----|
| Berube | Klefstad | Rue |
| Duffy  | Kusler   |     |

So the bill passed and the title was agreed to.

**House Bill No. 643.** A Bill for an Act relating to levy of taxes in reorganized school districts, and permitting adjustment of the tax burden equitably between merged rural and urban areas.

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, 5; absent and not voting, 4.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Sayer    |
| Bilden     | Johnson, Cass     | Schmit   |
| Bridston   | Johnson, Cavalier | Schoeder |
| Davis      | Kamrath           | Schrock  |
| Day        | Kieley            | Solberg  |
| Dewing     | Knudson           | Thomas   |
| Dolan      | Krenz             | Torno    |
| Ferry      | Leier             | Tuff     |
| Fiedler    | Livingston        | Wadeson  |



|         |           |          |
|---------|-----------|----------|
| Foss    | Luick     | Welander |
| Fraser  | Meidinger | Wog      |
| Freed   | Nelson    | Wolf     |
| Hagen   | O'Brien   | Yunker   |
| Hernett |           |          |

Those voting in the negative were:

|                        |        |          |
|------------------------|--------|----------|
| Duffy                  | Olson  | Streibel |
| Gilbertson             | Page   |          |
| Absent and not voting: |        |          |
| Berube                 | Kusler | Rue      |
| Klefstad               |        |          |

So the bill passed and the title was agreed to.

Senator Bilden moved that the vote by which House Bill No. 643 was passed be reconsidered and the motion to reconsider be laid on the table, which motion was declared lost.

**House Bill No. 649.** A Bill for an Act to amend and reenact section 15-5315 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to transportation in reorganized school districts.

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, 10; absent and not voting, 4.

Those voting in the affirmative were:

|            |            |          |
|------------|------------|----------|
| Bilden     | Kamrath    | Schrock  |
| Bridston   | Kieley     | Solberg  |
| Davis      | Krenz      | Streibel |
| Day        | Leier      | Thomas   |
| Dewing     | Livingston | Torno    |
| Dolan      | Luick      | Tuff     |
| Ferry      | Meidinger  | Wadeson  |
| Foss       | O'Brien    | Welander |
| Fraser     | Olson      | Wog      |
| Gilbertson | Sayer      | Wolf     |
| Hagen      | Schmit     | Yunker   |
| Holand     | Schoeder   |          |

Those voting in the negative were:

|            |                   |         |
|------------|-------------------|---------|
| Baeverstad | Hernett           | Knudson |
| Duffy      | Johnson, Cass     | Nelson  |
| Fiedler    | Johnson, Cavalier | Page    |
| Freed      |                   |         |

Absent and not voting:

|          |        |     |
|----------|--------|-----|
| Berube   | Kusler | Rue |
| Klefstad |        |     |

So the bill passed and the title was agreed to.

**House Bill No. 651.** A Bill for an Act to amend and reenact section 24-0619 of the North Dakota Revised Code of 1943, relating to the expenditure of township road funds.

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, 6; absent and not voting, 4.

Those voting in the affirmative were:

|             |                   |          |
|-------------|-------------------|----------|
| Baeeverstad | Gilbertson        | Nelson   |
| Bilden      | Hagen             | O'Brien  |
| Bridston    | Holand            | Sayer    |
| Davis       | Johnson, Cass     | Schmit   |
| Day         | Johnson, Cavalier | Schrock  |
| Dewing      | Kamrath           | Thomas   |
| Dolan       | Kieley            | Torno    |
| Duffy       | Knudson           | Tuff     |
| Ferry       | Krenz             | Wadeson  |
| Fiedler     | Leier             | Welander |
| Foss        | Livingston        | Wog      |
| Fraser      | Luick             | Wolf     |
| Freed       | Meidinger         | Yunker   |

Those voting in the negative were:

|         |          |          |
|---------|----------|----------|
| Hernett | Page     | Solberg  |
| Olson   | Schoeder | Streibel |

Absent and not voting:

|          |        |     |
|----------|--------|-----|
| Berube   | Kusler | Rue |
| Klefstad |        |     |

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. 9  
 Senate Bill No. 10  
 Senate Bill No. 33  
 Senate Bill No. 36  
 Senate Bill No. 38  
 Senate Bill No. 43  
 Senate Bill No. 52  
 Senate Bill No. 62  
 Senate Bill No. 70  
 Senate Bill No. 103  
 Senate Bill No. 130  
 Senate Bill No. 142  
 Senate Bill No. 149  
 Senate Bill No. 150  
 Senate Bill No. 204  
 Senate Bill No. 235  
 Senate Bill No. 237  
 Senate Concurrent Resolution "J"

And the President signed the same in the presence of the Senate.

#### MESSAGES TO THE SENATE

House Chamber  
 Bismarck, March 1, 1955

Mr. President: I have the honor to transmit:

House Bill No. 518  
 House Bill No. 568  
 House Bill No. 710  
 House Bill No. 789  
 House Bill No. 858

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, March 1, 1955

Mr. President: I have the honor to return:

Senate Bill No. 225

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

## HOUSE AMENDMENTS

Senate Bill No. 225

Strike out everything after the words "A BILL" and insert in lieu thereof the following:

For an Act relating to premium or trading stamps or devices, and providing a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

## 1 SECTION 1. LICENSE REQUIRED TO USE

1a TRADING STAMPS;

2 EXCEPTIONS.) Every person who shall use, or

2a furnish to

3 any other person to use, in, with, or for the sale

4 of any goods, wares, or merchandise, any stamps,

4a coupons,

5 tickets, certificates, cards, or other similar schemes or

6 devices which shall entitle the purchaser receiving the

7 same with such sale of goods, wares, or merchandise to

8 procure from any person any goods, wares, or

8a merchandise,

9 free of charge or for less than the retail market price

10 thereof, upon the production of any number of said

10a stamps,

11 coupons, tickets, certificates, cards, or other similar

12 devices, before so furnishing, selling, or using the same,

13 shall obtain a separate license from the auditor of each

14 county wherein such furnishing or selling or using shall

15 take place, for each and every store or place of business

16 in that county, owned or conducted by such person, from

17 which such furnishing or selling, or in which such using,

18 shall take place. The provisions of this section shall not

19 apply to using or furnishing coupons, tickets, certificates,

20 cards, or similar devices contained in or attached to the

21 original package of said goods, wares, or merchandise, by

22 the manufacturer, jobber, distributor, or packer thereof,

23 and directly redeemable by the manufacturer, jobber, distributor,

24 packer or retailer of such goods, wares, or merchandise.

25

## 26 SECTION 2. APPLICATION, FEE, AND ISSUANCE

26a OF LICENSE.)

27 An applicant for a license under the provisions of this

28 chapter shall pay to the county treasurer of the county

29 for which such license is sought, the sum of six thousand

30 dollars. Upon such payment to the county treasurer, he

31 shall issue his receipt therefor. Upon presentation of

32 such receipt to the county auditor of the same county,

33 such county auditor shall issue to the applicant making

34 such payment a license to furnish or sell, or a license

35 to use, for one year the stamps, coupons, tickets,

35a certifi-

36 cates, cards, or other similar devices mentioned in section

- 37 1.  
 38 SECTION 3. CONTENTS OF LICENSE: USE OF  
 38a LICENSE  
 39 IN OTHER PLACE PROHIBITED.) The license  
 39a provided for in  
 40 this chapter shall contain:  
 41 1. The name of the grantee thereof;  
 42 2. The date of issue;  
 43 3. The date of expiration; and  
 44 4. The city or village in which, and the location at  
 45 which, the same shall be used.  
 46 Such license shall be used at no place other than that  
 47 mentioned therein.  
 48 SECTION 4. SALES OF STAMPS FORBIDDEN.)  
 48a No person  
 49 shall furnish or sell to any other person to use, in, with,  
 50 or for the sale of any goods, wares, or merchandise, any  
 51 stamps, coupons, tickets, certificates, cards, or other  
 52 similar devices provided for in this chapter, for use in  
 53 any village, city, or county in this state other than  
 54 that in which such furnishing or selling shall take  
 55 place.  
 56 SECTION 5. PENALTY FOR VIOLATION OF  
 56a CHAPTER.)  
 57 Any person violating any of the provisions of this  
 57a chapter  
 58 is guilty of a misdemeanor.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 543  
 House Bill No. 545  
 House Bill No. 562  
 House Bill No. 634  
 House Bill No. 665  
 House Bill No. 676  
 House Bill No. 691  
 House Bill No. 697  
 House Bill No. 788  
 House Bill No. 822

And the President signed the same in the presence of the Senate.

#### SECOND READING OF HOUSE BILLS

House Bill No. 656. A Bill for an Act allowing the participation of friends or relatives in the costs of burial of county welfare cases.

Which has been read.

#### 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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Page     |
| Bilden     | Holand            | Sayer    |
| Bridston   | Johnson, Cass     | Schmit   |
| Davis      | Johnson, Cavalier | Schoeder |
| Day        | Kieley            | Schrock  |

|                        |            |          |
|------------------------|------------|----------|
| Dewing                 | Klefstad   | Solberg  |
| Dolan                  | Knudson    | Thomas   |
| Duffy                  | Krenz      | Torno    |
| Ferry                  | Leier      | Tuff     |
| Fiedler                | Livingston | Wadeson  |
| Foss                   | Luick      | Welander |
| Fraser                 | Meidinger  | Wog      |
| Freed                  | Nelson     | Wolf     |
| Gilbertson             | O'Brien    | Yunker   |
| Hagen                  | Olson      |          |
| Absent and not voting: |            |          |
| Berube                 | Kusler     | Streibel |
| Kamrath                | Rue        |          |

So the bill passed and the title was agreed to.

**House Bill No. 658.** A Bill for an Act to amend and reenact section 36-1409 of the North Dakota Revised Code of 1943, relating to hog cholera virus.

Which has been read.

#### 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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Bilden     | Johnson, Cass     | Sayer    |
| Bridston   | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schoeder |
| Day        | Kieley            | Schrock  |
| Dewing     | Klefstad          | Solberg  |
| Dolan      | Knudson           | Streibel |
| Duffy      | Krenz             | Thomas   |
| Ferry      | Leier             | Torno    |
| Fiedler    | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | O'Brien           | Wolf     |
| Hagen      | Olson             | Yunker   |
| Hernett    |                   |          |

Absent and not voting:

|        |        |     |
|--------|--------|-----|
| Berube | Kusler | Rue |
|--------|--------|-----|

So the bill passed and the title was agreed to.

Senator Day moved that House Bill No. 830 be placed at the head of the calendar, which motion prevailed.

Senator Streibel moved that Senator Day be excused from voting on House Bill No. 830 for personal reasons in the legislation, which motion prevailed.

Senator Olson moved that House Bill No. 830 be amended as follows:

In Line 3 of the printed bill after the word "foreign" insert the word "enemy".

In Line 17 after the word "foreign" insert the word "enemy".

Which motion was declared lost.

Senator Solberg moved that House Bill No. 830 be amended as follows:

Strike out Section 2 and insert the following:

SECTION 2. That, upon the application, of any insurance company to do business in the state of North Dakota, said applicant shall furnish to the Commissioner of Insurance a certified copy of the share register, and from said register, the Commissioner shall determine that no part of said applicant is owned in whole or in part or financially controlled by any foreign government outside of the United States or the territories of the United States, and in the event that determination shall be made by the Commissioner that said applicant is owned wholly or in part, or is financially controlled by any foreign government, the Commissioner of Insurance is forbidden to grant a license to such applicant.

Which motion was declared lost.

House Bill No. 830. A Bill for an Act to prohibit any insurance company or other insurance entity which is financially owned or financially controlled by any foreign government outside the United States or the territories of the United States from doing any kind of insurance business in the State of North Dakota, and to provide penalties for the violation of this Act, and declaring an emergency.

Which has been read.

#### 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, 33; nays, 13; absent and not voting, 3.

Those voting in the affirmative were:

|            |                   |            |
|------------|-------------------|------------|
| Baeverstad | Hernett           | Livingston |
| Bilden     | Holand            | Luick      |
| Bridston   | Johnson, Cass     | Meidinger  |
| Davis      | Johnson, Cavalier | Nelson     |
| Dolan      | Kamrath           | Page       |
| Duffy      | Kieley            | Sayer      |
| Ferry      | Klefstad          | Schoeder   |
| Fiedler    | Knudson           | Streibel   |
| Foss       | Krenz             | Thomas     |
| Freed      | Kusler            | Wadeson    |
| Hagen      | Leier             | Wolf       |

Those voting in the negative were:

|            |         |           |
|------------|---------|-----------|
| Dewing     | Schmit  | Tuff      |
| Fraser     | Schrock | Welanders |
| Gilbertson | Solberg | Wog       |
| O'Brien    | Torno   | Yunker    |
| Olson      |         |           |

Absent and not voting:

|        |     |     |
|--------|-----|-----|
| Berube | Day | Rue |
|--------|-----|-----|

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Johnson (Cass) moved that the vote by which House Bill No. 830 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment respectfully reports that:

|                 |    |
|-----------------|----|
| Senate Bill No. | 5  |
| Seante Bill No. | 26 |

Senate Bill No. 61  
 Senate Bill No. 86  
 Senate Bill No. 87  
 Senate Bill No. 96  
 Senate Bill No. 101  
 Senate Bill No. 106  
 Senate Bill No. 107  
 Senate Bill No. 112  
 Senate Bill No. 113  
 Senate Bill No. 114  
 Senate Bill No. 115  
 Senate Bill No. 135  
 Senate Bill No. 136  
 Senate Bill No. 146  
 Senate Bill No. 161  
 Senate Bill No. 162  
 Senate Bill No. 163  
 Senate Bill No. 168  
 Senate Bill No. 179  
 Senate Bill No. 184  
 Senate Bill No. 195  
 Senate Bill No. 217

Were delivered to the Governor for his approval at the hour of 3:00 o'clock p.m., March 1, 1955.

ROSAMOND O'BRIEN, Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 51

Was delivered to the Governor for his approval at the hour of 3:15 o'clock p.m., March 1, 1955.

ROSAMOND O'BRIEN, Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution "O"

Senate Concurrent Resolution "F"

Were delivered to the Secretary of State at the hour of 3:11 o'clock p.m., March 1, 1955.

ROSAMOND O'BRIEN, Chairman.

#### MOTION

Senator Duffy moved that the Senate recognize Troop 47 of the Girl Scouts of Bismarck, and the leader, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 662. A Bill for an Act to amend and reenact Section 15-2515 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to compensation for clerks in common school districts.

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, 0; absent and not voting, 6.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Page     |
| Bilden     | Johnson, Cavalier | Sayer    |
| Davis      | Kamrath           | Schmit   |
| Day        | Kieley            | Schoeder |
| Dewing     | Klefstad          | Schrock  |
| Dolan      | Knudson           | Solberg  |
| Duffy      | Krenz             | Streibel |
| Ferry      | Kusler            | Thomas   |
| Fiedler    | Leier             | Tuff     |
| Foss       | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     |                   |          |

Absent and not voting:

|          |            |       |
|----------|------------|-------|
| Berube   | Freed      | Rue   |
| Bridston | Livingston | Torno |

So the bill passed and the title was agreed to.

**House Bill No. 667.** A Bill for an Act to amend and reenact section 15-2512 of the North Dakota Revised Code of 1943 and section 15-5602 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to common school districts and providing for agreements between boards of districts of residence and boards of districts of enrollment, and determining the district of enrollment of elementary pupils and the credit for tuition therefor.

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, 0; absent and not voting, 6.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Page     |
| Bilden     | Johnson, Cavalier | Sayer    |
| Davis      | Kamrath           | Schmit   |
| Day        | Kieley            | Schoeder |
| Dewing     | Klefstad          | Schrock  |
| Dolan      | Krenz             | Solberg  |
| Duffy      | Kusler            | Streibel |
| Ferry      | Leier             | Thomas   |
| Fiedler    | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     |                   |          |

Absent and not voting:

|          |         |       |
|----------|---------|-------|
| Berube   | Freed   | Rue   |
| Bridston | Knudson | Torno |

So the bill passed and the title was agreed to.

**House Bill No. 669.** A Bill for an Act to amend and reenact section 52-0909 of the 1953 Supplement to the North



Dakota Revised Code of 1943, relating to the Rate of Contributions and subsection 5 of section 52-0920 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to definitions.

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, 3; absent and not voting, 5.

Those voting in the affirmative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Holand            | Sayer     |
| Bridston   | Johnson, Cass     | Schmit    |
| Davis      | Johnson, Cavalier | Schoeder  |
| Day        | Kamrath           | Schrock   |
| Dewing     | Kieley            | Solberg   |
| Dolan      | Klefstad          | Streibel  |
| Duffy      | Krenz             | Thomas    |
| Ferry      | Kusler            | Tuff      |
| Fiedler    | Leier             | Wadeson   |
| Foss       | Livingston        | Welandner |
| Fraser     | Luick             | Wog       |
| Gilbertson | Meidinger         | Wolf      |
| Hagen      | O'Brien           | Yunker    |
| Hernett    | Page              |           |

Those voting in the negative were:

|        |       |        |
|--------|-------|--------|
| Bilden | Olson | Nelson |
|--------|-------|--------|

Absent and not voting:

|        |         |       |
|--------|---------|-------|
| Berube | Knudson | Torno |
| Freed  | Rue     |       |

So the bill passed and the title was agreed to.

Senator Streibel moved that the Senate recess for twenty minutes, which motion prevailed, and the Senate stood recessed.

The Senate reconvened at the call of the Chair.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 11  
 Senate Bill No. 45  
 Senate Bill No. 50  
 Senate Bill No. 143  
 Senate Bill No. 171  
 Senate Bill No. 196  
 Senate Bill No. 209  
 House Bill No. 518  
 House Bill No. 568  
 House Bill No. 710  
 House Bill No. 789  
 House Bill No. 858

And the President signed the same in the presence of the Senate.

## MESSAGE FROM THE GOVERNOR

State of North Dakota

## OFFICE OF THE GOVERNOR

Bismarck, March 1, 1955

Members of the Senate  
 Thirty-Fourth Legislative Assembly  
 Senate Chambers  
 Bismarck, North Dakota  
 Gentlemen:

Today I have approved Senate Bills Nos. 14, 16, 17, 22, 23, 25, 27, 28, 29, 40, 56, 66, 75, 88, 100, 133, 134 and 141.

These bills have been filed with the Secretary of State.

Sincerely yours,  
 NORMAN BRUNSDALE,  
 Governor.

Senator Kusler moved that the Senate do concur in the House amendments to Senate Bill No. 225, which motion prevailed.

Senator Kusler moved that the rules be suspended and that Senate Bill No. 225 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

## SECOND READING OF SENATE BILLS

Senate Bill No. 225. A Bill for an Act to tax the issuance and delivery of premium stamps.

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, 9; absent and not voting, 5.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Bridston   | Johnson, Cass     | Page     |
| Davis      | Johnson, Cavalier | Sayer    |
| Day        | Kamrath           | Schoeder |
| Dewing     | Kieley            | Schrock  |
| Duffy      | Knudson           | Streibel |
| Ferrv      | Kusler            | Thomas   |
| Fiedler    | Leier             | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Gilbertson | Meidinger         | Wolf     |
| Hagen      | O'Brien           | Yunker   |
| Hernett    | Olson             |          |

Those voting in the negative were:

|            |          |        |
|------------|----------|--------|
| Baeverstad | Holand   | Nelson |
| Dolan      | Klefstad | Schmit |
| Freed      | Krenz    | Wog    |

Absent and not voting:

|        |         |       |
|--------|---------|-------|
| Berube | Rue     | Torno |
| Bilden | Solberg |       |

So the bill passed and the title was agreed to.

Senator Kusler 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.

## SECOND READING OF HOUSE BILLS

**House Bill No. 680.** A Bill for an Act under which the State Forester will provide for fire prevention, detection and suppression in the forested areas of North Dakota.

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, 3; absent and not voting, 3.

Those voting in the affirmative were:

|            |               |          |
|------------|---------------|----------|
| Baeverstad | Holand        | Olson    |
| Bilden     | Johnson, Cass | Sayer    |
| Bridston   | Kamrath       | Schmit   |
| Davis      | Kieley        | Schoeder |
| Day        | Klefstad      | Schrock  |
| Dewing     | Knudson       | Solberg  |
| Dolan      | Krenz         | Streibel |
| Ferry      | Kusler        | Thomas   |
| Fiedler    | Leier         | Tuff     |
| Foss       | Livingston    | Wadeson  |
| Fraser     | Luick         | Welander |
| Freed      | Meidinger     | Wog      |
| Gilbertson | Nelson        | Wolf     |
| Hagen      | O'Brien       | Yunker   |
| Hernett    |               |          |

Those voting in the negative were:

|       |                   |      |
|-------|-------------------|------|
| Duffy | Johnson, Cavalier | Page |
|-------|-------------------|------|

Absent and not voting:

|        |     |       |
|--------|-----|-------|
| Berube | Rue | Torno |
|--------|-----|-------|

So the bill passed and the title was agreed to.

Senator Hagen moved that the Senate reconsider its action in passing House Bill No. 674, which motion prevailed.

Senator Hagen moved that House Bill No. 674 be placed on the calendar, which motion prevailed.

Senator Hagen moved that House Bill No. 674 be amended as follows:

In Line 11 following the comma after the word "thereof" insert the following words: "submit such questions to the electors of such municipality or subdivision at the next special or general election, and if approved by a majority vote such governing board shall".

Which motion prevailed.

Senator Hagen moved that the rules be suspended and that House Bill No. 674, as amended by the Senate, be placed on the calendar for second reading and final passage, which motion prevailed.

**House Bill No. 674.** A Bill for an Act relating to eradication of noxious weeds, and prescribing functions of the extension service of the North Dakota agricultural college with reference thereto; providing for appointment of a commissioner of noxious weeds and deputy commissioner in each county commissioner district and in a city, village, township or irrigation district; prescribing their powers and duties and fixing their compensation, providing for a tax levy to cover compensation and expenses of such commissioner and deputy commissioner of noxious weeds, providing penalties

for violation of this Act; repealing chapter 63-02 of the North Dakota Revised Code of 1943 and declaring an emergency.

Which has been read.

#### 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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | O'Brien  |
| Bilden     | Holand            | Olson    |
| Bridston   | Johnson, Cass     | Page     |
| Davis      | Johnson, Cavalier | Sayer    |
| Day        | Kamrath           | Schmit   |
| Dewing     | Kieley            | Schoeder |
| Dolan      | Klefstad          | Schrock  |
| Duffy      | Knudson           | Solberg  |
| Ferry      | Krenz             | Streibel |
| Fiedler    | Kusler            | Tuff     |
| Foss       | Leier             | Wadeson  |
| Fraser     | Livingston        | Welander |
| Freed      | Luick             | Wog      |
| Gilbertson | Meidinger         | Wolf     |
| Hagen      | Nelson            | Yunker   |

Absent and not voting:

|        |        |       |
|--------|--------|-------|
| Berube | Thomas | Torno |
| Rue    |        |       |

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Hagen moved that the vote by which House Bill No. 674 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 682. A Bill for an Act relating to the registration of driveaway transporters of vehicles, providing for in-transit plates and fees, providing penalties, and declaring an emergency.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Olson    |
| Bridston   | Johnson, Cass     | Page     |
| Davis      | Johnson, Cavalier | Sayer    |
| Day        | Kamrath           | Schmit   |
| Dewing     | Kieley            | Schoeder |
| Dolan      | Klefstad          | Schrock  |
| Duffy      | Knudson           | Solberg  |
| Ferry      | Krenz             | Streibel |
| Fiedler    | Kusler            | Tuff     |
| Foss       | Leier             | Wadeson  |
| Fraser     | Livingston        | Welander |
| Freed      | Luick             | Wog      |
| Gilbertson | Meidinger         | Wolf     |
| Hagen      | Nelson            | Yunker   |
| Hernett    | O'Brien           |          |

Absent and not voting:

|        |        |       |
|--------|--------|-------|
| Berube | Rue    | Torno |
| Bilden | Thomas |       |

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 694. A Bill for an Act amending and reenacting subsection 4 of section 21-0301 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the definition of assessed valuation, and declaring an emergency.

Which had been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 5; absent and not voting, 5.

Those voting in the affirmative were:

|            |            |          |
|------------|------------|----------|
| Baeverstad | Kamrath    | Page     |
| Bridston   | Kieley     | Sayer    |
| Day        | Klefstad   | Schmit   |
| Dewing     | Knudson    | Schoeder |
| Dolan      | Krenz      | Schrock  |
| Ferry      | Kusler     | Solberg  |
| Fiedler    | Leier      | Streibel |
| Foss       | Livingston | Tuff     |
| Fraser     | Luick      | Wadeson  |
| Freed      | Meidinger  | Welander |
| Hagen      | Nelson     | Wog      |
| Hernett    | O'Brien    | Wolf     |
| Holand     | Olson      | Yunker   |

Those voting in the negative were:

|       |               |                   |
|-------|---------------|-------------------|
| Davis | Gilbertson    | Johnson, Cavalier |
| Duffy | Johnson, Cass |                   |

Absent and not voting:

|        |        |       |
|--------|--------|-------|
| Berube | Rue    | Torno |
| Bilden | Thomas |       |

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 698. A Bill for an Act authorizing the industrial commission to make tax payments upon real property owned by the state in the Burlington Irrigation Project.

Which has been read.

#### 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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Olson    |
| Bridston   | Johnson, Cass     | Page     |
| Davis      | Johnson, Cavalier | Sayer    |
| Day        | Kamrath           | Schmit   |
| Dewing     | Kieley            | Schoeder |
| Dolan      | Klefstad          | Schrock  |
| Duffy      | Knudson           | Solberg  |
| Ferry      | Krenz             | Streibel |
| Fiedler    | Kusler            | Thomas   |

|            |            |           |
|------------|------------|-----------|
| Foss       | Leier      | Tuff      |
| Fraser     | Livingston | Wadeson   |
| Freed      | Luick      | Welanders |
| Gilbertson | Meidinger  | Wog       |
| Hagen      | Nelson     | Wolf      |
| Hernett    | O'Brien    | Yunker    |

Absent and not voting:

|        |     |       |
|--------|-----|-------|
| Berube | Rue | Torno |
| Bilden |     |       |

So the bill passed and the title was agreed to.

**House Bill No. 702.** A Bill for an Act to amend and reenact section 15-6004 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the limitations of purposes and amount expended from the school construction fund.

Which has been read.

#### 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:

|          |               |          |
|----------|---------------|----------|
| Bridston | Johnson, Cass | Schmit   |
| Davis    | Kieley        | Schoeder |
| Day      | Klefstad      | Schrock  |
| Dolan    | Krenz         | Solberg  |
| Fiedler  | Kusler        | Thomas   |
| Foss     | Leier         | Tuff     |
| Fraser   | Livingston    | Wadeson  |
| Freed    | Luick         | Wog      |
| Hagen    | Meidinger     | Wolf     |
| Hernett  | O'Brien       | Yunker   |
| Holand   | Sayer         |          |

Those voting in the negative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Johnson, Cavalier | Olson     |
| Dewing     | Kamrath           | Page      |
| Duffy      | Knudson           | Streibel  |
| Ferry      | Nelson            | Welanders |
| Gilbertson |                   |           |

Absent and not voting:

|        |     |       |
|--------|-----|-------|
| Berube | Rue | Torno |
| Bilden |     |       |

So the bill passed and the title was agreed to.

Senator Wadeson moved that the vote by which House Bill No. 702 was passed be reconsidered and the motion to reconsider be laid on the table, which motion was declared lost.

Senator Wog moved that House Bill No. 705 be amended as follows:

After the title of the bill, add the words "and declaring an emergency."

Add: "SECTION 2. This Act is hereby declared to be an emergency and shall be in full force and effect from and after its passage and approval."

Renumber the lines accordingly.

Which motion prevailed.

Senator Wog moved that the rules be suspended and House Bill No. 705 be placed on second reading and final passage, as amended by the Senate, which motion prevailed.

House Bill No. 705. A Bill for an Act to amend and reenact subsection 2 of section 12-2115 of the North Dakota Revised Code of 1943, relating to acts of Sabbath breaking.

Which has been read.

#### 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, 8; absent and not voting, 3.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Nelson   |
| Bridston   | Johnson, Cass     | O'Brien  |
| Davis      | Johnson, Cavalier | Sayer    |
| Day        | Kamrath           | Schmit   |
| Dewing     | Kieley            | Schoeder |
| Dolan      | Klefstad          | Streibel |
| Duffy      | Knudson           | Thomas   |
| Fiedler    | Krenz             | Tuff     |
| Foss       | Kusler            | Welander |
| Freed      | Leier             | Wog      |
| Gilbertson | Livingston        | Wolf     |
| Hagen      | Luick             | Yunker   |
| Hernett    | Meidinger         |          |

Those voting in the negative were:

|        |         |         |
|--------|---------|---------|
| Bilden | Olson   | Solberg |
| Ferry  | Page    | Wadeson |
| Fraser | Schrock |         |

Absent and not voting:

|        |     |       |
|--------|-----|-------|
| Berube | Rue | Torno |
|--------|-----|-------|

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Wog moved that the vote by which House Bill No. 705 was passed be reconsidered and the motion to reconsider be laid on the table, which motion was declared lost.

House Bill No. 707. A Bill for an Act to amend and reenact sections 36-1505, 36-1508 and 36-1509 of the North Dakota Revised Code of 1943, relating to diseased animals.

Which has been read.

#### 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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Olson    |
| Bilden     | Johnson, Cass     | Page     |
| Davis      | Johnson, Cavalier | Sayer    |
| Day        | Kamrath           | Schmit   |
| Dewing     | Kieley            | Schoeder |
| Dolan      | Klefstad          | Schrock  |
| Duffy      | Knudson           | Solberg  |
| Ferry      | Krenz             | Streibel |
| Fiedler    | Kusler            | Thomas   |
| Foss       | Leier             | Tuff     |
| Fraser     | Livingston        | Wadeson  |

|            |           |          |
|------------|-----------|----------|
| Freed      | Luick     | Welander |
| Gilbertson | Meidinger | Wog      |
| Hagen      | Nelson    | Wolf     |
| Hernett    | O'Brien   | Yunker   |

Absent and not voting:

|          |     |       |
|----------|-----|-------|
| Berube   | Rue | Torno |
| Bridston |     |       |

So the bill passed and the title was agreed to.

**House Bill No. 708.** A Bill for an Act to amend and reenact sections 15-4019, 15-5803, subsections 1, 2, and 3 of section 57-1514, and 57-15251 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to county high school equalization fund tax levy and payments, limitations in school districts, and determination of sums due county tuition funds and county high school equalization funds.

Which has been read.

#### 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, 31; nays, 15; absent and not voting, 3.

Those voting in the affirmative were:

|            |               |          |
|------------|---------------|----------|
| Baeverstad | Holand        | Page     |
| Bilden     | Johnson, Cass | Sayer    |
| Bridston   | Kieley        | Schmit   |
| Davis      | Klefstad      | Schoeder |
| Day        | Knudson       | Schrock  |
| Dewing     | Kusler        | Solberg  |
| Dolan      | Livingston    | Thomas   |
| Duffy      | Luick         | Tuff     |
| Foss       | Meidinger     | Wadeson  |
| Fraser     | O'Brien       | Wog      |
| Hernett    |               |          |

Those voting in the negative were:

|            |                   |          |
|------------|-------------------|----------|
| Ferry      | Johnson, Cavalier | Olson    |
| Fiedler    | Kamrath           | Streibel |
| Freed      | Krenz             | Welander |
| Gilbertson | Leier             | Wolf     |
| Hagen      | Nelson            | Yunker   |

Absent and not voting:

|        |     |       |
|--------|-----|-------|
| Berube | Rue | Torno |
|--------|-----|-------|

So the bill passed and the title was agreed to.

#### ANNOUNCEMENTS

The President announced he had received two messages from the Governor, which would require Executive Session.

Senator Streibel moved that the messages be laid over until tomorrow, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Transportation, to whom was referred House Bill No. 541, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after "A BILL" and insert the following:



For an Act to provide for issuance, expiration, renewal, cancellation, suspension and revocation of vehicle operator's licenses, providing penalties for violations thereof, and repealing all sections of chapter 39-06 of the North Dakota Revised Code of 1943 and all sections of chapter 39-06 of the 1953 Supplement to the North Dakota Revised Code of 1943.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. OPERATORS MUST BE  
1a LICENSED.)

2 No person, except those hereinafter expressly exempted,  
2a shall

3 drive any motor vehicle upon a highway in this state  
3a unless such

4 person has a valid license as an operator or chauffeur  
4a under the

5 provisions of this Act.

6 Any person licensed as an operator hereunder may  
6a exercise the

7 privilege thereby granted upon all streets and highways  
7a in this

8 state and shall not be required to obtain any other  
8a license to

9 exercise such privilege by any county, municipal or  
9a local board,

10 or body having authority to adopt local police  
10a regulations.

11 SECTION 2. WHAT PERSONS ARE EXEMPT  
11a FROM LICENSE.)

12 The following persons are exempt from license  
12a hereunder:

13 1. Any employee of the United States government  
13a while

14 operating a motor vehicle owned by or leased to  
14a that

15 government and being operated on official  
15a business;

16 2. A nonresident who is at least sixteen years of  
16a age, who

17 has in his immediate possession a valid operator's  
17a li-

18 cense issued to him in his home state or country,  
18a may

19 operate a motor vehicle in this state for a period of  
20 not more than ninety days in any calendar year

20a without  
21 making an application for or obtaining an

21a operator's li-  
22 cense of this state. After such ninety-day period it

23 shall be unlawful for any such nonresident to  
23a operate a

24 motor vehicle within North Dakota without a  
24a North Dakota

25 license; and

26 3. A nonresident who is at least sixteen years of  
26a age, whose

27 home state or country does not require the  
27a licensing of

28 operators, may operate a motor vehicle within this

28a state  
 29 for a period of not more than thirty days in any  
 29a calendar  
 30 year without making an application for or  
 30a obtaining an  
 31 operator's license of this state, provided however,  
 31a that  
 32 he shall have in his possession while driving in  
 32a this  
 33 state an official certificate showing the lawful  
 33a registry  
 34 of the motor vehicle and be able to prove his  
 34a lawful pos-  
 35 session or the right to operate such vehicle and  
 35a to estab-  
 36 lish his identity.

37 SECTION 3. WHAT PERSONS SHALL NOT BE  
 37a LICENSED.)

38 The Commissioner shall not issue any license here-  
 38a under:

- 39 1. To any person who is under the age of sixteen  
 39a years, ex-  
 40 cept that the commissioner may issue a restricted  
 40a permit  
 41 or license as hereinafter provided in sections  
 41a five and  
 42 eighteen of this Act to any person who is less  
 42a than six-  
 43 teen years of age;
- 44 2. To any person whose license has been suspended  
 44a during  
 45 such suspension, nor to any person whose license  
 45a has been  
 46 revoked, except as provided in sections thirty-  
 46a six and  
 47 thirty-seven of this Act;
- 48 3. To any person who is an habitual drunkard, or  
 48a is an ha-  
 49 bitual used of narcotic drugs, or is an habitual user  
 50 of any other drug to a degree which renders him  
 50a incapable  
 51 of safely driving a motor vehicle;
- 52 4. To any person who has previously been adjudged  
 52a to be af-  
 53 flicted with or suffering from any mental  
 53a disability or  
 54 disease and who has not at the time of application  
 54a been  
 55 restored to competency by the methods provided  
 55a by law;
- 56 5. To any person who is required by this Act to  
 56a take an  
 57 examination, unless such person shall have  
 57a successfully  
 58 passed such examination;
- 59 6. To any person who is required under the laws of  
 59a this state  
 60 to deposit proof of financial responsibility and  
 60a who has  
 61 not deposited such proof;

- 62 7. To any person when the commissioner has good  
 62a cause to  
 63 believe that such person by reason of physical or  
 63a mental  
 64 disability would not be able to operate a motor  
 64a vehicle  
 65 with safety upon the highways;  
 66 8. To any person when the commissioner has good  
 66a cause to be-  
 67 lieve that the operation of a motor vehicle on the  
 67a high-  
 68 ways by such person would be inimical to public  
 68a safety or  
 69 welfare;

70 SECTION 4. INSTRUCTION PERMIT.) Any  
 70a person may apply to the  
 71 commissioner for an instruction permit. The  
 71a commissioner may in  
 72 his discretion, after the applicant has successfully  
 72a passed all  
 73 parts of the examination other than the driving test,  
 73a issue to  
 74 the applicant an instruction permit which shall entitle  
 74a the  
 75 applicant while having such permit in his immediate  
 75a possession to  
 76 drive a motor vehicle upon the public highways for a  
 76a period of  
 77 sixty days when accompanied by a licensed operator  
 77a who has had at  
 78 least one year of driving experience and who is  
 78a occupying a seat  
 79 beside the driver, except in the event the permittee is  
 79a operating  
 80 a motorcycle. Any such instruction permit may be  
 80a renewed or a  
 81 new permit issued for an additional period of ninety  
 81a days.

82 SECTION 5. RESTRICTED INSTRUCTION  
 82a PERMIT.) The Commissioner  
 83 upon receiving proper application may in his discretion  
 83a issue a  
 84 restricted instruction permit effective for a school year  
 84a or more  
 85 restricted period to an applicant who is enrolled in a  
 85a driver-  
 86 education program which includes practice driving and  
 86a which is  
 87 approved by the commissioner even though the applicant  
 87a has not  
 88 reached the legal age to be eligible for an operator's  
 88a license.  
 89 Such instruction permit shall entitle the permittee  
 89a when he has  
 90 such a permit in his immediate possession to operate  
 90a a motor  
 91 vehicle only on a designated highway or within a  
 91a designated area  
 92 but only when an approved instructor is occupying a  
 92a seat beside

- 93 the permittee.  
 94 SECTION 6. TEMPORARY DRIVER'S PERMIT.)  
 94a The commissioner may in  
 95 his discretion issue a temporary driver's permit to an  
 95a applicant  
 96 for an operator's license permitting him to operate a  
 96a motor  
 97 vehicle while the commissioner is completing his  
 97a investigation  
 98 and determination of all facts relative to such  
 98a applicant's right  
 99 to receive an operator's license. Such permit must be  
 99a in his  
 100 immediate possession while operating a motor vehicle,  
 100a and it  
 101 shall be invalid when the applicant's license has been  
 101a issued or  
 102 for good cause has been refused.  
 103 SECTION 7. APPLICATION FOR LICENSE OR  
 103a INSTRUCTION PERMIT.)  
 104 1. Every application for an instruction permit or for  
 104a an  
 105 operator's license shall be made upon a form  
 105a furnished  
 106 by the commissioner. Every application shall be  
 106a notarized  
 107 or verified before a person authorized by law to  
 107a administer  
 108 oaths and accompanied by the proper fee and  
 108a payment of  
 109 such fee shall entitle the applicant to not more  
 109a than  
 110 three attempts to pass the examination within a  
 110a period of  
 111 six months from the date of application.  
 112 2. Every said application shall state the full name,  
 112a date of  
 113 birth, sex, and residence address of the applicant,  
 113a and  
 114 briefly describe the applicant, and shall state  
 114a whether  
 115 the applicant has theretofore been licensed as an  
 115a operator  
 116 or chauffeur, and, if so, when and by what state  
 116a or country,  
 117 and whether an application has even been refused,  
 117a and, if  
 118 so, the date of and reason for such suspension,  
 118a revocation,  
 119 or refusal.  
 120 3. Whenever application is received from a person  
 120a previously  
 121 licensed in another jurisdiction, the commissioner  
 121a may  
 122 request copy of operator's record from such other  
 122a juris-  
 123 diction. When received, the operator's record  
 123a shall be-  
 124 come a part of the operator's record in this state  
 124a with

125 the same force and effect as though entered on the  
 126 operator's record in this state in the original  
 126a instance.  
 127 4. Whenever the commissioner receives a request  
 127a for an  
 128 operator's record from another licensing  
 128a jurisdiction the  
 129 record shall be forwarded without charge.  
 130 SECTION 8. APPLICATIONS OF MINORS.) The  
 130a application of any  
 131 person under the age of eighteen years for an instruction  
 131a permit  
 132 or operator's license shall be signed and verified before  
 132a a per-  
 133 son authorized to administer oaths by the father,  
 133a mother, or  
 134 guardian, or, in the event there is no parent or guardian,  
 134a then  
 135 by another responsible adult who is willing to assume  
 135a the obli-  
 136 gation imposed under this Act upon a person signing  
 136a the applica-  
 137 tion of a minor.  
 138 SECTION 9. LIABILITY FOR NEGLIGENCE OF  
 138a MINOR: GENERAL.)  
 139 Any negligence of a minor under the age of eighteen  
 139a years when  
 140 driving a motor vehicle upon a highway shall be  
 140a imputed to the  
 141 person who has signed the application of such minor  
 141a for a permit  
 142 or license, which person shall be jointly and severally  
 142a liable  
 143 with such minor for any damages caused by such  
 143a negligence, except  
 144 as otherwise provided in the next succeeding paragraph.  
 145 SECTION 10. LIABILITY FOR NEGLIGENCE OF  
 145a MINOR: PROOF OF  
 146 FINANCIAL RESPONSIBILITY.) In the event a  
 146a minor under the age  
 147 of eighteen deposits or there is deposited upon his  
 147a behalf proof  
 148 of financial responsibility in respect to the operation  
 148a of a motor  
 149 vehicle owned by him, or if not the owner of a motor  
 149a vehicle, then  
 150 with respect to the operation of any motor vehicle,  
 150a in form and  
 151 in amounts as required under the motor vehicle financial  
 151a res-  
 152 ponsibility laws of this state, then the commissioner  
 152a may ac-  
 153 cept the application of such minor when signed by one  
 153a parent or  
 154 the guardian of such minor, and while such proof is  
 154a maintained  
 155 such person who has signed the application of said  
 155a minor shall  
 156 not be subject to the liability imposed under the  
 156a preceding para-

157 graph of this section.  
 158 SECTION 11. CANCELLATION OF MINOR'S  
 158a LICENSE UPON REQUEST.)  
 159 Any person who has signed the application of a minor  
 159a for a li-  
 160 cense may thereafter file with the commissioner a  
 160a verified writ-  
 161 ten request that the license of the minor so granted be  
 161a canceled.  
 162 Thereupon the commissioner shall cancel the license  
 162a of the minor  
 163 and the person who signed the application of the minor  
 163a shall be  
 164 relieved from the liability imposed under this Act by  
 164a reason of  
 165 having signed such application on account of any  
 165a subsequent neg-  
 166 ligence of the minor in operating a motor vehicle.  
 167 SECTION 12. CANCELLATION OF MINOR'S  
 167a LICENSE UPON DEATH  
 168 OF APPLICANT.) The commissioner upon receipt  
 168a of satisfactory  
 169 evidence of the death of the persons who signed the  
 169a application  
 170 of a minor for a license shall cancel the license and  
 17a shall not  
 171 issue a new license until such time as a new application,  
 171a duly  
 172 signed and verified, is made as required by this Act.  
 172a This pro-  
 173 vision shall not apply in the event the minor has  
 173a attained the  
 174 age of eighteen years.  
 175 SECTION 13. EXAMINATION OF APPLI-  
 175a CANTS.) The highway patrol  
 176 shall examine every applicant for an operator's license,  
 176a except  
 177 as otherwise provided in this Act. Such examination  
 177a shall in-  
 178 clude a test of the applicant's eyesight, his ability to  
 178a read  
 179 and understand highway signs regulating, warning,  
 179a and directing  
 180 traffic, his knowledge of the traffic laws of this state,  
 180a and  
 181 shall include an actual demonstration of ability to  
 181a exercise  
 182 ordinary and reasonable control in the operation of a  
 182a motor  
 183 vehicle. The highway patrol shall make provision for  
 183a giving an  
 184 examination either in the county where the applicant  
 184a resides or  
 185 at a place adjacent thereto reasonably convenient to  
 185a the appli-  
 186 cant within not more than thirty days from the date  
 186a the appli-  
 187 cation is received.  
 188 SECTION 14. LICENSES ISSUED TO OPER-  
 188a ATORS; GENERAL.) The

189 commissioner shall, upon payment of a three dollar  
189a fee by appli-  
190 cants eighteen years of age and over and a one dollar  
190a fifty cent  
191 fee by applicants under the age of eighteen, issue to  
191a every appli-  
192 cant qualifying therefor an operator's license as applied  
192a for in  
193 the form of a triple license card, which license shall  
193a bear  
194 thereon a distinguishing number assigned to the licensee,  
194a the  
195 full name, date of birth, residence address, and a brief  
196 description of the licensee, and either a facsimile of the  
197 signature of the licensee or a space upon which the  
197a licensee  
198 shall write his usual signature with pen and ink  
198a immediately upon  
199 receipt of the license. No license shall be valid until  
199a it has  
200 been so signed by the licensee. For purposes of  
200a verification,  
201 an officer may require the licensee to write his  
201a signature in the  
202 presence of such officer.

203. SECTION 15. LICENSES ISSUED WITHOUT  
203a EXAMINATION.) The  
204 commissioner shall issue without examination an  
204a operator's  
205 license to any person applying therefor within three  
205a months after  
206 this Act takes effect who furnished evidence satisfactory  
206a to the  
207 commissioner that he is not disqualified under the  
207a provisions of  
208 this Act and that he has previously operated a motor  
208a vehicle in  
209 a satisfactory manner for a period of not less than one  
209a year.

210 SECTION 16. PROVISIONAL LICENSES.)  
210a Whenever the com-  
211 missioner issues an original license to a person under  
211a the age  
212 of twenty-one years such license shall be designated  
212a and clearly  
213 marked as a "provisional license". Upon renewal as  
213a applicable  
214 to operators' licenses the commissioner may for  
214a reasonable cause  
215 as shown by its records designate the renewal of the  
215a license as  
216 provisional, otherwise a license in usual form shall  
216a be issued  
217 subject to other provisions of this Act.

218 SECTION 17. LICENSE TO BE CARRIED AND  
218a EXHIBITED ON DEMAND.)  
219 Every licensee shall have his operator's license or  
219a permit in his  
220 immediate possession at all times when operating a  
220a motor vehicle

221 and shall display the same, upon demand of any court,  
 221a police  
 222 magistrate, a justice of the peace, a patrolman, peace  
 222a officer,  
 223 or a field deputy or inspector of the division. However,  
 223a no  
 224 person charged with violating this section shall be  
 224a convicted if  
 225 he produces in court or the office of the arresting  
 225a an  
 226 operator's license or permit theretofore issued to him  
 226a and valid  
 227 at the time of his arrest.

228 SECTION 18. RESTRICTED LICENSES.)

229 1. The commissioner upon issuing an operator's  
 229a license  
 230 shall have authority whenever good cause appears  
 230a to  
 231 impose restrictions suitable to the licensee's driving  
 232 ability with respect to the type of or special  
 233 mechanical control devices required on a motor  
 233a vehicle  
 234 which the licensee may operate or such other  
 234a restric-  
 235 tions applicable to the licensee as the commissioner  
 236 may determine to be appropriate to assure the safe  
 237 operation of a motor vehicle by the licensee.

238 2. The commissioner may either issue a special  
 238a restricted  
 239 license or may set forth such restrictions upon the  
 240 usual license form.

241 3. A restricted operator's license may be issued to  
 241a any  
 242 child, who is more than fourteen years of age and  
 242a less  
 243 than sixteen years of age, otherwise qualified,  
 243a upon the  
 244 written recommendation of the examining officer.  
 244a No  
 245 such recommendation shall be made unless the  
 245a child,  
 246 accompanied by his parent or guardian, shall  
 246a appear in  
 247 person and satisfy the examining officer that:

248 a. The child is at least fourteen years of age;  
 249 b. The child is qualified to operate an automobile  
 250 safely; and  
 251 c. It is necessary for the child to drive his parent's  
 252 or guardian's automobile without being  
 252a accompanied  
 253 by some person over sixteen years of age.

254 The parent or guardian, at all times, shall be  
 254a respons-  
 255 ible for any and all damages growing out of the  
 256 negligent operation of a motor vehicle by any  
 256a such child.

257 The provisions of this section shall not authorize  
 257a the  
 258 child to drive a motorcycle, commercial truck,  
 258a motor bus,



- 259 or taxicab.  
 260 4. The commissioner may also issue a junior license  
 260a to a  
 261 minor under the age of fourteen upon application  
 261a by  
 262 parent, guardian or lawful custodian of the minor  
 262a when  
 263 necessity for the license is shown and ability to  
 263a drive  
 264 is demonstrated. This license shall be restricted to  
 265 the operation of a motor vehicle registered to the  
 266 licensee's parent, guardian, or employer, either  
 266a to or  
 267 from school, to or from work, or on business of the  
 268 parent, guardian, or employer, unless the licensee  
 268a is  
 269 accompanied by and under the immediate super-  
 269a vision of an  
 270 adult. Such restrictions shall be made in writing  
 270a and  
 271 attached to and become a part of such junior  
 271a license.  
 272 The possession of a junior license shall not  
 272a authorize  
 273 the licensee to operate a motor vehicle in violation  
 273a of  
 274 any law, nor in violation of any rule or regulation  
 274a of  
 275 the state or federal authorities relating to the  
 275a employ-  
 276 ment of minors.  
 277 5. The commissioner may upon receiving satisfactory  
 278 evidence of any violation of the restrictions of  
 278a such  
 279 license suspend or revoke the same but the licensee  
 280 shall be entitled to a hearing as upon a suspension  
 280a or  
 281 revocation under this Act.  
 282 6. It is a misdemeanor, punishable by a fine of not  
 282a more  
 283 than one hundred dollars and by imprisonment  
 283a for not  
 284 more than thirty days or by both such fine and  
 285 imprisonment, for any person to operate a motor  
 286 vehicle in any manner in violation of the  
 286a restrictions  
 287 imposed in a restricted license issued to him.  
 288 SECTION 19. DUPLICATE CERTIFICATES.) In  
 288a the event that  
 289 a permit license issued under the provisions of this  
 289a Act is  
 290 lost or destroyed, the person to whom the same was  
 290a issued may  
 291 obtain a duplicate, or substitute thereof, upon furnishing  
 292 proof satisfactory to the commissioner that such permit  
 292a or  
 293 license has been lost or destroyed and upon payment  
 293a of a one  
 294 dollar fee.

295 SECTION 20. EXPIRATION OF LICENSE; RE-  
295a NEWAL.) Every

296 operator's license shall be issued for a term of two years,  
297 which shall commence on July first of each odd  
297a numbered year,

298 and expire June thirtieth in the next succeeding odd  
299 numbered calendar year. Every such license shall be  
300 renewable on or before its expiration upon application  
300a and

301 payment of the required three dollar fee except that  
301a licensee

302 under the age of eighteen shall pay a one dollar and  
302a fifty

303 cent fee. The commissioner may require an examination  
303a of

304 the applicant as upon an original application, where the  
305 commissioner has good cause to believe that the  
305a applicant

306 may not be competent or otherwise not qualified for  
306a automatic

307 renewal of his license.

308 SECTION 21. NOTICE OF CHANGE OF

308a ADDRESS OR NAME.)

309 Whenever any person after applying for or receiving  
309a an

310 operator's license shall move from the address named in  
311 such application or in the license issued to him or

311a when the

312 name of a licensee is changed by marriage or otherwise  
312a such

313 person shall within ten days thereafter notify the

313a commissioner

314 in writing of his old and new addresses or of such

314a former and new

315 names and of the number of any license then held by him.

316 SECTION 22. FILING APPLICATION RECORDS.)

317 The commissioner shall file every application for a  
317a license

318 received by him and shall maintain suitable indexes  
318a containing,

319 in alphabetical order:

320 1. All applications denied and on each thereof note  
320a the

321 reasons for such denial;

322 2. All applications granted; and

323 3. The name of every licensee whose license has been  
324 suspended or revoked by the commissioner and

324a after

325 each such name note the reasons for such action.

326 SECTION 23. DRIVING RECORDS OF

326a LICENSEES.)

327 The commissioner shall also file all accident reports and  
328 abstracts of court records of convictions received by it

328a under

329 the laws of this state and in connection therewith

329a maintain

330 convenient records or make suitable notations in order  
330a that an

331 individual record of each licensee showing the

331a convictions of  
 332 such licensee and the traffic accidents in which he has  
 332a been  
 333 involved shall be readily ascertainable and available  
 333a for the  
 334 consideration of the commissioner upon any application  
 334a for re-  
 335 newal of license and at other suitable times.  
 336 SECTION 24. DEFINITION OF SUSPENSION,  
 336a REVOCATION, AND  
 337 CANCELLATION.) The following words when used  
 337a in this Act shall,  
 338 for the purposes of this Act, have the meanings  
 338a respectively  
 339 ascribed to them in this section:  
 340 1. Suspension means that the driver's license and  
 341 privilege to drive a motor vehicle on the public  
 342 highways are temporarily withdrawn but only  
 342a during the  
 343 period of such suspension.  
 344 2. Revocation means that the driver's license and  
 345 privilege to drive a motor vehicle on the public  
 346 high-  
 346a ways are terminated and shall not be renewed or  
 347 restored,  
 347a except that an application for a new license may be  
 348 presented and  
 348a acted upon by the commissioner after the  
 349 expiration of at least  
 350 one year after the date of revocation.  
 350a 3. Cancellation means that a driver's license is  
 351 annulled  
 352 and terminated because of some error or defect or  
 353 because the licensee is no longer entitled to such  
 354 license, but the cancellation of a license is without  
 355 prejudice and application for a new license may be  
 356 made at any time after such cancellation.  
 356a SECTION 25. AUTHORITY TO CANCEL  
 357 LICENSES.)  
 357a The commissioner is hereby authorized to cancel any  
 358 operator's  
 358a license upon determining that the licensee was not  
 359 entitled to  
 359a the issuance thereof hereunder or that said licensee  
 360 failed to  
 360a give the required or correct information in his  
 361 application or  
 361a committed any fraud in making such application. Upon  
 362 such  
 362a cancellation, the licensee must surrender the license so  
 363 canceled.  
 363 to the commissioner.  
 364 SECTION 26. SUSPENDING PRIVILEGES OF  
 364a NONRESIDENTS.)  
 365 The privilege of driving a motor vehicle on the highways  
 365a of this  
 366 state given to a nonresident hereunder shall be subject to  
 367 suspension or revocation by the commissioner in like  
 367a manner and

368 for like cause as an operator's license issued hereunder  
368a may be

369 suspended or revoked.

370 SECTION 27. REPORTING CONVICTIONS OF

370a NONRESIDENTS.)

371 The commissioner is further authorized, upon receiving  
371a a record

372 of the conviction in this state of a nonresident driver of a  
373 motor vehicle of any offense under the motor vehicle  
373a laws of this

374 state, to forward a certified copy of such record to the  
374a licensing

375 authority in the state wherein the person so convicted is a  
376 resident.

377 SECTION 28. SUSPENDING LICENSES UPON

377a CONVICTION IN ANOTHER

378 STATE.) The commissioner is authorized to suspend or  
378a revoke the

379 license of any resident of this state or the privilege of a  
379a non-

380 resident to drive a motor vehicle in this state upon

380a receiving

381 notice of the conviction of such person in another state  
381a of an

382 offense therein which, if committed in this state, would  
382a be

383 grounds for the suspension or revocation of the license  
383a of an

384 operator.

385 SECTION 29. COURTS TO FORWARD LICENSE

385a TO COMMISSIONER UPON

386 CERTAIN CONVICTIONS.) Whenever any person is  
386a convicted of any

387 offense for which this Act makes mandatory the

387a revocation of the

388 operator's license of such person by the commissioner,  
388a the court

389 in which such conviction is had shall require the

389a surrender to

390 it of any operator's license then held by the person so  
390a convict-

391 ed and the court shall thereupon forward the same,

391a together with

392 a record of such conviction to the commissioner. Any  
392a court or

393 juvenile commissioner in the state, upon finding any  
393a licensee

394 guilty of hazardous traffic violation, may detach one  
394a of the

395 three license cards, and shall in each case forward such  
395a card

396 immediately to the commissioner with a statement of  
396a the facts

397 regarding the offense:

398 SECTION 30. COURTS TO REPORT RECORDS OF

398a CERTAIN CONVICTIONS.)

399 Every court or juvenile commissioner having

399a jurisdiction over

400 offenses committed under this Act or any other law of

400a this state  
 401 or municipal ordinance regulating the operation of  
 401a motor vehi-  
 402 cles on highways, shall forward to the commissioner a  
 402a record of  
 403 the conviction of any person in said court, or a report  
 403a of the  
 404 action of the juvenile court in the case of a juvenile,  
 404a for a  
 405 violation of any of said laws other than regulations  
 405a governing  
 406 standing or parking, and may recommend the  
 406a suspension of the  
 407 operator's license or permit of the person so convicted  
 407a, or re-  
 408 reported.

409 SECTION 31. CONVICTION: MEANING AND  
 409a EFFECT.) For the pur-  
 410 poses of this Act the term "conviction" shall mean a  
 410a final con-  
 411 viction. Also, for the purposes of this Act a forfeiture  
 411a of bail  
 412 or collateral deposited to secure a defendant's  
 412a appearance in  
 413 court, which forfeiture has not been vacated, shall be  
 413a equiva-  
 414 lent to a conviction.

415 SECTION 32. MANDATORY REVOCATION OF  
 415a LICENSES.) The com-  
 416 missioner shall forthwith revoke the license of any  
 416a operator  
 417 upon receiving a record of such operator's conviction of  
 417a any of  
 418 the following offenses, when such conviction has  
 418a become final.

- 419 1. Manslaughter or negligent homicide resulting  
 419a from the  
 420 operation of a motor vehicle;
- 421 2. Driving a motor vehicle while under the influence  
 421a of  
 422 intoxicating liquor or a narcotic drug, or under the  
 423 influence of any other drug to a degree which  
 423a renders  
 424 him incapable of safely driving a motor vehicle;
- 425 3. Any felony in the commission of which a motor  
 425a vehicle  
 426 is used;
- 427 4. Failure to stop and render aid as required under  
 427a the laws  
 428 of this state in the event of a motor vehicle  
 428a accident  
 429 resulting in the death or personal injury of  
 429a another;
- 430 5. Perjury or the making of a false affidavit or  
 430a statement  
 431 under oath to the division under this Act or under  
 431a any  
 432 other law relating to the ownership or operation of  
 433 motor vehicles; or

434 6. Conviction, or forfeiture of bail not vacated, upon  
434a two  
435 charges of reckless driving or aggravated reckless  
436 driving committed within a period of eighteen  
436a months.  
437 SECTION 33. AUTHORITY TO SUSPEND  
437a LICENSES.)  
438 The Commissioner is hereby authorized to suspend the  
438a license of  
439 an operator without preliminary hearing upon a showing  
439a by its  
440 records or other sufficient evidence that the licensee;  
441 1. Has committed an offense for which mandatory  
441a revocation  
442 of license is required upon conviction;  
443 2. Has been convicted of serious offenses against  
443a traffic  
444 regulations governing the movement of vehicles  
444a with such  
445 frequency as to indicate a disrespect for traffic  
445a laws  
446 and a disregard for the safety of other persons on the  
447 highways;  
448 3. Is an habitually reckless or negligent driver of a  
449 motor vehicle;  
450 4. Is incompetent to drive a motor vehicle;  
451 5. Has permitted an unlawful or fraudulent use of his  
452 license; or  
453 6. Has committed an offense in another state which if  
454 committed in this state would be grounds for  
454a suspension  
455 or revocation.  
456 SECTION 34. HEARING SUBSEQUENT TO  
456a LICENSE SUSPENSION.)  
457 Upon suspending the license of any person as  
457a authorized in  
458 section 33, the commissioner shall immediately notify  
458a the licensee  
459 in writing and upon his request shall afford him an  
459a opportunity  
460 for a hearing as early as practical within not to exceed  
460a twenty  
461 days after receipt of such request in the county wherein  
461a the  
462 licensee resides unless the commissioner and the  
462a licensee agree  
463 that such hearing may be held in some other county.  
464 Upon such hearing the commissioner or his duly  
464a authorized agent  
465 may administer oaths and may issue subpoenas for the  
465a attendance  
466 of witnesses and the production of relevant books and  
466a papers and  
467 may require a re-examination of the licensee. Upon  
467a such hearing  
468 the commissioner shall either rescind his order of  
468a suspension or,  
469 good cause appearing therefor, may continue, modify,  
469a or extend

470 the suspension of such license or revoke such license.  
 471 SECTION 35. COMMISSIONER MAY REQUIRE  
 471a RE-EXAMINATION.)  
 472 In addition to other powers set forth in this Act, the  
 473 commissioner having good cause to believe that a  
 473a licensed  
 474 operator is incompetent or otherwise not qualified to be  
 474a licensed,  
 475 may upon written notice of at least five days to the  
 475a licensee  
 476 require him to submit to an examination. Upon the  
 476a conclusion  
 477 of such examination the commissioner shall take action  
 477a as may  
 478 be appropriate and may suspend or revoke the license of  
 478a such  
 479 person or permit him to retain his license, or may issue a  
 480 license subject to restrictions as permitted under section  
 480a 18  
 481 of this Act. Refusal or neglect of the licensee to submit  
 481a to  
 482 such examination shall be ground for suspension or  
 482a revocation  
 483 of his license.  
 484 SECTION 36. PERIOD OF SUSPENSION.) The  
 484a commissioner  
 485 shall not suspend a driver's license or privilege to drive  
 485a a  
 486 motor vehicle on the public highways for a period of  
 486a more than  
 487 one year, except as permitted under section 44 of this  
 487a Act.  
 488 SECTION 37. RESTORATION OF REVOKED  
 488a LICENSES.) Any  
 489 person whose license or privilege to drive a motor  
 489a vehicle  
 490 on the public highways has been revoked shall not be  
 490a entitled  
 491 to have such license or privilege renewed or restored  
 491a unless  
 492 the revocation was for a cause which has been removed  
 492a except  
 493 that after the expiration of one year from the date on  
 493a which  
 494 the revoked license was surrendered to and received by  
 494a the  
 495 commissioner such person may make application for  
 495a a new license  
 496 as provided by law, but the commissioner shall not then  
 496a issue  
 497 a new license unless and until he is satisfied after  
 497a investi-  
 498 gation of the character, habits, and driving ability of  
 498a such  
 499 person that it will be safe to grant the privilege of  
 499a driving  
 500 a motor vehicle on the public highways.  
 501 SECTION 38. SURRENDER AND RETURN OF  
 501a LICENSE.) The  
 502 commissioner upon suspending or revoking a license

502a shall require  
503 that such license shall be surrendered to and be retained  
503a by  
504 the commissioner, except that at the end of the period  
504a of sus-  
505 pension such license so surrendered shall be returned  
505a to the  
506 licensee.

507 SECTION 39. NO OPERATION UNDER  
507a FOREIGN LICENSE DURING  
508 SUSPENSION OR REVOCATION IN THIS STATE.)  
508a Any resident or  
509 nonresident whose operator's or chauffeur's license or  
509a right  
510 or privilege to operate a motor vehicle in this state has  
510a been  
511 suspended or revoked as provided in this Act shall not  
511a operate  
512 a motor vehicle in this state under a license, permit, or  
513 registration certificate issued by any other jurisdiction  
513a or  
514 otherwise during such suspension or after such revo-  
514a cation until  
515 a new license is obtained when and as permitted under  
515a this Act.

516 SECTION 40. RIGHT OF APPEAL TO COURT.)  
516a Any person denied  
517 a license or whose license has been canceled, suspended,  
517a or  
518 revoked by the commissioner, except where such  
518a cancellation or  
519 revocation is mandatory under the provisions of this  
519a Act, shall  
520 have the right to file a petition within thirty days  
520a thereafter  
521 for a hearing in the matter in the district court in the  
521a county  
522 wherein such person shall reside; and such court is  
522a hereby  
523 vested with jurisdiction and it shall be its duty to set  
523a the  
524 matter for hearing upon thirty days written notice  
524a to the  
525 commissioner and thereupon to take testimony and ex-  
525a amine into  
526 the facts of the case and to determine whether the  
526a petitioner  
527 is entitled to a license or is subject to suspension, can-  
527a cel-  
528 lation, or revocation of license under the provisions of  
528a this  
529 Act.

530 SECTION 41. UNLAWFUL USE OF LICENSE.)  
530a It is a mis-  
531 demeanor punishable by a fine of not more than one  
531a hundred  
532 dollars or imprisonment for not more than thirty days  
532a or both  
533 such fine and imprisonment for any person:  
534 1. To display or cause or permit to be displayed or



- 534a have  
 535 in his possession any canceled, revoked,  
 535a suspended,  
 536 fictitious, or fraudulently altered operator's or  
 537 chauffeur's license;  
 538 2. To lend his operator's or chauffeur's license to any  
 539 other person or knowingly permit the use thereof  
 539a by  
 540 another;  
 541 3. To display or represent as one's own any  
 541a operator's  
 542 or chauffeur's license not issued to him;  
 543 4. To fail or refuse to surrender to the commissioner  
 544 upon his lawful demand any operator's or  
 544a chauffeur's  
 545 license which has been suspended, revoked, or  
 546 canceled;  
 547 5. To use a false or fictitious name in any  
 547a application  
 548 for an operator's or chauffeur's license or to  
 548a knowingly make a false statement or to knowingly  
 549 conceal a material fact or otherwise commit a  
 549a fraud in  
 550 any such application;  
 551 6. To permit any unlawful use of an operator's or  
 552 chauffeur's license issued to him; or  
 553 7. To do any act forbidden or fail to perform any act  
 554 required by this Act.  
 555 SECTION 42. MAKING FALSE AFFIDAVIT  
 555a PERJURY.)  
 556 Any person who makes any false affidavit, or knowingly  
 556a swears  
 557 or affirms falsely to any matter or thing required by  
 557a the terms  
 558 of this Act to be sworn to or affirmed, is guilty of  
 558a perjury  
 559 and upon conviction shall be punishable by fine or  
 559a imprisonment  
 560 as other persons committing perjury are punishable.  
 561 SECTION 43. PENALTY FOR DRIVING WHILE  
 561a LICENSE SUSPENDED  
 562 OR REVOKED.) Any person who drives a motor  
 562a vehicle on any pub-  
 563 lic highway of this state at a time when his privilege  
 463a so to do  
 564 is suspended or revoked shall be punished by  
 564a imprisonment for  
 565 not less than two days nor more than six months and  
 565a there may  
 566 be imposed in addition thereto a fine of not more than  
 566a five  
 567 hundred dollars.  
 568 SECTION 44. EXTENSION OF LICENSE  
 568a SUSPENSION OR REVOCATION.)  
 569 The commissioner upon receiving a record of the  
 569a conviction of  
 570 any person upon a charge of driving a vehicle while the  
 570a license  
 571 of such person was suspended shall extend the period  
 571a of such

572 suspension for an additional like period and if the  
572a conviction  
573 was upon a charge of driving while a license was revoked  
573a the  
574 commissioner shall not issue a new license for an  
574a additional  
575 period of one year from and after the date such person  
575a would  
576 otherwise have been entitled to apply for a new license.  
577 SECTION 45. PERMITTING UNAUTHORIZED  
577a MINOR TO DRIVE.)  
578 No person shall cause or knowingly permit his child or  
578a ward  
579 under the age of eighteen years to drive a motor vehicle  
579a upon  
580 any highway when such minor is not authorized  
580a hereunder or in  
581 violation of any of the provisions of this Act.  
582 SECTION 46. PERMITTING UNAUTHORIZED  
582a PERSON TO DRIVE.)  
583 No person shall authorize or knowingly permit a motor  
583a vehicle  
584 owned by him or under his control to be driven upon  
584a any highway  
585 by any person who is not authorized hereunder or in  
585a violation  
586 of any of the provisions of this Act.  
587 SECTION 47. RENTING MOTOR VEHICLE:  
587a LICENSE OF RENTER.-  
588 No person shall rent a motor vehicle to any other person  
588a unless  
589 the latter person is then duly licensed hereunder or, in  
589a the  
590 case of a nonresident, then duly licensed under the laws  
590a of the  
591 state or country of his residence except a nonresident  
591a whose  
592 home state or country does not require that an operator  
592a be  
593 licensed, or unless the renter certifies that the vehicle  
593a shall  
594 be driven by a duly licensed driver.  
595 SECTION 48. RENTING MOTOR VEHICLE:  
595a LICENSE INSPECTION.)  
596 No person shall rent a motor vehicle to another until he  
596a has  
597 inspected the operator's or chauffeur's license of the  
597a person  
598 to whom the vehicle is to be rented, or of the person by  
598a whom  
599 the vehicle shall be driven, and compared and verified  
599a the  
600 signature thereon with the signature of such person  
600a written in  
601 his presence.  
602 SECTION 49. RENTING MOTOR VEHICLES.  
602a RECORDS.)  
603 Every person renting a motor vehicle to another shall  
603a keep a  
604 record of the registration number of the motor vehicle

604a so rented,  
 604b the name and address of the person to whom the vehicle  
 604c is rent-  
 605 ed, the number of the license of said latter person, or, his  
 606 certified driver, and the date and place when and where  
 606a said  
 607 license was issued. Such record shall be open to inspec-  
 607a tion  
 608 by any police officer or officer or employee of the com-  
 608a missioner.  
 609 SECTION 50. EXISTING LICENSES AND PER-  
 609a MITS.)  
 610 All operator's licenses and permits issued prior to  
 610a July 1,  
 611 1955, for the period beginning July 1, 1955 and ending  
 611a July 1,  
 612 1957 pursuant to existing law shall be valid for the  
 612a period  
 613 designated, but subject to cancellation, revocation, or  
 613a sus-  
 614 pension in accordance with the provisions of this Act  
 614a and the  
 615 laws of this state  
 616 SECTION 51. UNIFORMITY OF INTERPRETA-  
 616a TION.) This Act  
 617 shall be so interpreted and construed as to effectuate its  
 618 general purposes to make uniform the law of those  
 618a states which  
 619 enact it.  
 620 SECTION 52. FEES COLLECTED TO BE PAID  
 620a INTO STATE TREASURY;  
 621 USE OF.) All money received under the provisions of  
 621a this Act  
 622 shall be paid monthly into the state treasury. The state  
 623 treasurer shall place such moneys in a special fund for  
 623a the use  
 624 of the state highway patrol and other highway safety  
 624a activities  
 625 of the state of North Dakota in accordance with  
 625a appropriations  
 626 made by the legislative assembly.  
 627 SECTION 53. CONSTRUCTION.) This Act shall  
 627a be construed  
 628 as being a part of title 39, and as replacing chapter  
 628a 39-06  
 629 of the North Dakota Revised Code, as amended.  
 630 SECTION 54. SHORT TITLE.) This Act may be  
 630a cited as the  
 631 Uniform Motor Vehicle Operator's License Act.  
 632 SECTION 55. REPEAL.) Chapter 39-06 of the  
 632a North Dakota  
 633 Revised Code of 1943 and of the 1953 Supplement  
 633a thereto is  
 634 hereby repealed.

And when so amended recommend the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 544, have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after "A BILL" and insert the following:

For an Act to amend and reenact subsection 1 of section 39-1601, section 39-1602 through 39-1607, 39-1609 through 39-1613, 39-1615 through 39-1619, 39-1623 through 39-1629, all numbers inclusive, section 39-1621, 39-1632, 39-1703, 39-17031, 39-1704, 39-17041, and 39-1710 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to financial responsibility of owners and operators of motor vehicles and the unsatisfied judgment fund, placing administration of chapters 39-16 and 39-17 of the 1953 Supplement to the North Dakota Revised Code of 1943 under supervision of the director of public safety, requiring that judgment creditors exhaust all remedies available before recovery from the fund, and requiring notice of pendency of action notice of default and notice of examination of the judgment debtor.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 14. AMENDMENT.) Subsection 2 of  
1a Section 39-1616

2 of the 1953 Supplement to the North Dakota Revised  
2a Code of

3 1943 is hereby amended and reenacted to read as

3a follows:

4 1. If a person is not licensed, but by final order or  
5 judgment is convicted of or forfeits any bail or

6 collateral deposited to secure an appearance for  
6a trial

7 for any offense requiring the revocation of license,  
7a no

8 license shall be thereafter issued to such person  
8a until

9 he shall give and thereafter maintain proof of  
9a financial

10 responsibility.

11 SECTION 27. AMENDMENT.) Section 39-1703 of  
11a the 1953

12 Supplement to the North Dakota Revised Code of 1943  
12a is hereby

13 reenacted to read as follows:

14 39-1703. RECOVERY FROM FUND;

14a PROVISIONS GOVERNING.) Where

15 any person, who is a resident of this state, recovers in  
15a any

16 court in this state a judgment for an amount exceeding  
16a \$300.00

17 in an action for damages resulting from bodily injury  
17a to, or

18 the death of, any person occasioned by, or arising out  
18a of, the

19 ownership, maintenance, operation or use of a motor  
19a vehicle by

20 the judgment debtor in this state, upon such judgment  
20a becoming

21 final, such judgment creditor may, in accordance with  
21a the  
22 provisions of this (Act) chapter, apply to the judge of  
22a the  
23 district court in which such judgment was rendered,  
23a upon  
24 notice to the attorney general, for an order directing  
24a payment  
25 of the judgment out of said fund. Upon the hearing of  
25a the  
26 application, the judgment creditor shall show: (1) that  
26a he has  
27 obtained judgment as set out in this section, stating the  
28 amount thereof and the amount owing thereon at the  
28a time of the  
29 application; (2) that he has caused an execution to be  
29a issued  
30 thereon, and that (a) the sheriff has made a return  
30a thereon  
31 showing that no property of the judgment debtor liable  
31a to be  
32 seized in satisfaction of the judgment debt, could be  
32a found, or  
33 (b) the amount realized on the sale of property sized, or  
34 otherwise realized under the execution, was  
34a insufficient to  
35 satisfy the judgment, stating the amount so realized  
35a and the  
36 balance remaining due thereon; (3) that he has caused  
36a the  
37 judgment debtor, where the judgment debtor is available,  
37a to be  
38 examined pursuant to law for that purpose, touching his  
39 property, and in particular as to whether the judgment  
39a debtor  
40 is insured under a policy of automobile insurance  
40a against loss  
41 occasioned by his legal liability for bodily injury to, or  
41a the  
42 death of, another person; (4) that he has made an  
42a exhaustive  
43 search and inquiry to ascertain whether the judgment  
43a debtor is  
44 possessed of property, real or personal, liable to be sold  
44a or  
45 applied in satisfaction of the judgment; (and) (5) that  
45a as a  
46 result of such search, inquiry and examination, he has  
46a learned  
47 of no property, real or personal, possessed by the  
47a judgment  
48 debtor and liable to be sold or applied in satisfaction of  
48a the  
49 judgment debt, or that he has learned of certain  
49a property,  
50 describing it, owned by the judgment debtor and liable  
50a to be  
51 seized or applied in satisfaction of the judgment, and has  
52 taken all necessary proceedings for the realization  
52a thereof,

53 and that the amount thereby realized was insufficient to  
54 satisfy the judgment, stating the amount so realized  
54a and the  
55 amount remaining due thereon; and (6) that he has  
55a fully  
56 pursued and exhausted all remedies available to him for  
57 recovering compensation for the damages that are  
57a subject of the  
58 action in respect to which the judgment is given by (a)  
59 commencing action against all persons against whom  
59a the applicant  
60a might reasonably be considered as having a cause of  
61a action in  
61 respect of such damages. (b) prosecuting every such  
61a action in  
62 good faith to judgment or dismissal, (c) taking all  
62a reasonable  
63 steps available to him to recover upon every judgment so  
64 obtained, and (d) taking all other reasonable steps  
64a available  
65 to him to recover compensation for such damages.  
66 SECTION 28. AMENDMENT.) Section 39-17031 of  
66a the 1953  
67 Supplement to the North Dakota Revised Code of 1943  
67a is hereby  
68 amended and reenacted to read as follows:  
69 39-17031. . RECOVERY FROM FUND WHEN  
69a LIABILITY CANNOT BE  
70 DETERMINED.) When bodily injury to, or the death  
70a of, any  
71 person who is a resident of this state is occasioned by or  
72 arises out of an accident caused by the operation,  
72a maintenance,  
73 or use of a motor vehicle in this state and the identity  
73a of the  
74 person or persons against whom an action might be  
74a brought for  
75 the recovery of damages for the bodily injury or death  
75a result-  
76 ing from the accident can not be ascertained, any person  
76a who  
77 would be entitled to bring such action to recover  
77a damages may  
78 bring an action in the district court of the county in  
78a which  
79 the accident occurred within six months from the date  
79a of the  
80 accident against the state unsatisfied judgment fund,  
80a by ser-  
81 vice upon the (state highway commissioner) attorney  
81a attorney general,  
82 for the recovery of such damages from such fund,  
82a provided  
83 notice of such accident was given to some police officer  
84 immediately after the accident occurred and the name of  
84a such  
85 officer shall be alleged in the complaint. No payment  
85a shall  
86 be made from the fund in satisfaction of any judgment  
86a obtained

87 in such action in excess of five thousand dollars,  
87a exclusive  
88 of costs, for bodily injury to, or death of, any one  
88a person,  
89 nor in excess of ten thousand dollars for any one  
89a accident.  
90 Nothing in this (Act) section shall limit the liabilities  
91 or remedies of any person on the cause of action,  
91a growing out  
92 of the accident for which suit was brought against the  
92a fund,  
93 but the fund shall be subrogated pro tanto to the rights  
93a of  
94 any person who has obtained judgment under the  
94a provisions of  
95 this (Act) section, to the extent that the fund has  
95a made pay-  
96 ments in satisfaction thereof.  
97 SECTION 29. AMENDMENT.) Section 39-1704  
97a of the 1953  
98 Supplement to the North Dakota Revised Code of 1943  
98a is hereby  
99 amended and reenacted to read as follows:  
100 39-1704. NOTICE: ATTORNEY GENERAL MAY  
100a APPEAR.) The  
101 provisions of section 39-1703 shall not apply in the case  
101a of  
102 any judgment (entered by default) unless (1) (The  
102a state high-  
103 way commissioner and) the attorney general (have)  
103a has been  
104 given at least thirty day notice prior to the entry of  
104a (such)  
105 judgment, to which notice shall be attached a copy of  
105a the  
106 summons and complaint: (2) the attorney general has  
106a been given  
107 notice at least eight days prior to the examination of  
107a the  
108 judgment debtor; and (3) in the event that judgment  
108a be  
109 entered by default, the attorney general has been given  
109a notice.  
110 of the defendant's default at least thirty days prior to  
110a the  
111 entry of judgment by default. (Upon receipt of such  
111a notice,)  
112 the attorney general may at any time prior to the entry  
112a of  
113 judgment enter an appearance, file a defense, appeal by  
114 counsel at the trial or take such other action as he may  
114a deem  
115 appropriate on behalf and in the name of the defendant,  
115a and  
115b may thereupon, on behalf and in the name of the  
115c defendant,  
116 conduct his defense, and all acts done in accordance  
116a therewith  
117 shall be deemed to be acts of the defendant. After  
117a judgment

118 has been entered the attorney general may appear and  
118a be heard  
119 on any proceeding and on any application for payment  
119a from the  
120 fund, and may appear and show cause, if any there be,  
120a why the  
123 order applied for should not be made.  
124 SECTION 30. AMENDMENT.) Section 39-17041  
124a of the 1953  
125 Supplement to the North Dakota Revised Code of 1943  
125a is hereby  
126 amended and reenacted to read as follows:  
127 39-17041. EMPOWERING ATTORNEY GENERAL  
127a TO APPOINT SPECIAL  
128 COUNSEL.) The attorney general at his discretion  
128a may appoint  
129 special counsel to defend the fund. The trial judge of  
129a the  
130 district court shall fix the amount of such special  
130a attorney's  
131 fees and expenditures, and certify such amount, to  
131a the attorney  
132 general who, after approving, shall certify same to the  
133 (administrator of the unsatisfied judgment fund) state  
133a treasurer.  
134 In the event the state's attorney of the county in which  
134a the  
135 case is to be tried is not disqualified to appear and  
135a defend  
136 the unsatisfied judgment fund, then the attorney  
136a general shall  
137 appoint such state's attorney to defend the fund, and in  
137a such  
138 case, the state's attorney shall receive no fees for his  
139 services rendered therein.  
140 SECTION 31. AMENDMENT.) Section 39-1710 of  
140a the 1953  
141 Supplement to the North Dakota Revised Code of 1943  
141a is hereby  
142 amended and reenacted to read as follows:  
143 39-1710. AMOUNT TO BE REPAID BEFORE  
143a PRIVILEGES RESTORED;  
144 INTEREST; INSTALLMENT PAYMENTS PERMISS-  
144a SABLE.) Where the driver's  
145 license or driving privileges of any person, or the  
145a registration  
146 of a motor vehicle registered in his name, has been  
146a suspended  
147 or revoked pursuant to the laws of this state, and the  
147a state  
148 treasurer has paid from the fund any amount toward  
148a the satis-  
149 faction of a judgment and costs recovered against such  
149a person,  
150 the suspension or revocation shall not be removed, nor  
150a the  
151 driver's license or driving privileges or registration  
151a restored,  
152 nor any new license or driving privilege issued or



152a granted to  
153 or registration be permitted to be made by such person  
153a until  
154 he has repaid in full to the state treasury the amount  
154a so paid  
155 by him from such fund, together with interest thereon  
155a at the  
156 rate of 2% per annum from the date of such payment;  
156a and has  
157 furnished proof of financial responsibility as required  
157a by  
158 the laws of this state; provided that the court in which  
158a such  
159 judgment was rendered, may, upon ten days notice to  
159a the  
160 attorney general, make an order permitting payment of  
160a the  
161 amount which such person is indebted to the fund, to  
161a be paid  
162 in installments, and in such case, such person's driver  
162a license,  
163 or his driving privileges, or registration privileges, if the  
164 same have been suspended or revoked, or have expired,  
164a may be  
165 restored and shall remain in effect, if proof of financial  
166 responsibility is furnished until and unless such person  
166a de-  
167 faults in making any installment payment specified in  
167a such  
168 order. In the event of any such default, the  
168a (commissioner)  
169 director of public safety shall, upon notice of such  
169a default,  
170 suspend such person's driver's license, or driving  
170a privileges  
171 or registration privileges until the amount of his debt  
171a to the  
172 fund has been paid in full.

And when so amended recommend the same do pass.

GUST WOG, Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Streibel moved that the Senate recess until 10:00 a.m., March 2, 1955, which motion prevailed, and the Senate stood recessed.

EDWARD LENO, Secretary.

FIFTY-SEVENTH DAY AFTER RECESS

Bismarck, March 2, 1955

The Senate reconvened at 10:00 a.m., the President presiding.

MESSAGE FROM THE GOVERNOR

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck, March 2, 1955

Members of the Senate  
Thirty-Fourth Legislative Assembly  
Senate Chambers  
Bismarck, North Dakota  
Gentlemen:

On March 1 I approved Senate Bills Nos. 135, 136, 146 and 161.

These bills have been filed with the Secretary of State.

Sincerely yours,

NORMAN BRUNSDALE,  
Governor.

MESSAGE FROM THE GOVERNOR

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck, March 2, 1955

Members of the Senate  
Thirty-Fourth Legislative Assembly  
Senate Chambers  
Bismarck, North Dakota  
Gentlemen:

Today I have approved Senate Bills Nos. 5, 26, 51, 61, 86, 87, 96, 101, 106, 107, 112, 113, 114, 162, 163, 168, 179, 184, 195 and 217.

These bills have been filed with the Secretary of State.

Sincerely yours,

NORMAN BRUNSDALE,  
Governor.

## REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 203  
Senate Bill No. 225

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed, and the report was adopted.

## SECOND READING OF HOUSE BILLS

House Bill No. 713. A Bill for an Act to amend and reenact sections 61-1602, 61-1605, 61-1615 and section 61-1620 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to water conservation and flood control districts.

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, 1; absent and not voting, 11.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Nelson   |
| Bilden     | Johnson, Cavalier | O'Brien  |
| Day        | Kamrath           | Olson    |
| Dewing     | Kieley            | Sayer    |
| Dolan      | Klefstad          | Schoeder |
| Duffy      | Knudson           | Solberg  |
| Fiedler    | Krenz             | Streibel |
| Fraser     | Kusler            | Torno    |
| Freed      | Leier             | Wadeson  |
| Gilbertson | Livingston        | Welander |
| Hagen      | Luick             | Wog      |
| Hernett    | Meidinger         | Yunker   |
| Holand     |                   |          |

Those voting in the negative were:

Page

Absent and not voting:

|          |         |        |
|----------|---------|--------|
| Berube   | Foss    | Thomas |
| Bridston | Rue     | Tuff   |
| Davis    | Schmit  | Wolf   |
| Ferry    | Schrock |        |

So the bill passed and the title was agreed to.

Senator Duffy moved that House Bill No. 717 be amended as follows:

In Line 6 of the engrossed bill delete the words "employing teachers"

In Line 7 delete the words "holding valid certificates".

Which motion prevailed.

Senator Duffy moved that the rules be suspended and House Bill No. 717 be placed on second reading and final action, as amended, which motion prevailed.

House Bill No. 717. A Bill for an Act to amend and reenact Section 15-5601 of the 1953 Supplement to the North

Dakota Revised Code of 1943, relating to elementary per pupil payments from the county tuition fund.

Which has been read.

#### 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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Bilden     | Johnson, Cass     | Sayer    |
| Bridston   | Johnson, Cavalier | Schmit   |
| Day        | Kamrath           | Schoeder |
| Dewing     | Kieley            | Schrock  |
| Dolan      | Klefstad          | Solberg  |
| Duffy      | Knudson           | Streibel |
| Ferry      | Krenz             | Thomas   |
| Fiedler    | Kusler            | Torno    |
| Foss       | Leier             | Tuff     |
| Fraser     | Livingston        | Wadeson  |
| Freed      | Luick             | Welander |
| Gilbertson | Meidinger         | Wolf     |
| Hagen      | Nelson            | Wog      |
| Hernett    | Olson             | Yunker   |

Absent and not voting:

|          |         |     |
|----------|---------|-----|
| Berube / | O'Brien | Rue |
| Davis    |         |     |

So the bill passed and the title was agreed to.

House Bill No. 727. A Bill for an Act to amend and reenact Section 15-4803 of the North Dakota Revised Code of 1943, relating to school elections.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Page     |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Day        | Kieley            | Schoeder |
| Dewing     | Klefstad          | Schrock  |
| Dolan      | Knudson           | Solberg  |
| Duffy      | Krenz             | Streibel |
| Ferry      | Kusler            | Thomas   |
| Fiedler    | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |

Absent and not voting:

|        |       |     |
|--------|-------|-----|
| Berube | Davis | Rue |
|--------|-------|-----|

So the bill passed and the title was agreed to.

House Bill No. 736. A Bill for an Act to provide for the coverage under the Old Age and Survivors Insurance provi-

sions of title II of the Federal Social Security Act, as amended, of all officers and employees of the state of North Dakota and political subdivisions within the state who are under the provisions of Chapter 52-09, entitled, Old Age and Survivors Insurance, or who may by election come under the provisions of such chapter, and of all officers and employees of political subdivisions who are under locally administered retirement systems.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Page     |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Day        | Kieley            | Schoeder |
| Dewing     | Klefstad          | Schrock  |
| Dolan      | Knudson           | Solberg  |
| Duffy      | Krenz             | Streibel |
| Ferry      | Kusler            | Thomas   |
| Fiedler    | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     |                   |          |

Absent and not voting:

|        |       |     |
|--------|-------|-----|
| Berube | Davis | Rue |
|--------|-------|-----|

So the bill passed and the title was agreed to.

House Bill No. 740. A Bill for an Act legalizing and validating proceedings taken by certain cities for the creation of improvement districts, notwithstanding certain defects in such proceedings, authorizing the levy of special assessments and taxes for payment of the municipal share of the cost of such improvements and the issuance of warrants in anticipation of the collection thereof, and declaring an emergency.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Bilden     | Johnson, Cass     | Sayer    |
| Bridston   | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schoeder |
| Day        | Kieley            | Schrock  |
| Dewing     | Klefstad          | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Fiedler    | Livingston        | Tuff     |

|            |           |          |
|------------|-----------|----------|
| Foss       | Luick     | Wadeson  |
| Fraser     | Meidinger | Welander |
| Freed      | Nelson    | Wog      |
| Gilbertson | O'Brien   | Wolf     |
| Hagen      | Olson     | Yunker   |
| Hernett    |           |          |

Absent and not voting:

|        |         |     |
|--------|---------|-----|
| Berube | Knudson | Rue |
|--------|---------|-----|

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**House Bill No. 742.** A Bill for an Act providing for credit or refund of fees or taxes upon destruction of licensed or taxed motor vehicles, and providing for an appropriation for refunds.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 18; nays, 28; absent and not voting, 3.

Those voting in the affirmative were:

|          |               |         |
|----------|---------------|---------|
| Bridston | Freed         | Krenz   |
| Davis    | Gilbertson    | Schmit  |
| Day      | Hernett       | Schrock |
| Dolan    | Holand        | Wog     |
| Duffy    | Johnson, Cass | Wolf    |
| Fraser   | Kieley        | Yunker  |

Those voting in the negative were:

|                   |           |          |
|-------------------|-----------|----------|
| Baeverstad        | Knudson   | Sayer    |
| Bilden            | Kusler    | Schoeder |
| Dewing            | Leier     | Solberg  |
| Ferry             | Luick     | Streibel |
| Fiedler           | Meidinger | Thomas   |
| Foss              | Nelson    | Torno    |
| Hagen             | O'Brien   | Tuff     |
| Johnson, Cavalier | Olson     | Wadeson  |
| Kamrath           | Page      | Welander |
| Klefstad          |           |          |

Absent and not voting:

|        |            |     |
|--------|------------|-----|
| Berube | Livingston | Rue |
|--------|------------|-----|

So the bill was declared lost.

**House Bill No. 748.** A Bill for an Act to amend and reenact subsection (d) of section 4-10A06 and subsection (a) of section 4-10A08 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to the regulatory powers of the North Dakota Potato Development Commission.

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, 0; absent and not voting, 6.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schoeder |
| Davis      | Klefstad          | Schrock  |

|            |           |          |
|------------|-----------|----------|
| Day        | Knudson   | Solberg  |
| Dewing     | Krenz     | Streibel |
| Dolan      | Kusler    | Thomas   |
| Duffy      | Leier     | Torno    |
| Ferry      | Luick     | Tuff     |
| Fiedler    | Meidinger | Wadeson  |
| Fraser     | Nelson    | Welander |
| Gilbertson | O'Brien   | Wog      |
| Hagen      | Olson     | Wolf     |
| Hernett    | Page      | Yunker   |
| Holand     |           |          |

Absent and not voting:

|        |               |            |
|--------|---------------|------------|
| Berube | Freed         | Livingston |
| Foss   | Johnson, Cass | Rue        |

So the bill passed and the title was agreed to.

**House Bill No. 749.** A Bill for an Act to amend and reenact Sections 15-2511 and 15-29082 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the approval by the county superintendent of elementary non-resident pupils.

Which has been read.

#### 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, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cavalier | Schmit   |
| Bilden     | Kamrath           | Schoeder |
| Bridston   | Klefstad          | Schrock  |
| Davis      | Knudson           | Solberg  |
| Day        | Krenz             | Streibel |
| Dewing     | Kusler            | Thomas   |
| Dolan      | Leier             | Torno    |
| Duffy      | Luick             | Tuff     |
| Ferry      | Meidinger         | Wadeson  |
| Fiedler    | Nelson            | Welander |
| Fraser     | O'Brien           | Wog      |
| Gilbertson | Olson             | Wolf     |
| Hagen      | Page              | Yunker   |
| Hernett    | Sayer             |          |

Absent and not voting:

|        |               |            |
|--------|---------------|------------|
| Berube | Holand        | Livingston |
| Foss   | Johnson, Cass | Rue        |
| Freed  | Kieley        |            |

So the bill passed and the title was agreed to.

**House Bill No. 761.** A Bill for an Act providing for the construction and equipping of an executive mansion on the capitol grounds and providing for an appropriation.

Which has been read.

#### 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, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

|            |                   |        |
|------------|-------------------|--------|
| Baeverstad | Hernett           | Sayer  |
| Bilden     | Johnson, Cavalier | Schmit |

|            |            |          |
|------------|------------|----------|
| Bridston   | Kamrath    | Schoeder |
| Davis      | Klefstad   | Schrock  |
| Day        | Knudson    | Solberg  |
| Dewing     | Krenz      | Streibel |
| Duffy      | Kusler     | Thomas   |
| Ferry      | Leier      | Torno    |
| Fiedler    | Livingston | Tuff     |
| Foss       | Meidinger  | Wadeson  |
| Fraser     | Nelson     | Welander |
| Freed      | O'Brien    | Wog      |
| Gilbertson | Olson      | Wolf     |
| Hagen      | Page       | Yunker   |

## Absent and not voting:

|        |               |       |
|--------|---------------|-------|
| Berube | Johnson, Cass | Luick |
| Dolan  | Kieley        | Rue   |
| Holand |               |       |

So the bill passed and the title was agreed to.

## MOTION

Senator Livingston moved that the Senate recognize the eighth and ninth grade students and instructors from the Minot Junior High School, which motion prevailed.

Senator Schoeder moved that House Bill No. 762 be placed at the foot of the calendar, which motion prevailed.

## SECOND READING OF HOUSE BILLS

House Bill No. 770. A Bill for an Act to amend and reenact sections 40-2907, 40-2908, and 40-2909 of the North Dakota Revised Code of 1943, relating to sidewalk construction in municipalities; providing for advertising for bids, awarding of contracts, and extension of assessments.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hagen             | Page     |
| Bilden     | Hernett           | Sayer    |
| Bridston   | Holand            | Schoeder |
| Davis      | Johnson, Cavalier | Schrock  |
| Day        | Kamrath           | Solberg  |
| Dewing     | Klefstad          | Streibel |
| Dolan      | Knudson           | Thomas   |
| Duffy      | Krenz             | Torno    |
| Ferry      | Leier             | Tuff     |
| Fiedler    | Livingston        | Wadeson  |
| Foss       | Meidinger         | Welander |
| Fraser     | Nelson            | Wog      |
| Freed      | O'Brien           | Wolf     |
| Gilbertson | Olson             | Yunker   |

## Absent and not voting:

|               |        |        |
|---------------|--------|--------|
| Berube        | Kusler | Rue    |
| Johnson, Cass | Luick  | Schmit |
| Kieley        |        |        |

So the bill passed and the title was agreed to.

Senator Hagen moved that House Bill No. 774 be moved to the foot of the calendar, which motion prevailed.



Senator Bridston moved that House Bill No. 775 be placed at the foot of the calendar.

Senator Streibel made a substitute motion that further consideration of House Bill No. 775 be indefinitely postponed, which motion was declared lost.

Senator Bridston withdrew his motion to place House Bill No. 775 at the foot of the calendar.

Senator Duffy moved that House Bill No. 775 be amended as follows:

In the last line delete the word "such" before the word "plate", and after the word "plate" and before the period insert "for a motor vehicle other than a motorcycle".

Which motion prevailed.

Senator Day moved that House Bill No. 775 be further amended as follows:

On Line 6 strike out the word "two".

On Line 7 strike out the "s" at the end of the word "plates".

Which motion prevailed.

Senator Duffy moved that the rules be suspended and House Bill No. 775 be placed on the calendar for second reading and final action, which motion prevailed.

House Bill No. 775. A Bill for an Act to amend and reenact section 39-0411 of the North Dakota Revised Code of 1943, relating to motor vehicle license plates.

Which has been read.

#### 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, 8; absent and not voting, 3.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | O'Brien  |
| Bilden     | Holand            | Olson    |
| Bridston   | Johnson, Cass     | Sayer    |
| Davis      | Johnson, Cavalier | Schmit   |
| Day        | Kamrath           | Schoeder |
| Dewing     | Klefstad          | Schrock  |
| Dolan      | Knudson           | Solberg  |
| Duffy      | Krenz             | Torno    |
| Ferry      | Leier             | Tuff     |
| Fiedler    | Livingston        | Wadeson  |
| Foss       | Luick             | Welander |
| Fraser     | Meidinger         | Yunker   |
| Freed      | Nelson            |          |

Those voting in the negative were:

|            |          |      |
|------------|----------|------|
| Gilbertson | Page     | Wog  |
| Hagen      | Streibel | Wolf |
| Kusler     | Thomas   |      |

Absent and not voting:

|        |         |     |
|--------|---------|-----|
| Berube | Kielely | Rue |
|--------|---------|-----|

So the bill passed and the title was agreed to.

Senator Baeverstad moved that the vote by which House Bill No. 775 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 785. A Bill for an Act to amend and reenact subsection 2 of section 11-1010 of the North Dakota Revised Code of 1943, relating to salaries of county officers, and repealing subsection 4 of section 11-1010 of the North Dakota Revised Code of 1943 and section 11-10102 of the 1953 Supplement thereto.

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, 3; absent and not voting, 6.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Sayer    |
| Bilden     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Klefstad          | Schrock  |
| Day        | Knudson           | Solberg  |
| Dolan      | Krenz             | Thomas   |
| Duffy      | Kusler            | Torno    |
| Ferry      | Leier             | Tuff     |
| Foss       | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Freed      | O'Brien           | Wog      |
| Hagen      | Olson             | Wolf     |
| Hernett    | Page              | Yunker   |
| Holand     |                   |          |

Those voting in the negative were:

|        |         |        |
|--------|---------|--------|
| Dewing | Fiedler | Nelson |
|--------|---------|--------|

Absent and not voting:

|            |            |          |
|------------|------------|----------|
| Berube     | Kieley     | Rue      |
| Gilbertson | Livingston | Streibel |

So the bill passed and the title was agreed to.

Senator Dewing: I wish to explain my vote on House Bill No. 785. I did not vote against this bill because I believe we should go back to the old salary scale of years ago, but I voted against it because of the increases over the salaries in the bill we passed two years ago. I was in favor of extending those salaries that were passed two years ago.

**MOTION**

Senator Bridston moved that the Senate recognize former Senator Emil Strand, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

House Bill No. 799. A Bill for an Act to amend and reenact section 40-3703 of the North Dakota Revised Code of 1943, relating to the authorization for a levy and expenditure of funds for band purposes by municipalities.

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, 0; absent and not voting, 6.

Those voting in the affirmative were:

|            |               |        |
|------------|---------------|--------|
| Baeverstad | Hernett       | Nelson |
| Bilden     | Holand        | Olson  |
| Bridston   | Johnson, Cass | Page   |

|            |                   |          |
|------------|-------------------|----------|
| Davis      | Johnson, Cavalier | Sayer    |
| Day        | Kamrath           | Schoeder |
| Dewing     | Kieley            | Schrock  |
| Dolan      | Klefstad          | Thomas   |
| Duffy      | Knudson           | Torno    |
| Ferry      | Krenz             | Tuff     |
| Fiedler    | Kusler            | Wadeson  |
| Foss       | Leier             | Welander |
| Fraser     | Livingston        | Wog      |
| Freed      | Luick             | Wolf     |
| Gilbertson | Meidinger         | Yunker   |
| Hagen      |                   |          |

Absent and not voting:

|         |        |          |
|---------|--------|----------|
| Berube  | Rue    | Solberg  |
| O'Brien | Schmit | Streibel |

So the bill passed and the title was agreed to:

**House Bill No. 804.** A Bill for an Act providing for and establishing the maximum cost and price for public printing furnished to political subdivisions, and declaring an emergency.

Which has been read.

Senator Freed moved that House Bill No. 804 be indefinitely postponed, which motion was declared lost.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 8; absent and not voting, 3.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Bilden     | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schoeder |
| Day        | Kieley            | Schrock  |
| Dewing     | Klefstad          | Solberg  |
| Duffy      | Krenz             | Thomas   |
| Ferry      | Kusler            | Torno    |
| Fiedler    | Leier             | Tuff     |
| Foss       | Livingston        | Welander |
| Fraser     | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | O'Brien           | Yunker   |
| Hernett    | Olson             |          |

Those voting in the negative were:

|          |               |         |
|----------|---------------|---------|
| Bridston | Johnson, Cass | Sayer   |
| Dolan    | Knudson       | Wadeson |
| Freed    | Luick         |         |

Absent and not voting:

|        |     |          |
|--------|-----|----------|
| Berube | Rue | Streibel |
|--------|-----|----------|

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Duffy moved that after the second reading of the bills and resolutions on the calendar, the Senate recess until 1:00 p.m., which motion prevailed, and the Senate stood recessed.

The Senate reconvened at the call of the Chair.

MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 2, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 830

Which the Senate has amended.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 2, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 11

Senate Bill No. 45

Senate Bill No. 50

Senate Bill No. 143

Senate Bill No. 171

Senate Bill No. 196

Senate Bill No. 209

Which the President has signed and your signature is respectfully requested.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 2, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 518

House Bill No. 568

House Bill No. 710

House Bill No. 789

House Bill No. 858

Which the President has signed.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 2, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 543

House Bill No. 545

House Bill No. 562

House Bill No. 634

House Bill No. 665

House Bill No. 676

House Bill No. 691

House Bill No. 697

House Bill No. 788

House Bill No. 822

Which the President has signed.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 2, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 9

Senate Bill No. 10

Senate Bill No. 33

Senate Bill No. 36

Senate Bill No. 38.

Senate Bill No. 43  
 Senate Bill No. 52  
 Senate Bill No. 62  
 Senate Bill No. 70  
 Senate Bill No. 103  
 Senate Bill No. 130  
 Senate Bill No. 142  
 Senate Bill No. 149  
 Senate Bill No. 150  
 Senate Bill No. 204  
 Senate Bill No. 235  
 Senate Bill No. 237  
 Senate Concurrent Resolution "J"

Which the President has signed and your signature is respectfully requested.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, March 2, 1955

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to Senate Bills No. 203 and 225.

EDWARD LENO, Secretary.

#### SECOND READING OF HOUSE BILLS

House Bill No. 810. A Bill for an Act to amend and reenact subsection 4, 5, and 6 of section 57-4006 of the North Dakota Revised Code of 1943 relating to and extending the time for filing returns required under the use tax law and relating to and extending the time for the payment of the tax due thereunder.

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, 0; absent and not voting, 6.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Bilden     | Johnson, Cass     | Sayer    |
| Davis      | Johnson, Cavalier | Schmit   |
| Day        | Kamrath           | Schoeder |
| Dewing     | Klefstad          | Schrock  |
| Dolan      | Knudson           | Solberg  |
| Duffy      | Krenz             | Thomas   |
| Ferry      | Kusler            | Torno    |
| Fiedler    | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | O'Brien           | Wolf     |
| Hagen      | Olson             | Yunker   |
| Hernett    |                   |          |

Absent and not voting:

|          |        |          |
|----------|--------|----------|
| Berube   | Kieley | Rue      |
| Bridston | Leier  | Streibel |

So the bill passed and the title was agreed to.

House Bill No. 812. A Bill for an Act to amend and reenact section 39-0421 of the 1953 Supplement to the North

Dakota Revised Code of 1943, and to repeal sections 39-0447 and 39-0448 of the North Dakota Revised Code of 1943, relating to exemptions from registration and reciprocal use of highways, and declaring an emergency.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Page     |
| Bilden     | Holand            | Sayer    |
| Bridston   | Johnson, Cass     | Schmit   |
| Davis      | Johnson, Cavalier | Schoeder |
| Day        | Kamrath           | Schrock  |
| Dewing     | Klefstad          | Solberg  |
| Dolan      | Knudson           | Thomas   |
| Duffy      | Krenz             | Torno    |
| Ferry      | Kusler            | Tuff     |
| Fiedler    | Livingston        | Wadeson  |
| Foss       | Luick             | Welander |
| Fraser     | Meidinger         | Wog      |
| Freed      | Nelson            | Wolf     |
| Gilbertson | O'Brien           | Yunker   |
| Hagen      | Olson             |          |

Absent and not voting:

|        |       |          |
|--------|-------|----------|
| Berube | Leier | Streibel |
| Kieley | Rue   |          |

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**MOTIONS**

Senator Day moved that the House be requested to return House Bill No. 695 to the Senate, which motion prevailed.

Senator Kusler moved that the Senate reconsider its action in defeating House Bill No. 742, which motion prevailed.

Senator Kusler moved that House Bill No. 742 be placed at the head of the calendar, which motion prevailed.

Senator Duffy moved that House Bill No. 742 be amended as follows:

In Line 9 after the word "destroyed" and the period, strike out the rest of the bill.

In the title of the bill delete the words "or refund".

Which motion prevailed.

Senator Duffy moved that House Bill No. 742 be placed on the calendar for final action, as amended by the Senate, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

House Bill No. 742. A Bill for an Act providing for credit or refund of fees or taxes upon destruction of licensed or taxed motor vehicles, and providing for an appropriation for refunds.

Which has been read.

## 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, 35; nays, 11; absent and not voting, 3.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Olson    |
| Bilden     | Holand            | Page     |
| Bridston   | Johnson, Cass     | Schmit   |
| Davis      | Johnson, Cavalier | Schoeder |
| Day        | Kamrath           | Schrock  |
| Dewing     | Kieley            | Thomas   |
| Dolan      | Knudson           | Wadeson  |
| Duffy      | Krenz             | Welander |
| Ferry      | Kusler            | Wog      |
| Fraser     | Livingston        | Wolf     |
| Freed      | Luick             | Yunker   |
| Gilbertson | Nelson            |          |

Those voting in the negative were:

|          |           |         |
|----------|-----------|---------|
| Fiedler  | Leier     | Solberg |
| Foss     | Meidinger | Torno   |
| Hagen    | O'Brien   | Tuff    |
| Klefstad | Sayer     |         |

Absent and not voting:

|        |     |          |
|--------|-----|----------|
| Berube | Rue | Streibel |
|--------|-----|----------|

So the bill passed and the title was agreed to.

## MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 2, 1955

Mr. Speaker: I have the honor to request the return of House Bill No. 695.

EDWARD LENO, Secretary.

## SECOND READING OF HOUSE BILLS

House Bill No. 821. A Bill for an Act authorizing the use of voting machines in election precincts upon county and city authorization and agreement; providing for standards of construction and operation of such machines, for procedure in use, for application of other election laws and for penalties; amending and reenacting sections 16-1103, 16-1104, 16-1105, 16-1109, 16-0901, and 16-0902 of the North Dakota Revised Code of 1943.

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, 8; absent and not voting, 4.

Those voting in the affirmative were:

|            |                   |         |
|------------|-------------------|---------|
| Baeverstad | Johnson, Cass     | Olson   |
| Bilden     | Johnson, Cavalier | Page    |
| Bridston   | Kieley            | Sayer   |
| Davis      | Klefstad          | Schmit  |
| Dolan      | Knudson           | Schrock |
| Duffy      | Krenz             | Thomas  |
| Ferry      | Kusler            | Torno   |
| Fiedler    | Leier             | Tuff    |
| Foss       | Livingston        | Wadeson |
| Fraser     | Luick             | Wog     |

|            |         |        |
|------------|---------|--------|
| Gilbertson | Nelson  | Wolf   |
| Hernett    | O'Brien | Yunker |
| Holand     |         |        |

Those voting in the negative were:

|        |          |          |
|--------|----------|----------|
| Day    | Hagen    | Solberg  |
| Dewing | Kamrath  | Welander |
| Freed  | Schoeder |          |

Absent and not voting:

|           |     |          |
|-----------|-----|----------|
| Berube    | Rue | Streibel |
| Meidinger |     |          |

So the bill passed and the title was agreed to.

**House Bill No. 829.** A Bill for an Act providing for the control of tuberculosis and protection of public health; creating county tuberculosis boards; authorizing compulsory care, treatment, isolation and quarantine at the state sanatorium or other appropriate institution, and the placing of persons having active, infectious tuberculosis dangerous to public health in the custody of the state board of administration for such purposes; and prescribing procedures.

Which has been read.

#### 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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Olson    |
| Bilden     | Johnson, Cass     | Page     |
| Bridston   | Johnson, Cavalier | Sayer    |
| Davis      | Kamrath           | Schmit   |
| Day        | Kieley            | Schoeder |
| Dewing     | Klefstad          | Schrock  |
| Dolan      | Knudson           | Solberg  |
| Duffy      | Krenz             | Thomas   |
| Ferry      | Kusler            | Torno    |
| Fiedler    | Leier             | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | O'Brien           | Yunker   |
| Hernett    |                   |          |

Absent and not voting:

|        |     |          |
|--------|-----|----------|
| Berube | Rue | Streibel |
|--------|-----|----------|

So the bill passed and the title was agreed to.

Senator Davis moved that House Bill No. 831 be amended as follows:

In Line 7 strike out the word "seven" and insert in lieu thereof the word "six" and strike out the word "two" and insert in lieu thereof the word "four".

Which motion prevailed.

Senator Davis moved that the rules be suspended and House Bill No. 831 be placed on the calendar for final action, as amended, which motion prevailed.

**House Bill No. 831.** A Bill for an Act to amend and re-enact Section 15-2102 of the 1953 Supplement to the North



Dakota Revised Code of 1943, relating to salary and expenses of the superintendent of public instruction.

Which has been read.

#### 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, 21; nays, 23; absent and not voting, 5.

Those voting in the affirmative were:

|            |               |            |
|------------|---------------|------------|
| Baeverstad | Hernett       | Livingston |
| Bridston   | Holand        | Luick      |
| Davis      | Johnson, Cass | Meidinger  |
| Dolan      | Kieley        | Nelson     |
| Duffy      | Klefstad      | Torno      |
| Foss       | Knudson       | Wadeson    |
| Freed      | Krenz         | Yunker     |

Those voting in the negative were:

|                   |         |           |
|-------------------|---------|-----------|
| Day               | Kamrath | Schoeder  |
| Dewing            | Kusler  | Solberg   |
| Ferry             | Leier   | Thomas    |
| Fiedler           | O'Brien | Tuff      |
| Fraser            | Olson   | Welanders |
| Gilbertson        | Page    | Wog       |
| Hagen             | Sayer   | Wolf      |
| Johnson, Cavalier | Schmit  |           |

Absent and not voting:

|        |         |          |
|--------|---------|----------|
| Berube | Rue     | Streibel |
| Bilden | Schrock |          |

So the bill was declared lost due to the lack of a constitutional majority.

Senator Duffy moved that the vote by which the following House Bill were passed be reconsidered and the motion to reconsider be laid on the table: House Bills Nos. 713, 717, 727, 736, 740, 742, 748, 749, 761, 770, 785, 799, 804, 810, 812, 821, and 829.

Which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 2, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 713  
House Bill No. 727  
House Bill No. 736  
House Bill No. 740  
House Bill No. 748  
House Bill No. 770  
House Bill No. 785  
House Bill No. 799  
House Bill No. 804  
House Bill No. 810  
House Bill No. 812  
House Bill No. 821

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

#### MESSAGE TO THE SENATE

House Chamber

Bismarck, March 2, 1955

Mr. President: I have the honor to return House Bill No. 695 as requested by the Senate.

KENNETH L. MORGAN, Chief Clerk.

MOTIONS

Senator Day moved that the Senate reconsider its action in failing to pass House Bill No. 695, which motion prevailed.

Senator Day moved that House Bill No. 695 be placed at the foot of the calendar, which motion prevailed.

Senator Solberg moved that the Senate do concur in the House amendments to Senate Bill No. 46, which motion prevailed.

Senator Solberg moved that the rules be suspended and Senate Bill No. 46 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 46. A Bill for an Act authorizing the game and fish commissioner to cooperate with the army corps of engineers in planting replacement cover along the Garrison Dam reservoir, and declaring an emergency.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Olson    |
| Bilden     | Holand            | Page     |
| Bridston   | Johnson, Cass     | Sayer    |
| Davis      | Johnson, Cavalier | Schmit   |
| Day        | Kamrath           | Schoeder |
| Dewing     | Kieley            | Schrock  |
| Dolan      | Klefstad          | Solberg  |
| Duffy      | Krenz             | Thomas   |
| Ferry      | Kusler            | Torno    |
| Fiedler    | Leier             | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | O'Brien           | Yunker   |

Absent and not voting:

|         |     |          |
|---------|-----|----------|
| Berube  | Rue | Streibel |
| Knudson |     |          |

So the bill passed and the title was agreed to, and the emergency clause carried.

MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 2, 1955

Mr. Speaker: I have the honor to return:

- House Bill No. 717
- House Bill No. 742
- House Bill No. 749
- House Bill No. 761
- House Bill No. 775
- House Bill No. 829

Which the Senate has amended.

EDWARD LENO, Secretary.

## MESSAGES TO THE SENATE

House Chamber  
Bismarck, March 2, 1955

Mr. President: I have the honor to transmit:  
House Bill No. 503  
House Bill No. 528  
House Bill No. 546  
House Bill No. 553  
House Bill No. 585  
House Bill No. 610  
House Bill No. 619  
House Bill No. 628  
House Bill No. 629  
House Bill No. 638  
House Bill No. 644  
House Bill No. 678  
House Bill No. 796  
House Bill No. 828  
House Concurrent Resolution "D"  
House Concurrent Resolution "J"  
House Concurrent Resolution "V"  
House Concurrent Resolution "Y"  
Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 2, 1955

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bill No. 516 by a vote of 102-4-7; and House Bill No. 576 by a vote of 101-5-7.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 2, 1955

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 557 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Reps. Mueller, Wolf and Stockman.

KENNETH L. MORGAN, Chief Clerk.

## MOTIONS

Senator Solberg moved that the House be requested to return House Concurrent Resolution "M" to the Senate, which motion was declared lost.

## MESSAGES TO THE SENATE

House Chamber  
Bismarck, March 2, 1955

Mr. President: I have the honor to return:

Senate Bill No. 105  
Senate Bill No. 190  
Senate Bill No. 224  
Senate Bill No. 228  
Senate Bill No. 243  
Senate Concurrent Resolution "A"  
Senate Concurrent Resolution "Q"  
Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 2, 1955

Mr. President: I have the honor to return:

Senate Bill No. 183

Senate Bill No. 211

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

HOUSE AMENDMENTS

Senate Bill No. 183

In line 16 delete the brackets around the following: "where expedient".

Senate Bill No. 211

In line 14 delete "\$1.00" and insert in lieu thereof: "\$1.25".

In line 16 delete "\$1.00" and insert in lieu thereof: "\$1.25".

In line 19 delete "\$1.00" and insert in lieu thereof: "\$1.25".

In line 24 delete "\$1.00" and insert in lieu thereof: "\$1.25".

In line 27 delete "\$6.00" and insert in lieu thereof: "\$8.00".

MESSAGES TO THE SENATE

House Chamber  
Bismarck, March 2, 1955

Mr. President: I have the honor to return:

Senate Bill No. 24

Senate Bill No. 39

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 2, 1955

Mr. President: I have the honor to transmit:

House Concurrent Resolution "M-1"

House Concurrent Resolution "V-1"

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 837. A Bill for an Act relating to unfair trade practices in the dairy industry.

Which has been read.

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, 35; nays, 8; absent and not voting, 6.

Those voting in the affirmative were:

|          |            |          |
|----------|------------|----------|
| Bilden   | Kamrath    | Page     |
| Bridston | Klefstad   | Schoeder |
| Davis    | Knudson    | Solberg  |
| Day      | Krenz      | Thomas   |
| Dewing   | Kusler     | Torno    |
| Ferry    | Leier      | Tuff     |
| Fiedler  | Livingston | Wadeson  |
| Foss     | Luick      | Welander |
| Fraser   | Meidinger  | Wog      |

|               |         |        |
|---------------|---------|--------|
| Gilbertson    | Nelson  | Wolf   |
| Hagen         | O'Brien | Yunker |
| Johnson, Cass | Olson   |        |

Those voting in the negative were:

|         |                   |         |
|---------|-------------------|---------|
| Duffy   | Holand            | Schmit  |
| Freed   | Johnson, Cavalier | Schrock |
| Hernett | Kieley            |         |

Absent and not voting:

|            |       |          |
|------------|-------|----------|
| Baeverstad | Dolan | Sayer    |
| Berube     | Rue   | Streibel |

So the bill passed and the title was agreed to.

Senator Fraser moved that the vote by which House Bill No. 837 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 838. A Bill for an Act to amend and reenact sections 19-0601, 19-0602, 19-0603, 19-0604, 19-0605 and 19-0606 of the North Dakota Revised Code of 1943, relating to the sale of imitation ice cream.

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, 0; absent and not voting, 6.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Page     |
| Bilden     | Johnson, Cavalier | Sayer    |
| Davis      | Kamrath           | Schmit   |
| Day        | Kieley            | Schoeder |
| Dewing     | Klefstad          | Schrock  |
| Duffy      | Krenz             | Solberg  |
| Ferry      | Kusler            | Thomas   |
| Fiedler    | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     |                   |          |

Absent and not voting:

|          |         |          |
|----------|---------|----------|
| Berube   | Dolan   | Rue      |
| Bridston | Knudson | Streibel |

So the bill passed and the title was agreed to.

House Bill No. 846. A Bill for an Act to amend and reenact subsections 2, 4, and 5 of section 57-4001, section 57-4002, subsection 2 of section 57-4003, and section 57-4010 of the North Dakota Revised Code of 1943 relating to definitions, imposition of the excise tax, exemptions, and credit for taxes paid in other states, and to create and enact subsection 10 of section 57-4001 of the North Dakota Revised Code of 1943 relating to definitions of "purchased at retail".

Which has been read.

#### 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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Bilden     | Johnson, Cass     | Sayer    |
| Davis      | Johnson, Cavalier | Schmit   |
| Day        | Kamrath           | Schoeder |
| Dewing     | Kieley            | Schrock  |
| Dolan      | Klefstad          | Solberg  |
| Duffy      | Krenz             | Thomas   |
| Ferry      | Kusler            | Torno    |
| Fiedler    | Leier             | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | O'Brien           | Yunker   |
| Hernett    | Olson             |          |

Absent and not voting:

|          |         |          |
|----------|---------|----------|
| Berube   | Knudson | Streibel |
| Bridston | Rue     |          |

So the bill passed and the title was agreed to.

**House Bill No. 847.** A Bill for an Act providing for the destruction of Motor Vehicle Fuel Tax Refund Claims, Invoices, and other items attached to such refund claims and repealing Section 57-4133 of the 1953 Supplement to the North Dakota Revised Code of 1943.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Olson    |
| Bilden     | Johnson, Cass     | Page     |
| Davis      | Johnson, Cavalier | Sayer    |
| Day        | Kamrath           | Schmit   |
| Dewing     | Kieley            | Schoeder |
| Dolan      | Klefstad          | Schrock  |
| Duffy      | Knudson           | Thomas   |
| Ferry      | Krenz             | Torno    |
| Fiedler    | Kusler            | Tuff     |
| Foss       | Leier             | Wadeson  |
| Fraser     | Livingston        | Welander |
| Freed      | Luick             | Wog      |
| Gilbertson | Meidinger         | Wolf     |
| Hagen      | Nelson            | Yunker   |
| Hernett    | O'Brien           |          |

Absent and not voting:

|          |         |          |
|----------|---------|----------|
| Berube   | Rue     | Streibel |
| Bridston | Solberg |          |

So the bill passed and the title was agreed to.

**House Bill No. 856.** A Bill for an Act authorizing a special ten mill levy for certain county agricultural high schools for building fund purposes, and declaring an emergency.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Olson    |
| Bilden     | Johnson, Cass     | Page     |
| Davis      | Johnson, Cavalier | Sayer    |
| Day        | Kamrath           | Schmit   |
| Dewing     | Kieley            | Schoeder |
| Dolan      | Klefstad          | Schrock  |
| Duffy      | Knudson           | Thomas   |
| Ferry      | Krenz             | Torno    |
| Fiedler    | Kusler            | Tuff     |
| Foss       | Leier             | Wadeson  |
| Fraser     | Livingston        | Welander |
| Freed      | Luick             | Wog      |
| Gilbertson | Meidinger         | Wolf     |
| Hagen      | Nelson            | Yunker   |
| Hernett    | O'Brien           |          |

Absent and not voting:

|          |         |          |
|----------|---------|----------|
| Berube   | Rue     | Streibel |
| Bridston | Solberg |          |

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 861. A Bill for an Act to amend and reenact subsections A., E., and F., of Section 52-0920, of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to definitions.

Which has been read.

#### 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, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Bilden     | Johnson, Cass     | Sayer    |
| Day        | Johnson, Cavalier | Schmit   |
| Dewing     | Kamrath           | Schoeder |
| Dolan      | Kieley            | Schrock  |
| Duffy      | Klefstad          | Solberg  |
| Ferry      | Krenz             | Torno    |
| Fiedler    | Kusler            | Tuff     |
| Foss       | Leier             | Wadeson  |
| Fraser     | Livingston        | Welander |
| Freed      | Luick             | Wog      |
| Gilbertson | Meidinger         | Wolf     |
| Hagen      | Nelson            | Yunker   |
| Hernett    | Olson             |          |

Absent and not voting:

|          |         |          |
|----------|---------|----------|
| Berube   | Knudson | Streibel |
| Bridston | O'Brien | Thomas   |
| Davis    | Rue     |          |

So the bill passed and the title was agreed to.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 2, 1955

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 46.

EDWARD LENO, Secretary.

SECOND READING OF HOUSE BILLS

House Bill No. 862. A Bill for an Act to amend and reenact section 38-0205 of the North Dakota Revised Code of 1943 providing for alternative methods of locating mining claims in lieu of sinking discovery shafts, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Bilden     | Johnson, Cass     | Sayer    |
| Bridston   | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schoeder |
| Day        | Kieley            | Schrock  |
| Dewing     | Klefstad          | Solberg  |
| Dolan      | Krenz             | Thomas   |
| Duffy      | Kusler            | Torno    |
| Ferry      | Leier             | Tuff     |
| Fiedler    | Livingston        | Wadeson  |
| Foss       | Luick             | Welander |
| Fraser     | Meidinger         | Wog      |
| Freed      | Nelson            | Wolf     |
| Gilbertson | Olson             | Yunker   |
| Hernett    |                   |          |

Absent and not voting:

|        |         |          |
|--------|---------|----------|
| Berube | Knudson | Rue      |
| Hagen  | O'Brien | Streibel |

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 864. A Bill for an Act relating to tuition payments for high school students.

Which has been read.

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:

|            |               |          |
|------------|---------------|----------|
| Baeverstad | Gilbertson    | Nelson   |
| Bilden     | Hagen         | O'Brien  |
| Bridston   | Hernett       | Page     |
| Day        | Holand        | Schrock  |
| Dewing     | Johnson, Cass | Solberg  |
| Dolan      | Kamrath       | Tuff     |
| Duffy      | Kieley        | Wadeson  |
| Ferry      | Klefstad      | Welander |
| Foss       | Krenz         | Wog      |
| Fraser     | Kusler        | Wolf     |
| Freed      | Meidinger     |          |

Those voting in the negative were:

|                   |        |          |
|-------------------|--------|----------|
| Davis             | Luick  | Schoeder |
| Fiedler           | Olson  | Thomas   |
| Johnson, Cavalier | Sayer  | Torno    |
| Leier             | Schmit | Yunker   |
| Livingston        |        |          |



Absent and not voting:

|         |     |          |
|---------|-----|----------|
| Berube  | Rue | Streibel |
| Knudson |     |          |

So the bill passed and the title was agreed to.

#### MOTIONS

Senator Day moved that the following bills be placed at the head of the calendar: House Bills Nos. 627, 542, 762, 774, and 695, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 627.** A Bill for an Act to vacate the plat of Capitol Park platted by the Capitol Commission by virtue of the provisions of Chapter 104, Laws of Dakota Territory for 1883, said plat being a plat of the present Capitol grounds, providing for a limitation of time for all claimants to object to such vacation and providing for the repeal of any act or part of any act in conflict herewith.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Olson    |
| Bilden     | Holand            | Page     |
| Bridston   | Johnson, Cass     | Sayer    |
| Davis      | Johnson, Cavalier | Schmit   |
| Day        | Kamrath           | Schoeder |
| Dewing     | Kieley            | Schrock  |
| Dolan      | Klefstad          | Solberg  |
| Duffy      | Knudson           | Thomas   |
| Ferry      | Krenz             | Torno    |
| Fiedler    | Kusler            | Tuff     |
| Foss       | Leier             | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | O'Brien           | Yunker   |

Absent and not voting:

|            |     |          |
|------------|-----|----------|
| Berube     | Rue | Streibel |
| Livingston |     |          |

So the bill passed and the title was agreed to.

Senator Duffy moved that House Bill No. 542 be amended as follows:

In line 79 delete the words "by the quickest means of communication".

In line 83 after the period insert the following:

"The driver shall give to the officer, or department, receiving the notice or investigating the accident such detailed information as may be requested. The officer, or department, receiving such notice shall upon request give such driver a receipt showing that the required notice has been given."

In line 91 delete the words "additional information" and insert in lieu thereof the words "officer to report".

Delete the balance of Section 8 and insert in lieu thereof the following:

"Every law enforcement officer to whom a notice of accident may be given shall make a written report to the highway

commissioner showing the facts and circumstances of the accident as reported to him unless he shall refer the investigation of the accident to another enforcement officer. Every enforcement officer, who in the regular course of duty investigates a motor vehicle accident either at the time, and at the scene of the accident or thereafter by interviewing the participants, or witnesses, shall forward promptly a written report of such accident to the highway commissioner."

In line 110 delete the word "report" and insert in lieu thereof the word "notice".

Delete lines 121 to 127 inclusive.

In line 142 delete the words "by persons involved in".

In line 143 delete the words "accidents and".

Delete Sections 12 and 13.

In line 180 delete the words "an accident of which report must be made is" and insert in lieu thereof the words "a collision".

In line 181 delete the words "provided in Section 7 of this Act".

In line 182 delete the word "commissioner" and insert in lieu thereof the words "a police officer".

In line 230 delete the word "also".

In line 232 delete the words "or a copy of any report herein required to be".

In line 233 delete the words "filed with the commissioner". Strike out Section 10.

Renumber the Sections and lines accordingly.

Which motion prevailed.

Senator Duffy moved that the rules be suspended and House Bill No. 542 be placed on the calendar, as amended, for second reading and final action, which motion prevailed.

**House Bill No. 542.** A Bill for an Act relating to vehicle accidents, the duties of persons involved in such accidents, accident reports, the reports of magistrates, coroners, garage operators and others concerned with persons involved in accidents, providing penalties for false reports and failure to report as required, and repealing sections 39-0712, 39-0804, 39-0805, 39-0806, 39-0807, and 39-0808 of the North Dakota Revised Code of 1943.

Which has been read.

#### 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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Olson    |
| Bridston   | Johnson, Cass     | Sayer    |
| Davis      | Johnson, Cavalier | Schmit   |
| Day        | Kamrath           | Schoeder |
| Dewing     | Kieley            | Schrock  |
| Dolan      | Klefstad          | Solberg  |
| Duffy      | Knudson           | Thomas   |
| Ferry      | Krenz             | Torno    |
| Fiedler    | Kusler            | Tuff     |
| Foss       | Leier             | Wadeson  |
| Fraser     | Livingston        | Welander |
| Freed      | Luick             | Wog      |
| Gilbertson | Meidinger         | Wolf     |
| Hagen      | Nelson            | Yunker   |
| Hernett    | O'Brien           |          |

Absent and not voting:

|        |      |          |
|--------|------|----------|
| Berube | Page | Streibel |
| Bilden | Rue  |          |

So the bill passed and the title was agreed to.

Senator Hagen moved that House Bill No. 695 be further amended as follows:

In the title of the bill, on Line 3, after the word "certificate" insert a period and strike out the balance of that line and all of Line 4.

Which motion prevailed.

Senator Freed moved that the rules be suspended and House Bill No. 695 be placed on the calendar, as amended, for final action, which motion prevailed.

House Bill No. 695. A Bill for an Act to amend and reenact subsection 5 of Section 43-0442 of the North Dakota Revised Code of 1943; relating to increase in renewal fee for barber's certificate and membership in North Dakota Barber Association.

Which has been read.

#### 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, 32; nays, 12; absent and not voting, 5.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Bridston   | Holand            | Nelson   |
| Day        | Johnson, Cass     | O'Brien  |
| Dolan      | Johnson, Cavalier | Schmit   |
| Duffy      | Kieley            | Schoeder |
| Ferry      | Klefstad          | Solberg  |
| Fiedler    | Knudson           | Thomas   |
| Foss       | Krenz             | Torno    |
| Fraser     | Kusler            | Tuff     |
| Freed      | Livingston        | Wadeson  |
| Gilbertson | Luick             | Wolf     |
| Hernett    | Meidinger         |          |

Those voting in the negative were:

|            |       |          |
|------------|-------|----------|
| Baeverstad | Leier | Schrock  |
| Dewing     | Olson | Welander |
| Hagen      | Page  | Wog      |
| Kamrath    | Sayer | Yunker   |

Absent and not voting:

|        |       |          |
|--------|-------|----------|
| Berube | Davis | Streibel |
| Bilden | Rue   |          |

So the bill passed and the title was agreed to.

#### MOTIONS

Senator Day moved that the vote by which the following House Bills were passed be reconsidered and the motion to reconsider be laid on the table: House Bills Nos. 838, 846, 847, 856, 861, 862, 864, 627, and 542, which motion prevailed.

Senator Duffy moved that the vote by which the following House Bills were passed be reconsidered and the motion to reconsider be laid on the table: House Bills Nos. 524, 640, 656, 658, 698, 705, 707, 708, 613, 623, 631, 641, 643, 649, 651, 662, 667, 669, 680, 682, 694, and 702, which motion prevailed.

Senator Livingston moved that the Senate recognize the members of the band and their director from the Minot Teachers' College, which motion prevailed.

## ANNOUNCEMENT

Senator O'Brien:

Those of you who attended the Mock Session Monday night know that the Democratic Party in North Dakota is expecting a blessed event. Affairs of this kind need some advance preparation and in line with that idea, I should like to announce a joint caucus of the Senate and House Democrats.

In the past when my husband, the late Senator O'Brien was the lone Democrat in the Senate for so many years, it was a standing joke that the telephone booth would be large enough to accommodate any caucus he might want to hold. Times have changed now however, and I am pleased to state that our number in the Legislature have increased to the extent that we will need larger accommodations. Therefore, a table has been reserved at the Patterson Hotel dining room for a breakfast caucus tomorrow morning at 8:30 o'clock.

I am making this announcement early Mr. President, in order that the other Senators will have a chance to meditate and decide whether they would care to join us.

Senator Johnson (Cavalier) moved that the remarks of Senator O'Brien be printed in the Journal, which motion prevailed.

## SECOND READING OF HOUSE BILLS

**House Bill No. 762.** A Bill for an Act authorizing the Public Service Commission to appoint grain elevator weighmasters; prescribing qualifications; authorizing the Public Service Commission to prescribe fees; providing for remuneration of weighmasters, revocation of license and providing a penalty, and declaring an emergency.

Which has been read.

## 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, 41; nays, 1; absent and not voting, 7.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Bilden     | Johnson, Cass     | Sayer    |
| Davis      | Johnson, Cavalier | Schmit   |
| Day        | Kamrath           | Schoeder |
| Dolan      | Kieley            | Schrock  |
| Duffy      | Knudson           | Solberg  |
| Ferry      | Krenz             | Thomas   |
| Fiedler    | Kusler            | Tormo    |
| Foss       | Leier             | Tuff     |
| Fraser     | Livingston        | Wadeson  |
| Freed      | Luick             | Welander |
| Gilbertson | Meidinger         | Wog      |
| Hagen      | Nelson            | Wolf     |
| Hernett    | O'Brien           | Yunker   |
| Holand     | Olson             |          |

Those voting in the negative were:

Page

Absent and not voting:

|            |          |          |
|------------|----------|----------|
| Baeverstad | Dewing   | Rue      |
| Berube     | Klefstad | Streibel |
| Bridston   |          |          |

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Meidinger moved that the vote by which House Bill No. 762 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 774. A Bill for an Act to provide for the rehabilitation, clearance, and redevelopment of slums and blighted areas; to define the duties, liabilities, exemptions and powers of cities and towns in undertaking such activities, and declaring and emergency.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 32; nays, 9; absent and not voting, 8.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Page     |
| Bridston   | Johnson, Cavalier | Sayer    |
| Davis      | Kamrath           | Schmit   |
| Dewing     | Kieley            | Sollberg |
| Dolan      | Knudson           | Thomas   |
| Fiedler    | Krenz             | Torno    |
| Foss       | Leier             | Tuff     |
| Fraser     | Livingston        | Wadeson  |
| Freed      | Luick             | Wog      |
| Hernett    | Meidinger         | Yunker   |
| Holand     | O'Brien           |          |

Those voting in the negative were:

|       |            |           |
|-------|------------|-----------|
| Day   | Gilbertson | Olson     |
| Duffy | Hagen      | Schoeder  |
| Ferry | Kusler     | Welandier |

Absent and not voting:

|          |         |          |
|----------|---------|----------|
| Berube   | Nelson  | Streibel |
| Bilden   | Rue     | Wolf     |
| Klefstad | Schrock |          |

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 2, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 627  
House Bill No. 838  
House Bill No. 847  
House Bill No. 856  
House Bill No. 862  
House Bill No. 864

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 2, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 524  
House Bill No. 640  
House Bill No. 656  
House Bill No. 658  
House Bill No. 674  
House Bill No. 698

House Bill No. 705

House Bill No. 707

House Bill No. 708

Which the Senate has amended.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, March 2, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 613

House Bill No. 623

House Bill No. 631

House Bill No. 641

House Bill No. 643

House Bill No. 649

House Bill No. 651

House Bill No. 662

House Bill No. 667

House Bill No. 669

House Bill No. 680

House Bill No. 682

House Bill No. 694

House Bill No. 702

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, March 2, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 542

House Bill No. 695

House Bill No. 762

House Bill No. 846

House Bill No. 861

Which the Senate has amended.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, March 2, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 837

Which the Senate has amended.

EDWARD LENO, Secretary.

Senator Day moved that after the reading of the balance of the bills on the calendar, the Senate recess for fifteen minutes, which motion prevailed, and the Senate stood recessed.

The Senate reconvened at the call of the Chair.

## SECOND READING OF HOUSE BILLS

**House Bill No. 502.** A Bill for an Act making an appropriation for the purpose of carrying out the provisions of Chapter 54-38 of the 1953 Supplement to the North Dakota Revised Code of 1943.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 23; nays, 17; absent and not voting, 9.

Those voting in the affirmative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Hernett           | Luick     |
| Bridston   | Holand            | Meidinger |
| Davis      | Johnson, Cass     | Nelson    |
| Dewing     | Johnson, Cavalier | Sayer     |
| Duffy      | Knudson           | Schrock   |
| Foss       | Krenz             | Tuff      |
| Fraser     | Leier             | Wadeson   |
| Freed      | Livingston        |           |

Those voting in the negative were:

|            |          |          |
|------------|----------|----------|
| Day        | Klefstad | Schoeder |
| Dolan      | Kusler   | Solberg  |
| Ferry      | O'Brien  | Torno    |
| Fiedler    | Olson    | Wolf     |
| Gilbertson | Page     | Yunker   |
| Hagen      | Schmit   |          |

Absent and not voting:

|         |          |          |
|---------|----------|----------|
| Berube  | Kieley   | Thomas   |
| Bilden  | Rue      | Welander |
| Kamrath | Streibel | Wog      |

So the bill was declared lost due to the lack of a constitutional majority.

Senator Dolan changed his vote from aye to nay for the purpose of reconsideration.

**House Bill No. 520.** A Bill for an Act making an appropriation for salaries and expenses of the State Geological Survey and for cooperation of United States Geological Survey.

Which 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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hagen             | Olson    |
| Bridston   | Hernett           | Page     |
| Davis      | Holand            | Sayer    |
| Day        | Johnson, Cass     | Schmit   |
| Dewing     | Johnson, Cavalier | Schoeder |
| Dolan      | Klefstad          | Schrock  |
| Duffy      | Knudson           | Solberg  |
| Ferry      | Krenz             | Torno    |
| Fiedler    | Kusler            | Tuff     |
| Foss       | Leier             | Wadeson  |
| Fraser     | Luick             | Wolf     |
| Freed      | Nelson            | Yunker   |
| Gilbertson | O'Brien           |          |

Absent and not voting:

|         |            |          |
|---------|------------|----------|
| Berube  | Livingston | Thomas   |
| Bilden  | Meidinger  | Welander |
| Kamrath | Rue        | Wog      |
| Kieley  | Streibel   |          |

So the bill passed and the title was agreed to.

**House Bill No. 531.** A Bill for an Act making an appropriation for the purpose of paying salaries and miscellaneous expenses of the Workmen's Compensation Bureau.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hagen             | O'Brien  |
| Bilden     | Hernett           | Olson    |
| Bridston   | Holand            | Page     |
| Davis      | Johnson, Cass     | Sayer    |
| Day        | Johnson, Cavalier | Schmit   |
| Dewing     | Kamrath           | Schoeder |
| Dolan      | Klefstad          | Schrock  |
| Duffy      | Knudson           | Solberg  |
| Ferry      | Krenz             | Torno    |
| Fiedler    | Kusler            | Tuff     |
| Foss       | Leier             | Wadeson  |
| Fraser     | Luick             | Wolf     |
| Freed      | Nelson            | Yunker   |
| Gilbertson |                   |          |

Absent and not voting:

|            |           |          |
|------------|-----------|----------|
| Berube     | Meidinger | Thomas   |
| Kieley     | Rue       | Welander |
| Livingston | Streibel  | Wog      |

So the bill passed and the title was agreed to.

House Bill No. 537. A Bill for an Act to provide for the appropriation and transfer of funds from the Bank of North Dakota and the mill and elevator association to the state highway construction fund in the state treasury.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Gilbertson        | O'Brien  |
| Bilden     | Hagen             | Olson    |
| Bridston   | Hernett           | Page     |
| Davis      | Holand            | Sayer    |
| Day        | Johnson, Cass     | Schmit   |
| Dewing     | Johnson, Cavalier | Schoeder |
| Dolan      | Kamrath           | Schrock  |
| Duffy      | Knudson           | Solberg  |
| Ferry      | Krenz             | Torno    |
| Fiedler    | Kusler            | Tuff     |
| Foss       | Leier             | Wadeson  |
| Fraser     | Luick             | Wolf     |
| Freed      | Nelson            | Yunker   |

Absent and not voting:

|            |           |          |
|------------|-----------|----------|
| Berube     | Meidinger | Thomas   |
| Kieley     | Rue       | Welander |
| Klefstad   | Streibel  | Wog      |
| Livingston |           |          |

So the bill passed and the title was agreed to.

## MESSAGE TO THE SENATE

Bismarck, March 2, 1955  
House Chamber

Mr. President: I have the honor to transmit:

House Concurrent Resolution "O-1"

House Concurrent Resolution "B-2"



Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

### SECOND READING OF HOUSE BILLS

**House Bill No. 538.** A Bill for an Act making an appropriation from the state treasury to the state highway department construction fund for the purpose of matching federal aid.

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, 3; absent and not voting, 6.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Bilden     | Hernett           | Sayer    |
| Bridston   | Holand            | Schmit   |
| Davis      | Johnson, Cavalier | Schoeder |
| Day        | Kamrath           | Schrock  |
| Dewing     | Klefstad          | Solberg  |
| Dolan      | Krenz             | Thomas   |
| Duffy      | Kusler            | Torno    |
| Ferry      | Leier             | Tuff     |
| Fiedler    | Luick             | Wadeson  |
| Foss       | Nelson            | Welander |
| Fraser     | O'Brien           | Wog      |
| Freed      | Olson             | Wolf     |
| Gilbertson | Page              | Yunker   |
| Hagen      |                   |          |

Those voting in the negative were:

|                        |               |          |
|------------------------|---------------|----------|
| Baeverstad             | Johnson, Cass | Knudson  |
| Absent and not voting: |               |          |
| Berube                 | Livingston    | Rue      |
| Kieley                 | Meidinger     | Streibel |

So the bill passed and the title was agreed to.

Senator Welander moved that the vote by which House Bill No. 538 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Baeverstad:

I voted against this bill because I understand there is not sufficient monies in the General Fund. I am against taking any money from the Equalization Fund for highway purposes, even though I am very much interested in our highways. I see no reason for passing this bill when there is no money available.

Senator Schoeder moved that House Bill No. 556 be moved to the foot of the calendar, which motion prevailed.

**House Bill No. 558.** A Bill for an Act to prohibit the feeding of raw garbage to swine in North Dakota and to provide for the licensing and regulation of garbage feeders and to provide minimum standards for the operation of garbage feeding establishments.

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, 10; absent and not voting, 4.

Those voting in the affirmative were:

|            |               |       |
|------------|---------------|-------|
| Baeverstad | Holand        | Olson |
| Bilden     | Johnson, Cass | Sayer |

|          |           |          |
|----------|-----------|----------|
| Bridston | Kamrath   | Schmit   |
| Davis    | Kieley    | Schoeder |
| Dewing   | Klefstad  | Solberg  |
| Dolan    | Knudson   | Thomas   |
| Ferry    | Krenz     | Torno    |
| Fiedler  | Kusler    | Tuff     |
| Foss     | Leier     | Wadeson  |
| Fraser   | Luick     | Welander |
| Freed    | Meidinger | Wog      |
| Hagen    | O'Brien   |          |

Those voting in the negative were:

|            |                   |         |
|------------|-------------------|---------|
| Day        | Johnson, Cavalier | Schrock |
| Duffy      | Nelson            | Wolf    |
| Gilbertson | Page              | Yunker  |

Hernett

Absent and not voting:

|            |     |          |
|------------|-----|----------|
| Berube     | Rue | Streibel |
| Livingston |     |          |

So the bill passed and the title was agreed to.

Senator Wadeson moved that the vote by which House Bill No. 558 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 577. A Bill for an Act to amend and reenact section 21-0501 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to claims against a county.

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, 19; absent and not voting, 3.

Those voting in the affirmative were:

|               |                   |          |
|---------------|-------------------|----------|
| Bilden        | Johnson, Cavalier | Olson    |
| Day           | Kamrath           | Page     |
| Dewing        | Klefstad          | Schmit   |
| Fiedler       | Kusler            | Schoeder |
| Foss          | Leier             | Thomas   |
| Fraser        | Livingston        | Tuff     |
| Hagen         | Luick             | Welander |
| Hernett       | Nelson            | Wolf     |
| Johnson, Cass | O'Brien           | Yunker   |

Those voting in the negative were:

|            |            |         |
|------------|------------|---------|
| Baeverstad | Gilbertson | Sayer   |
| Bridston   | Holand     | Schrock |
| Davis      | Kieley     | Solberg |
| Dolan      | Knudson    | Torno   |
| Duffy      | Krenz      | Wadeson |
| Ferry      | Meidinger  | Wog     |
| Freed      |            |         |

Absent and not voting:

|        |     |          |
|--------|-----|----------|
| Berube | Rue | Streibel |
|--------|-----|----------|

So the bill passed and the title was agreed to.

Senator Bridston changed his vote from aye to nay.

Senator Luick moved that House Bill No. 581 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 598. A Bill for an Act to amend and reenact section 39-0446 of the North Dakota Revised Code

of 1943, relating to registration of motor vehicles in this state by non-residents, and declaring an emergency.

Which has been read.

#### 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, 42; nays, 4; absent and not voting, 3.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Olson    |
| Bilden     | Johnson, Cass     | Page     |
| Bridston   | Johnson, Cavalier | Sayer    |
| Davis      | Kamrath           | Schmit   |
| Dewing     | Kieley            | Schrock  |
| Dolan      | Klefstad          | Schoeder |
| Duffy      | Krenz             | Thomas   |
| Ferry      | Kusler            | Torno    |
| Fiedler    | Leier             | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Hagen      | Nelson            | Wolf     |
| Hernett    | O'Brien           | Yunker   |

Those voting in the negative were:

|     |         |         |
|-----|---------|---------|
| Day | Knudson | Solberg |
|-----|---------|---------|

Gilbertson

Absent and not voting:

|        |     |          |
|--------|-----|----------|
| Berube | Rue | Streibel |
|--------|-----|----------|

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**House Bill No. 602.** A Bill for an Act to authorize the board of county commissioners of any county, or the governing body of any municipal corporation or of any public library in this state to furnish rooms in public buildings for the use of the historical society of the county, and to authorize such board of county commissioners to make an annual appropriation from the general fund of the county for the promotion of the work of such historical society.

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, 24; absent and not voting, 5.

Those voting in the affirmative were:

|            |               |        |
|------------|---------------|--------|
| Baeverstad | Johnson, Cass | Olson  |
| Bilden     | Kieley        | Sayer  |
| Bridston   | Klefstad      | Thomas |
| Dolan      | Knudson       | Torno  |
| Duffy      | Krenz         | Tuff   |
| Fraser     | Livingston    | Wolf   |
| Holand     | O'Brien       |        |

Those voting in the negative were:

|            |                   |          |
|------------|-------------------|----------|
| Davis      | Hagen             | Schmit   |
| Day        | Hernett           | Schoeder |
| Dewing     | Johnson, Cavalier | Schrock  |
| Ferry      | Kamrath           | Solberg  |
| Fiedler    | Kusler            | Wadeson  |
| Foss       | Leier             | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | Page              | Yunker   |

Absent and not voting:

|        |           |          |
|--------|-----------|----------|
| Berube | Meidinger | Streibel |
| Luick  | Rue       |          |

So the bill was declared lost.

**House Bill No. 611.** A Bill for an Act to amend and reenact section 11-3201 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to World War memorials; providing for maintenance of such memorials, authorizing agreements with public or private non-profit agencies or corporations for such purpose, and declaring an emergency.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Bilden     | Johnson, Cass     | Sayer    |
| Bridston   | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schoeder |
| Day        | Kieley            | Schrock  |
| Dewing     | Klefstad          | Solberg  |
| Dolen      | Knudson           | Thomas   |
| Duffy      | Krenz             | Torno    |
| Ferry      | Kusler            | Tuff     |
| Fiedler    | Leier             | Wadeson  |
| Foss       | Livingston        | Welander |
| Fraser     | Nelson            | Wog      |
| Freed      | O'Brien           | Wolf     |
| Hagen      | Olson             | Yunker   |
| Hernett    |                   |          |

Those voting in the negative were:

Gilbertson

Absent and not voting:

|        |           |          |
|--------|-----------|----------|
| Berube | Meidinger | Streibel |
| Luick  | Rue       |          |

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senators Johnson (Cass) and Kieley requested permission to be excused from voting on House Bill No. 632, which request was granted.

**House Bill No. 632.** A Bill for an Act to amend and reenact Section 48-0214 of the North Dakota Revised Code of 1943, relating to retention of money on public contracts.

Which has been read.

**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, 14; nays, 28; absent and not voting, 7.

Those voting in the affirmative were:

|                   |          |        |
|-------------------|----------|--------|
| Bridston          | Klefstad | Thomas |
| Day               | Knudson  | Wog    |
| Foss              | Kusler   | Wolf   |
| Hagen             | O'Brien  | Yunker |
| Johnson, Cavalier | Schmit   |        |

Those voting in the negative were:

|            |            |          |
|------------|------------|----------|
| Baeverstad | Gilbertson | Page     |
| Bilden     | Hernett    | Sayer    |
| Davis      | Holand     | Schoeder |
| Dewing     | Kamrath    | Schrock  |
| Dolan      | Krenz      | Solberg  |
| Duffy      | Leier      | Torno    |
| Ferry      | Livingston | Tuff     |
| Fiedler    | Nelson     | Wadeson  |
| Fraser     | Olson      | Welander |
| Freed      |            |          |

Absent and not voting:

|               |           |          |
|---------------|-----------|----------|
| Berube        | Luick     | Rue      |
| Johnson, Cass | Meidinger | Streibel |
| Kieley        |           |          |

So the bill was declared lost due to the lack of a constitutional majority.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 503  
 House Bill No. 528  
 House Bill No. 546  
 House Bill No. 553  
 House Bill No. 585  
 House Bill No. 610  
 House Bill No. 619  
 House Bill No. 628  
 House Bill No. 629  
 House Bill No. 638  
 House Bill No. 644  
 House Bill No. 678  
 House Bill No. 796  
 House Bill No. 828  
 House Concurrent Resolution "D"  
 House Concurrent Resolution "J"  
 House Concurrent Resolution "V"  
 House Concurrent Resolution "Y"

And the President signed the same in the presence of the Senate.

#### MESSAGE TO THE HOUSE

Senate Chamber  
 Bismarck, March 2, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 503  
 House Bill No. 528  
 House Bill No. 546  
 House Bill No. 553  
 House Bill No. 585  
 House Bill No. 610  
 House Bill No. 619  
 House Bill No. 628  
 House Bill No. 629  
 House Bill No. 638  
 House Bill No. 644  
 House Bill No. 678  
 House Bill No. 796  
 House Bill No. 828

House Concurrent Resolution "D"  
 House Concurrent Resolution "J"  
 House Concurrent Resolution "V"  
 House Concurrent Resolution "Y"  
 Which the President has signed.

EDWARD LENO, Secretary.

### MESSAGES TO THE SENATE

House Chamber  
 Bismarck, March 2, 1955

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 663 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives Langseth, Baldwin and Tollefson.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
 Bismarck, March 2, 1955

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 548 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives Haugland, Nygaard and Hofstrand.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
 Bismarck, March 2, 1955

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 570 by a vote of 93-3-16, and House Bill No. 830 by a vote of 73-21-19.

KENNETH L. MORGAN, Chief Clerk.

Senator Day moved that House Bill No. 647 be amended as follows:

On line 48 after the word "member" insert the following language: "and a certified copy thereof furnished to each member of the Legislative Assembly".

Senator Johnson moved that House Bill No. 647 be further amended as follows: "that each member of the Legislature shall acknowledge by registered mail the receipt of such certificate". Which motion was declared lost.

Senator Page made a substitute motion that House Bill No. 647 be indefinitely postponed, which motion prevailed.  
 Senator Bridston:

I voted against the indefinite postponement of House Bill No. 647 because I do not believe that the Senate should refuse to put teeth in the misnamed Anti-Corruption Act, for the protection of those members of the Legislature who happen to do business with some political subdivision of the state of North Dakota or the state itself. All members of the Legislature should be protected completely by a full disclosure of all of their dealings with the state of North Dakota or any of its political subdivisions.

### SECOND READING OF HOUSE BILLS

House Bill No. 673. A Bill for an Act relating to bees and bee equipment, their control and regulation, amending sections 4-1204, 4-1209, 4-1212, 4-1220, and creating subsections 4 and 5 of section 4-1201 of the North Dakota Revised Code

of 1943 and repealing sections 4-1214, 4-1218 and 4-1219 thereof.

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, 6; absent and not voting, 6.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Olson    |
| Bilden     | Holand            | Sayer    |
| Bridston   | Johnson, Cass     | Schoeder |
| Davis      | Johnson, Cavalier | Schrock  |
| Day        | Kamrath           | Solberg  |
| Dewing     | Klefstad          | Thomas   |
| Dolan      | Krenz             | Tuff     |
| Ferry      | Kusler            | Wadeson  |
| Fiedler    | Leier             | Welander |
| Foss       | Livingston        | Wog      |
| Fraser     | Nelson            | Wolf     |
| Freed      | O'Brien           | Yunker   |
| Hagen      |                   |          |

Those voting in the negative were:

|            |         |        |
|------------|---------|--------|
| Duffy      | Knudson | Schmit |
| Gilbertson | Page    | Torno  |

Absent and not voting:

|        |           |          |
|--------|-----------|----------|
| Berube | Luick     | Rue      |
| Kieley | Meidinger | Streibel |

So the bill passed and the title was agreed to.

Senator Day moved that the vote by which the following House Bills were passed be reconsidered and the motion to reconsider be laid on the table: Nos. 520, 531, 537, 577, 598, 611, and 774, which motion prevailed.

### MESSAGE TO THE SENATE

House Chamber

Bismarck, March 2, 1955

Mr. President: I have the honor to inform you that the House has adopted the report of the conference committee of House Bill No. 519.

KENNETH L. MORGAN, Chief Clerk.

Senator Hagen moved that the Senate do concur in the House amendments to Senate Bill No. 57, which motion prevailed.

Senator Hagen moved that the rules be suspended and Senate Bill No. 57 be deemed properly re-engrossed and placed on second reading and final action as amended by the House, which motion prevailed.

### SECOND READING OF SENATE BILLS

**Senate Bill No. 57.** A Bill for an Act to amend and reenact sections 6-0125, 11-2501, 15-2113, 15-2526, subsection 5 of section 15-2912, sections 21-0101, 21-0102, 40-0101 by creating subsection 6, 40-1705, and 54-2709 of the North Dakota Revised Code of 1943, and section 40-1706 of the 1953 Supplement to the North Dakota Revised Code of 1943,

relating to the preparation and issuance of warrants by the state of North Dakota and its political subdivisions.

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, 0; absent and not voting, 6.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Bilden     | Holand            | Page     |
| Bridston   | Johnson, Cass     | Sayer    |
| Davis      | Johnson, Cavalier | Schmit   |
| Day        | Kamrath           | Schoeder |
| Dewing     | Kieley            | Schrock  |
| Dolan      | Klefstad          | Solberg  |
| Duffy      | Knudson           | Thomas   |
| Ferry      | Krenz             | Torno    |
| Fiedler    | Kusler            | Tuff     |
| Foss       | Leier             | Wadeson  |
| Fraser     | Livingston        | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | O'Brien           | Wolf     |
| Hagen      | Olson             | Yunker   |
| Hernett    |                   |          |

Absent and not voting:

|            |           |          |
|------------|-----------|----------|
| Baeverstad | Luick     | Rue      |
| Berube     | Meidinger | Streibel |

So the bill passed and the title was agreed to.

Senator Kusler moved that the Senate do concur in the House amendments to Senate Bill No. 152, which motion prevailed.

Senator Kusler moved that the rules be suspended and that Senate Bill No. 152 be deemed properly re-engrossed and placed on second reading and final action as amended by the House, which motion prevailed.

Senate Bill No. 152. A Bill for an Act relating to contractors bonds and providing for payment of all taxes due the State of North Dakota or its subdivisions.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Page     |
| Bilden     | Holand            | Sayer    |
| Bridston   | Johnson, Cass     | Schmit   |
| Davis      | Johnson, Cavalier | Schoeder |
| Day        | Kamrath           | Schrock  |
| Dewing     | Kieley            | Solberg  |
| Dolan      | Klefstad          | Thomas   |
| Duffy      | Knudson           | Torno    |
| Ferry      | Krenz             | Tuff     |
| Fiedler    | Kusler            | Wadeson  |
| Foss       | Leier             | Welander |
| Fraser     | Livingston        | Wolf     |
| Freed      | Nelson            | Wog      |
| Gilbertson | O'Brien           | Yunker   |
| Hagen      | Olson             |          |



Absent and not voting:

|        |           |          |
|--------|-----------|----------|
| Berube | Meidinger | Streibel |
| Luick  | Rue       |          |

So the bill passed and the title was agreed to.

Senator Dewing moved that the Senate do concur in the House amendments to Senate Bill No. 138, which motion prevailed.

Senator Dewing moved that the rules be suspended and Senate Bill No. 138 be deemed properly re-engrossed and placed on second reading and final action as amended by the House, which motion prevailed.

Senate Bill No. 138. A Bill for an Act to amend and reenact section 40-3802 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to library funds, levy of taxes therefor, and restricting levy to limitation provided by law.

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, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

|                        |                   |          |
|------------------------|-------------------|----------|
| Baeverstad             | Hernett           | Olson    |
| Bilden                 | Holand            | Page     |
| Davis                  | Johnson, Cass     | Sayer    |
| Day                    | Johnson, Cavalier | Schmit   |
| Dewing                 | Kamrath           | Schoeder |
| Dolan                  | Kieley            | Schrock  |
| Duffy                  | Klefstad          | Thomas   |
| Ferry                  | Knudson           | Torno    |
| Fiedler                | Krenz             | Tuff     |
| Foss                   | Kusler            | Wadeson  |
| Fraser                 | Leier             | Welander |
| Freed                  | Livingston        | Wog      |
| Gilbertson             | Nelson            | Wolf     |
| Hagen                  | O'Brien           | Yunker   |
| Absent and not voting: |                   |          |
| Berube                 | Meidinger         | Solberg  |
| Bridston               | Rue               | Streibel |
| Luick                  |                   |          |

So the bill passed and the title was agreed to.

Senator Thomas moved that the Senate do concur in the House amendments to Senate Bill No. 116, which motion prevailed.

Senator Thomas moved that Senate Bill No. 116 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

Senate Bill No. 116. A Bill for an Act authorizing political subdivisions to carry liability insurance and eliminating the defense of governmental immunity to insurers furnishing such insurance.

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, 0; absent and not voting, 6.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Bilden     | Johnson, Cass     | Sayer    |
| Bridston   | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schoeder |
| Day        | Kieley            | Schrock  |
| Dolan      | Klefstad          | Solberg  |
| Duffy      | Knudson           | Thomas   |
| Ferry      | Krenz             | Torno    |
| Fiedler    | Kusler            | Tuff     |
| Foss       | Leier             | Waleson  |
| Fraser     | Livingston        | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | O'Brien           | Wolf     |
| Hagen      | Olson             | Yunker   |
| Hernett    |                   |          |

Absent and not voting:

|         |           |          |
|---------|-----------|----------|
| Berube  | Luick     | Rue      |
| Dwiling | Meidinger | Streibel |

So the bill passed and the title was agreed to.

Senator Day moved that the Senate be at ease subject to the call of the Chair, which motion prevailed, and the Senate stood at ease.

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. 116

Senate Bill No. 138

Senate Bill No. 152

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 591, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions, to whom was referred House Bill No. 659, have had the same under consideration and recommend that the same do pass.

STEVE THOMAS, Chairman.

Senator Thomas 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. 661, have had the same under consideration and recommend that the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on General Affairs to whom was referred House Bill No. 754, have had the same under consideration and recommend that the same be amended as follows:

In line 9 delete brackets and figure "one million dollars".

In line 10 delete the word "hospital".

In line 11 delete all the words to the period an insert the following: "property actually used for educational, hospital, charitable or religious purposes"

Renumber the lines accordingly.

And when so amended recommend the same do pass.

LAVERN SCHOEDER, Chairman.

Senator Schoeder 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. 801, have had the same under consideration and recommend that the same be amended as follows:

In line 2 strike out the following words: "in the public welfare fund".

Renumber the lines accordingly.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 802, have had the same under consideration and recommend that the same be amended as follows:

In line 2 strike out the following words: "in the public welfare fund".

Renumber the lines accordingly.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 811, have had the same under consideration and recommend that the same be amended as follows:

In line 699 of the engrossed bill, delete the words "or for other" following the word "law".

Delete all of line 700 in the engrossed bill.

In line 701, delete the words "the legislature", in the engrossed bill.

In line 705 of the engrossed bill, following the word "law" delete the following words: "or for other welfare purposes".

In line 706 of the engrossed bill, delete the entire line.

Renumber the lines accordingly.

And when so amended recommend the same do pass.

RALPH DEWING, Chairman.

Senator Dewing 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. 857, have had the same under consideration and recommend that the same do pass.

STEVE THOMAS, Chairman.

Senator Thomas 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. 860, have had the same

under consideration and recommend that the same be amended as follows:

In line 2 strike out the words "Old Age and Survivors Insurance Trust Fund" and insert the words "State Treasury" in lieu thereof.

In line 3 strike out the word "Twenty-Five" and insert the word "Fifteen" in lieu thereof.

Renumber the lines accordingly.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Education, to whom was referred House Concurrent Resolution "R-1", have had the same under consideration and recommend that the same do pass.

C. W. SCHROCK, Chairman.

Senator Schrock 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 "V", have had the same under consideration and recommend that the same be amended as follows:

Delete lines 18 through 22, inclusive, and insert the following words in lieu thereof: "steps to provide a premium on milling grades of hard spring wheat and to allocate as a minimum to any operator who has raised one hundred acres or more of hard wheat during the past five years, an acreage equal to the maximum acreage of such operator, but in no event should such allocation if under one hundred acres ever be reduced."

Renumber the lines accordingly.

And when so amended recommend the same do pass.

DUNCAN FRASER, Chairman.

Senator Fraser 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 Concurrent Resolution "Z", have had the same under consideration and recommend that the same do pass.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

#### MOTION

Senator Day moved that House Concurrent Resolution C-1 be returned to the Senate from the Judiciary Committee, which motion prevailed.

Senator Day moved that further consideration of House Concurrent Resolution "C-1" be indefinitely postponed, which motion prevailed.

#### FIRST READING OF SENATE RESOLUTIONS

The Committee on Veterans and Military Affairs introduced:

Senate Concurrent Resolution "B-1". A Concurrent Resolution relating to the recommendations of the Hoover Com-

mission for the closing of the Minot and Fargo Veterans hospitals.

Was read the first time.

Senator Welander moved that the rules be suspended and that Senate Concurrent Resoltuion "B-1" be placed on second reading and final action, which motion prevailed.

Senator Welander moved that Senate Concurrent Resolu- tion "B-1" be adopted, which motion prevailed.

Senator Welander moved that the vote by which Senate Concurrent Resoluion "B-1" was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Day moved that Senate Concurrent Resolution "B-1" be printed in the Journal, which motion prevailed.

SENATE CONCURRENT RESOLUTION "B-1"

Introduced by the Committee on Veterans and Military Affairs

A Concurrent Resolution relating to the recommendations of the Hoover Commission for the closing of the Minot and Fargo Veterans hospitals.

1 WHEREAS, a recent report of the Hoover Commission  
2 after a study of the Veterans Administration has  
2a recommended

3 that the veterans hospitals at Fargo and Minot be closed;  
4 and

5 WHEREAS, adoption of the report of the Hoover  
6 Commission would mean that veterans of the state of  
6a North

7 Dakota would have to travel for medical treatment  
7a between

8 250 and 650 miles to Minneapolis where the nearest  
8a veterans

9 hospital would be located; and

10 WHEREAS, such action would result in unfair dis-  
11 crimination and hardship to the veterans of the state of  
12 North Dakota who are in need of medical treatment;

13 NOW THEREFORE, BE IT RESOLVED BY THE  
14 SENATE OF THE STATE OF NORTH DAKOTA,

14a THE

15 HOUSE OF REPRESENTATIVES CONCURRING

15a THEREIN:

16 That the President and Congress of the United States  
16a are

17 hereby urged and requested to allow the veterans  
17a hospitals

18 in the cities of Fargo and Minot in the state of North  
19 Dakota to remain open in order to provide adequate and  
20 accessible medical treatment to the veterans of this  
20a state.

21 BE IT FURTHER RESOLVED that copies of this  
22 resolution be forwarded by the secretary of the Senate  
22a to

23 the President of the United States, the chairmen of the  
24 House and Senate Military Affairs Committees of the  
24a United

25 States Congress, the Commissioner of Veterans Affairs,  
25a and

26 to all members of the North Dakota congressional  
26a delegation.

The Judiciary Committee introduced:

**Senate Concurrent Resolution "C-1".** A Concurrent Resolution authorizing and directing the legislative research committee, in cooperation with the state Bar Association and the cooperative corporations of this state, to study and revise the laws of this state governing business corporations and cooperative corporations or associations.

Was read the first time.

Senator Day moved that the rules be suspended and that Senate Concurrent Resolution "C-1" be placed on second reading and final action, which motion prevailed.

Senator Day moved that Senate Concurrent Resolution "C-1" be adopted, which motion prevailed.

Senator Day moved that the vote by which Senate Concurrent Resolution "C-1" was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Day moved that Senate Concurrent Resolution "C-1" be printed in the Journal, which motion prevailed.

#### SENATE CONCURRENT RESOLUTION "C-1"

Introduced by Judiciary Committee

A Concurrent Resolution authorizing and directing the legislative research committee, in cooperation with the state Bar Association and the cooperative corporations of this state, to study and revise the laws of this state governing business corporations and cooperative corporations or associations.

1 WHEREAS, a new model business corporation Act  
2 has  
3 been introduced at this session of the Legislature,  
4 but action upon such bill has been indefinitely post-  
5 poned upon that grounds that it did not fully adopt  
6 the model Act to the needs and desires of North Dakota  
7 corporations or fully correlate the proposed Act with  
8 other laws of this state; and

9 WHEREAS, the corporation laws governing business  
10 corporations have grown obsolete and are in need of  
11 revision; and

12 WHEREAS, representatives of cooperative  
13 corporations  
14 of this state have requested that the laws governing  
15 the cooperative corporations be consolidated and revised  
16 to meet the present needs of such corporations;

17 NOW, THEREFORE, BE IT RESOLVED BY THE  
18 SENATE OF THE STATE OF NORTH DAKOTA,  
19a THE

20 HOUSE OF REPRESENTATIVES CONCURRING  
21a THEREIN:

22 That the legislative research committee is  
23 hereby authorized and directed to study and revise  
24 the laws of this state governing business corporations  
25 and to submit suitable legislation to the Thirty-fifth  
Legislative Assembly to accomplish this revision; and

BE IT FURTHER RESOLVED that the legislative  
26a research  
27 committee is hereby authorized and directed to study  
28a and  
29 revise the laws of this state governing cooperative

26 corporations and to submit suitable legislation to  
 27 the Thirty-fifth Legislative Assembly to accomplish  
 28 this revision; and  
 29 BE IT FURTHER RESOLVED that in accomplishing  
 29a such  
 30 revision and correlation, the legislative research  
 31 committee shall call upon the state Bar Association  
 32 and such representatives of cooperative corporations  
 33 or associations as may desire to participate, for  
 34 advice, consultation and assistance in the course of  
 35 its work and study.

The Judiciary Committee introduced:

**Senate Concurrent Resoluion "D-1".** A Concurrent Resolution creating an interim committee of five members to supervise an investigation of the workmen's compensation bureau and its operation.

Was read the first time.

Senator Day moved that the rules be suspended and that Senate Concurrent Resolution "D-1" be placed on second reading and final action, which motion prevailed.

Senator Day moved that Senate Concurrent Resolution "D-1" be adopted, which motion prevailed.

Senator Day moved that the vote by which Senate Concurrent Resolution "D-1" was adotped be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Day moved that Senate Concurrent Resolution "D-1" be printed in the Journal, which motion prevailed.

#### SENATE CONCURRENT RESOLUTION "D-1"

Introduced by Judiciary Committee

A Concurrent Resolution creating an interim committee of five members to supervise an investigation of the workmen's compensation bureau and its operation.

1 WHEREAS, it appears that there may be rules and  
 2 practices adopted by the workmen's compensation  
 2a bureau  
 3 which work hardship on certain groups and  
 3a classifications  
 4 as far as rates are concerned;

5 WHEREAS, there is the possibility that more  
 6 harmonious and efficient operation of the bureau's  
 6a business  
 7 might result through a reorganization of the practices  
 8 and procedures; and

9 WHEREAS, it is deemed advisable to examine the  
 9a system  
 10 of handling claims in order to consider the possibility of  
 11 making the same more efficient.

12 NOW THEREFORE, BE IT RESOLVED BY THE  
 12a SENATE OF THE  
 13 STATE OF NORTH DAKOTA, THE HOUSE OF  
 13a REPRESENTATIVES

14 CONCURRING THEREIN; that there is hereby created  
 14a an  
 15 interim committee of five members, 2 to be selected by  
 15a the  
 16 Senate, two to be selected by the House of Repre-



16a sentatives,  
 17 the fifth to be the speaker of the House of Repre-  
 17a sentatives,  
 18 which committee shall supervise a complete study of the  
 19 workmen's compensation bureau and all of its operation  
 19a and  
 20 business and report thereon in detail to the thirty-fifth  
 21 Legislative Assembly.  
 22 BE IT FURTHER RESOLVED that said committee  
 22a shall nominate  
 23 an assistant attorney general, who shall be appointed by  
 24 the attorney general to serve on his staff under the  
 25 direction of said committee and that the attorney general  
 26 shall supply such clerical help as may be required by  
 26a the  
 27 committee.

#### FIRST READING OF HOUSE RESOLUTIONS

**House Concurrent Resolution "B-2".** A Concurrent Resolution authorizing the payment of five dollars per day additional expense allowance to each member of the Legislative Assembly.

Was read the first time and referred to the Committee on State and Federal Government.

**House Concurrent Resolution "M-1".** A Concurrent Resolution directing the agricultural college to investigate the feasibility of establishing a curriculum of property evaluation.

Was read the first time and referred to the Committee on Agriculture.

**House Concurrent Resolution "O-1".** A Concurrent Resolution authorizing the payment of the expenses of a select committee appointed pursuant to House Resolution No. 9 of the Thirty-third Legislative Assembly.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Concurrent Resolution "V-1".** A Concurrent Resolution urging the Federal Power Commission to deny applications for the importation of foreign natural gas into the North Central area which a surplus of gas exists in this area.

Was read the first time and referred to the Committee on State and Federal Government.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Natural Resources, to whom was referred House Bill No. 582, have had the same under consideration and recommend that the same be amended as follows:

In line 211a change the word "shall" to "may".

And when so amended recommend the same do pass.

IVER SOLBERG, Chairman.

Senator Solberg 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. 706, have had the same under consideration and recommend that the same be indefinitely postponed.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted.

Senator Johnson (Cass) made a substitute motion that House Bill No. 706 be placed on the calendar, which motion was declared lost.

The question being on the original motion of Senator Page that House Bill No. 706 be indefinitely postponed, the motion prevailed.

Senator Page moved that the vote by which House Bill No. 706 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions, to whom was referred House Bill No. 744, have had the same under consideration and recommend that the same be indefinitely postponed.

STEVE THOMAS, Chairman.

Senator Thomas 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. 781, have had the same under consideration and recommend that the same be indefinitely postponed.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted.

Senator Baeverstad made a substitute motion that House Bill No. 781 be placed on the calendar, which motion prevailed.

Senator Johnson (Cass):

I rise to a point of personal privilege. It was not I who asked that House Bill No. 501 be held up. The Senator came over to me yesterday morning and asked what we should do about it. He held it up himself and wondered if we should not have another meeting on the bill. The Appropriations Committee recommended they let the Conference Committee take care of it. I don't want to be accused of asking to have it held up. The Senator came over yesterday morning and asked if we should do something on it. He said the members of the committee were disappointed on the way things went and I said it was alright with me, and I suggested that they have a meeting this morning but they haven't done it. Those bills were Nos. 781, 782, 783, and 784. They should go on the calendar.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 782, have had the same under consideration and recommend that the same be indefinitely postponed.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted.

Senator Luick made a substitute motion that House Bill No. 782 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 783, have had the same under consideration and recommend that the same be indefinitely postponed.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted.

Senator Wadson made a substitute motion that House Bill No. 783 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Appropriations, to whom was referred House Bill No. 784, have had the same under consideration and recommend that the same be indefinitely postponed.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted.

Senator Krenz made a substitute motion that House Bill No. 784 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Appropriations, to whom was referred House Bill No. 848, have had the same under consideration and recommend that the same be indefinitely postponed.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 535, have had the same under consideration and recommend that the same be amended as follows:

In line 149 strike out "construction fund" and insert in lieu thereof "for construction and reconstruction of roads on the secondary state highway system".

And when so amended recommend the same do pass.

RALPH DEWING, Chairman.

Senator Dewing moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrössment respectfully report that they have examined the following bills:

Senate Bill No. 67  
 Senate Bill No. 129  
 Senate Bill No. 153  
 Senate Bill No. 156  
 Senate Bill No. 157  
 Senate Bill No. 180  
 Senate Bill No. 197  
 Senate Bill No. 203  
 Senate Bill No. 205  
 Senate Bill No. 210  
 Senate Bill No. 225  
 Senate Bill No. 247  
 Senate Bill No. 248

And find the same correctly enrolled.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 574, 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. 670, 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. 715, 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. 793, 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. 805, 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. 806, 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 Concurrent Resolution "P", 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.

Senator Fraser moved that the absent Senators be excused, which motion prevailed.

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

#### FIFTY-EIGHTH DAY

Bismarck, March 2, 1955

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. F. V. Tannehill, McCabe Methodist Church, Bismarck, No. Dak.

Roll Call: All members present except Senator Berube. So a quorum was declared.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the fifty-sixth day after recess and fifty-seventh day and recommend that the same be corrected as follows:

Page 650, seventh line from the bottom, insert the heading "Reports of Standing Committees".

And when so corrected recommends that the same be approved.

JOHN LEIER, Chairman.

Senator Leier moved that the report be adopted, which motion prevailed and the report was adopted.

#### COMMUNICATIONS

A communication addressed to Lt. Gov. C. P. Dahl from Rev. Geo. O. Parish, expressing thanks for the services rendered by the Senate to the people of the State of North Dakota, was read.

Senator Bridston moved that the communication be printed in the Journal, which motion prevailed.

#### UNITED TEMPERANCE MOVEMENT OF NORTH DAKOTA

Fargo, March 1, 1955

Lieutenant Gov. C. P. Dahl  
President of the Senate  
Bismarck, North Dakota

Dear Mr. President:

I wish to take this opportunity to thank you and the members of the Senate for the services you are rendering to the people of the State of North Dakota.

The session that is scheduled to close this coming Friday, March 4, is most likely to be the last session in which I will serve as a legislative counsel for the United Temperance Movement, and the moral forces of the state of North Dakota. Therefore, I here and now in a special way wish to thank the members of the Senate and you Mr. President for the fair and courteous treatment accorded me and the cause I have represented.

I will, as long as I live, look back on the experiences I have had as a result of my association with the North Dakota Legislature as some of the richest and most rewarding I have had in the fifty years of my ministry. I will remember with pleasure the personal friendships of the friends of our cause, and the friendships and the fairness of even those who may have opposed our plans.

My fervent prayer is that the good God of heaven will bless and keep every one of you through all the days to come, I am

Yours very truly,  
GEORGE O. PARISH,  
State Director

A communication addressed to Lt. Gov. C. P. Dahl from the Yunker sisters, was read expressing thanks for the privilege of performing before the Senate.

Senator Kusler moved that the Senate do not concur in the House amendments to Senate Bill No. 183, which motion prevailed.

The President appointed as a Conference Committee to act with a like Committee from the House to consider Senate Bill No. 183, Senators Kusler, Johnson (Cass), and O'Brien.

Senator Day moved that the Senate do not concur in the House amendments to Senate Bill No. 211, which motion prevailed.

The President appointed a conference committee to act with a like Committee from the House to consider Senate Bill No. 211, Senators Day, Freed, and Solberg.

#### CONFERENCE COMMITTEES

The President appointed a Conference Committee to act with a like Committee from the House to consider House Bill No. 663, Senators Hagen, Kamrath, and Bridston.

The President appointed a Conference Committee to act with a like Committee from the House to consider House Bill No. 548, Senators Dewing, Klefstad, and Sayer.

The President appointed a Conference Committee to act with a like Committee from the House to consider House Bill No. 557, Senators Wog, Nelson, and Holand.

#### CONSIDERATION OF AMENDMENTS

Senator Page moved that the proposed amendments to House Bill No. 527 be adopted, which motion prevailed.

Senator Page moved that the proposed amendments to House Bill No. 530 be adopted, which motion prevailed.

Senator Page moved that the proposed amendments to House Bill No. 532 be adopted, which motion prevailed.

Senator Dewing moved that the proposed amendments to House Bill No. 534 be adopted, which motion prevailed.

Senator Kusler moved that the proposed amendments to House Bill No. 818 be adopted, which motion prevailed.

Senator Thomas moved that the proposed amendments to House Bill No. 711 be adopted, which motion prevailed.

Senator Page moved that the proposed amendments to House Bill No. 786 be adopted, which motion prevailed.

Senator Wog moved that the proposed amendments to House Bill No. 541 be adopted, which motion prevailed.

Senator Wog moved that the proposed amendments to House Bill No. 544 be adopted, which motion prevailed.

#### MOTION

Senator Day moved that the rules be suspended and Senate Bill No. 240 be placed on the calendar, which motion prevailed.

Senator Day moved that Senate Bill No. 240 be further amended as follows:

On line 14, strike out all of Section 2 from the bill, which motion prevailed.

Senator Day moved that the rules be suspended and Senate Bill No. 240 be deemed properly engrossed and placed on second reading and final action, as amended from the floor, which motion prevailed.

### SECOND READING OF SENATE BILLS

Senate Bill No. 240. A Bill for an Act relating to old age assistance and amending and reenacting section 50-0723 of the North Dakota Revised Code of 1943.

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:

|            |               |          |
|------------|---------------|----------|
| Baeverstad | Holand        | Rue      |
| Bilden     | Johnson, Cass | Sayer    |
| Bridston   | Kamrath       | Schmit   |
| Davis      | Kieley        | Schoeder |
| Day        | Klefstad      | Schrock  |
| Dewing     | Knudson       | Solberg  |
| Dolan      | Krenz         | Streibel |
| Duffy      | Kusler        | Thomas   |
| Ferry      | Leier         | Torno    |
| Fiedler    | Livingston    | Tuff     |
| Foss       | Luick         | Wadeson  |
| Fraser     | Meidinger     | Welander |
| Freed      | Nelson        | Wog      |
| Gilbertson | O'Brien       | Wolf     |
| Hagen      | Olson         | Yunker   |
| Hernett    | Page          |          |

Absent and not voting:

Berube Johnson, Cavalier

So the bill passed and the title was agreed to.

Senator Day moved that the vote by which Senate Bill No. 240 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Day moved that the title of Senate Bill No. 240 be amended as follows:

Place a period after "1943" and strike out "Section 50-0713 of the 1953 Supplement thereto."

Which motion prevailed.

### MOTION

Senator Dolan moved that the action by which House Bill No. 502 was defeated, be reconsidered, which motion prevailed.

Senator Dolan moved that House Bill No. 502 be placed at the head of the calendar for final action, which motion prevailed.

### SECOND READING OF HOUSE BILLS

House Bill No. 502. A Bill for an Act making an appropriation for the purpose of carrying out the provisions of Chapter 54-38 of the 1953 Supplement to the North Dakota Revised Code of 1943.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Sayer    |
| Bilden     | Johnson, Cass     | Schmit   |
| Bridston   | Johnson, Cavalier | Schoeder |
| Davis      | Kieley            | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Fiedler    | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | Page              | Wolf     |
| Hernett    | Rue               | Yunker   |

Those voting in the negative were:

|         |          |       |
|---------|----------|-------|
| Hagen   | Klefstad | Olson |
| Kamrath | O'Brien  |       |

Absent and not voting:

|        |     |
|--------|-----|
| Berube | Day |
|--------|-----|

So the bill passed and the title was agreed to.

Senator Dolan moved that the vote by which House Bill No. 502 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Streibel moved that the Senate recess until 1:15 p.m., which motion prevailed, and the Senate stood recessed.

## MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 3, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 598

Which the Senate has amended.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 3, 1955

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 557, Senators Wog, Holand and Nelson.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 3, 1955

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 548, Senators Dewing, Klefstad and Sayer.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 3, 1955

Mr. Speaker: I have the honor to inform you that the



President has appointed as a Conference Committee on House Bill No. 663, Senators Hagen, Kamrath and Bridston.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 3, 1955

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 211 and the President has appointed as a Conference Committee, Senators Day, Freed, and Solberg.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 3, 1955

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 183 and the President has appointed as a Conference Committee, Senators Kusler, Johnson of Cass, and O'Brien.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 3, 1955

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to Senate Bills Nos. 57, 116, 138, and 152.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 3, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 502

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 3, 1955

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resoluion "B-1"

Senate Concurrent Resolution "C-1"

Senate Concurrent Resolution "D-1"

Which the Senate has passed and your favorable consideration is requested.

EDWARD LENO, 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. 240

And find the same correctly Engrossed.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed, and the report was adopted.

## MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 240

Which the Senate has passed and your favorable consideration is requested.

EDWARD LENO, Secretary.

## REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 505, have had the same under consideration and cannot agree and move that the committee be discharged, and a new committee be appointed.

For the Senate:

SENATOR FOSS  
SENATOR HAGEN  
SENATOR KNUDSON

For the House:

REP. BAKER  
REP. MUELLER  
REP. THOMPSON (McLean)

Senator Foss moved that the report be adopted, which motion prevailed and the report was adopted.

The President appointed a new Conference Committee to act with a like Committee from the House to consider House Bill No. 505, Senators Freed, Welander and Livingston.

## REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 519, has had the same under consideration and recommends:

That the House concur with the Senate amendment in line 4 by striking out the figure \$417,400.00 and inserting the figure \$390,400.00, and that the House concur with the Senate amendment in line 30 by striking out the figure \$50,000.00 and inserting the figure \$35,000.00 therefor, and that the Senate recede from their amendment in line 36, and that in line 37 be amended by striking out the figure \$417,400.00 and inserting the figure \$402,400.00 in lieu thereof.

For the Senate:

SENATOR PAGE  
SENATOR DUFFY  
SENATOR LEIER

For the House:

REP. ANDERSON (Richland)  
REP. HEIMES  
REP. FINE

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Page moved that the rules be suspended and House Bill No. 519 be placed on the calendar, as amended by the Conference Committee, for second reading and final action, which motion prevailed.

## SECOND READING OF HOUSE BILLS

**House Bill No. 519.** A Bill for an Act making an appropriation into the "Administrative Fund" for the State Water Conservation Commission for general administration expenses, maintenance and construction of dams and planning and surveying projects, expenses of state compacts and for water conservation and irrigation districts for construction and development.

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, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Davis      | Johnson, Cass     | Rue      |
| Day        | Johnson, Cavalier | Schmit   |
| Dewing     | Kamrath           | Schoeder |
| Dolan      | Klefstad          | Solberg  |
| Duffy      | Knudson           | Streibel |
| Ferry      | Krenz             | Thomas   |
| Fiedler    | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     | Page              |          |

Absent and not voting:

|            |          |         |
|------------|----------|---------|
| Baeverstad | Bridston | Sayer   |
| Berube     | Kieley   | Schrock |
| Bilden     | Kusler   |         |

So the bill passed and the title was agreed to.

## MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1955

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 519 by a vote of 41-0-8.

EDWARD LENO, Secretary.

## MESSAGES TO THE SENATE

House Chamber

Bismarck, March 3, 1955

Mr. President: I have the honor to return:

Senate Bill No. 176

Senate Bill No. 177

Senate Bill No. 178

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

## HOUSE AMENDMENTS

Senate Bill No. 176

On line 42 after the word "deficiency" insert the word "is" and

On line 42 after the word "year" insert the word "or";

Senate Bill No. 177

On line 38 after the word "deficiency" insert the word "is" and

On line 38 after the word "year" insert the word "or";

Senate Bill No. 178

On line 34 after the word "deficiency" insert the word "is" and

On line 34 after the word "year" insert the word "or";

House Chamber  
Bismarck, March 3, 1955

Mr. President: I have the honor to transmit:

House Concurrent Resolution "S-1"

House Concurrent Resolution "X-1"

House Concurrent Resolution "Y-1"

House Concurrent Resolution "Z-1"

House Concurrent Resolution "A-2"

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 3, 1955

Mr. President: I have the honor to return:

Senate Bill No. 9

Senate Bill No. 10

Senate Bill No. 11

Senate Bill No. 33

Senate Bill No. 43

Senate Bill No. 36

Senate Bill No. 38

Senate Bill No. 45

Senate Bill No. 50

Senate Bill No. 52

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 3, 1955

Mr. President: I have the honor to return:

Senate Bill No. 62

Senate Bill No. 70

Senate Bill No. 103

Senate Bill No. 130

Senate Bill No. 142

Senate Bill No. 143

Senate Bill No. 149

Senate Bill No. 150

Senate Bill No. 171

Senate Bill No. 196

Senate Bill No. 204

Senate Bill No. 209

Senate Bill No. 235

Senate Bill No. 237

Senate Concurrent Resolution "J"

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

## House Chamber

Bismarck, March 3, 1955

Mr. President: I have the honor to return:

Senate Bill No. 187

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, March 3, 1955

Mr. President: I have the honor to transmit:

Senate Bill No. 32

Senate Bill No. 155

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

## MOTION

Senator Schrock moved that House Bill No. 688 be amended as follows:

On Line 97 and Line 100 remove the brackets.

In Line 100 and 101, delete the new language.

Which motion prevailed.

Senator Schrock moved that the rules be suspended and House Bill No. 688 be placed on the calendar for final action, as amended by the Senate, which motion prevailed.

## SECOND READING OF HOUSE BILLS

House Bill No. 688. A Bill for an Act to amend and reenact Sections 43-1301, 43-1307, 43-1308, 43-1317, subsection 3 of Section 43-1317, and 43-1320 relating to Optometrists.

Which has been read.

## 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, 34; nays, 12; absent and not voting, 3.

Those voting in the affirmative were:

|                   |            |          |
|-------------------|------------|----------|
| Baeverstad        | Klefstad   | Schmit   |
| Bilden            | Knudson    | Schoeder |
| Bridston          | Krenz      | Schrock  |
| Davis             | Kusler     | Solberg  |
| Day               | Leier      | Streibel |
| Dolan             | Livingston | Thomas   |
| Fraser            | Meidinger  | Torno    |
| Freed             | Nelson     | Tuff     |
| Gilbertson        | O'Brien    | Wog      |
| Hernett           | Rue        | Wolf     |
| Johnson, Cass     | Sayer      | Yunker   |
| Johnson, Cavalier |            |          |

Those voting in the negative were:

|         |         |          |
|---------|---------|----------|
| Dewing  | Foss    | Olson    |
| Duffy   | Hagen   | Page     |
| Ferry   | Kamrath | Wadeson  |
| Fiedler | Luick   | Welander |

Absent and not voting:

|        |        |        |
|--------|--------|--------|
| Berube | Holand | Kieley |
|--------|--------|--------|

So the bill passed and the title was agreed to.

Senator Livingston moved that the vote by which House Bill No. 688 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

**House Bill No. 693.** A Bill for an Act to amend and reenact sections 40-0808, 40-0816 and 40-0910 of the North Dakota Revised Code of 1943, relating to vacancies in city offices.

Which has been read.

#### 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, 43; nays, 3; absent and not voting, 3.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Bilden     | Holand            | Page     |
| Bridston   | Johnson, Cass     | Rue      |
| Davis      | Johnson, Cavalier | Sayer    |
| Day        | Kamrath           | Schmit   |
| Dewing     | Klefstad          | Schoeder |
| Dolan      | Krenz             | Schrock  |
| Duffy      | Kusler            | Solberg  |
| Ferry      | Leier             | Streibel |
| Fiedler    | Livingston        | Thomas   |
| Foss       | Luick             | Tuff     |
| Fraser     | Meidinger         | Wadeson  |
| Freed      | Nelson            | Welander |
| Gilbertson | O'Brien           | Wolf     |
| Hagen      | Olson             | Yunker   |
| Hernett    |                   |          |

Those voting in the negative were:

|            |         |       |
|------------|---------|-------|
| Baeverstad | Knudson | Torno |
|------------|---------|-------|

Absent and not voting:

|        |        |     |
|--------|--------|-----|
| Berube | Kieley | Wog |
|--------|--------|-----|

So the bill passed and the title was agreed to.

**House Bill No. 704.** A Bill for an Act to authorize the industrial commission to deal with the federal government or its agencies in the disposition and utilization of government owned properties at Riverdale, North Dakota, to designate the industrial commission as a state agency authorized to co-operate under the Housing Act of 1954, authorizing the commission to apply for, receive and disburse planning funds and making an appropriation therefor.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Rue      |
| Bilden     | Johnson, Cass     | Sayer    |
| Bridston   | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |

|            |            |          |
|------------|------------|----------|
| Fiedler    | Livingston | Tuff     |
| Foss       | Luick      | Wadeson  |
| Fraser     | Meidinger  | Welander |
| Freed      | Nelson     | Wog      |
| Gilbertson | O'Brien    | Wolf     |
| Hagen      | Olson      | Yunker   |
| Hernett    | Page       |          |

Absent and not voting:

Berube Kieley

So the bill passed and the title was agreed to.

**House Bill No. 755.** A Bill for an Act providing for permissive requirement by the adjutant general of a bidder's bond in lieu of certified check from a contractor.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Rue      |
| Bilden     | Johnson, Cass     | Sayer    |
| Bridston   | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Fiedler    | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | O'Brien           | Wolf     |
| Hagen      | Olson             | Yunker   |
| Hernett    | Page              |          |

Absent and not voting:

Berube Kieley

So the bill passed and the title was agreed to.

**House Bill No. 756.** A Bill for an Act authorizing the transfer of title of national guard motor storage buildings to cities for armory purposes.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Davis      | Kamrath           | Schmit   |
| Day        | Klefstad          | Schoeder |
| Dewing     | Knudson           | Schrock  |
| Dolan      | Krenz             | Solberg  |
| Duffy      | Kusler            | Streibel |
| Ferry      | Leier             | Thomas   |
| Fiedler    | Livingston        | Torno    |

|            |           |          |
|------------|-----------|----------|
| Foss       | Luick     | Tuff     |
| Fraser     | Meidinger | Wadeson  |
| Freed      | Nelson    | Welander |
| Gilbertson | O'Brien   | Wog      |
| Hagen      | Olson     | Wolf     |
| Hernett    | Page      | Yunker   |
| Holand     |           |          |

Absent and not voting:

|        |          |        |
|--------|----------|--------|
| Berube | Bridston | Kieley |
|--------|----------|--------|

So the bill passed and the title was agreed to.

**House Bill No. 777.** A Bill for an Act to promote industrial development within municipalities of this state; to authorize municipalities to acquire or construct, but not to operate, production facilities, together with all necessary appurtenances; to authorize the issuance and sale of revenue bonds for the purpose of this Act; and providing for separability of sections.

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, 20; absent and not voting, 3.

Those voting in the affirmative were:

|            |            |          |
|------------|------------|----------|
| Bilden     | Kamrath    | Schrock  |
| Day        | Klefstad   | Solberg  |
| Dewing     | Kusler     | Streibel |
| Ferry      | Livingston | Thomas   |
| Fiedler    | Meidinger  | Tuff     |
| Fraser     | Olson      | Wadeson  |
| Gilbertson | Page       | Wog      |
| Hagen      | Schmit     | Wolf     |
| Holand     | Schoeder   |          |

Those voting in the negative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | O'Brien  |
| Davis      | Johnson, Cavalier | Rue      |
| Dolan      | Knudson           | Sayer    |
| Duffy      | Krenz             | Torno    |
| Foss       | Leier             | Welander |
| Freed      | Luick             | Yunker   |
| Hernett    | Nelson            |          |

Absent and not voting:

|        |          |        |
|--------|----------|--------|
| Berube | Bridston | Kieley |
|--------|----------|--------|

So the bill passed and the title was agreed to.

**House Bill No. 779.** A Bill for an Act to amend and reenact section 40-4910 of the North Dakota Revised Code of 1943, relating to board of park commissioners.

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, 3; absent and not voting, 3.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Rue      |
| Bilden     | Johnson, Cass     | Sayer    |
| Davis      | Johnson, Cavalier | Schoeder |
| Day        | Kamrath           | Schrock  |



|            |            |          |
|------------|------------|----------|
| Dewing     | Klefstad   | Solberg  |
| Dolan      | Knudson    | Streibel |
| Duffy      | Krenz      | Thomas   |
| Ferry      | Leier      | Torno    |
| Fiedler    | Livingston | Tuff     |
| Foss       | Luick      | Wadeson  |
| Fraser     | Meidinger  | Welander |
| Freed      | Nelson     | Wog      |
| Gilbertson | O'Brien    | Wolf     |
| Hagen      | Olson      | Yunker   |
| Hernett    |            |          |

Those voting in the negative were:

|        |      |        |
|--------|------|--------|
| Kusler | Page | Schmit |
|--------|------|--------|

Absent and not voting:

|        |          |        |
|--------|----------|--------|
| Berube | Bridston | Kieley |
|--------|----------|--------|

So the bill passed and the title was agreed to.

**House Bill No. 841.** A Bill for an Act to provide for compensation of surface owners of land damaged or destroyed in drilling, mining, excavating or quarrying and fixing the measure of damages.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 21; nays, 26; absent and not voting, 2.

Those voting in the affirmative were:

|            |            |          |
|------------|------------|----------|
| Bilden     | Hagen      | Solberg  |
| Davis      | Kamrath    | Streibel |
| Day        | Livingston | Thomas   |
| Dewing     | Olson      | Tuff     |
| Ferry      | Schmit     | Welander |
| Foss       | Schoeder   | Wog      |
| Gilbertson | Schrock    | Wolf     |

Those voting in the negative were:

|               |                   |         |
|---------------|-------------------|---------|
| Baeverstad    | Johnson, Cavalier | Nelson  |
| Bridston      | Kieley            | O'Brien |
| Dolan         | Klefstad          | Page    |
| Duffy         | Knudson           | Rue     |
| Fiedler       | Krenz             | Sayer   |
| Freed         | Kusler            | Torno   |
| Hernett       | Leier             | Wadeson |
| Holand        | Luick             | Yunker  |
| Johnson, Cass | Meidinger         |         |

Absent and not voting:

|        |        |
|--------|--------|
| Berube | Fraser |
|--------|--------|

So the bill was declared lost due to the lack of a constitutional majority.

**House Bill No. 851.** A Bill for an Act to amend and reenact Section 58-0516 of the North Dakota Revised Code of 1943 relating to vacancies in township offices, the manner of filling the same, the term of office, and repealing Section 44-0206 of the North Dakota Revised Code of 1943.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Bilden     | Johnson, Cass     | Sayer    |
| Bridston   | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schoeder |
| Day        | Kieley            | Schrock  |
| Dewing     | Klefstad          | Solberg  |
| Dolan      | Knudson           | Streibel |
| Duffy      | Krenz             | Thomas   |
| Ferry      | Kusler            | Torno    |
| Fiedler    | Leier             | Tuff     |
| Foss       | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | O'Brien           | Yunker   |
| Hernett    | Olson             |          |

Absent and not voting:

Berube Rue

So the bill passed and the title was agreed to.

House Bill No. 852. A Bill for an Act to amend and reenact Section 24-0630 of the North Dakota Revised Code of 1943 relating to the removal of fences along public highways, notification to owner of adjacent property, removal of fences by Board of County Commissioners or by Board of Township Supervisors and assessment of costs therefor against property.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Page     |
| Bilden     | Johnson, Cavalier | Rue      |
| Bridston   | Kamrath           | Sayer    |
| Davis      | Kieley            | Schmit   |
| Day        | Klefstad          | Schoeder |
| Dolan      | Knudson           | Schrock  |
| Duffy      | Krenz             | Solberg  |
| Ferry      | Kusler            | Thomas   |
| Fiedler    | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     |                   |          |

Those voting in the negative were:

Dewing Streibel

Absent and not voting:

Berube

So the bill passed and the title was agreed to.

House Bill No. 855. A Bill for an Act relating to brucellosis vaccination of calves.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Bilden     | Johnson, Cass     | Rue      |
| Bridston   | Johnson, Cavalier | Sayer    |
| Davis      | Kamrath           | Schmit   |
| Day        | Kieley            | Schoeder |
| Dewing     | Klefstad          | Schrock  |
| Dolan      | Knudson           | Solberg  |
| Duffy      | Krenz             | Streibel |
| Ferry      | Kusler            | Thomas   |
| Fiedler    | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |

Absent and not voting:

Berube

So the bill passed and the title was agreed to.

House Bill No. 863. A Bill for an Act making an appropriation for salaries and expenses of the livestock dealer's division.

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:

|            |               |         |
|------------|---------------|---------|
| Baeverstad | Holand        | Nelson  |
| Bridston   | Johnson, Cass | Rue     |
| Davis      | Kieley        | Sayer   |
| Dolan      | Klefstad      | Solberg |
| Duffy      | Knudson       | Thomas  |
| Foss       | Krenz         | Torno   |
| Fraser     | Livingston    | Wadeson |
| Freed      | Luick         | Wog     |
| Hernett    | Meidinger     |         |

Those voting in the negative were:

|            |                   |          |
|------------|-------------------|----------|
| Bilden     | Johnson, Cavalier | Schmit   |
| Day        | Kamrath           | Schrock  |
| Dewing     | Kusler            | Streibel |
| Ferry      | Leier             | Tuff     |
| Fiedler    | O'Brien           | Welander |
| Gilbertson | Olson             | Wolf     |
| Hagen      | Page              | Yunker   |

Absent and not voting:

Berube Schoeder

So the bill passed and the title was agreed to.

Senator Freed moved that the vote by which House Bill No. 863 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

~~Senator Day moved that the remarks of Senator Bridston be placed in the Journal, which motion prevailed.~~

Senator Day:

~~The motion just adopted by the Senate required the remarks of the Senator from the 1st to be placed in the Journal. As I understand it now he does not recall what he said. It is my recollection he stated that now that this bill had passed he hoped that the Commission would now appoint a League appointee to do the inspecting job provided by the appropriation in the bill. If I have at this time misstated the Senator's remarks I presume he is at liberty to correct me.~~

~~Senator Bridston:~~

~~I would like this printed in the Journal. In view of the remarks of the Senator from the 6th I will prepare a statement which I will give tomorrow under personal privilege, covering the subject matter at hand. That statement will correct the errors in his statement and amplify it somewhat.~~

Senator Duffy moved that all reference to this matter be expunged from the Journal, which motion prevailed, and the Chair ruled that this procedure be left out of the Journal on the motion to expunge.

Senator Day appealed the decision to the Chair that the records and all reference to what proceeded after the bill was passed, be left out of the Journal. Vote was taken and the Chair stood overruled.

#### REPORTS OF STANDING COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 9  
 Senate Bill No. 10  
 Senate Bill No. 11  
 Senate Bill No. 33  
 Senate Bill No. 36  
 Senate Bill No. 38  
 Senate Bill No. 43  
 Senate Bill No. 45  
 Senate Bill No. 50  
 Senate Bill No. 52  
 Senate Bill No. 62  
 Senate Bill No. 70  
 Senate Bill No. 103  
 Senate Bill No. 130  
 Senate Bill No. 142  
 Senate Bill No. 143  
 Senate Bill No. 149  
 Senate Bill No. 150  
 Senate Bill No. 171  
 Senate Bill No. 196  
 Senate Bill No. 204  
 Senate Bill No. 209  
 Senate Bill No. 235  
 Senate Bill No. 237

Were delivered to the Governor for his approval at the hour of 2:20 o'clock p.m., March 3, 1955.

ROSAMOND O'BRIEN, Chairman.

The committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution "J"

Was delivered to the Secretary of State at the hour of 2:25 o'clock p.m., March 3, 1955.

ROSAMOND O'BRIEN, Chairman.

#### MOTIONS

Senator Day moved that the vote by which the following House Bills were passed be reconsidered and the motion to reconsider be laid on the table: Nos. 693, 704, 755, 756, 777, 779, 851, 852, and 855.

Which motion prevailed.

Senator Day moved that Senate Concurrent Resolutions and House Concurrent Resolutions be placed at the foot of the calendar, which motion prevailed.

Senator Day moved that House Bill No. 556 be amended as follows:

On line 156 of the engrossed bill following the word "month" strike out the period, insert a semi-colon, and the following language: "except that the special fuel dealer, at his option, may pay only fifty per cent of the tax collected to the state auditor at the time above specified, but in such event shall pay the balance of the tax due within four months from the date the above mentioned tax return is due or by the last day of the calendar year in which the sale of taxable fuel was made, whichever shall first occur".

Renumber the lines alphabetically or otherwise accordingly.

Which motion prevailed.

Senator Day moved that the rules be suspended and House Bill No. 556 be placed on the calendar for final action, as amended, which motion prevailed.

**House Bill No. 556.** A Bill for an Act imposing a tax on special motor fuels, providing for the administration and enforcement thereof, providing a penalty, and repealing chapter 57-42 of the North Dakota Revised Code of 1943, as amended.

Which has been read.

#### 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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

|          |                   |          |
|----------|-------------------|----------|
| Bilden   | Holand            | Page     |
| Bridston | Johnson, Cass     | Rue      |
| Davis    | Johnson, Cavalier | Sayer    |
| Day      | Kanrath           | Schmit   |
| Dewing   | Klefstad          | Schoeder |
| Dolan    | Knudson           | Schrock  |
| Duffy    | Krenz             | Solberg  |
| Ferry    | Kusler            | Streibel |

|                        |            |          |
|------------------------|------------|----------|
| Fiedler                | Leier      | Torno    |
| Foss                   | Livingston | Tuff     |
| Fraser                 | Luick      | Wadeson  |
| Freed                  | Meidinger  | Welander |
| Gilbertson             | Nelson     | Wog      |
| Hagen                  | O'Brien    | Wolf     |
| Hernett                | Olson      | Yunker   |
| Absent and not voting: |            |          |
| Baeverstad             | Kielely    | Thomas   |
| Berube                 |            |          |

So the bill passed and the title was agreed to.

#### MOTION

Senator Schrock moved that the courtesy of the floor be extended to former Senator Wenstrom, which motion prevailed.

Senator Olson moved that the Senate recognize the high school students and instructor from New Town, North Dakota, which motion prevailed.

Senator Luick moved that House Bill No. 581 be amended as follows:

In the last line of the title after the word "adjoining" insert the words "county and".

In line 4 after the word "ALONG" insert the italicized words "COUNTY AND".

In line 7 after the word "traveled" insert the italicized words "county and".

In line 9 after the word "townships" insert a comma and put brackets around the word "and".

In line 10 after the word "townships" insert a comma and the following italicized words: "and the board of county commissioners in the case of county highways,".

In line 26 insert a bracket before the word "of".

In line 27 insert a close bracket after the word "and" and insert the word "or" before the word "board".

In line 27 after the word "commissioners" insert a comma, and before the word "in" insert a bracket.

In line 28 after the comma insert a close bracket and before the next word "to" insert the following italicized words: "as the case may be".

In line 31 after the word "township" insert the italicized words: "or county".

In line 33 after the word "townships" insert the italicized words "or counties".

In line 40 put brackets around the word "county" and around the word "and" including the comma preceding it. Also insert the italicized word "or" at the end of the line.

Renumber the lines accordingly.

Which motion prevailed.

Senator Luick moved that the rules be suspended and House Bill No. 581 be placed on the calendar for final action, as amended, which motion prevailed.

## SECOND READING OF HOUSE BILLS

**House Bill No. 581.** A Bill for an Act to amend and reenact sections 63-0305 and 63-0306 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the cutting of weeds and grasses adjoining township highways.

Which has been read.

## 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, 41; nays, 6; absent and not voting, 2.

Those voting in the affirmative were:

|            |            |          |
|------------|------------|----------|
| Baeverstad | Holand     | Rue      |
| Bilden     | Kamrath    | Sayer    |
| Bridston   | Kieley     | Schmit   |
| Davis      | Klefstad   | Schoeder |
| Day        | Knudson    | Schrock  |
| Dewing     | Krenz      | Solberg  |
| Dolan      | Kusler     | Streibel |
| Duffy      | Leier      | Thomas   |
| Ferry      | Livingston | Torno    |
| Foss       | Luick      | Tuff     |
| Fraser     | Meidinger  | Wadeson  |
| Freed      | Nelson     | Wog      |
| Hagen      | O'Brien    | Wolf     |
| Hernett    | Olsen      |          |

Those voting in the negative were:

|            |                   |          |
|------------|-------------------|----------|
| Fiedler    | Johnson, Cavalier | Welander |
| Gilbertson | Page              | Yunker   |

Absent and not voting:

|        |               |
|--------|---------------|
| Berube | Johnson, Cass |
|--------|---------------|

So the bill passed and the title was agreed to.

## MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 704  
 House Bill No. 755  
 House Bill No. 756  
 House Bill No. 777  
 House Bill No. 779  
 House Bill No. 851  
 House Bill No. 852  
 House Bill No. 855  
 House Bill No. 863

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, March 3, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 688  
 House Bill No. 693

Which the Senate has amended.

EDWARD LENO, Secretary.

Senator Day moved that after the reading of the Senate and House Resolutions on the calendar, the Senate recess for ten minutes, which motion prevailed, and the Senate stood recessed.

The Senate reconvened at the call of the Chair.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1955

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 505 and the President has appointed as a new Conference Committee, Senators: Freed, Livingston, and Welander.

EDWARD LENO, Secretary.

#### MESSAGES TO THE SENATE

House Chamber

Bismarck, March 3, 1955

Mr. President: I have the honor to return:

Senate Concurrent Resolution "B-1"

Senate Concurrent Resolution "C-1"

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, March 3, 1955

Mr. President: I have the honor to inform you that the Speaker has appointed as a new Conference Committee on House Bill No. 548, Reps. Larson, Simenson and Langseth.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, March 3, 1955

Mr. President: I have the honor to inform you that the Speaker has appointed as a new Conference Committee on House Bill 505, Reps. Heimes, Vinjie and Snortland.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, March 3, 1955

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee on Senate Bill No. 183, Reps. Brown, Saugstad and Baldwin.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, March 3, 1955

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee on Senate Bill No. 211, Reps. Wolf, Kjos and Wicks.

KENNETH L. MORGAN, Chief Clerk.



House Chamber  
Bismarck, March 3, 1955

Mr. President: I have the honor to transmit:

House Concurrent Resolution "C-2"  
House Concurrent Resolution "D-2"  
House Concurrent Resolution "E-2"  
House Concurrent Resolution "F-2"  
House Concurrent Resolution "G-2"

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 591.** A Bill for an Act making an appropriation for the purpose of refunding to Steele County amounts erroneously paid by such county for the care of a patient at the state hospital.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Davis      | Kamrath           | Schmit   |
| Day        | Kieley            | Schoeder |
| Dewing     | Klefstad          | Schrock  |
| Dolan      | Knudson           | Solberg  |
| Duffy      | Krenz             | Streibel |
| Ferry      | Leier             | Thomas   |
| Fiedler    | Livingston        | Torno    |
| Foss       | Luick             | Tuff     |
| Fraser     | Meidinger         | Wadeson  |
| Freed      | Nelson            | Welander |
| Gilbertson | O'Brien           | Wog      |
| Hagen      | Olson             | Wolf     |
| Hernett    | Page              | Yunker   |

Absent and not voting:

|          |               |        |
|----------|---------------|--------|
| Berube   | Johnson, Cass | Kusler |
| Bridston |               |        |

So the bill passed and the title was agreed to.

Senator Sayer moved that the vote by which House Bill No. 591 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

**House Bill No. 659.** A Bill for an Act to amend and reenact section 58-0405 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to organization of annual or special township meetings and providing for five o'clock p.m. closing.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Sayer    |
| Bilden     | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schoeder |
| Day        | Kieley            | Schrock  |
| Dewing     | Klefstad          | Solberg  |
| Dolan      | Knudson           | Streibel |
| Duffy      | Krenz             | Thomas   |
| Foss       | Leier             | Torno    |
| Ferry      | Livingston        | Tuff     |
| Fiedler    | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | Olson             | Wolf     |
| Hagen      | Page              | Yunker   |
| Hernett    | Rue               |          |

Absent and not voting:

|          |               |         |
|----------|---------------|---------|
| Berube   | Johnson, Cass | O'Brien |
| Bridston | Kusler        |         |

So the bill passed and the title was agreed to.

House Bill No. 661. A Bill for an Act to provide for nurse preparation scholarships for qualified residents of North Dakota who express an intent to prepare for nursing; designating the state board to administer the provisions of this Act; and making an appropriation.

Which has been read.

#### 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:

|            |                   |         |
|------------|-------------------|---------|
| Baeverstad | Johnson, Cavalier | Nelson  |
| Bilden     | Kamrath           | Rue     |
| Davis      | Kieley            | Sayer   |
| Day        | Klefstad          | Schmit  |
| Dolan      | Knudson           | Thomas  |
| Duffy      | Krenz             | Wadeson |
| Foss       | Leier             | Wog     |
| Fraser     | Livingston        | Wolf    |
| Freed      | Luick             | Yunker  |
| Holand     | Meidinger         |         |

Those voting in the negative were:

|            |          |          |
|------------|----------|----------|
| Dewing     | Hernett  | Solberg  |
| Ferry      | Olson    | Streibel |
| Fiedler    | Page     | Torno    |
| Gilbertson | Schoeder | Tuff     |
| Hagen      | Schrock  | Welander |

Absent and not voting:

|          |               |         |
|----------|---------------|---------|
| Berube   | Johnson, Cass | O'Brien |
| Bridston | Kusler        |         |

So the bill passed and the title was agreed to.

Senator Livingston moved that the vote by which House Bill No. 661 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 781. A Bill for an Act making an appropriation to the agricultural college experiment station for the

purpose of providing soil testing services for irrigable or potentially irrigable land.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 22; nays, 24; absent and not voting, 3.

Those voting in the affirmative were:

|            |               |           |
|------------|---------------|-----------|
| Baeverstad | Holand        | Luick     |
| Bridston   | Johnson, Cass | Meidinger |
| Davis      | Kieley        | Nelson    |
| Dolan      | Klefstad      | Rue       |
| Duffy      | Knudson       | Sayer     |
| Foss       | Krenz         | Torno     |
| Freed      | Livingston    | Wadeson   |
| Hernett    |               |           |

Those voting in the negative were:

|                   |          |          |
|-------------------|----------|----------|
| Day               | Kamrath  | Solberg  |
| Dewing            | Kusler   | Streibel |
| Ferry             | Leier    | Thomas   |
| Fiedler           | O'Brien  | Tuff     |
| Fraser            | Olson    | Welander |
| Gilbertson        | Page     | Wog      |
| Hagen             | Schoeder | Wolf     |
| Johnson, Cavalier | Schrock  | Yunker   |

Absent and not voting:

|        |        |        |
|--------|--------|--------|
| Berube | Bilden | Schmit |
|--------|--------|--------|

So the bill was declared lost due to the lack of a constitutional majority.

Senator Streibel moved that the vote by which House Bill No. 781 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 782. A Bill for an Act establishing a revolving fund for the increase of new or improved varieties of agricultural seeds, and making an appropriation.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 22; nays, 25; absent and not voting, 2.

Those voting in the affirmative were:

|            |               |           |
|------------|---------------|-----------|
| Baeverstad | Holand        | Luick     |
| Bridston   | Johnson, Cass | Meidinger |
| Davis      | Kieley        | Nelson    |
| Dolan      | Klefstad      | Rue       |
| Duffy      | Knudson       | Sayer     |
| Foss       | Krenz         | Torno     |
| Freed      | Livingston    | Wadeson   |
| Hernett    |               |           |

Those voting in the negative were:

|            |         |          |
|------------|---------|----------|
| Day        | Kusler  | Solberg  |
| Dewing     | Leier   | Streibel |
| Ferry      | O'Brien | Thomas   |
| Fiedler    | Olson   | Tuff     |
| Fraser     | Page    | Welander |
| Gilbertson | Schmit  | Wog      |

|                   |          |        |
|-------------------|----------|--------|
| Hagen             | Schoeder | Wolf   |
| Johnson, Cavalier | Schrock  | Yunker |
| Kamrath           |          |        |

Absent and not voting:

|        |        |
|--------|--------|
| Berube | Bilden |
|--------|--------|

So the bill was declared lost due to the lack of a constitutional majority.

Senator Dewing moved that the vote by which House Bill No. 782 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Fiedler:

I would like to explain my vote. I voted "no" on this bill because we had agreed at the Appropriations Committee meeting to put into House Bill No. 501 a permanent revolving fund for this purpose.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

- Senate Bill No. 67
- Senate Bill No. 129
- Senate Bill No. 153
- Senate Bill No. 156
- Senate Bill No. 157
- Senate Bill No. 180
- Senate Bill No. 197
- Senate Bill No. 203
- Senate Bill No. 205
- Senate Bill No. 225
- Senate Bill No. 247
- Senate Bill No. 248

And the President signed the same in the presence of the Senate.

#### 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. 46
- Senate Bill No. 105
- Senate Bill No. 116
- Senate Bill No. 138
- Senate Bill No. 152
- Senate Bill No. 190
- Senate Bill No. 228
- Senate Bill No. 243
- Senate Concurrent Resolution "A"
- Senate Concurrent Resolution "Q"

And find the same correctly enrolled.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed, and the report was adopted.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 3, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 67

Which the President has signed and your signature is respectfully requested.

EDWARD LENO, Secretary.

### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 46  
 Senate Bill No. 105  
 Senate Bill No. 116  
 Senate Bill No. 138  
 Senate Bill No. 152  
 Senate Bill No. 190  
 Senate Bill No. 228  
 Senate Bill No. 243  
 Senate Concurrent Resolution "A"  
 Senate Concurrent Resolution "Q"

And the President signed the same in the presence of the Senate.

### SECOND READING OF HOUSE BILLS

**House Bill No. 783.** A Bill for an Act making an appropriation to the Agricultural college experiment station for the purpose of providing general soil testing service.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 23; nays, 24; absent and not voting, 2.

Those voting in the affirmative were:

|            |               |           |
|------------|---------------|-----------|
| Baeverstad | Hernett       | Luick     |
| Bridston   | Holand        | Meidinger |
| Davis      | Johnson, Cass | Nelson    |
| Dolan      | Kieley        | Rue       |
| Duffy      | Klefstad      | Sayer     |
| Ferry      | Knudson       | Torno     |
| Foss       | Krenz         | Wadeson   |
| Freed      | Livingston    |           |

Those voting in the negative were:

|                   |          |          |
|-------------------|----------|----------|
| Day               | Kusler   | Solberg  |
| Dewing            | Leier    | Streibel |
| Fiedler           | O'Brien  | Thomas   |
| Fraser            | Olson    | Tuff     |
| Gilbertson        | Page     | Welander |
| Hagen             | Schmit   | Wog      |
| Johnson, Cavalier | Schoeder | Wolf     |
| Kamrath           | Schrock  | Yunker   |

Absent and not voting:

Berube                      Bilden

So the bill was declared lost due to the lack of a constitutional majority.

**House Bill No. 784.** A Bill for an Act making an appropriation for a laboratory addition to Morrill Hall at the agricultural college for the purpose of soil testing and other agricultural experimentation and laboratory purposes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 22; nays, 24; absent and not voting, 3.

Those voting in the affirmative were:

|            |               |           |
|------------|---------------|-----------|
| Baeverstad | Hernett       | Luick     |
| Bridston   | Johnson, Cass | Meidinger |
| Davis      | Kieley        | Nelson    |
| Dolan      | Klefstad      | Rue       |
| Duffy      | Knudson       | Sayer     |
| Foss       | Krenz         | Torno     |
| Freed      | Livingston    | Wadeson   |
| Holand     |               |           |

Those voting in the negative were:

|                   |          |          |
|-------------------|----------|----------|
| Day               | Kamrath  | Solberg  |
| Dewing            | Kusler   | Streibel |
| Ferry             | Leier    | Thomas   |
| Fiedler           | O'Brien  | Tuff     |
| Fraser            | Olson    | Welander |
| Gilbertson        | Page     | Wog      |
| Hagen             | Schoeder | Wolf     |
| Johnson, Cavalier | Schrock  | Yunker   |

Absent and not voting:

|        |        |        |
|--------|--------|--------|
| Berube | Bilden | Schmit |
|--------|--------|--------|

So the bill was declared lost due to the lack of a constitutional majority.

MOTIONS

Senator Day moved that the vote by which the following House Bills were passed be reconsidered and the motion to reconsider be laid on the table: Nos. 556, 581, 659.

Which motion prevailed.

Senator Day moved that the vote by which House Bills Nos. 783 and 784 were lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 3, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 556

House Bill No. 581

Which the Senate has amended.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 3, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 591

House Bill No. 659

House Bill No. 661

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 3, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 781

House Bill No. 782  
 House Bill No. 783  
 House Bill No. 784

Which the Senate has indefinitely postponed.

EDWARD LENO, Secretary.

#### CONSIDERATION OF AMENDMENTS

Senator Dewing moved that the proposed amendment to House Bill No. 535 be adopted, which motion prevailed.

Senator Solberg moved that the proposed amendment to House Bill No. 582 be adopted.

Senator Krenz made a substitute motion that further consideration of House Bill No. 582 be indefinitely postponed.

Senator Krenz asked for a call of the Senate.

Senator Day moved to excuse Senator Berube for reasons of illness, which motion prevailed.

Senator Krenz moved that the call of the Senate be dispensed with, which motion prevailed.

The question being on the substitute motion that further consideration of House Bill No. 582 be indefinitely postponed, division was called, and the motion prevailed.

Senator Rue moved that the vote by which House Bill No. 582 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Schoeder moved that the proposed amendments to House Bill No. 754 be adopted, which motion prevailed.

Senator Page moved that the proposed amendments to House Bill No. 801 be adopted, which motion prevailed.

Senator Page moved that the proposed amendment to House Bill No. 802 be adopted, which motion prevailed.

Senator Dewing moved that the proposed amendments to House Bill No. 811 be adopted, which motion prevailed.

Senator Duffy moved that the Senate reconsider its action in adopting the amendments to House Bill No. 811, which motion prevailed.

The question being on the adoption of the proposed amendments to House Bill No. 811 which were reconsidered, division was taken, the motion prevailed, and the amendments were adopted.

Senator Duffy moved that the Senate reconsider its action in adopting the proposed amendments to House Bill No. 801, which motion prevailed.

Senator Day moved that the proposed amendments to House Bill No. 801 be adopted, which motion prevailed.

Senator Page moved that the proposed amendments to House Bill No. 860 be adopted, which motion prevailed.

Senator Fraser moved that the proposed amendments to Senate Concurrent Resolution "V" be adopted, which motion prevailed.

## REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Agriculture, to whom was referred House Concurrent Resolution "M-1", have had the same under consideration and recommend that the same do pass.

DUNCAN FRASER, Chairman.

Senator Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

## REPORTS OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 183, has met and makes the following report:

In line 16 the House recedes from House amendment to Senate Bill No. 183.

For the Senate:

SENATOR JOHNSON of Cass  
SENATOR O'BRIEN  
SENATOR KUSLER

For the House:

REP. BROWN  
REP. SAUGSTAD  
REP. BALDWIN

Senator Kusler 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. 548 makes the following report:

Your Conference Committee has met and report that they cannot agree and we recommend that the committee be discharged and a new committee be appointed.

For the Senate:

SENATOR DEWING  
SENATOR KLEFSTAD  
SENATOR SAYER

For the House:

REP. NYGAARD  
REP. HOFSTRAND  
REP. HAUGLAND

Senator Dewing moved that the report be adopted, which motion prevailed and the report was adopted.

## CONFERENCE COMMITTEE

The President appointed a new Conference Committee to meet with a like committee from the House to consider House Bill No. 548, Senators Schrock, Dolan and Meidinger.

Senator Streibel moved that the absent Senators be excused, which motion prevailed.

Senator Streibel moved that the Senate adjourn, which motion prevailed, and the Senate stood adjourned.

EDWARD LENO, Secretary.

## FIFTY-NINTH DAY

Bismarck, March 3, 1955

Prayer by Chaplain Rev. F. V. Tannehill, McCabe Methodist Church, Bismarck, N. Dak.



The Senate convened at 2:00 p.m., the President presiding.

Roll Call: All members present except Senators Berube, Bridston, Nelson and Rue.

So a quorum was declared.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifty-Seventh Day after Recess and recommend that the same be corrected as follows:

Page 693, 13th line from the bottom, add the phrase "and the emergency clause carried".

Page 677, in the heading delete the words "Fifty-Eighth Day".

Page 695, 11th line from the bottom, change the figure "5" to "6".

And when so corrected recommend that the same be approved.

JOHN LEIER, Chairman.

Senator Leier moved that the report be adopted, which motion prevailed and the report was adopted.

#### COMMUNICATION

A communication was read from the Senate addressed to the manager of the Bismarck Theater expressing thanks for the privilege of attending the film "The Long Gray Line".

Senator Davis moved that the communication be printed in the Journal; which motion prevailed.

Bismarck, March 3, 1955

Mr. Robert E. Rosen, Manager  
Bismarck Theater  
202 Third Street  
Bismarck, North Dakota

Dear Mr. Rosen:

The members of the Senate wish to express their appreciation to you for the privilege of attending the film, "The Long Gray Line." The members and their wives enjoyed this picture very much and considered it outstanding. Also, the refreshments provided were certainly appreciated.

Thanks again for a fine evening of entertainment. It has been a pleasure to work with you in arranging for this.

Sincerely yours,  
SENATOR AMOS FREED

Senator Streibel moved that after the reading of the remaining bills on the calendar, the Senate recess until 10:00 a.m., March 4, 1955, which motion prevailed, and the Senate stood recessed.

EDWARD LENO, Secretary.

FIFTY-NINTH DAY AFTER RECESS  
AND SIXTIETH DAY

Bismarck, March 4, 1955

The Senate reconvened at 10:00 a.m., the President presiding.

MESSAGE FROM THE GOVERNOR

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck, March 4, 1955

Members of the Senate  
Thirty-fourth Legislative Assembly  
Senate Chambers  
Bismarck, North Dakota

Gentlemen:

On March 3 I approved Senate Bills 9, 10, 11, 36, 38, 43, 45, 50, 52, 62, 70, 103, 130, 142, 143, 149, 150, 171, 196, 204, 209, 235 and 237.

These bills have been filed with the Secretary of State.

Sincerely yours,

NORMAN BRUNSDALE,  
Governor

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee report on House Bill No. 548, and the President has appointed as a new Conference Committee, Senators Schrock, Dolan and Meidinger.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 183.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 582

House Bill No. 841

Which the Senate has indefinitely postponed.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 46

Senate Bill No. 105

Senate Bill No. 116

Senate Bill No. 129

Senate Bill No. 138

Senate Bill No. 152

Senate Bill No. 153

Senate Bill No. 156

Senate Bill No. 157

Senate Bill No. 180

Senate Bill No. 190

Senate Bill No. 197

Senate Bill No. 203

Senate Bill No. 205

Senate Bill No. 210

Senate Bill No. 225

Senate Bill No. 228

Senate Bill No. 243

Senate Bill No. 247

Senate Bill No. 248

Senate Concurrent Resolution "A"

Senate Concurrent Resolution "Q"

Which the President has signed and your signature is respectfully requested.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 809

House Bill No. 832

Which the Senate has indefinitely postponed.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 520

House Bill No. 531

House Bill No. 537

House Bill No. 538

House Bill No. 558

House Bill No. 577

House Bill No. 611

House Bill No. 673

House Bill No. 774

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 670  
House Bill No. 706  
House Bill No. 715  
House Bill No. 744  
House Bill No. 793  
House Bill No. 805  
House Bill No. 806  
House Bill No. 848  
House Concurrent Resolution "P"  
House Concurrent Resolution "C-1"

Which the Senate has indefinitely postponed.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 574  
House Bill No. 602  
House Bill No. 632  
House Bill No. 647  
House Bill No. 831

Which the Senate has indefinitely postponed.

EDWARD LENO, Secretary.

SECOND READING OF HOUSE BILLS

**House Bill No. 527.** A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Department of the Registrar of Motor Vehicles.

Which has been read.

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, 36; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

|               |                   |          |
|---------------|-------------------|----------|
| Bridston      | Johnson, Cavalier | Sayer    |
| Davis         | Kamrath           | Schmit   |
| Day           | Klefstad          | Schoeder |
| Dewing        | Knudson           | Solberg  |
| Duffy         | Krenz             | Streibel |
| Fiedler       | Kusler            | Thomas   |
| Foss          | Leier             | Torno    |
| Fraser        | Nelson            | Tuff     |
| Gilbertson    | O'Brien           | Wadeson  |
| Hagen         | Olson             | Wog      |
| Holand        | Page              | Wolf     |
| Johnson, Cass | Rue               | Yunker   |

Absent and not voting:

|            |            |           |
|------------|------------|-----------|
| Baeverstad | Freed      | Luick     |
| Berube     | Hernett    | Meidinger |
| Bilden     | Kieley     | Schrock   |
| Dolan      | Livingston | Welandier |
| Ferry      |            |           |

So the bill passed and the title was agreed to.

Senator Page moved that House Bill No. 530 be amended as follows:

In line 3 change the figure to read "\$836,634.00".

In line 23, after the word "insurance" add the words "and retirement fund". Strike out the figure "\$450.00" and insert in lieu thereof "\$21,834.00".

In line 25 strike out the total and insert the figure "\$836,634.00".

Which motion prevailed.

Senator Page moved that the rules be suspended and House Bill No. 530 be placed on second reading and final passage, as amended, which motion prevailed.

**House Bill No. 530.** 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.

Which has been read.

#### 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, 39; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

|                        |                   |           |
|------------------------|-------------------|-----------|
| Baeverstad             | Holand            | Rue       |
| Bilden                 | Johnson, Cass     | Sayer     |
| Bridston               | Johnson, Cavalier | Schmit    |
| Davis                  | Kamrath           | Schoeder  |
| Day                    | Klefstad          | Solberg   |
| Dewing                 | Knudson           | Streibel  |
| Duffy                  | Krenz             | Thomas    |
| Ferry                  | Kusler            | Torno     |
| Fiedler                | Leier             | Tuff      |
| Foss                   | Nelson            | Wadeson   |
| Fraser                 | O'Brien           | Wog       |
| Gilbertson             | Olson             | Wolf      |
| Hagen                  | Page              | Yunker    |
| Absent and not voting: |                   |           |
| Berube                 | Kieley            | Meidinger |
| Dolan                  | Livingston        | Schrock   |
| Freed                  | Luick             | Welander  |
| Hernett                |                   |           |

So the bill passed and the title was agreed to.

**House Bill No. 532.** 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.

Which has been read.

#### 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, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Bilden     | Johnson, Cass     | Sayer    |
| Davis      | Johnson, Cavalier | Schmit   |
| Day        | Kamrath           | Schoeder |
| Dewing     | Klefstad          | Streibel |

|            |         |         |
|------------|---------|---------|
| Duffy      | Knudson | Thomas  |
| Ferry      | Krenz   | Torno   |
| Fiedler    | Kusler  | Tuff    |
| Foss       | Leier   | Wadeson |
| Fraser     | Nelson  | Wog     |
| Freed      | O'Brien | Wolf    |
| Gilbertson | Olson   | Yunker  |
| Hagen      |         |         |

Absent and not voting:

|          |            |          |
|----------|------------|----------|
| Berube   | Kieley     | Rue      |
| Bridston | Livingston | Schrock  |
| Dolan    | Luick      | Solberg  |
| Hernett  | Meidinger  | Welander |

So the bill passed and the title was agreed to.

### MESSAGES TO THE SENATE

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to return:

Senate Bill No. 67

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 695 and was defeated by a roll call vote of ayes, 14; nays, 88; absent and not voting, 11.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to:

House Bill No. 717 by a vote of ayes, 104; nays, 0; absent and not voting, 9.

House Bill No. 742 by a vote of ayes, 101; nays, 0; absent and not voting, 12.

House Bill No. 749 by a vote of ayes, 104; nays, 0; absent and not voting, 9.

House Bill No. 761 by a vote of ayes, 76; nays, 28; absent and not voting, 9.

House Bill No. 775 by a vote of ayes, 98; nays, 7; absent and not voting, 8.

House Bill No. 829 by a vote of ayes, 105; nays, 0; absent and not voting, 8.

House Bill No. 640 by a vote of ayes, 107; nays, 0; absent and not voting, 6.

House Bill No. 658 by a vote of ayes, 106; nays, 0; absent and not voting, 7.

House Bill No. 674 by a vote of ayes, 99; nays, 5; absent and not voting, 9.

House Bill No. 698 by a vote of ayes, 102; nays, 0; absent and not voting, 11.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to:

House Bill No. 705 by a vote of ayes, 81; nays, 22; absent and not voting, 10.

House Bill No. 707 by a vote of ayes, 107; nays, 0; absent and not voting, 6.

House Bill No. 708 by a vote of ayes, 101; nays, 0; absent and not voting, 12.

House Bill No. 762 by a vote of ayes, 102; nays, 0; absent and not voting, 11.

House Bill No. 846 by a vote of ayes, 101; nays, 2; absent and not voting, 10.

House Bill No. 861 by a vote of ayes, 104; nays, 0; absent and not voting, 9.

House Bill No. 837 by a vote of ayes, 103; nays, 4; absent and not voting, 6.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 656 and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Reps. Haugland, Knudson of Morton, and Langseth.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 542 and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Reps. Leet, Sortland and Gumeringer.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 524 and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Reps. Baker, Vinjie and Thompson of McLean.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to return:

Senate Bill No. 154

Senate Concurrent Resolution "T"

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

## House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to request the return of Senate Bill No. 183.

KENNETH L. MORGAN, Chief Clerk.

The President pro-tem was called to the Chair.

## MOTIONS

Senator Bridston moved that his name be removed from the Conference Committee on House Bill No. 663, and the name of Senator Johnson (Cass) be placed thereon, which motion prevailed.

Senator Day moved that the President pro-tem appoint a Conference Committee to act with a like committee from the House, to consider House Bill No. 524, which motion prevailed.

The President pro-tem appointed Senators Day, Duffy and Dewing to act on such Conference Committee.

Senator Day moved that the President pro-tem appoint a Conference Committee to act with a like committee from the House, to consider House Bill No. 656, which motion prevailed.

The President pro-tem appointed Senators O'Brien, Sayer and Thomas to act on such Conference Committee.

Senator Day moved that the President pro-tem appoint a Conference Committee to act with a like committee from the House, to consider House Bill No. 542, which motion prevailed.

The President pro-tem appointed Senators Duffy, Knudson and Schmit to act on such Conference Committee.

Senator Day moved that House Bill No. 534 be amended as follows:

Following line 60 insert the following:

"61 SECTION 6. AMENDMENT.) Section 57-4111 of  
61a the 1953  
62 Supplement to the North Dakota Revised Code of 1943  
62a is  
63 hereby amended and reenacted to read as follows:  
64 57-4111. PAYMENT OF TAX.) The tax collected  
64a upon  
65 motor vehicle fuel sold or used in any calendar month  
66 shall be remitted by the dealer, when the statement  
67 provided for in section 57-4105 is rendered, to the  
68 state auditor, who shall receipt to the dealer therefor,  
69 and forthwith shall pay over all of the money thus  
70 received to the state treasurer: except that any dealer  
71 at his option, may pay only fifty per cent of the tax  
72 collected to the state auditor at the time above  
73 specified, but in such event shall pay the balance of tax  
74 due within four months from the date the statement  
74a provided  
75 for in section 57-4105 is due, or by the last day of the  
76 calendar year in which the sale of taxable fuel was  
76a made,  
77 whichever shall first occur.  
78 SECTION 7. AMENDMENT.) Section 57-4305 of



78a the 1953  
 79 Supplement to the North Dakota Revised Code of  
 79a 1943 is  
 80 hereby amended and reenacted to read as follows:  
 81 57-4305. PAYMENT OF TAX.) The tax collected  
 81a upon  
 82 motor vehicle fuel sold in any calendar month shall be  
 83 remitted by the dealer to the state auditor not later  
 83a than  
 84 the fifteenth day of the calendar month following the  
 84a month  
 85 of sale, who shall receipt to the dealer therefor, and  
 86 forthwith shall pay over all the money thus received to  
 87 the state treasurer; except that any dealer, at his  
 87a option,  
 88 may pay only fifty per cent of the tax collected to the  
 89 state auditor at the time above specified, but in such  
 89a event  
 90 shall pay the balance of tax due within four months  
 90a from the  
 91 date such tax was due as above specified or by the last  
 91a day  
 92 of the calendar year in which the sale of taxable fuel  
 93 was made, whichever shall first occur."

In the title of the bill following the word "sections" insert the following numbers: "57-4111, 57-4305".

Renumber the lines accordingly.

Which motion prevailed.

Senator Day moved that the rules be suspended and House Bill No. 534 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 534. A Bill for an Act to amend and reenact sections 57-4302, 57-4304, 57-4306, 57-4307 and 57-4309 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to gasoline excise taxes, and providing for the levy of an additional one-cent refundable motor fuel tax.

Which has been read.

#### 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, 2; absent and not voting, 9.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Rue      |
| Bilden     | Johnson, Cass     | Sayer    |
| Bridston   | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schoeder |
| Day        | Knudson           | Solberg  |
| Duffy      | Krenz             | Thomas   |
| Ferry      | Kusler            | Torno    |
| Fiedler    | Leier             | Tuff     |
| Foss       | Luick             | Welander |
| Fraser     | Nelson            | Wog      |
| Freed      | O'Brien           | Wolf     |
| Gilbertson | Olson             | Yunker   |
| Hagen      | Page              |          |

Those voting in the negative were:

|                        |            |           |
|------------------------|------------|-----------|
| Dewing                 | Streibel   |           |
| Absent and not voting: |            |           |
| Berube                 | Kieley     | Meidinger |
| Dolan                  | Klefstad   | Schrock   |
| Hernett                | Livingston | Wadeson   |

So the bill passed and the title was agreed to.

Senator Day moved that the Senate reconsider its action in adopting the amendments to House Bill No. 541, which motion prevailed.

Senator Duffy made a substitute motion that House Bill No. 541 be amended as follows:

Strike out everything after the words "A BILL", and insert in lieu thereof the following:

"For an Act to amend and reenact Section 39-0621 of the North Dakota Revised Code of 1943.

Be it enacted by the Legislative Assembly of the State of North Dakota that Section 39-0621 of the North Dakota Revised Code of 1943 be amended and reenacted to read as follows:

All monies received under the provisions of this chapter shall be paid monthly into the State Treasury and credited to the General Fund".

Which motion prevailed.

Senator Day moved that the rules be suspended and House Bill No. 541 be placed on the calendar, as amended, for second reading and final action, which motion prevailed.

**House Bill No. 541.** A Bill for an Act to provide for issuance, expiration, renewal, cancellation, suspension and revocation of vehicle operators' licenses, providing penalties for violations thereof, and repealing all sections of chapter 39-06 of the North Dakota Revised Code of 1943 and all sections of chapter 39-06 of the 1953 Supplement to the North Dakota Revised Code of 1943.

Which has been read.

#### 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, 30; nays, 9; absent and not voting, 10.

Those voting in the affirmative were:

|               |                   |         |
|---------------|-------------------|---------|
| Bridston      | Johnson, Cavalier | Page    |
| Davis         | Kamrath           | Rue     |
| Day           | Klefstad          | Sayer   |
| Dolan         | Knudson           | Schmit  |
| Duffy         | Krenz             | Solberg |
| Fiedler       | Kusler            | Thomas  |
| Foss          | Luick             | Torno   |
| Fraser        | Meidinger         | Tuff    |
| Gilbertson    | Nelson            | Wolf    |
| Johnson, Cass | Olson             | Yunker  |

Those voting in the negative were:

|        |        |          |
|--------|--------|----------|
| Bilden | Hagen  | Schoeder |
| Dewing | Holand | Streibel |
| Ferry  | Leier  | Wog      |

Absent and not voting:

|            |            |          |
|------------|------------|----------|
| Baeverstad | Kieley     | Schrock  |
| Berube     | Livingston | Wadeson  |
| Freed      | O'Brien    | Welander |
| Hernett    |            |          |

So the bill passed and the title was agreed to.

#### MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 656, Senators O'Brien, Sayer and Thomas.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee, on House Bill No. 542, Senators Duffy, Knudson and Schmit.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee, on House Bill No. 524, Senators Day, Duffy and Dewing.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the Senate has substituted on the Conference Committee on House Bill No. 663, Senator Johnson of Cass in place of Senator Bridston.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to transmit Senate Bill No. 183, which the House has requested.

EDWARD LENO, Secretary.

#### MESSAGE TO THE SENATE

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bill No. 598 by a vote of 98-0-15; House Bill No. 688 by a vote of 98-0-15; House Bill No. 693 by a vote of 90-2-21; House Bill No. 566 by a vote of 90-2-21; House Bill No. 581 by a vote of 82-14-17.

KENNETH L. MORGAN, Chief Clerk.

#### MOTIONS

Senator Day moved that the proposed amendments to House Bill No. 544 be further amended as follows:

In the title strike out everything after the word "re-enact" and insert the following: "Sub-Section 2 of Section 39-1616

and Sections 39-1703, 39-17031, 39-1704, 39-17041, 39-1710 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to unsatisfied judgments and financial responsibility."

On Line 1 strike out the figure "14" and insert the figure "1".

On Line 4 strike out the figure "1" and insert the figure "2".

On Line 7 after the comma insert the words "or have operating a motor vehicle upon the highways without being licensed to do so".

On Line 11 strike out the figure "27" and insert the figure "2".

On Line 66 strike out the figure "28" and insert the figure "3".

On Line 97 strike out the figure "29" and insert the figure "4".

On Line 124 strike out the figure "30" and insert the figure "5".

On Line 140 strike out the figure "31" and insert the figure "6".

On Line 168 strike out the brackets around the word "commissioner".

On Line 169 strike out the words "director of public safety".

Which motion prevailed.

Senator Day moved that the rules be suspended and House Bill No. 544 be placed on the calendar for second reading and final passage, as amended, which motion prevailed.

Senator Day moved that further consideration of House Bill No. 544 be deferred until after the reading of House Bill No. 857, which motion prevailed.

Senator Dewing moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair.

Senator Day moved that House Bill No. 544 be placed at the head of the calendar, which motion prevailed.

## SECOND READING OF HOUSE BILLS

**House Bill No. 544.** A Bill for an Act to amend and reenact subsection 1 of section 39-1601, section 39-1602 through 39-1607, 39-1609 through 39-1613, 39-1615 through 39-1619, 39-1623 through 39-1629, all numbers inclusive, sections 39-1621, 39-1632, 39-1703, 39-17031, 39-1704, 39-17041, and 39-1710 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to financial responsibility of owners and operators of motor vehicles and the unsatisfied judgment fund, placing administration of chapters 39-16 and 39-17 of the 1953 Supplement to the North Dakota Revised Code of 1943 under supervision of the director of public safety, requiring that judgment creditors exhaust all remedies available before recovery from the fund, and requiring notice of pendency of action, notice of default and notice of examination of the judgment debtor.

Which has been read.

## 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, 3; nays, 38; absent and not voting, 8.

Those voting in the affirmative were:

|         |         |     |
|---------|---------|-----|
| Kamrath | Knudson | Wog |
|---------|---------|-----|

Those voting in the negative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hagen             | Olson    |
| Bilden     | Holand            | Page     |
| Bridston   | Johnson, Cass     | Sayer    |
| Davis      | Johnson, Cavalier | Schmit   |
| Day        | Kieley            | Schrock  |
| Dewing     | Klefstad          | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Torno    |
| Ferry      | Leier             | Tuff     |
| Fiedler    | Livingston        | Wadeson  |
| Fraser     | Meidinger         | Wolf     |
| Freed      | Nelson            | Yunker   |
| Gilbertson | O'Brien           |          |

Absent and not voting:

|         |          |          |
|---------|----------|----------|
| Berube  | Luick    | Thomas   |
| Foss    | Rue      | Welander |
| Hernett | Schoeder |          |

So the bill was declared lost.

## MESSAGES TO THE SENATE

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to return:

Senate Bill No. 166

Senate Bill No. 169

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to request the return of Senate Bill No. 224.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to return:

Senate Bill No. 53

Senate Bill No. 58

Senate Bill No. 175

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

## HOUSE AMENDMENTS

Senate Bill No. 53

In line 1 of the title of the bill, after the word "sections", insert "43-2201,".

In line 2 of the title of the bill, before the word "and" insert "43-2206".

In line 3 of the title of the bill, after the word "oil" insert a comma and delete the word "and". After the word "gas" insert the words "or mineral".

Before line 1 of the bill insert the following Section:

SECTION 1. AMENDMENT.) Section 43-2201 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

43-2201. DEFINITION.) In this chapter, unless the context or subject matter otherwise requires;

1. Oil, gas or mineral broker shall mean any person, copartnership, association or corporation engaged in the business of buying for resale leases, mineral rights, royalties, or other interests in oil or gas properties or in properties containing or presume to contain uranium or other fissionable materials from the surface holder or land owner, whether for himself or as agent of others.
2. Commissioner shall mean the State Securities Commissioner.

In line 1 of the bill change the figure "1" after the word "SECTION" to "2".

In line 5 after the word "oil" insert a comma and delete the word "and". After the word "gas" insert the words "or mineral".

In line 26 after the word "SECTION" change the figure "2" to "3".

In line 30 after the word "oil", insert a comma and delete the word "and". After the word "gas", insert the words "or mineral".

In line 35 after the word "oil", insert a comma and delete the word "and". After the word "gas", insert the words "or mineral".

In line 37 delete the word "authorized" and insert in lieu thereof the word "regular".

Between lines 44 and 45 insert a section to read as follows:

SECTION 4. AMENDMENT.) Section 43-2206 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

43-2206. UNLAWFUL TO RETAIN LEASE OR MINERAL OR ROYALTY TRANSFER IF NOT PAID FOR.) It shall be unlawful to retain any lease or transfer of any right or royalty in any oil or gas property or in any property containing, or presumed to contain uranium or other fissionable material after the presentation and non-payment of any draft or check given in payment thereof which by its terms is due and payable and in the event of non-payment such lease or transfer must be returned to the lessor or grantor and such return may be made by mailing the same to the address given in such instrument by the lessor or grantor and if such instrument has been recorded, its return must be accompanied by a proper release of such record.

In line 45, after the word "SECTION" change the figure "3" to "5".

In line 44, after the word "oil", insert a comma and delete the word "and". After the word "gas", insert the words "or mineral".

In line 57, after the word "SECTION" change the figure "4" to "6".

Renumber the lines accordingly.

Senate Bill No. 58

In line 2 of the title, after the word "convey", insert the words "to the Dickinson School District, Number One, Stark County, North Dakota".

Senate Bill No. 175

In line 54 after the brackets insert the following: "Bona fide linemen, presently working as such, employed by", strike out "private and municipal".

Renumber the lines accordingly.

In line 101 delete the brackets around the word "three" and delete the word "four".

#### MOTION

Senator Day moved that the Senate comply with the request of the House to return Senate Bill No. 224 to the House, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to transmit Senate Bill No. 224, which the House has requested.

EDWARD LENO, Secretary.

#### SECOND READING OF HOUSE BILLS

House Bill No. 711. A Bill for an Act prohibiting the issuance of retail beer or liquor licenses to new establishments by county commissioners without written consent of township supervisors; and declaring an emergency.

Which has been read.

#### 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, 40; nays, 1; absent and not voting, 8.

Those voting in the affirmative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Johnson, Cass     | Olson     |
| Bilden     | Johnson, Cavalier | Page      |
| Davis      | Kamrath           | Sayer     |
| Day        | Kieley            | Schroëck  |
| Dewing     | Klefstad          | Solberg   |
| Dolan      | Knudson           | Streibel  |
| Duffy      | Krenz             | Torno     |
| Ferry      | Kusler            | Tuff      |
| Fiedler    | Leier             | Wadeson   |
| Fraser     | Livingston        | Welanders |
| Freed      | Meisinger         | Wog       |
| Gilbertson | Nelson            | Wolf      |
| Hagen      | O'Brien           | Yunker    |
| Holand     |                   |           |

Those voting in the negative were:

Schmit

Absent and not voting:

|          |         |          |
|----------|---------|----------|
| Berube   | Hernett | Schoeder |
| Bridston | Luick   | Thomas   |
| Foss     | Rue     |          |

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Day moved that the Senate reconsider its action in passing House Bill No. 711, which motion prevailed.

Senator Day requested that House Bill No. 711 be placed at the foot of the calendar, which motion prevailed.

#### MESSAGE TO THE SENATE

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to transmit:

House Concurrent Resolution "T-1"

House Concurrent Resolution "U-1"

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

#### SECOND READING OF HOUSE BILLS

House Bill No. 786. 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.

Which has been read.

#### 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, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Olson    |
| Bilden     | Johnson, Cavalier | Page     |
| Davis      | Kamrath           | Sayer    |
| Day        | Kieley            | Schmit   |
| Dewing     | Klefstad          | Schrock  |
| Dolan      | Knudson           | Solberg  |
| Ferry      | Krenz             | Streibel |
| Fiedler    | Kusler            | Torno    |
| Foss       | Leier             | Tuff     |
| Fraser     | Livingston        | Wadeson  |
| Freed      | Luick             | Welander |
| Gilbertson | Meidinger         | Wog      |
| Hagen      | Nelson            | Wolf     |
| Holand     | O'Brien           | Yunker   |

Absent and not voting:

|          |         |          |
|----------|---------|----------|
| Berube   | Hernett | Schoeder |
| Bridston | Rue     | Thomas   |
| Duffy    |         |          |

So the bill passed and the title was agreed to.

Senator Day moved that further consideration of House Bill No. 818 be indefinitely postponed, which motion prevailed.

House Bill No. 857. A Bill for an Act to amend and reenact section 40-0511 of the North Dakota Revised Code of 1943 relating to powers of foreign municipalities.

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, 8; absent and not voting, 7.



Those voting in the affirmative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Hagen             | Luick     |
| Bilden     | Holand            | Meidinger |
| Davis      | Johnson, Cass     | Nelson    |
| Day        | Johnson, Cavalier | O'Brien   |
| Dewing     | Kamrath           | Olson     |
| Dolan      | Kieley            | Sayer     |
| Duffy      | Klefstad          | Schrock   |
| Ferry      | Krenz             | Streibel  |
| Fiedler    | Kusler            | Tuff      |
| Foss       | Leier             | Wolf      |
| Fraser     | Livingston        | Yunker    |
| Freed      |                   |           |

Those voting in the negative were:

|            |         |           |
|------------|---------|-----------|
| Gilbertson | Solberg | Welanders |
| Page       | Torno   | Wog       |
| Schmit     | Wadeson |           |

Absent and not voting:

|          |         |          |
|----------|---------|----------|
| Berube   | Knudson | Schoeder |
| Bridston | Rue     | Thomas   |
| Hernett  |         |          |

So the bill passed and the title was agreed to.

Senator Day moved that the vote by which the following House Bills were passed be reconsidered and the motion to reconsider be laid on the table: House Bills Nos. 527, 530, 532, 534, 541, 786, and 857. Which motion prevailed.

Senator Day moved that the vote by which House Bill No. 544 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Day moved that the vote by which House Bill No. 818 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Kusler moved that the Senate do concur in the House amendments to Senate Bill No. 176, which motion prevailed.

Senator Kusler moved that the rules be suspended and Senate Bill No. 176 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

## SECOND READING OF SENATE BILLS

Senate Bill No. 176. A Bill for an Act to amend and reenact section 40-2805 of the North Dakota Revised Code of 1943, relating to sewer and water connections assessment funds of municipalities; providing for the issuance and payment of warrants and for contingent liability.

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:

|            |               |         |
|------------|---------------|---------|
| Baeverstad | Holand        | Olson   |
| Bilden     | Johnson, Cass | Page    |
| Bridston   | Kamrath       | Sayer   |
| Day        | Kieley        | Schmit  |
| Dewing     | Klefstad      | Solberg |

|                        |                   |          |
|------------------------|-------------------|----------|
| Dolan                  | Knudson           | Streibel |
| Duffy                  | Krenz             | Torno    |
| Ferry                  | Kusler            | Tuff     |
| Fiedler                | Leier             | Wadeson  |
| Foss                   | Livingston        | Welander |
| Fraser                 | Luick             | Wog      |
| Freed                  | Meidinger         | Wolf     |
| Gilbertson             | Nelson            | Yunker   |
| Hagen                  | O'Brien           |          |
| Absent and not voting: |                   |          |
| Berube                 | Johnson, Cavalier | Schrock  |
| Davis                  | Rue               | Thomas   |
| Hernett                | Schoeder          |          |

So the bill passed and the title was agreed to.

Senator Kusler moved that the Senate do concur in the House amendments to Senate Bill No. 177, which motion prevailed.

Senator Kusler moved that the rules be suspended and Senate Bill No. 177 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

Senate Bill No. 177. A Bill for an Act to amend and reenact sections 40-2913 and 40-2914 of the North Dakota Revised Code of 1943, relating to construction, repairing or rebuilding of sidewalks in municipalities; providing for separate funds for such purposes and for contingent liability.

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:

|            |               |          |
|------------|---------------|----------|
| Baeverstad | Johnson, Cass | Page     |
| Bilden     | Kamrath       | Sayer    |
| Bridston   | Kieley        | Schmit   |
| Day        | Kiefstad      | Schrock  |
| Dolan      | Knudson       | Solberg  |
| Duffy      | Krenz         | Streibel |
| Ferry      | Kusler        | Torno    |
| Fiedler    | Leier         | Tuff     |
| Foss       | Livingston    | Wadeson  |
| Fraser     | Luick         | Welander |
| Freed      | Meidinger     | Wog      |
| Gilbertson | Nelson        | Wolf     |
| Hagen      | O'Brien       | Yunker   |
| Holand     | Olson         |          |

Absent and not voting:

|        |                   |          |
|--------|-------------------|----------|
| Berube | Hernett           | Schoeder |
| Davis  | Johnson, Cavalier | Thomas   |
| Dewing | Rue               |          |

So the bill passed and the title was agreed to.

Senator Kusler moved that the Senate do concur in the House amendments to Senate Bill No. 178, which motion prevailed.

Senator Kusler moved that the rules be suspended and Senate Bill No. 178 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

**Senate Bill No. 178.** A Bill for an Act to amend and reenact sections 40-3107 and 40-3108 of the North Dakota Revised Code of 1943, relating to construction and repair of curbing and gutters in municipalities; providing for separate funds for such purposes and for contingent liability.

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:

|               |                   |          |
|---------------|-------------------|----------|
| Baeverstad    | Johnson, Cavalier | Rue      |
| Bilden        | Kamrath           | Sayer    |
| Bridston      | Kieley            | Schmit   |
| Day           | Klefstad          | Schoeder |
| Dolan         | Knudson           | Schrock  |
| Duffy         | Krenz             | Solberg  |
| Ferry         | Kusler            | Streibel |
| Fiedler       | Leier             | Thomas   |
| Foss          | Livingston        | Torno    |
| Fraser        | Luick             | Tuff     |
| Freed         | Meidinger         | Wadeson  |
| Gilbertson    | Nelson            | Welander |
| Hagen         | O'Brien           | Wog      |
| Holand        | Olson             | Wolf     |
| Johnson, Cass | Page              | Yunker   |

Absent and not voting:

|        |        |         |
|--------|--------|---------|
| Berube | Dewing | Hernett |
| Davis  |        |         |

So the bill passed and the title was agreed to.

Senator Kusler moved that the vote by which the following Senate Bills were passed be reconsidered and the motion to reconsider be laid on the table: Senate Bills Nos. 176, 177 and 178, which motion prevailed.

Senator Schmit moved that the Senate do concur in the House amendments to Senate Bill No. 175.

Senator Day made a substitute motion that the Senate do not concur in the House amendments to Senate Bill No. 175, which motion was declared lost.

The question being on the original motion of Senator Schmit that the Senate do concur in the House amendments, the motion prevailed.

Senator Schmit moved that the rules be suspended and Senate Bill No. 175 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

**Senate Bill No. 175.** A Bill for an Act to amend and reenact sections 43-0909, 43-0910 and 43-0919 of the North Dakota Revised Code of 1943 and sections 43-0901, 43-0902, 43-0911, 43-0913, 43-0914 and 43-0920 of the 1953 Supplement thereto, relating to electricians.

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, 23; nays, 21; absent and not voting, 5.

Those voting in the affirmative were:

|            |               |          |
|------------|---------------|----------|
| Baeverstad | Johnson, Cass | Sayer    |
| Davis      | Knudson       | Schmit   |
| Dolan      | Krenz         | Thomas   |
| Duffy      | Kusler        | Torno    |
| Foss       | Luick         | Tuff     |
| Freed      | Meidinger     | Wadeson  |
| Gilbertson | Nelson        | Welander |
| Holand     | O'Brien       |          |

Those voting in the negative were:

|         |                   |          |
|---------|-------------------|----------|
| Bilden  | Johnson, Cavalier | Schoeder |
| Day     | Kamrath           | Schrock  |
| Dewing  | Kieley            | Solberg  |
| Ferry   | Klefstad          | Streibel |
| Fiedler | Leier             | Wog      |
| Fraser  | Olson             | Wolf     |
| Hagen   | Page              | Yunker   |

Absent and not voting:

|          |            |     |
|----------|------------|-----|
| Berube   | Hernett    | Rue |
| Bridston | Livingston |     |

So the bill was declared lost due to the lack of a constitutional majority.

Senator Kieley changed his vote from aye to nay for the purpose of reconsideration.

#### REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 67

Was delivered to the Governor for his approval at the hour of 1:10 o'clock p.m., March 4, 1955.

ROSAMOND O'BRIEN, Chairman.

#### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 527  
House Bill No. 530  
House Bill No. 532  
House Bill No. 534  
House Bill No. 541  
House Bill No. 786

Which the Senate has amended.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 544  
House Bill No. 818

Which the Senate has indefinitely postponed.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 857

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

## SECOND READING OF HOUSE BILLS

**House Bill No. 535.** A Bill for an Act to amend and reenact section 39-0422, 39-0424 and subsections 2 and 3 of section 39-04A04 of the 1953 Supplement to the North Dakota Revised Code of 1943; and Section 39-0451 of the North Dakota Revised Code of 1943 relating to motor vehicle registration fees, ton fees, and bus seat tax fees.

Which has been read.

## 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, 34; nays, 11; absent and not voting, 4.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Nelson   |
| Bilden     | Holand            | O'Brien  |
| Day        | Johnson, Cass     | Rue      |
| Dolan      | Johnson, Cavalier | Sayer    |
| Duffy      | Kamrath           | Schoeder |
| Ferry      | Kieley            | Schrock  |
| Fiedler    | Klefstad          | Thomas   |
| Foss       | Knudson           | Tuff     |
| Fraser     | Krenz             | Wadeson  |
| Freed      | Leier             | Wolf     |
| Gilbertson | Luick             | Yunker   |
| Haøen      |                   |          |

Those voting in the negative were:

|                        |            |          |
|------------------------|------------|----------|
| Davis                  | Page       | Torno    |
| Dewing                 | Schmit     | Welander |
| Kusler                 | Solberg    | Wog      |
| Meidinger              | Streibel   |          |
| Absent and not voting: |            |          |
| Berube                 | Livingston | Olson    |
| Bridston               |            |          |

So the bill passed and the title was agreed to.

**House Bill No. 754.** A Bill for an Act to amend and reenact section 10-0807 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to real estate holdings of religious and charitable corporations.

Which has been read.

## 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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Rue      |
| Bilden     | Johnson, Cass     | Sayer    |
| Bridston   | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Fiedler    | Luick             | Tuff     |
| Foss       | Meidinger         | Wadeson  |
| Fraser     | Nelson            | Welander |
| Freed      | O'Brien           | Wog      |

|            |       |        |
|------------|-------|--------|
| Gilbertson | Olson | Wolf   |
| Hagen      | Page  | Yunker |
| Hernett    |       |        |

Absent and not voting:

|        |        |            |
|--------|--------|------------|
| Berube | Kieley | Livingston |
|--------|--------|------------|

So the bill passed and the title was agreed to.

**House Bill No. 801.** A Bill for an Act making an appropriation for the construction of a new building and purchasing equipment therefor for the Grafton state school.

Which has been read.

#### 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, 41; nays, 6; absent and not voting, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Olson    |
| Bilden     | Johnson, Cass     | Page     |
| Bridston   | Johnson, Cavalier | Rue      |
| Davis      | Kamrath           | Sayer    |
| Dewing     | Klefstad          | Schmit   |
| Dolan      | Knudson           | Schoeder |
| Duffy      | Krenz             | Solberg  |
| Ferry      | Kusler            | Thomas   |
| Fiedler    | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Wog      |
| Hagen      | Nelson            | Wolf     |
| Hernett    | O'Brien           |          |

Those voting in the negative were:

|            |          |          |
|------------|----------|----------|
| Day        | Schrock  | Welander |
| Gilbertson | Streibel | Yunker   |

Absent and not voting:

|        |        |
|--------|--------|
| Berube | Kieley |
|--------|--------|

So the bill passed and the title was agreed to.

**House Bill No. 802.** A Bill for an Act making an appropriation to the state board of administration for the construction and purchase of a ward building and equipment for the state hospital for the insane at Jamestown.

Which has been read.

#### 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, 34; nays, 11; absent and not voting, 4.

Those voting in the affirmative were:

|            |                   |         |
|------------|-------------------|---------|
| Baeverstad | Holand            | Nelson  |
| Bilden     | Johnson, Cass     | O'Brien |
| Bridston   | Johnson, Cavalier | Olson   |
| Davis      | Kamrath           | Rue     |
| Dolan      | Klefstad          | Sayer   |
| Duffy      | Knudson           | Solberg |
| Ferry      | Krenz             | Thomas  |
| Fiedler    | Leier             | Torno   |
| Foss       | Livingston        | Tuff    |
| Fraser     | Luick             | Wadeson |

|         |           |     |
|---------|-----------|-----|
| Freed   | Meidinger | Wog |
| Hernett |           |     |

Those voting in the negative were:

|            |          |          |
|------------|----------|----------|
| Day        | Page     | Welander |
| Gilbertson | Schoeder | Wolf     |
| Hagen      | Schrock  | Yunker   |
| Kusler     | Streibel |          |

Absent and not voting:

|        |        |        |
|--------|--------|--------|
| Berube | Kieley | Schmit |
| Dewing |        |        |

So the bill passed and the title was agreed to.

Senator Day: I wish to explain my vote. I voted against the appropriation for House Bills Nos. 801 and 802 because it seems very clear to me that there are not sufficient funds available in the state of North Dakota to proceed with a building program at this time except in cases of extreme emergency. I agree thoroughly that these buildings are needed. I also know several other buildings in the state are needed but I believe we must face up sooner or later to the fact that there are not sufficient funds available.

Senator Yunker: I wish to explain my vote. I was told there wasn't enough money. I was in favor of the school for the Blind but was told there wasn't enough money for that, so if there wasn't enough money for that I couldn't go along with the other two.

**House Bill No. 811.** 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.

Which has been read.

### 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, 42; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Klefstad          | Schrock  |
| Dolan      | Knudson           | Solberg  |
| Duffy      | Krenz             | Streibel |
| Ferry      | Kusler            | Thomas   |
| Fiedler    | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | O'Brien           | Wog      |
| Hagen      | Olson             | Wolf     |
| Hernett    | Page              | Yunker   |

Those voting in the negative were:

Johnson, Cass

Absent and not voting:

|        |        |        |
|--------|--------|--------|
| Berube | Dewing | Nelson |
| Day    | Kieley | Schmit |

So the bill passed and the title was agreed to.

Senator Klefstad changed his vote from nay to aye.

Senator Wog changed his vote from nay to aye.

Senator Duffy moved that the House be requested to return to the Senate House Bill No. 736, which motion prevailed.

#### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to request the return of House Bill No. 736.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to Senate Bills Nos. 176, 177, and 178.

EDWARD LENO, Secretary.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 860.** A Bill for an Act making an appropriation jointly to the North Dakota Legislative Research Committee and the North Dakota OASIS for the purpose of making an actuarial study of the North Dakota OASIS and maintaining the necessary expenses connected therewith.

Which has been read.

#### 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, 41; nays, 3; absent and not voting, 5.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Schmit   |
| Bilden     | Johnson, Cavalier | Schoeder |
| Bridston   | Kamrath           | Schrock  |
| Davis      | Klefstad          | Solberg  |
| Dewing     | Knudson           | Streibel |
| Dolan      | Krenz             | Thomas   |
| Fiedler    | Leier             | Torno    |
| Foss       | Luick             | Tuff     |
| Fraser     | Meidinger         | Wadesor  |
| Freed      | O'Brien           | Welander |
| Gilbertson | Olson             | Wog      |
| Hagen      | Page              | Wolf     |
| Hernett    | Rue               | Yunker   |
| Holand     | Sayer             |          |

Those voting in the negative were:

|                        |        |            |
|------------------------|--------|------------|
| Duffy                  | Ferry  | Livingston |
| Absent and not voting: |        |            |
| Berube                 | Kieley | Nelson     |
| Day                    | Kusler |            |

So the bill passed and the title was agreed to.



FIRST READING OF HOUSE CONCURRENT  
RESOLUTIONS

**House Concurrent Resolution "S-1".** A Concurrent Resolution providing for the amendment of section 173 of the Constitution of the state of North Dakota.

Was read the first time and referred to the Committee on Judiciary.

**House Concurrent Resolution "X-1".** A Concurrent Resolution designating the period between Memorial Day and Labor Day of 1955 as a "Slow Down and Live" campaign period.

Was read the first time and referred to the Committee on Judiciary.

**House Concurrent Resolution "Y-1".** A Concurrent Resolution authorizing and directing the legislative research committee, in cooperation with the North Dakota State Bar Association, to formulate and organize an orientation program for the North Dakota Thirty-fifth Legislative Assembly.

Was read the first time and referred to the Committee on Judiciary.

**House Concurrent Resolution "Z-1".** A Concurrent Resolution urging that import restrictions upon Selkirk wheat be eased.

Was read the first time and referred to the Committee on Judiciary.

**House Concurrent Resolution "A-2".** A Concurrent Resolution directing the legislative research committee to study the feasibility of the adoption of the "port of entry system" for the exemption of personal property while in transit.

Was read the first time and referred to the Committee on Judiciary.

**House Concurrent Resolution "C-2".** A Concurrent Resolution for the amendment of section 45 of the Constitution of the state of North Dakota relating to the compensation of members of the legislative assembly.

Was read the first time and referred to the Committee on Judiciary.

**House Concurrent Resolution "D-2".** A Concurrent Resolution authorizing the payment of two dollars per day additional expense allowance to each employee of the Legislative Assembly.

Was read the first time and referred to the Committee on Judiciary.

**House Concurrent Resolution "E-2".** 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 and referred to the Committee on Judiciary.

**House Concurrent Resolution "F-2".** A Concurrent Resolution providing for the retaining of certain employees of the Senate and House after the legislative session for the purpose of completing legislative work.

Was read the first time and referred to the Committee on Judiciary.

**House Concurrent Resolution "T-1".** A Concurrent Resolution for an amendment to section 216 of the Constitution of the state of North Dakota, and directing the legislative assembly to establish an educational institution at Williston.

Was read the first time and referred to the Committee on Judiciary.

**House Concurrent Resolution "U-1".** A Concurrent Resolution directing the legislative research committee to study means for providing display space for early models of farm machinery and vehicles used in the early development in the state of North Dakota.

Was read the first time and referred to the Committee on Judiciary.

**House Concurrent Resolution "G-2".** A Concurrent Resolution providing for the completion of the legislative journals of the House and Senate.

Was read the first time and referred to the Committee on Judiciary.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrössment respectfully report that they have examined the following bills:

Senate Bill No. 32

Senate Bill No. 57

Senate Bill No. 155

Senate Concurrent Resolution "B-1"

Senate Concurrent Resolution "C-1"

And find the same correctly enrolled.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on Enrollment and Engrössment respectfully report that they have examined the following bill:

Senate Bill No. 57

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Dewing moved that the Senate be at ease subject to the call of the Chair.

The Senate reconvened at the call of the Chair.

#### MOTIONS

Senator Day moved that the Judiciary Committee be requested to return to the Senate the following House Concurrent Resolutions: "D-2", "U-1", "Y-1", "X-1", "S-1", "A-2", which motion prevailed.

Senator Day moved that further consideration of such resolutions be indefinitely postponed.

Senator Knudson made a substitute motion that the Senate act on each such resolution separately, which motion prevailed.

Senator Day moved that further consideration of House Concurrent Resolution "U-1" be indefinitely postponed, which motion prevailed.

Senator Day moved that further consideration of House Concurrent Resolution "Y-1" be indefinitely postponed, which motion prevailed.

Senator Day moved that further consideration of House Concurrent Resolution "X-1" be indefinitely postponed, which motion prevailed.

Senator Day moved that further consideration of House Concurrent Resolution "S-1" be indefinitely postponed, which motion prevailed.

Senator Day moved that further consideration of House Concurrent Resolution "A-2" be indefinitely postponed, which motion prevailed.

Senator Day moved that further consideration of House Concurrent Resolution "D-2" be indefinitely postponed, which motion prevailed.

Senator Day moved that the Judiciary Committee be requested to return to the Senate the following House Concurrent Resolutions: "T-1", "Z-1", "C-2", "E-2", "F-2" and "G-2".

Which motion prevailed.

Senator Day moved that such resolutions be placed on the calendar, which motion prevailed.

Senator Kieley moved that the Senate reconsider its action by which Senate Bill No. 175 was lost, which motion prevailed.

Senator Duffy moved that Senate Bill No. 175 be placed on the calendar, which motion prevailed.

Senator Kusler moved that House Bill No. 818 be returned to the Senate, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 501, have had the same under consideration and recommend that the same be amended as follows:

After the words "A BILL" strike out everything and insert in lieu thereof the following:

"FOR AN ACT making an appropriation for the general maintenance, and plant improvement of the state institutions of higher learning of the State of North Dakota.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 Section 1. APPROPRIATIONS FOR THE STATE

1a INSTITUTIONS

2 OF HIGHER LEARNING.) The sums hereafter

2a named, or so much

3 thereof as may be necessary, are hereby appropriated

3a out

4 of any moneys in the State Treasury, not otherwise

4a appro-

5 priated, for the purpose specified in the following

5a sections

6 of this Act, to each of the institutions hereinafter named,

7 in the sums set forth as follows:

|     |                                   |                |
|-----|-----------------------------------|----------------|
| 8   | 1. State University .....         | \$3,330,000.00 |
| 9   | a. Plant Improvements:            |                |
| 10  | 1. Radio — Television Equip-      |                |
| 10a | ment .....                        | 37,500.00      |
| 11  | 2. Water Softening Equipment      |                |
| 11a | and                               |                |
| 12  | Piping .....                      | 10,000.00      |
| 13  | 3. Deaerating Feed Water          |                |
| 13a | Equipment                         |                |
| 14  | and Piping .....                  | 12,500.00      |
| 15  | 4. Special Assessments .....      | 14,000.00      |
| 16  | 5. President's Residence .....    | 47,500.00      |
| 17  | Total .....                       | \$3,451,500.00 |
| 18  | 2. (a) Agricultural College ..... | \$2,800,000.00 |
| 19  | 1. Plant Improvements:            |                |
| 20  | a. Municipal Water to Live-       |                |
| 20a | stock                             |                |
| 21  | Unit .....                        | 45,000.00      |
| 22  | Total .....                       | \$2,845,000.00 |
| 23  | (b) Agricultural College—         |                |
| 24  | Experiment Station:               |                |
| 25  | Main Station .....                | \$ 760,000.00  |
| 26  | 1. Soil Testing for Fertilizer    |                |
| 27  | Purposes .....                    | 15,000.00      |
| 28  | 2. Soil Testing for Irrigation    |                |
| 29  | Purposes .....                    | 25,000.00      |
| 30  | 3. Sugar Beet Research .....      | 10,000.00      |
| 31  | 4. Revolving Fund for Seed        |                |
| 31a | Propagation,                      |                |
| 32  | proceeds from seed sales to       |                |
| 32a | be                                |                |
| 33  | accounted for to State Treas-     |                |
| 33a | urer                              |                |
| 34  | and recredited to Revolving       |                |
| 34a | Fund .....                        | 100,000.00     |
| 35  | Total Main Stations .....         | \$ 910,000.00  |
| 36  | Branch Stations:                  |                |
| 37  | 1. Dickinson—Agronomy Unit..      | \$ 40,000.00   |
| 39  | 2. Dickinson—Livestock Unit...    | 35,000.00      |
| 39  | 3. Edgeley .....                  | 20,000.00      |
| 40  | 4. Hettinger .....                | 17,000.00      |
| 41  | 5. Langdon .....                  | 27,000.00      |
| 42  | 6. North Central .....            | 31,000.00      |
| 43  | 7. Williston Dryland .....        | 20,000.00      |
| 44  | 8. Williston Irrigation .....     | 17,000.00      |
| 45  | Total Branch Stations .....       | \$ 207,000.00  |
| 46  | Plant Improvements:               |                |
| 47  | 1. New Greenhouses .....          | \$ 100,000.00  |
| 48  | 2. Cottages .....                 | 25,000.00      |
| 49  | Total Plant Improvements .....    | \$ 125,000.00  |
| 50  | Total Main and Branch             |                |
| 51  | Stations and Plant                |                |
| 52  | Improvements .....                | \$1,242,000.00 |
| 53  | (c) Agricultural College—         |                |
| 54  | Extension Division .....          | \$ 360,000.00  |

|     |   |               |
|-----|---|---------------|
| 55  | 1. Soils Specialist .....               | 16,000.00     |
| 56  | Total .....                             | \$ 376,000.00 |
| 57  | 3. State Teachers College, Dickinson..  | \$ 458,500.00 |
| 58  | a. Plant Improvements:                  |               |
| 59  | 1. City Water Plant and Main            |               |
| 60  | Assessment .....                        | 18,553.00     |
| 61  | 2. Replace Lights — Library             |               |
| 62  | and Offices .....                       | 2,415.00      |
| 63  | 3. Replace Auditorium Win-              |               |
| 63a | dows .....                              | 1,975.00      |
| 64  | 4. Paving .....                         | 19,500.00     |
| 65  | Total .....                             | \$ 500,943.00 |
| 66  | 4. State Normal and Industrial          |               |
| 67  | College, Ellendale .....                | \$ 261,000.00 |
| 68  | a. Plant Improvements:                  |               |
| 69  | 1. Tuckpoint Industrial Arts            |               |
| 70  | Building .....                          | 2,500.00      |
| 71  | 2. Vacuum Pump for Library              |               |
| 71a | and                                     |               |
| 72  | Proposed Men's Dormitory....            | 1,500.00      |
| 73  | Total .....                             | \$ 265,000.00 |
| 74  | 5. State Teachers College, Mayville ... | \$ 411,000.00 |
| 75  | Total .....                             | \$ 411,000.00 |
| 76  | 6. State Teachers College, Minot .....  | \$ 950,000.00 |
| 77  | a. Plant Improvements:                  |               |
| 78  | 1. Chemistry and Physics                |               |
| 78a | Equip-                                  |               |
| 79  | ment to set up laboratories             |               |
| 80  | in remodeled old gym area ....          | 28,000.00     |
| 81  | 2. Installation of glass blocks         |               |
| 82  | in present window opening               |               |
| 83  | and tile floor to complete              |               |
| 84  | remodeling of area in old               |               |
| 85  | gym area; Main Building.....            | 7,000.00      |
| 86  | 3. Repairs on Power House               |               |
| 86a | Smoke-                                  |               |
| 87  | stack .....                             | 1,450.00      |
| 88  | 4. Repair North Wall of Power           |               |
| 89  | House Building .....                    | 1,400.00      |
| 90  | 5. Campus Lighting .....                | 4,000.00      |
| 91  | 6. Special Assessment Taxes....         | 1,050.00      |
| 92  | 7. Tuckpointing Main Building           | 6,000.00      |
| 93  | Total .....                             | \$ 998,900.00 |
| 94  | 7, State Teachers College, Valley City  | \$ 608,000.00 |
| 95  | a. Plant Improvements:                  |               |
| 96  | 1. New Bathroom Fixtures—               |               |
| 96a | West Hall .....                         | \$ 6,876.00   |
| 97  | 2. Replacement of DC Motors             |               |
| 97a | with                                    |               |
| 98  | AC Motors .....                         | 15,500.00     |
| 99  | 3. Automatic Damper Controls            |               |
| 100 | for 4 Fan Rooms.....                    | 2,200.00      |
| 101 | 4. Athletic Field Improvement           | 3,500.00      |
| 102 | Total .....                             | \$ 636,076.00 |

|      |  |                 |
|------|--|-----------------|
| 103  | 8. State School of Science, Wahpeton   | \$ 637,000.00   |
| 104  | a. Plant Improvements:                 |                 |
| 105  | 1. Rusco Type Windows and              |                 |
| 105a | Screens—                               |                 |
| 106  | Burch Hall .....                       | 6,450.00        |
| 107  | 2. New Sidewalks and Drive-            |                 |
| 107a | way to                                 |                 |
| 108  | Main Building and Heating              |                 |
| 109  | Plant .....                            | 1,475.00        |
| 110  | 3. Special Assessment Taxes....        | 6,908.00        |
| 111  | 4. New Trades Building and             |                 |
| 111a | Equip-                                 |                 |
| 112  | ment (To be made available             |                 |
| 113  | immediately on passage) ....           | 175,000.00      |
| 114  | Total .....                            | \$ 826,833.00   |
| 115  | 9. State School of Forestry, Bottineau | \$ 247,000.00   |
| 116  | a. Plant Improvements:                 |                 |
| 117  | 1. Furniture for present               |                 |
| 118  | Dormitories .....                      | 9,000.00        |
| 119  | Total .....                            | \$ 256,000.00   |
| 120  | Grand Total all                        |                 |
| 121  | Educational Institutions .....         | \$11,809,252.00 |

122 And in addition thereto there is hereby appropriated to  
123 each of the institutions hereinbefore named, all other  
124 incidental income, collections and fees, interest and in-  
125 come, that such institutions may collect and receive,  
125a and  
126 such incidental income, collections and fees, interest  
127 and income shall be used by each institution for such  
128 miscellaneous purposes as may be necessary for the  
128a main-  
129 tenance and operation of the institution. The State  
130 Auditor is hereby authorized and directed, upon the  
130a order  
131 of the State Board of Higher Education, to issue  
131a warrants  
132 against all funds deposited in the State Treasury, pro-  
133 vided, however, that the limitation of Section 54-2710  
134 of the North Dakota Revised code of 1943 shall apply  
134a only  
135 to that part of the appropriation which is derived from  
136 the General Fund.  
137 Section 2. THE PERIOD DURING WHICH THE  
137a APPROPRIATIONS  
138 MADE HEREIN SHALL BE AVAILABLE.) Unless  
138a otherwise  
139 specifically stated, the appropriations herein made shall  
140 be available for the expenses to be incurred in and  
140a about  
141 the several purposes herein set out, during the fiscal  
142 period of two years, beginning July 1, 1955, and ending  
143 June 30, 1957.  
144 Section 3. INTENT, REPEAL, PURPOSE AND  
144a CONSTRUCTION.)  
145 All Acts and parts of acts that may be in conflict here-  
146 with are hereby repealed and if for any reason or cause  
147 any specific appropriation for any item or set of items  
148 should be held by the court or courts to be unconstitu-

149 tional or illegal or otherwise unavailable for any cause,  
150 such holdings shall not affect or be construed to apply  
151 to the remaining items of appropriations herein or pur-  
152 poses herein.

And when so amended recommend the same do pass.

FRANKLIN PAGE, Chairman.

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to request the return of House Bill No. 818.

EDWARD LENO, Secretary.

#### MESSAGE TO THE SENATE

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to return:

Senate Bill No. 2  
Senate Bill No. 3  
Senate Bill No. 4  
Senate Bill No. 13  
Senate Bill No. 72  
Senate Bill No. 85  
Senate Bill No. 90  
Senate Bill No. 158  
Senate Bill No. 173  
Senate Bill No. 186  
Senate Bill No. 220  
Senate Bill No. 242

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

#### HOUSE AMENDMENTS

Senate Bill No. 2

In Line 16 strike out the figure "\$10,000.00" and insert the figure "\$12,000.00" in lieu thereof.

In Line 22 strike out the figure "\$451,800.00" and insert the figure "\$453,800.00" in lieu thereof.

Senate Bill No. 3

In Line 11 strike out the figure "\$100,170.00" and insert the figure "\$108,330.00" in lieu thereof.

In Line 21 strike out the figure "\$160,470.00" and insert the figure "\$168,630.00" in lieu thereof.

Senate Bill No. 4

Following Line 28 add a new Line 28a as follows: "5. Additional for Carpenter Shop and the figure \$10,000.00".

Following Line 28a add a new Line 28b as follows: "6. For Moving Building and the figure \$3,000.00".

Following Line 28b add a new Line 28c as follows: "7. Brooder House and the figure \$2,000.00".

In Line 29 strike out the figure "\$2,290,100.00" and insert the figure "\$2,305,100.00" in lieu thereof.

## Senate Bill No. 13

In Line 3 strike out the figure "\$107,150.00" and insert the figure "\$110,150.00" in lieu thereof.

In Line 9 strike out the figure "\$69,000.00" and insert the figure "\$72,000.00" in lieu thereof.

In Line 18 strike out the figure "\$107,150.00" and insert the figure "\$110,150.00" in lieu thereof.

## Senate Bill No. 72

In Line 2 following the word "treasury" strike out the comma and the words "not otherwise".

In Line 3 strike out the words "appropriated, the sum of seven thousand five hundred".

In Line 4 strike out the words "dollars to meet" and insert the following words in lieu thereof: "the sum of sixteen thousand thirty-four dollars and twenty-five cents, said sum being the unexpended balance of that certain appropriation found in Section 1 of Chapter 6 of the North Dakota Session Laws of 1951, which said sum is hereby appropriated for the purpose of meeting".

Renumber the lines accordingly.

## Senate Bill No. 85

On line 15 after the second word "peace" strike the words "or a county justice of the peace";

After the word "magistrate" on line 17 add the following: "Provided that, in the event that the city justice of the peace is unable to act for any reason, any county justice of the peace designated by the executive officer shall act as police magistrate until either the police magistrate or city justice of the peace is available.";

And renumber the lines accordingly;

## Senate Bill No. 90

On line 5 after the word "CONTENTS" strike the period and insert in lieu thereof a semicolon, strike the parenthesis and add the following: "FILING; ENFORCEMENT; RE-QUIRING SUIT TO BE COMMENCED.");

After the last word "waived" on line 21 insert the following: "The house mover's lien provided for herein shall be enforced according to the provisions and procedure set out in Section 35-1221; and the owner, his agent, or contractor may require suit to be commenced according to the provisions and procedure set out in Section 35-1222.";

And renumber the lines accordingly;

## Senate Bill No. 158

In the first line of the title after the number "15-3915" insert a comma and the number "15-3921".

In line 170, after the word "the" insert the words "1953 Supplement to the".

In line 175, delete the word "condition" and insert the word "conditions" in lieu thereof.

In line 176, delete the word "requires" and insert in lieu thereof the word "require".

## Senate Bill No. 173

On line 26 after the last word "persons" strike the period and insert in lieu thereof a comma and add the following:



"or in any action to determine title or interest in real property, or to quiet title therein, or to establish or foreclose a lien thereon, or for the partition thereof, or which in any way affects the title to real property either by adjudication or by the execution of a judgment.";

And renumber the lines accordingly;

Senate Bill No. 186

In the title of the bill after the word "CHEMICAL" delete the ";" and insert the words "BY AIRCRAFT;" and on line 4 of the bill after the word "CHEMICAL" delete the ";" and insert the words "BY AIRCRAFT."

Renumber the lines accordingly.

Senate Bill No. 220

After the ENACTMENT clause insert the following:

"SECTION 1. AMENDMENT.) Section 35-0506 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:";

On line 1 after the word "SECTION" strike the numeral "1" and insert in lieu thereof the numeral "2";

On line 5 after the word "county" strike the comma and insert in lieu thereof a period;

On line 5 strike the last two words "which abstract";

On line 6 strike the first eight words "shall include liens on grain stored in bins" and strike the period;

And renumber the lines accordingly;

Senate Bill No. 242

On line 4 strike the word "PUBLIC" and insert in lieu thereof the word "PRIVATE";

On line 6 after the word "sale" strike the period and add the following:

"except purchases under the provisions of sections 15-0710 and 15-0813 of the North Dakota Revised Code of 1943." and also add the following: "(((Any land sold at private sale under the provisions of this chapter must be sold for cash.)))";

And renumber the lines accordingly;

Senator Dewing moved that the absent Senators be excused, which motion prevailed.

Senator Streibel moved that the Senate adjourn, which motion prevailed and the Senate stood adjourned.

EDWARD LENO, Secretary.

## SIXTIETH DAY

Bismarck, March 4, 1955

The Senate convened at 2:00 p.m., the President presiding. Prayer by Chaplain Rev. Magnus Lutness, Trinity Lutheran Church, Bismarck, N. Dak.

Roll Call: All members present except Senator Berube.

So a quorum was declared.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of

the Fifty-Seventh Day after recess, Fifty-Eighth Day and Fifty-Ninth Day and recommends that the same be corrected as follows:

Page 728, 5th line from the bottom correct the date to read March 2nd.

And when so corrected recommend the same be approved.  
JOHN LEIER, Chairman.

Senator Leier moved that the report be adopted, which motion prevailed and the report was adopted.

#### COMMUNICATION

A communication from the Secretary of State was read requesting information on the next of kin of certain deceased Senators.

#### REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 505, has had the same under consideration and recommends:

In line 3, strike out the Senate amended figure of \$367,700.00 and insert in lieu thereof the figure \$387,200.00.

In line 10, strike out the Senate amended figure of \$200,000.00 and insert in lieu thereof the figure \$215,000.00.

That the Senate recede from their amendment in line 19 by reinserting "New X-ray Unit .....\$4,500.00".

That the House concur with the Senate amendment in line 24.

In line 25, strike out the Senate amended figure of \$367,700.00 and insert in lieu thereof the figure \$387,200.00.

For the Senate:

SENATOR FREED  
SENATOR LIVINGSTON  
SENATOR WELANDER

For the House:

REP. HEIMES  
REP. SNORTLAND  
REP. VINJE

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Freed moved that the rules be suspended and House Bill No. 505 be deemed properly re-engrossed and placed on second reading and final action, as amended by the Conference Committee, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 505.** A Bill for an Act making an appropriation for the operating and maintenance expenses of the Public Health Department, and declaring an emergency.

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:

Baeverstad

Holand

Page

|            |                   |          |
|------------|-------------------|----------|
| Bilden     | Johnson, Cass     | Rue      |
| Bridston   | Johnson, Cavalier | Sayer    |
| Davis      | Kamrath           | Schmit   |
| Day        | Kieley            | Schoeder |
| Dewing     | Klefstad          | Schrock  |
| Dolan      | Knudson           | Solberg  |
| Duffy      | Krenz             | Streibel |
| Ferry      | Kusler            | Thomas   |
| Fiedler    | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |

Absent and not voting:

Berube

So the bill passed and the title was agreed to, and the emergency clause carried.

#### REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 548, has had the same under consideration and recommends:

The Senate agrees to recede from its amendments to House Bill No. 548.

That House Bill No. 548 be amended as follows:

On line 336 of the engrossed bill following the comma insert the following words: "except that until January 1, 1957, such certificates for high school correspondence work shall be submitted by the state board of higher education,"

Following line 569 of the engrossed bill insert the following words:

"SECTION 30. EFFECTIVE DATE OF CERTAIN SECTIONS.) The provisions of sections 25, 26, 27, 28 and 29 of this Act shall be effective January 1, 1957."

And renumber the lines accordingly.

For the Senate:

R. E. MEIDINGER  
C. W. SCHROCK  
GLENN R. DOLAN

For the House:

REP. LARSON  
REP. LANGSETH  
REP. SIMENSON

Sen. Meidinger moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Meidinger moved that the rules be suspended and House Bill No. 548 be deemed properly re-engrossed and placed on second reading and final action, as amended by the Conference Committee, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 548. A Bill for an Act amending and reenacting subsection 3 of sections 15-1901 and sections 15-1902, 15-1903, 15-1906, 15-4002, 15-2008, 15-4003, 15-4010 and 15-4105 of the North Dakota Revised Code of 1943; and sections 15-

2002, 15-2003, 15-2004, 15-2006, 15-2010, subsections 1 and 4 of 15-2012, 15-2013, 15-2014, 15-2015, 15-4021, 15-5303, 15-5701, 15-5902, 15-5903, 15-5905, subsection 6 of 15-6001 and 15-6006 of the 1953 Supplement to the North Dakota Revised Code of 1943; and repealing sections 15-5304 and 15-6002 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to high school correspondence vocational education and rehabilitation, the state equalization emergency fund board, the advisory board for school district reorganization, the state board of teaching scholarships, the advisory council on special education, the state school construction fund and other elementary and secondary education functions, and creating the state board of public school education.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended by the Conference Committee, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Page     |
| Bilden     | Johnson, Cavalier | Rue      |
| Bridston   | Kamrath           | Sayer    |
| Davis      | Kieley            | Schmit   |
| Dewing     | Klefstad          | Schoeder |
| Dolan      | Knudson           | Schrock  |
| Duffy      | Krenz             | Solberg  |
| Ferry      | Kusler            | Streibel |
| Fiedler    | Leier             | Thomas   |
| Foss       | Livingston        | Torno    |
| Fraser     | Luick             | Tuff     |
| Freed      | Meidinger         | Wadeson  |
| Gilbertson | Nelson            | Welander |
| Hagen      | O'Brien           | Wolf     |
| Holand     | Olson             | Yunker   |

Absent and not voting:

|        |         |     |
|--------|---------|-----|
| Berube | Hernett | Wog |
| Day    |         |     |

So the bill passed and the title was agreed to.

#### EXECUTIVE SESSION

Senator Streibel moved that the Senate do now go into Executive Session for the purpose of hearing a message from the Governor, which motion prevailed, and the Senate went into Executive Session.

After the Executive Session the Senate was called to order and it was reported that messages from the Governor were read, requesting the confirmation of the following executive appointments: M. S. Byrne, Bowman, No. Dak.; Albert Haas, New Rockford, No. Dak.; Martin G. Kruse, Kindred, No. Dak.; Mrs. Elvira Jestrab, Williston, No. Dak.

The Secretary then reported that the Senate, in Executive Session, consented to the confirmation of the following appointees to the Board of Higher Education:

M. S. Byrne, Bowman, No. Dak., to fill the unexpired term of Frank P. Whitney, term to expire June 30, 1961.

Albert Haas, New Rockford, No. Dak., to fill the unexpired term of John W. Calnan, term to expire June 30, 1957.

Martin G. Kruse, Kindred, No. Dak., to fill the unexpired term of P. J. Donnelly, term to expire June 30, 1960.

Mrs. Elvira Jestrab, Williston, No. Dak., to fill the unexpired term of Gilman Wang, term to expire June 30, 1956.  
After which the Executive Session was dissolved.

MESSAGE TO THE GOVERNOR

Bismarck, March 4, 1955

Honorable Norman C. Brunsdale  
Governor, North Dakota  
Bismarck, North Dakota

Dear Governor Brunsdale:

This is to advise that the Senate has confirmed the appointment of the following appointees to the Board of Higher Education:

M. S. Byrne, Bowman, No. Dak., term to expire June 30, 1961.

Albert Haas, New Rockford, No. Dak., term to expire June 30, 1957.

Martin G. Kruse, Kindred, No. Dak., term to expire June 30, 1960.

Mrs. Elvira Jestrab, Williston, No. Dak., term to expire June 30, 1956.

Respectfully yours,  
EDWARD LENO,  
Secretary

MESSAGE TO THE SENATE

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to return House Bills No. 736 and 818 as requested.

KENNETH L. MORGAN, Chief Clerk.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 32

Senate Bill No. 57

Senate Bill No. 155

Senate Concurrent Resolution "B-1"

Senate Concurrent Resolution "C-1"

And the President signed the same in the presence of the Senate.

MESSAGE FROM THE GOVERNOR

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck, March 4, 1955

Members of the Senate  
Thirty-fourth Legislative Assembly  
Senate Chambers  
Bismarck, North Dakota

Gentlemen:

Today I have approved Senate Bills 115 and 67.

These bills have been filed with the Secretary of State.

Sincerely yours,  
NORMAN BRUNSDALE,  
Governor

## MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1955

**Mr. Speaker:** I have the honor to transmit:

Senate Bill No. 32

Senate Bill No. 57

Senate Bill No. 155

Senate Concurrent Resolution "B-1"

Senate Concurrent Resolution "C-1"

Which the President has signed and your signature is respectfully requested.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, March 4, 1955

**Mr. Speaker:** I have the honor to return:

House Concurrent Resolution "S-1"

House Concurrent Resolution "U-1"

House Concurrent Resolution "X-1"

House Concurrent Resolution "Y-1"

House Concurrent Resolution "A-2"

House Concurrent Resolution "D-2"

Which the Senate has indefinitely postponed.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, March 4, 1955

**Mr. Speaker:** I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 505, by a vote of ayes, 48; nays, 0; absent and not voting, 1.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, March 4, 1955

**Mr. Speaker:** I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 548, by a vote of ayes, 45; nays, 0; absent and not voting, 4.

EDWARD LENO, Secretary.

## MOTIONS

Senator Page moved that the Senate dispense with the reading of the amendments to House Bill No. 501, and that they be adopted, which motion prevailed.

Senator Page moved that the rules be suspended and House Bill No. 501 be placed on the calendar for second reading and final passage as amended by the Senate, which motion prevailed.

## SECOND READING OF HOUSE BILLS

**House Bill No. 501.** A Bill for an Act making an appropriation for the general maintenance, and plant improvements of the state institutions of higher learning of the State of North Dakota.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill,

as amended by the Senate, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Page     |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Fiedler    | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | O'Brien           | Wolf     |
| Hagen      | Olson             | Yunker   |

Absent and not voting:

|        |               |     |
|--------|---------------|-----|
| Berube | Johnson, Cass | Rue |
| Holand |               |     |

So the bill passed and the title was agreed to.

#### MESSAGE TO THE SENATE

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to return:

Senate Bill No. 7  
 Senate Bill No. 8  
 Senate Bill No. 125  
 Senate Bill No. 164  
 Senate Bill No. 224  
 Senate Bill No. 229  
 Senate Concurrent Resolution "H"

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

#### HOUSE AMENDMENTS

Senate Bill No. 7

Delete lines 31, 32 and 33.

In line 35 delete "793,340.00" and insert in lieu thereof "773,100.00".

And renumber the lines accordingly.

Senate Bill No. 8

In line 11 strike out the figure "\$357,000.00" and insert the figure "\$447,000.00" in lieu thereof.

Following line 16 add a new line 16a as follows: "Dental and Optical Work and the figure \$10,000.00".

In line 24 strike out the figure "\$840,440.00" and insert the figure "\$940,440.00" in lieu thereof.

In line 30 strike out the figure "\$901,307.00" and insert the figure "\$1,001,307.00" in lieu thereof.

## Senate Bill No. 125

Delete Section 15.

Delete Section 18, and insert the following words in lieu thereof: "The provisions of this Act shall apply to every county in this state having a population of eight thousand or more according to the last preceding official federal census, and the provisions of chapter 11-19 and section 11-1002 of the North Dakota Revised Code of 1943, as amended, shall not be applicable to such counties. The provisions of this Act shall not apply to counties having a population of less than eight thousand according to the last preceding official federal census and such counties shall be governed by the provisions of chapter 11-19 and section 11-1002 of the North Dakota Revised Code of 1943, as amended."

Re-number sections and lines accordingly.

## Senate Bill No. 164

Following the 2nd comma on line 9 of the title of the bill, insert the following words: "providing for the weighing of vehicles and the unloading of vehicles carrying excess weights".

On line 23 delete the words "provisions shall" and delete all the words in line 24 and insert the following words in lieu thereof: "the impounding officer shall use reasonable diligence in assisting the operator or owner in finding suitable storage facilities for such perishables, but all risk of loss or damage to such perishables shall be upon the owner, operator or lessee of such vehicle".

Delete lines 52 and 53.

Delete lines 90 through 92, inclusive.

Following line 89 insert the following words:

"SECTION 11.) Any driver of a vehicle who refuses to stop and submit the vehicle and load to a weighing when directed to do so by any police officer or any agent of this state having police powers relating to motor vehicles, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not exceeding one hundred dollars or imprisonment of not more than thirty days, or by both such fine and imprisonment.

SECTION 12.) When any motor truck, truck-tractor, or trailer is operated upon the public highways of this state carrying a load in excess of the maximum prescribed under the provisions of sections 39-1203 and 39-1205 of the North Dakota Revised Code of 1943, as amended, or other maximum weight limitations prescribed by law, the load shall be reduced or shifted to within such maximum limitations before being permitted to operate on any public highway of this state; provided, however, that any such vehicle carrying a load of livestock shall be exempt from the limitations prescribed in section 39-1205 of the North Dakota Revised Code of 1943, as amended, relating to the carrying capacity of any wheel, tire, axle, or group of axles when excessive weight is caused by a shifting of the weight of the livestock. All material unloaded as required by this section shall be cared for by the owner or operator of such vehicle at the risk of such owner or operator.

SECTION 13. EMERGENCY.) This Act is hereby de-



clared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

And renumber the lines accordingly.

In line 54 delete the figure "2." and insert the figure "1." in lieu thereof.

In line 56 delete the figure "3." and insert the figure "2." in lieu thereof.

Senate Bill No. 224

In line 51, after the number "1943" and before the period, insert a comma and the italicized words "as amended".

And renumber the lines accordingly.

Senate Bill No. 229

After the words "A BILL" strike everything and insert in lieu thereof the following:

"FOR AN ACT relating to the duties of the County Auditor and to provide for the collection of fees commensurate with costs for services rendered to private individuals, firms or corporations by county auditors and for the disposition of such fees.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. DUTIES OF COUNTY AUDITOR IN  
 1a RENDERING SERVICES TO PRIVATE  
 2 INDIVIDUALS, FIRMS OR CORPORATIONS; FEES  
 2a TO BE CHARGED; DISPOSITION  
 3 OF FEES; RECORDS TO BE KEPT.) It shall not be  
 3a the duty of any county  
 4 auditor to compile statistical information for, or furnish  
 4a copies of  
 5 records to, private individuals, firms or corporations,  
 5a other than that  
 6 required of him by Section 11-1315 of the North Dakota  
 6a Revised Code of  
 7 1943. At his own discretion he may compile statistical  
 7a information  
 8 for, or furnish copies of records to, private individuals,  
 8a firms or  
 9 corporations upon payment of a suitable charge which  
 9a shall be  
 10 commensurate with costs to the county of providing  
 10a such services.  
 11 Such fee shall be a minimum of twenty five cents and  
 11a shall not exceed  
 12 the sum of one dollar per hour for time consumed in  
 12a compiling such  
 13 statistical information or preparing such copies of  
 13a records, to be  
 14 remitted each month to the county treasurer for credit  
 14a to the county  
 15 general fund. The county auditor shall keep a complete  
 15a record of  
 16 fees collected under this Act.

Senate Concurrent Resolution "H"

In line 16 delete the balance of the line after the word "public" and insert "for space heating; and".

## MESSAGES TO THE SENATE

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to return:

Senate Bill No. 12

Senate Bill No. 68

Senate Bill No. 73

Senate Bill No. 92

Senate Bill No. 241

Senate Concurrent Resoluion "B"

Senate Concurrent Resolution "C"

Senate Concurrent Resolution "M"

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to transmit:

House Concurrent Resolution "W-1"

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to return:

Senate Bill No. 213

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to transmit:

House Concurrent Resolution "H-2"

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

## MOTION

Senator Duffy moved that Senate Bill No. 175 be placed at the head of the calendar, which motion prevailed.

Senator Duffy moved for a call of the Senate, which motion prevailed.

Senator Duffy moved that the call of the Senate be dispensed with, which motion prevailed.

## SECOND READING OF SENATE BILLS

Senate Bill No. 175. A Bill for an Act to amend and reenact sections 43-0909, 43-0910 and 43-0919 of the North Dakota Revised Code of 1943 and sections 43-0901, 43-0902, 43-0911, 43-0913, 43-0914 and 43-0920 of the 1953 Supplement thereto, relating to electricians.

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, 31; nays, 17; absent and not voting, 1.

Those voting in the affirmative were:

|               |            |          |
|---------------|------------|----------|
| Baeverstad    | Kieley     | Schmit   |
| Davis         | Knudson    | Schoeder |
| Dolan         | Krenz      | Schrock  |
| Duffy         | Kusler     | Solberg  |
| Fiedler       | Livingston | Thomas   |
| Foss          | Luick      | Torno    |
| Freed         | Meidinger  | Tuff     |
| Gilbertson    | Nelson     | Wadeson  |
| Hernett       | O'Brien    | Welander |
| Holand        | Sayer      | Yunker   |
| Johnson, Cass |            |          |

Those voting in the negative were:

|          |                   |          |
|----------|-------------------|----------|
| Bilden   | Hagen             | Page     |
| Bridston | Johnson, Cavalier | Rue      |
| Day      | Kamrath           | Streibel |
| Dewing   | Klefstad          | Wog      |
| Ferry    | Leier             | Wolf     |
| Fraser   | Olson             |          |

Absent and not voting:

Berube

So the bill passed and the title was agreed to.

#### MOTIONS

Senator Kusler moved that House Bill No. 818 be placed at the head of the calendar, which motion prevailed.

Senator Kusler moved that the Senate reconsider its action in indefinitely postponing House Bill No. 818, which motion was lost for the lack of a two-thirds majority.

Senator Holand moved that Senate Concurrent Resolution "A-1" be amended as follows:

On Line 3 after the word "years" insert the words "by the legislative assembly".

Which motion prevailed.

Senator Holand moved that the rules be suspended and Senate Concurrent Resolution "A-1" be deemed properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

#### SECOND READING OF SENATE RESOLUTION

Senate Concurrent Resolution "A-1". A Concurrent Resolution authorizing and directing the legislative research committee to conduct a comparative study of the old age assistance and aid to dependent children programs in the state of North Dakota.

Which has been read.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

|            |                   |        |
|------------|-------------------|--------|
| Baeverstad | Holand            | Page   |
| Bilden     | Johnson, Cass     | Sayer  |
| Bridston   | Johnson, Cavalier | Schmit |

|            |            |          |
|------------|------------|----------|
| Davis      | Kamrath    | Schoeder |
| Day        | Kieley     | Schrock  |
| Dewing     | Klefstad   | Solberg  |
| Dolan      | Knudson    | Streibel |
| Duffy      | Krenz      | Thomas   |
| Ferry      | Kusler     | Torno    |
| Fiedler    | Leier      | Tuff     |
| Foss       | Livingston | Wadeson  |
| Fraser     | Luick      | Welander |
| Freed      | Nelson     | Wog      |
| Gilbertson | O'Brien    | Wolf     |
| Hagen      | Olson      | Yunker   |
| Hernett    |            |          |

Absent and not voting:

|        |           |     |
|--------|-----------|-----|
| Berube | Meidinger | Rue |
|--------|-----------|-----|

So the resolution was adopted, and the title was agreed to.  
SECOND READING OF HOUSE RESOLUTION

House Concurrent Resolution "M-1". A Concurrent Resolution directing the agricultural college to investigate the feasibility of establishing a curriculum of property evaluation.

Which has been read.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 41; nays, 1; absent and not voting, 7.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Sayer    |
| Bilden     | Johnson, Cass     | Schmit   |
| Davis      | Johnson, Cavalier | Schoeder |
| Day        | Kamrath           | Schrock  |
| Dolan      | Klefstad          | Solberg  |
| Duffy      | Knudson           | Streibel |
| Ferry      | Krenz             | Thomas   |
| Fiedler    | Kusler            | Torno    |
| Foss       | Leier             | Tuff     |
| Fraser     | Livingston        | Wadeson  |
| Freed      | Luick             | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             |          |

Those voting in the negative were:

Page

Absent and not voting:

|          |           |        |
|----------|-----------|--------|
| Berube   | Kieley    | Rue    |
| Bridston | Meidinger | Yunker |
| Dewing   |           |        |

So the resolution was adopted and the title was agreed to.

Senator Leier moved that Senate Concurrent Resolution "W" be placed at the head of the calendar, which motion prevailed.

#### SECOND READING OF SENATE RESOLUTION

Senate Concurrent Resolution "W". A Concurrent Resolution for an amendment of paragraph 2 of section 203 of the Constitution of the state of North Dakota, relating to state jurisdiction over lands of the United States and Indian lands.

Which has been read.

## ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

|               |                   |          |
|---------------|-------------------|----------|
| Baeverstad    | Johnson, Cavalier | Sayer    |
| Bilden        | Kamrath           | Schmit   |
| Davis         | Klefstad          | Schoeder |
| Day           | Knudson           | Schrock  |
| Dolan         | Krenz             | Solberg  |
| Duffy         | Kusler            | Streibel |
| Ferry         | Leier             | Thomas   |
| Fiedler       | Livingston        | Torno    |
| Foss          | Luick             | Tuff     |
| Fraser        | Nelson            | Wadeson  |
| Gilbertson    | O'Brien           | Welander |
| Hagen         | Olson             | Wog      |
| Hernett       | Page              | Wolf     |
| Holand        | Rue               | Yunker   |
| Johnson, Cass |                   |          |

Absent and not voting:

|          |        |           |
|----------|--------|-----------|
| Berube   | Dewing | Kieley    |
| Bridston | Freed  | Meidinger |

So the resolution was adopted and the title was agreed to.

## MESSAGES TO THE SENATE

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 527, and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Reps. Sticka, Anderson (Cass), and Tough.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 530, and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Reps. Vinje, Davis, and Fine.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 541, and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Reps. Roen, Brooks, and Bratcher.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to:

House Bill No. 532, by a vote of 106-0-7; House Bill No.

534, by a vote of 101-4-8; and House Bill No. 786, by a vote of 80-24-9.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committees on House Bill No. 505 by a vote of 103-2-8; and House Bill No. 548, by a vote of 102-5-6.

KENNETH L. MORGAN, Chief Clerk.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 501

House Bill No. 535

House Bill No. 754

House Bill No. 801

House Bill No. 802

House Bill No. 811

House Bill No. 860

Which the Senate has amended.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 175.

EDWARD LENO, Secretary.

MESSAGE TO THE SENATE

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to transmit:

House Concurrent Resolution "I-1"

Which the House has passed and your favorable consideration is requested.

KENNETH L. MORGAN, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 818

Which the Senate has indefinitely postponed.

EDWARD LENO, Secretary.

Senator Bridston:

I rise to a point of personal privilege.

The version of Carroll Day, the Senator from the Sixth, of the remark I made yesterday, which appears in the "expunged" portion of the Senate Journal on page 744 is exactly opposite of what I actually said. That does not surprise me. I am reminded, Mr. President, of the remark the minority floor leader made to the Senator from the

Sixth some days ago on the floor of this Senate, and I quote, "The difference between you and me is that I tell the truth."

What I actually said yesterday was "I would be disappointed if the next Livestock Inspector is not a supporter of the same political faction as that of the majority members of the Public Service Commission."

When I made that remark, I touched on a fundamental principle of our good old American politics. I also want to say that no fair minded man or woman has any respect for a person "who bites the hand that feeds him."

And that, Mr. President, brings us to the very beginning of the incident that led to the threat on the part of the Senator from the Sixth to try to do away with North Dakota's Livestock Inspection. He took the unfair stand that when the part time inspector of this department refused to bite the hand that fed him that he would try to liquidate him.

This is the story. Mr. W. A. Besant of Grand Forks, who by the way, has one of the finest families of two boys and two girls raised in that city, is the victim of the wrath of the Senator from the Sixth. Mr. Besant was appointed to the part time job as Livestock Inspector by the Public Service Commission. He was fully qualified, and of the same political faith as the majority members of this board.

Early in the Sixth District Senator's campaign for reelection, he called this inspector in and solicited his support. When this was refused there were veiled threats. After the election the Senator openly stated that there were certain inspectors that he would get.

I should say here that Br. Besant was not on the payroll or did not draw any expense money from the state for approximately a month before the primary election. During this time he did some work soliciting campaign funds for the R.O.C. and supporting one of his employers, Elmer Cart, who was being viciously attacked by Senator Day.

He apparently made his threat good as far as Mr. Besant is concerned. When the members of the Public Service Commission appeared before the Senate Appropriations Committee, they soon learned that the Livestock Inspection Department was in danger. The Senator from the Sixth in private discussions, was brutally frank with them. He told them that his only interest in the matter was to get Mr. Besant fired. It was hard to believe that an elected official of North Dakota would actually be willing to kill the entire livestock inspection department of this great agricultural state only because an employee insisted on playing with his political friends and his own employers.

At first, the Public Service Commission refused to be pressured. Only when the Senator from the Sixth actually succeeded in killing the Livestock Inspection Department appropriation did the members of the Commission "eat crow". They cannot be severely criticized for in this way proving they placed the welfare of agriculture above that of their own political desires.

The Senate record will show, Mr. President, that Senator Clyde Duffy, our minority floor leader, changed his vote for the purpose of reconsideration of this Senate appropria-

tion bill. He, and others, were convinced that if the members of this honorable body had time to learn the story behind this political maneuvering, that the bill could be passed. But, lo and behold, the majority coalition unexpectedly adjourned, which then made a  $\frac{2}{3}$  vote necessary for reconsideration—not a fair tactic, in my opinion.

We assured the public service commission that an effort would be made to get the House to revive the Livestock Inspection appropriation. Their anxiety, however, to serve our important livestock industry dictated their action to succumb to this high handed political pressure on the part of the Senator from the Sixth. I also want to record that the minority of this Senate are also to be commended for not letting this kind of politics, directed against one of their own supporters, influence them to stand by and see the Livestock Inspection go up in smoke.

It was amusing to many of us yesterday to note the Senator from the Sixth's "NO" vote against House Bill 863 which appropriated livestock inspection funds. It was assumed that he had agreed to vote for it if he got his way. I presume he was in this way trying to cover up his tracks.

Let me also say, Mr. President, that similar approaches and similar threats were made by the Senator from the Sixth against two employees of the State Laboratories—one a member of the League and one a member of the R.O.C. At least one member of the State Laboratories Commission was approached but refused to go along.

It is hard to conceive, Mr. President, a man that would go this far seeking unfair revenge. These men had done no wrong. They are competent and loyal employees. Their only crime was loyalty to their employers.

I have said before, and now say it again, that in the Senator from the Sixth's legislative record is a series of personal hatreds. In the 1944 special election called by the late Governor John Moses to set up the machinery to make it possible for the soldiers and sailors of World War 2 to vote, the comparatively new Senator from the 6th organized a block of Senators behind a fantastic, impractical, and unconstitutional "vote by proxy" plan. This block constituted the balance of power, a weapon he has used successfully since that time.

Please remember, Mr. President, that Senator Day came to this Senate in 1943 with my blessing and good will. As a member of the Committee of Committees I arranged for him the finest committee assignments ever given a freshman Senator. Because of this I was asked by the Governor and the majority floor leader to go to him and appeal to his sense of fair play. He was adamant. It did not take long to find that he was nursing a bitter grudge against the Governor and he was in this way trying to put him behind the eight ball. This hatred held the entire Legislature up for days before enough members of this block broke away from him. This hatred cost the taxpayers thousands of dollars.

Since that time he has hated and sought revenge against many others including past and present legislators. There is Fred Aandahl, Otto Krueger, B. M. Ryan, Elmer Cart,



Tom Hall, the members of the Board of Administration who he viciously abused in the last session as decrepit old men (which was untrue) only to mention a few. For two terms he pretended a friendship to our great Governor Norman Brunsdale, but he is now on the Senator's public hate list. Yes, Mr. President, it is a deplorable situation. The Senator's basic trouble could probably be diagnosed by the science of psychosomatics.

#### SECOND READING OF SENATE RESOLUTIONS

**Senate Concurrent Resolution "P".** A Concurrent Resolution urging the board of university and school lands to consider lowering the rates for the leasing of agricultural lands under its control.

Which has been read.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 17; nays, 26; absent and not voting, 6.

Those voting in the affirmative were:

|            |               |            |
|------------|---------------|------------|
| Baeverstad | Hagen         | Livingston |
| Davis      | Hernett       | Meidinger  |
| Dolan      | Johnson, Cass | Schoeder   |
| Ferry      | Kamrath       | Thomas     |
| Foss       | Knudson       | Wolf       |
| Freed      | Leier         |            |

Those voting in the negative were:

|                   |          |          |
|-------------------|----------|----------|
| Bridston          | Klefstad | Schmit   |
| Day               | Krenz    | Schrock  |
| Dewing            | Kusler   | Solberg  |
| Fiedler           | Luick    | Torno    |
| Fraser            | Nelson   | Tuff     |
| Gilbertson        | O'Brien  | Wadeson  |
| Holand            | Olson    | Welander |
| Johnson, Cavalier | Page     | Yunker   |
| Kieley            | Sayer    |          |

Absent and not voting:

|        |       |          |
|--------|-------|----------|
| Berube | Duffy | Streibel |
| Bilden | Rue   | Wog      |

So the resolution was declared lost.

**Senate Concurrent Resolution "R".** A Concurrent Resolution directing the state highway department to make preliminary surveys and soundings for footings for a bridge and approaches in the vicinity of the old Washburn-Hensler ferry crossing of the Missouri River.

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, 22; absent and not voting, 5.

Those voting in the affirmative were:

|         |            |          |
|---------|------------|----------|
| Bilden  | Kusler     | Schrock  |
| Day     | Livingston | Solberg  |
| Dewing  | Meidinger  | Thomas   |
| Ferry   | O'Brien    | Tuff     |
| Fiedler | Olson      | Welander |

|         |          |        |
|---------|----------|--------|
| Fraser  | Schmit   | Wolf   |
| Hagen   | Schoeder | Yunker |
| Kamrath |          |        |

Those voting in the negative were:

|            |                   |         |
|------------|-------------------|---------|
| Baeverstad | Holand            | Leier   |
| Bridston   | Johnson, Cass     | Luick   |
| Davis      | Johnson, Cavalier | Nelson  |
| Dolan      | Kieley            | Sayer   |
| Duffy      | Klefstad          | Torno   |
| Freed      | Knudson           | Wadeson |
| Gilbertson | Krenz             | Wog     |
| Hernett    |                   |         |

Absent and not voting:

|        |      |          |
|--------|------|----------|
| Berube | Page | Streibel |
| Foss   | Rue  |          |

So the resolution was declared lost due to the lack of a constitutional majority.

**Senate Concurrent Resolution "S".** A Concurrent Resolution urging the interstate commerce commission to investigate the use of lamps or reflectors as warning devices on railroad cars.

Which has been read.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 27; nays, 15; absent and not voting, 7.

Those voting in the affirmative were:

|            |            |          |
|------------|------------|----------|
| Baeverstad | Hernett    | Olson    |
| Bilden     | Holand     | Schmit   |
| Davis      | Kamrath    | Schoeder |
| Dewing     | Krenz      | Schrock  |
| Dolan      | Kusler     | Solberg  |
| Ferry      | Leier      | Tuff     |
| Fiedler    | Livingston | Welander |
| Fraser     | Meidinger  | Wog      |
| Hagen      | Nelson     | Wolf     |

Those voting in the negative were:

|          |                   |         |
|----------|-------------------|---------|
| Bridston | Gilbertson        | Knudson |
| Day      | Johnson, Cass     | Luick   |
| Duffy    | Johnson, Cavalier | Torno   |
| Foss     | Kieley            | Wadeson |
| Freed    | Klefstad          | Yunker  |

Absent and not voting:

|         |       |          |
|---------|-------|----------|
| Berube  | Rue   | Streibel |
| O'Brien | Sayer | Thomas   |
| Page    |       |          |

So the resolution was adopted, and the title was agreed to.

**Senate Concurrent Resolution "V".** A Concurrent Resolution memorializing Congress, the President, and the Secretary of Agriculture to take appropriate steps to correct unwarranted and unfair discrimination in respect to acreage allotments for hard spring wheat farmers in North Dakota.

Which has been read.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hagen             | Nelson   |
| Bilden     | Hernett           | Olson    |
| Bridston   | Holand            | Schmit   |
| Davis      | Johnson, Cass     | Schoeder |
| Day        | Johnson, Cavalier | Schrock  |
| Dewing     | Kamrath           | Solberg  |
| Dolan      | Kieley            | Torno    |
| Duffy      | Klefstad          | Tuff     |
| Ferry      | Knudson           | Wadeson  |
| Fiedler    | Krenz             | Welander |
| Foss       | Leier             | Wog      |
| Fraser     | Livingston        | Wolf     |
| Freed      | Luick             | Yunker   |
| Gilbertson | Meidinger         |          |

Absent and not voting:

|         |       |          |
|---------|-------|----------|
| Berube  | Page  | Streibel |
| Kusler  | Rue   | Thomas   |
| O'Brien | Sayer |          |

So the resolution was adopted, and the title was agreed to. Senator Dewing moved that the Senate recess for one hour, which motion prevailed, and the Senate stood recessed.

The Senate reconvened at the call of the Chair.

#### MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "S"  
Senate Concurrent Resolution "W"

Which the Senate has passed and your favorable consideration is requested.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "M-1"

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

#### MESSAGES TO THE SENATE

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to return:

Senate Bill No. 240

Which the House has indefinitely postponed.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to return:

Senate Bill No. 30

Senate Concurrent Resolution "D-1"

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to return:

Senate Bill No. 1  
Senate Bill No. 6  
Senate Bill No. 15  
Senate Bill No. 18  
Senate Bill No. 19  
Senate Bill No. 21  
Senate Bill No. 31  
Senate Bill No. 34  
Senate Bill No. 172  
Senate Bill No. 183

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

HOUSE AMENDMENTS

Senate Bill No. 1

At the top of the bill, make a new line below the word "Budget" and insert the words "A BILL".

In line 73 strike out the figure "\$32,400.00" and insert the figure "\$34,300.00" in lieu thereof.

In Line 81 strike out the figure "\$70,480.00" and insert the figure "\$72,380.00" in lieu thereof.

In Line 121 strike out the figure "\$13,800.00" and insert the figure "\$21,000.00" in lieu thereof.

In Line 129 strike out the figure "\$33,580.00" and insert the figure "\$40,780.00" in lieu thereof.

Following Line 175 add a new line 175a as follows: "Expenses — Superintendent" and the figure "3,600.00".

In Line 176 strike out the figure "\$115,480.00" and insert the figure "\$128,000.00" in lieu thereof.

In Line 187 strike out the figure "\$213,480.00" and insert the figure "\$229,600.00" in lieu thereof.

In Line 197 strike out the figure "\$38,000.00" and insert the figure "\$42,000.00" in lieu thereof.

Strike out all of Lines 202 to 219 inclusive.

Following Line 201 add a new line 201a as follows: "Predatory Animal and Rodent Control" and the figure "\$75,840.00".

Following Line 201a add a new line 201b as follows: "Stem Rust Control, Nursery Inspection, and Quarantine Enforcement" and the figure "\$12,000.00".

Following Line 201b add a new line 201c as follows: "Salary-Secretary Athletic Commission" and the figure "\$1,200.00".

Following Line 201c add a new line 201d as follows: "Commission Expense" and the figure "\$500.00".

Following line 201d add a new line 201e as follows: "Total and the figure \$329,642.00".

Strike out all of lines 222 and 272 inclusive.

Following line 221 add a new line 221a as follows: "Salary—Commissioners and the figure \$30,000.00".

Following line 221a add a new line 221b as follows: "Clerk-hire and the figure \$225,600.00".

Following line 221b add a new line 221c as follows: "Travel Expense and Car Exchange and the figure \$52,440.00".

Following line 221c add a new line 221d as follows: "Postage, Supplies, Printing, Furniture and Fixtures and the figure \$13,100.00".

Following line 221d add a new line 221e as follows: "Handling Interstate Commerce Commission Cases, Cases before Federal Power Commission and Federal Communications Commission, and Membership in National Association of Railroad and Utilities Commissioners and the figure \$20,800.00".

Following line 221e add a new line 221f as follows: "Research Data and the figure \$750.00".

Following line 221f add a new line 221g as follows: "Miscellaneous and the figure \$6,000.00".

Following line 221g add a new line 221h as follows: "Trucks and Maintenance (Weights and Measures) and the figure \$14,000.00".

Following line 221h add a new line 221i as follows: "License Plates, Seals, etc. (Weights and Measures) and the figure \$3,500.00".

Following line 221i add a new line 221j as follows: "Field Testing Equipment (Weights and Measures) and the figure \$4,000.00".

Following line 221j add a new line 221k as follows: "Refunds (Weights and Measures) and the figure \$125.00".

Following line 221k add a new line 221l as follows: "Utility Valuation—Service and Expenses and the figure \$25,000.00".

Following line 221l add a new line 221m as follows: "Workmen's Compensation and the figure \$520.00".

Following line 221m add a new line 221n as follows: "Old Age Survivors and Insurance System—Social Security and the figure \$2,875.00".

Following line 221n add a new line 221o as follows: "Total and the figure \$398,710.00".

In line 303 strike out the figure "\$367,400.00" and insert the figure "\$427,400.00" in lieu thereof.

In line 312 strike out the figure "\$625,400.00" and insert the figure "\$685,400.00" in lieu thereof.

In line 315 strike out the figure "\$31,200.00" and insert the figure "\$36,000.00" in lieu thereof.

Strike out all of line 316.

In line 317 strike out the figure "\$300,000.00" and insert the figure "\$328,400.00" in lieu thereof.

In line 320 strike out the figure "\$5,600.00" and insert the figure "\$6,600.00" in lieu thereof.

In line 321 strike out the figure "\$700.00" and insert the figure "\$900.00" in lieu thereof.

In line 322 strike out the figure "\$26,400.00" and insert the figure "\$26,900.00" in lieu thereof.

In line 331 strike out the figure "\$10,000.00" and insert the figure "\$90,000.00" in lieu thereof.

Following line 331 add a new line 331a as follows: "Site Plans for Capitol Grounds and the figure "\$2,500.00".

Following line 331a add a new line 331b as follows: "Lighting Legislative Chambers and the figure \$10,000.00".

In line 335 strike out the figure "\$689,255.10" and insert the figure \$814,255.10" in lieu thereof.

In line 339 strike out the figure "\$20,000.00" and insert the figure "\$30,000.00" in lieu thereof.

In line 344 strike out the figure "\$35,500.00" and insert the figure "\$45,500.00" in lieu thereof.

In line 356 strike out the figure "\$50,000.00" and insert the figure "\$64,000.00" in lieu thereof.

In line 360 strike out the figure "\$2,000.00" and insert the figure "\$3,000.00" in lieu thereof.

In line 365 strike out the figure "\$85,000.00" and insert the figure "\$100,000.00" in lieu thereof.

In line 393 strike out the figure "\$44,500.00" and insert the figure "\$52,000.00" in lieu thereof.

In line 395 strike out the figure "\$65,200.00" and insert the figure "\$72,700.00" in lieu thereof.

In line 403 strike out the figure "\$3,000.00" and insert the figure "\$3,750.00" in lieu thereof.

Following line 403 add a new line 403a as follows: "Additional Expense for Members of the 34th Legislative Assembly (To be made available immediately upon passage) and the figure \$50,000.00".

In line 404 strike out the figure "\$292,200.00" and insert the figure "\$342,950.00" in lieu thereof.

Following line 461 add a new line 461a as follows: "Retirement of College Presidents and the figure \$15,000.00".

In line 465 strike out the figure "\$54,855.00" and insert the figure "\$69,855.00" in lieu thereof.

In line 466 strike out the figure "\$4,751,887.22" and insert the figure "\$5,104,037.22" in lieu thereof.

Renumber the lines accordingly.

#### Senate Bill No. 6

In line 13 strike out the figure "\$2,350,313.79" and insert the figure "\$2,390,313.79" in lieu thereof.

In line 14 strike out the figure "\$300,800.00" and insert the figure "\$346,800.00" in lieu thereof.

In lines 15, 16, 17, 18, 19 and 20 strike out all the words and figures.

In line 21 strike out the item number "4" and insert the number "3".

In line 23 strike out the item number "5" and insert the number "4".

In lines 27 through 35 inclusive, strike out all the words and figures and insert in lieu thereof, "Nursing School and the figure \$4,000.00".

Renumber the lines accordingly.

#### Senate Bill No. 15

Strike out all of line 7 and insert in lieu thereof the following: "Salary—Director and Clerkhire and the figure \$30,000.00".

Strike out all of line 8.

In line 15 strike out the figure "\$4,500,000.00" and insert the figure "\$4,700,000.00" in lieu thereof.

In line 15a strike out the figure "\$1,800,000.00" and insert the figure "\$2,500,000.00" in lieu thereof.

In line 22 strike out the figure "\$13,875,300.00" and insert the figure "\$14,778,300.00" in lieu thereof.

Renumber the lines accordingly.

Senate Bill No. 18

In line 3 strike out the figure "\$214,000.00" and insert the figure "\$264,000.00" in lieu thereof.

In line 10 strike out the figure "\$200,000.00" and insert the figure "\$250,000.00" in lieu thereof.

In line 11 strike out the figure "\$214,000.00" and insert the figure "\$264,000.00" in lieu thereof.

Senate Bill No. 19

In line 3 strike out the figure "\$113,550.00" and insert the figure "\$121,950.00" in lieu thereof.

In line 9 strike out the figure "\$69,000.00" and insert the figure "\$77,400.00" in lieu thereof.

In line 18 strike out the figure "\$113,550.00" and insert the figure "\$121,950.00" in lieu thereof.

Senate Bill No. 21

In line 3 strike out the figure "\$465,500.00" and insert the figure "\$590,500.00" in lieu thereof.

In line 5 strike out the word and figure "Chapter 4-09" and insert in lieu thereof "Chapters 4-09, 4-10 and 4-11."

In line 9 strike out the figure "\$45,000.00" and insert the figure "\$47,500.00" in lieu thereof.

In line 12 strike out the figure "\$115,000.00" and insert the figure "\$160,000.00" in lieu thereof.

In line 16 strike out the figure "\$40,000.00" and insert the figure "\$45,000.00" in lieu thereof.

In line 17 strike out the figure "\$50,000.00" and insert the figure "\$75,000.00" in lieu thereof.

Following line 24 add a new line 24a as follows: "Seed Department—New Building and the figure \$47,500.00".

In line 25 strike out the figure "\$465,500.00" and insert the figure "\$590,500.00" in lieu thereof.

Renumber the lines accordingly.

Senate Bill No. 31

In line 7 strike out the figure "\$695,860.00" and insert the figure "\$688,260.00" in lieu thereof.

Strike out all of line 16.

In line 20 strike out the figure "\$514,360.00" and insert the figure "\$489,360.00" in lieu thereof.

In line 22 strike out the figure "\$111,400.00" and insert the figure "\$114,400.00" in lieu thereof.

In line 25 strike out the figure "\$6,000.00" and insert the figure "\$8,400.00" in lieu thereof.

Following line 29 add a new line 29a as follows: "Oil Leasing, etc. and the figure \$10,000.00".

In line 30 strike out the figure "\$164,500.00" and insert the figure "\$179,900.00" in lieu thereof.

Following line 33 add a new line 33a as follows: "Payment to School Districts in Lieu of Taxes and the figure \$2,000.00".

In line 37 strike out the figure "\$17,000.00" and insert the figure "\$19,000.00" in lieu thereof.

In line 38 strike out the figure "\$695,860.00" and insert the figure "\$688,260.00" in lieu thereof.

Renumber the lines accordingly.  
Senate Bill No. 34

In the title of the Bill strike out all of the title following the word "reenact" in the first line, and insert the following: "subdivisions 5b3 and 5c and subsection 6 of section 65-0102; and sections 65-0109, 65-0201, 65-0205, 65-0425, 65-0427, 65-0505, 65-0511, 65-0512, 65-0513, 65-0517, 65-0801, 65-0518( 65-1001, and 65-1103 of the North Dakota Revised Code of 1943 as amended; and to repeal section 10 of chapter 344 of the North Dakota Session Laws of 1951 relating to Workmen's Compensation." in lieu thereof on the engrossed Bill.

Delete lines 65 through 70 inclusive of the engrossed bill and insert the following in lieu thereof:

"SECTION 4. AMENDMENT.) Section 65-0518, of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

65-0518. PROVISIONS OF SECTION 65-0517 RETROACTIVE.) The provisions of section 65-0517 as amended establishing a minimum weekly wage of thirty dollars shall be retroactive as of July 1, 1953, and the bureau, upon application or upon its own motion, ((may)) shall adjust compensation ((previously awarded, or if compensation has been refused, it may award compensation, in accordance with the terms of this chapter)) paid or payable since that date in accordance with this section."

In line 90 of the engrossed bill delete the figure "32" and remove the beginning and end parentheses from the figure "28-32".

Following line 96 of the engrossed Bill, insert the following:

SECTION 6. AMENDMENT.) Paragraph 3 of subdivision b and subdivision c of subsection 5; and subsection 6 of section 65-0102 of the North Dakota Revised Code of 1943, as amended, are hereby amended and reenacted to read as follows:

- 5b3. Any executive officer of a business concern [who receive a salary of more than twenty-four hundred dollars per year] "Executive officer" shall mean only the president, vice presidents, secretary, or treasurer of a business corporation whose duties are solely those of such executive office, and if an executive officer also performs duties of a kind generally performed by an employee, such employment is not exempt;
- 5c. Persons employed by sub-contractor, or by an independent contractor operating under an agreement



with the general contractor, for the purpose of this chapter shall be deemed to be employees of the general contractor [until such time as the sub-contractor or independent contractor has complied with the provisions of this title] who shall be liable and responsible for the payments of premium for the coverage of these employees until the sub-contractor or independent contractor has secured the necessary coverage and paid the premium therefor. This subdivision shall not be construed as imposing any liability upon a general contractor other than liability to the bureau for the payment of premiums which are not paid by a sub-contractor or independent contractor;

- [6. "Executive Officer" shall mean only the president, vice president, secretaries, and treasurers of a business corporation whose duties are solely those of such executive office, and if an executive officer also performs duties of a kind generally performed by an employee, such employment is not exempt;]

SECTION 7. AMENDMENT.) Section 65-0109 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

**65-0109. INJURY THROUGH NEGLIGENCE OF THIRD PERSON; OPTION OF EMPLOYEE; FUND SUBROGATED WHEN CLAIM FILED.)**

When an injury or death for which compensation is payable under provisions of this title shall have been sustained under circumstances creating in some person other than the fund a legal liability to pay damages in respect thereto, the injured employee, or his dependents may claim compensation under this title and proceed at law to recover damages against such other person. The fund shall be subrogated to pro tanto to the rights of the injured employee or his dependents to the extent of the amount of compensation paid or to be paid and the action against such other person may be brought by the injured employee, or his dependents in the event of his death, in his or in his dependents' own right and name and as trustee for the workmen's compensation bureau for what it has paid or what is to be paid on such claim [, or such action may be brought by the bureau upon ninety days notice to the employee or to the dependents of a deceased employee. Expenses and costs of such litigation shall be prorated between claimant and bureau, should any damages be awarded, over and above claimants award by bureau plus cost of such litigation. If no damages are awarded, the cost of litigation shall be paid by the party instituting the action. The injured employee, or the dependents of a deceased employee, may by instrument in writing waive the notice required by this section, in which case the bureau shall be authorized to proceed at once in the institution of a suit against such third person]. Such action may be brought by the claimant or his dependents within sixty days after date of injury. Failure or neglect to bring the action within the prescribed sixty days will entitle the bureau to bring the action in its own name and as trustee for the claimant or his dependents. If the action is brought by the claimant or his dependents, the actual cost

of such litigation shall be prorated between the claimant and the bureau should any damages be awarded and no fees shall be allowed for any recovery made for the bureau without first obtaining the bureau's approval thereon. If no damages are awarded the cost of litigation shall be paid by the party instituting the action.

SECTION 8. AMENDMENT.) Section 65-0201 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

65-0201. WORKMEN'S COMPENSATION BUREAU; MEMBERSHIP; TERMS OF OFFICE.) The North Dakota Workmen's compensation bureau shall be maintained for the administration of the provisions of this title. Such bureau shall consist of three workmen's compensation commissioners who shall be appointed by the governor. The terms of the commissioners shall be six years, and shall be arranged so that the term of one commissioner, and of only one, shall expire on the tenth day of [January] July in each odd-numbered year. One of the commissioners shall be a representative of labor, one shall be a representative of the public, and one shall be a representative of the employers. The commissioners shall devote their entire time to the duties of the bureau, and each commissioner shall serve until his successor has been appointed and qualified. Any commissioner may be removed by the governor for cause.

SECTION 9. AMENDMENT.) Section 65-0425 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

65-0425. SERVICE OF NONRESIDENT EMPLOYER IN SUIT FOR PREMIUM OR IN SUIT AGAINST AN UNINSURED EMPLOYER.) If the [defendant] employer in an action to collect delinquent premiums or for injuries sustained in his employment for which he did not carry the required insurance is a nonresident of this state, or a foreign corporation doing business in this state, service of the summons may be made upon any agent, representative, or foreman of said [defendent] employer in this state, and where there is no agent, representative, or foreman upon whom service can be made service upon the secretary of state shall constitute personal service upon such nonresident employer who has either failed to secure the necessary coverage or who is delinquent in his premiums, or service may be made in any other manner designated by law.

SECTION 10. AMENDMENT. Section 65-0505 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

65-0505. PAYMENTS MADE TO INSURED EMPLOYEES INJURED IN COURSE OF EMPLOYMENT AND TO THEIR DEPENDANTS.) The bureau shall disburse the fund for the payment of compensation and other benefits as provided in this chapter to employees, or to their dependents in case death has ensued, who:

1. Are subject to the provisions of this title;
2. Are employed by employers who [have paid into the fund the premiums applicable to the classes to which they belong in accordance with the provisions of chapter 4 of this title] are subject to this title; and

3. Have been injured in the course of their employment.

Where the injury is sustained outside the state of North Dakota and compensation is claimed and received through some other state act no compensation shall be allowed under this title.

SECTION 11. AMENDMENT.) Section 65-0511 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

65-0511. MAXIMUM AND MINIMUM COMPENSATION ALLOWANCES; TOTAL AND PARTIAL DISABILITY.) The weekly compensation for total disability shall not be more than thirty-one dollars and fifty cents, except where an allowance for dependents is made in compliance with section 65-0509, nor less than fifteen dollars. [This provision shall be applicable to all permanent total disability awards from the effective date of this Act.] The weekly compensation for partial disability shall not be more than thirty-one dollars and fifty cents. If the injured person, at the time of the injury, was a minor or was employed in a learner's capacity, and was not physically or mentally defective, the bureau from time to time shall determine the probable increase in weekly earning capacity of such person if such injury had not occurred, and shall base its award for compensation upon such probable weekly wage-earning capacity.

In section 5 of the engrossed bill on line 71 thereof delete the numerals "65-1011" and insert in lieu thereof the numerals "65-1001".

Following section 11 insert the following:

SECTION 12. AMENDMENT.) Section 65-0512 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

65-0512. PERMANENT PARTIAL DISABILITY; WEEKLY COMPENSATION; TIME PAID.) If the injury causes permanent partial disability, the percentage which such disability bears to total disability shall be determined, and the fund shall pay to the disabled employee a weekly compensation in the sum of (((twenty-two dollars))) thirty-one dollars and fifty cents per week for the following periods:

|                                       |            |
|---------------------------------------|------------|
| For a one percent disability .....    | 5 weeks;   |
| For a ten percent disability .....    | 50 weeks;  |
| For a twenty percent disability.....  | 100 weeks; |
| For a thirty percent disability.....  | 150 weeks; |
| For a forty percent disability.....   | 200 weeks; |
| For a fifty percent disability.....   | 250 weeks; |
| For a sixty percent disability.....   | 300 weeks; |
| For a seventy percent disability..... | 350 weeks; |
| For an eighty percent disability..... | 400 weeks; |
| For a ninety percent disability.....  | 450 weeks. |

Provided, however, that where an injured employee is earning a salary which at sixty-five and two-thirds percent of said salary did not produce an award of (((twenty-two dollars))) thirty-one dollars and fifty cents per week the difference between (((twenty-two dollars))) thirty-one dollars and fifty cents per week and sixty-six and two-thirds percent of the actual salary be charged to the general fund,

and not to the risk of the employer. This proviso shall also apply to payments made under 65-0513.

SECTION 13. AMENDMENT.) Section 65-0513 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

65-0513. SCHEDULED INJURIES; PERMANENT LOSS OF MEMBER; WEEKLY COMPENSATION; TIME COMPENSATION PAYABLE.) If the injury causes the loss of a member, the fund shall pay to the disabled employee a weekly compensation equal to ((twenty-two dollars)) thirty-one dollars and fifty cents per week for the following periods:

|   |            |
|---|------------|
| 1. For loss of arm at shoulder.....                                 | 250 weeks; |
| 2. For loss of arm at or above elbow.....                           | 220 weeks; |
| 3. For the loss of hand at or above<br>wrist .....                  | 200 weeks; |
| 4. For loss of thumb .....  | 65 weeks;  |
| 5. For loss of second or distal phalange<br>of thumb .....          | 28 weeks;  |
| 6. For loss of first finger .....                                   | 40 weeks;  |
| 7. For loss of middle or second phalange<br>of first finger .....   | 28 weeks;  |
| 8. For loss of third or distal phalange<br>of first finger .....    | 22 weeks;  |
| 9. For loss of second finger .....                                  | 30 weeks;  |
| 10. For loss of middle or second phalange<br>of second finger ..... | 22 weeks;  |
| 11. For loss of third or distal phalange<br>of second finger .....  | 14 weeks;  |
| 12. For loss of third finger .....                                  | 20 weeks;  |
| 13. For loss of middle or second phalange<br>of third finger .....  | 16 weeks;  |
| 14. For loss of third or distal phalange<br>of third finger .....   | 10 weeks;  |
| 15. For loss of fourth finger .....                                 | 16 weeks;  |
| 16. For loss of middle or second phalange<br>of fourth finger ..... | 12 weeks;  |
| 17. For loss of third or distal phalange<br>of fourth finger .....  | 6 weeks;   |
| 18. For loss of leg at hip .....                                    | 234 weeks; |
| 19. For loss of leg at or above knee.....                           | 195 weeks; |
| 20. For loss of foot at or above ankle.....                         | 150 weeks; |
| 21. For loss of great toe .....                                     | 30 weeks;  |
| 22. For loss of second or distal<br>phalange of great toe .....     | 18 weeks;  |
| 23. For loss of any other toe .....                                 | 12 weeks;  |
| 24. For loss of middle or second phalange<br>of any other toe ..... | 10 weeks;  |
| 25. For loss of third or distal phalange<br>of any other toe .....  | 7 weeks;   |
| 26. For loss of an eye .....  | 150 weeks; |
| 27. For loss of hearing in one ear.....                             | 50 weeks;  |
| 28. For loss of hearing in both ears.....                           | 200 weeks; |

The amount paid for the loss of more than one finger of one hand shall not exceed the amount provided in this schedule for the loss of a hand. For the loss of the metacarpal bone, of the palm, together with the corresponding thumb or finger ten weeks shall be added to the number of weeks of payment. The permanent loss of use of a thumb, finger, toe, arm, hand, foot, leg, or eye shall be considered as the equivalent of the loss of such thumb, finger, toe, arm, hand, foot, leg or eye, and compensation for partial loss of use of said parts shall be allowed on a percentage basis. Twenty-five percent additional shall be allowed as compensation for the loss of use of the master hand or any member or members thereof. The loss of use on a percentage basis of the master hand or any member or members thereof, or the amputation of the master hand or any member of members thereof. The loss of any part of a phalange shall be considered equal to the loss of the entire phalange. If any employee dies from some independent cause, the right of any compensation payable under section 65-0512 of this section, unpaid at the date of his death shall survive and pass to his dependent spouse, minor children, [or] parents, or his estate and in that order named.

Section 14. AMENDMENT.) Section 65-0517 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

65-0517. WEEKLY COMPENSATION FOR DEATH.) If death results from an injury under the conditions specified in section 65-0516, the fund shall pay to the following persons, for the periods specified, a weekly compensation equal to the following percentages of the deceased employee's weekly wages:

1. To the widow, if there is no child, forty-five percent, and such compensation shall be paid until her death or remarriage;
2. To the widower, if there is no child, forty-five percent if he was wholly dependent upon the support of the deceased employee at the time of her death, and such compensation shall be paid until death or remarriage;
3. To the widow or widower, if there is a child, the compensation payable under subsections 1 or 2, and in addition thereto, ten percent for each child. Such compensation, however, shall not exceed a total of seventy-five percent for the widow or widower and the children. The compensation payable on account of any child shall cease when such child dies, marries, or reaches the age of eighteen years, or, if over eighteen years of age and incapable of self-support, becomes capable of self-support;
4. To the children, if there is no widow or widower, twenty-five percent for one child and ten percent additional for each additional child, not exceeding, however, a total of seventy-five percent. The compensation hereunder shall not be for the specific children but shall be divided share and share alike. Compensation for each child shall be paid until

such child dies, marries, or reaches the age of eighteen years, or if over eighteen years of age and incapable of self-support, becomes capable of self-support. Compensation for a child under legal age shall be paid to its guardian;

5. To the parent, if one is wholly dependent for support upon the deceased employee at the time of his death and the other is not dependent to any extent, twenty-five percent; if both are wholly dependent, twenty percent to each; if one or both are partially dependent, a proportionate amount in the discretion of the bureau. The foregoing percentages shall be paid only if there is a widow, widower, or child. If there is a widow, widower, or child, there shall be paid only such part of the foregoing percentages that, when added to the total of the percentages payable to the widow, widower, and children, the sum shall not exceed the total of seventy-five percent. The compensation of each such beneficiary may continue until such parent dies, remarries or ceases to be a dependent.
6. To a brother, sister, grandparent, or grandchild who is wholly dependent upon the deceased employee for support at the time of his death, twenty percent; if no more than one are wholly dependent, thirty percent divided among such dependents, share and share alike; if none of them are wholly dependent but one or more are partly dependent, ten percent divided among such dependents, share and share alike. The foregoing percentages shall be paid only if there is no widow, widower, child or dependent parent. If there is a widow, widower, child or dependent parent, there shall be paid only such part of the foregoing percentages that, when added to the total percentage, payable to the widow, widower, children, and dependent parents, the sum shall not exceed a total of seventy-five percent. The compensation of each such beneficiary shall be paid for a period of eight years from the time of the death of the employee unless before that time, he, if a grandparent, dies, remarries, or ceases to be dependent, or if a brother, sister, or grandchild, dies, marries, or reaches the age of eighteen years, or if over eighteen years of age and incapable of self-support, becomes capable of self-support. The compensation of a brother, sister, or grandchild under legal age shall be paid to his guardian.

The weekly wages of the deceased employee shall be considered to have been not more than forty dollars, and not less than thirty dollars. [The increase in payments resulting from the enlargement of the salary base shall be payable to all pensioners and dependents but only from and after the taking effect of this Act.]

In addition to the awards made to a pensioner herein the commissioners shall make an award in the sum of three hundred dollars to the widow of the deceased and one hundred dollars to each dependent child, the total amount of such additional award not to exceed six hundred dollars, and such

additional award shall be charged to the general fund. This paragraph shall apply to claims filed from and after the taking of this Act.

SECTION 15. AMENDMENT.) Section 65--1103 of the 1953 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

65-1103. SALARY OF SAFETY ENGINEER.) The salary of the safety engineer shall be [not more than five thousand dollars per annum] the sum appropriated for that purpose by the legislative assembly, plus necessary travel expenses.

SECTION 16. REPEAL.) Section 10 of chapter 344 of the North Dakota Session Laws of 1951 is hereby repealed.

Renumber the lines accordingly.

Senate Bill No. 172

In line 8 after the word "state" insert the following language: "or state school for the blind, or state school for the deaf, or state training school" and renumber the lines accordingly.

Senate Bill No. 183

In line four of title and line 11 of bill, strike the word "three" and insert the word "ten" and strike the brackets in line 16 around the words "Where Expedient".

#### MESSAGES TO THE SENATE

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 811 and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Reps. Nygaard, Sticka and Link.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 501 and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Reps. Baker, Baldwin and Frank.

KENNETH L. MORGAN, Chief Clerk.

#### SECOND READING OF SENATE RESOLUTIONS

Senate Concurrent Resolution "X". A Concurrent Resolution memorializing the Congress of the United States to enact legislation which would create an agricultural rating for pilots engaged in the aerial application of agricultural chemicals.

Which has been read.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 28; nays, 0; absent and not voting, 21.

Those voting in the affirmative were:

Bilden Johnson, Cavalier Schrock

|            |            |           |
|------------|------------|-----------|
| Bridston   | Klefstad   | Solberg   |
| Dewing     | Krenz      | Torno     |
| Duffy      | Leier      | Tuff      |
| Ferry      | Livingston | Wadeson   |
| Fiedler    | Luick      | Welanders |
| Fraser     | O'Brien    | Wog       |
| Gilbertson | Olson      | Wolf      |
| Hagen      | Sayer      | Yunker    |
| Holand     |            |           |

Absent and not voting:

|            |               |          |
|------------|---------------|----------|
| Baeverstad | Hernett       | Nelson   |
| Berube     | Johnson, Cass | Page     |
| Davis      | Kamrath       | Rue      |
| Day        | Kielely       | Schmit   |
| Dolan      | Knudson       | Schoeder |
| Foss       | Kusler        | Streibel |
| Freed      | Meidinger     | Thomas   |

So the resolution was adopted and the title was agreed to.

Senate Concurrent Resolution "Y". A Concurrent Resolution for an amendment of section 92 of the Constitution of the state of North Dakota, relating to the selection of the chief justice of the supreme court.

Which has been read.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 8; nays, 22; absent and not voting, 19.

Those voting in the affirmative were:

|            |            |      |
|------------|------------|------|
| Bilden     | Livingston | Tuff |
| Dewing     | Olson      | Wolf |
| Gilbertson | Sayer      |      |

Those voting in the negative were:

|               |                   |           |
|---------------|-------------------|-----------|
| Bridston      | Johnson, Cavalier | Schrock   |
| Duffy         | Kamrath           | Solberg   |
| Ferry         | Klefstad          | Torno     |
| Fiedler       | Krenz             | Wadeson   |
| Fraser        | Leier             | Welanders |
| Hagen         | Luick             | Wog       |
| Holand        | O'Brien           | Yunker    |
| Johnson, Cass |                   |           |

Absent and not voting:

|            |           |          |
|------------|-----------|----------|
| Baeverstad | Hernett   | Page     |
| Berube     | Kielely   | Rue      |
| Davis      | Knudson   | Schmit   |
| Day        | Kusler    | Schoeder |
| Dolan      | Meidinger | Streibel |
| Foss       | Nelson    | Thomas   |
| Freed      |           |          |

So the resolution was declared lost due to the lack of a constitutional majority.

Senate Concurrent Resolution "Z". A Concurrent Resolution directing the legislative research committee to study the feasibility of consolidating the state health department with the medical center at the university of North Dakota.

Which has been read.



## ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 8; nays, 26; absent and not voting, 15.

Those voting in the affirmative were:

|            |         |            |
|------------|---------|------------|
| Baeverstad | Hagen   | Livingston |
| Bridston   | Knudson | Torno      |
| Foss       | Leier   |            |

Those voting in the negative were:

|            |                   |          |
|------------|-------------------|----------|
| Bilden     | Holand            | Schrock  |
| Day        | Johnson, Cavalier | Solberg  |
| Dewing     | Kamrath           | Tuff     |
| Duffy      | Klefstad          | Wadeson  |
| Ferry      | Krenz             | Welander |
| Fiedler    | Luick             | Wog      |
| Fraser     | O'Brien           | Wolf     |
| Freed      | Olson             | Yunker   |
| Gilbertson | Sayer             |          |

Absent and not voting:

|               |           |          |
|---------------|-----------|----------|
| Berube        | Kieley    | Rue      |
| Davis         | Kusler    | Schmit   |
| Dolan         | Meidinger | Schoeder |
| Hernett       | Nelson    | Streibel |
| Johnson, Cass | Page      | Thomas   |

So the resolution was declared lost due to the lack of a constitutional majority.

## REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following resolutions:

Senate Concurrent Resolution "V"

Senate Concurrent Resolution "A-1"

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed, and the report was adopted.

## MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "X"

Senate Concurrent Resolution "V"

Senate Concurrent Resolution "A-1"

Which the Senate has passed and your favorable consideration is requested.

EDWARD LENO, Secretary.

## SECOND READING OF HOUSE RESOLUTIONS

House Concurrent Resolution "B-1". A Concurrent Resolution directing the legislative research committee to study the operation of section 186 of the Constitution of the state of North Dakota.

Which has been read.

## ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 2; nays, 37; absent and not voting, 10.

Those voting in the affirmative were:

|                                    |                   |          |
|------------------------------------|-------------------|----------|
| Hagen                              | Wolf              |          |
| Those voting in the negative were: |                   |          |
| Baeverstad                         | Hernett           | O'Brien  |
| Bridston                           | Holand            | Olson    |
| Davis                              | Johnson, Cass     | Rue      |
| Day                                | Johnson, Cavalier | Sayer    |
| Dewing                             | Kamrath           | Schrock  |
| Dolan                              | Klefstad          | Solberg  |
| Duffy                              | Knudson           | Torno    |
| Ferry                              | Krenz             | Tuff     |
| Fiedler                            | Leier             | Wadeson  |
| Foss                               | Livingston        | Welander |
| Fraser                             | Luick             | Wog      |
| Freed                              | Nelson            | Yunker   |
| Gilbertson                         |                   |          |

Absent and not voting:

|        |           |          |
|--------|-----------|----------|
| Berube | Meidinger | Schoeder |
| Bilden | Page      | Streibel |
| Kieley | Schmit    | Thomas   |
| Kusler |           |          |

So the resolution was declared lost due to the lack of a constitutional majority.

**House Concurrent Resolution "D-1".** A Concurrent Resolution directing the legislative research committee to make a study of certain legal and other aspects of law enforcement problems on Indian reservations and in Indian reservation counties.

Which has been read.

## ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 0; nays, 37; absent and not voting, 12.

Those voting in the negative were:

|            |                   |         |
|------------|-------------------|---------|
| Baeverstad | Hernett           | Nelson  |
| Bridston   | Holand            | O'Brien |
| Davis      | Johnson, Cass     | Olson   |
| Day        | Johnson, Cavalier | Rue     |
| Dewing     | Kamrath           | Schrock |
| Dolan      | Klefstad          | Solberg |
| Ferry      | Knudson           | Torno   |
| Fiedler    | Krenz             | Tuff    |
| Foss       | Leier             | Wadeson |
| Fraser     | Livingston        | Wog     |
| Freed      | Luick             | Wolf    |
| Gilbertson | Meidinger         | Yunker  |
| Hagen      |                   |         |

Absent and not voting:

|        |        |          |
|--------|--------|----------|
| Berube | Kusler | Schoeder |
| Bilden | Page   | Streibel |
| Duffy  | Sayer  | Thomas   |
| Kieley | Schmit | Welander |

So the resolution was declared lost.

House Concurrent Resolution "E-1". A Concurrent Resolution urging Congress to reimburse the state of North Dakota and Benson County for expenses of law enforcement upon the Fort Totten Indian reservation.

Which has been read.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 35; nays, 3; absent and not voting, 11.

Those voting in the affirmative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Hagen             | Meidinger |
| Bridston   | Hernett           | Nelson    |
| Davis      | Holand            | Olson     |
| Day        | Johnson, Cass     | Rue       |
| Dewing     | Johnson, Cavalier | Schrock   |
| Dolan      | Kamrath           | Solberg   |
| Duffy      | Klefstad          | Tuff      |
| Ferry      | Knudson           | Wadeson   |
| Fiedler    | Krenz             | Wog       |
| Fraser     | Leier             | Wolf      |
| Freed      | Livingston        | Yunker    |
| Gilbertson | Luick             |           |

Those voting in the negative were:

|                        |          |          |
|------------------------|----------|----------|
| Foss                   | Sayer    | Torno    |
| Absent and not voting: |          |          |
| Berube                 | O'Brien  | Streibel |
| Bilden                 | Page     | Thomas   |
| Kieley                 | Schmit   | Welander |
| Kusler                 | Schoeder |          |

So the resolution was adopted and the title was agreed to.

House Concurrent Resolution "F-1". A Concurrent Resolution supporting the passage of legislation by the Congress of the United States to prohibit the transportation in interstate commerce of advertisements of alcoholic beverages.

Which has been read.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 24; nays, 14; absent and not voting, 11.

Those voting in the affirmative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Gilbertson        | Meidinger |
| Bridston   | Hagen             | Nelson    |
| Day        | Hernett           | Olson     |
| Dewing     | Johnson, Cass     | Schrock   |
| Davis      | Johnson, Cavalier | Solberg   |
| Dolan      | Kamrath           | Tuff      |
| Fiedler    | Knudson           | Wog       |
| Fraser     | Livingston        | Wolf      |

Those voting in the negative were:

|                        |          |          |
|------------------------|----------|----------|
| Duffy                  | Klefstad | Sayer    |
| Ferry                  | Krenz    | Torno    |
| Foss                   | Leier    | Wadeson  |
| Freed                  | Luick    | Yunker   |
| Holand                 | Rue      |          |
| Absent and not voting: |          |          |
| Berube                 | O'Brien  | Streibel |

|        |          |          |
|--------|----------|----------|
| Bilden | Page     | Thomas   |
| Kieley | Schmit   | Welander |
| Kusler | Schoeder |          |

So the resolution was lost due to the lack of a constitutional majority.

House Concurrent Resoluition "G". A House Concurrent Resolution urging Congress to take favorable action upon measures for flood control in the Red River Valley watershed area.

Which has been read.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 30; nays, 9; absent and not voting, 10.

Those voting in the affirmative were:

|            |                   |         |
|------------|-------------------|---------|
| Baeverstad | Johnson, Cass     | Rue     |
| Bridston   | Johnson, Cavalier | Sayer   |
| Davis      | Klefstad          | Schrock |
| Dolan      | Knudson           | Solberg |
| Duffy      | Krenz             | Torno   |
| Ferry      | Livingston        | Tuff    |
| Fiedler    | Luick             | Wadeson |
| Freed      | Meidinger         | Wolf    |
| Hernett    | O'Brien           | Wog     |
| Holand     | Olson             | Yunker  |

Those voting in the negative were:

|        |            |          |
|--------|------------|----------|
| Day    | Fraser     | Kamrath  |
| Dewing | Gilbertson | Nelson   |
| Foss   | Hagen      | Welander |

Absent and not voting:

|        |        |          |
|--------|--------|----------|
| Berube | Leier  | Schoeder |
| Bilden | Page   | Streibel |
| Kieley | Schmit | Thomas   |
| Kusler |        |          |

So the resolution was adopted and the title was agreed to.

House Concurrent Resolution "G-1". A Concurrent Resolution memorializing Congress to authorize the payment of one hundred per cent of the cost of acquisition of right-of-way, construction, and maintenance of military highways in North Dakota.

Which has been read.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hagen             | O'Brien  |
| Bridston   | Hernett           | Olson    |
| Davis      | Holand            | Rue      |
| Day        | Johnson, Cass     | Sayer    |
| Dewing     | Johnson, Cavalier | Schrock  |
| Dolan      | Kamrath           | Solberg  |
| Duffy      | Klefstad          | Torno    |
| Ferry      | Knudson           | Tuff     |
| Fiedler    | Krenz             | Wadeson  |
| Foss       | Livingston        | Welander |

|                        |           |          |
|------------------------|-----------|----------|
| Fraser                 | Luick     | Wog      |
| Freed                  | Meidinger | Wolf     |
| Gilbertson             | Nelson    | Yunker   |
| Absent and not voting: |           |          |
| Berube                 | Leier     | Schoeder |
| Bilden                 | Page      | Streibel |
| Kieley                 | Schmit    | Thomas   |
| Kusler                 |           |          |

So the resolution was adopted and the title was agreed to.

**House Concurrent Resoluition "H-1".** A Concurrent Resolution authorizing and directing the board of administration to take necessary action to improve the air conditioning and ventilation of the legislative chambers.

Which has been read.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 33; nays, 7; absent and not voting, 9.

Those voting in the affirmative were:

|            |            |          |
|------------|------------|----------|
| Baeverstad | Fraser     | Olson    |
| Bilden     | Freed      | Rue      |
| Bridston   | Gilbertson | Sayer    |
| Davis      | Hagen      | Schrock  |
| Day        | Hernett    | Solberg  |
| Dewing     | Holand     | Torno    |
| Dolan      | Kamrath    | Tuff     |
| Duffy      | Knudson    | Wadesor  |
| Ferry      | Krenz      | Welander |
| Fiedler    | Livingston | Wog      |
| Foss       | Luick      | Wolf     |

Those voting in the negative were:

|                   |           |         |
|-------------------|-----------|---------|
| Johnson, Cass     | Meidinger | O'Brien |
| Johnson, Cavalier | Nelson    | Yunker  |
| Klefstad          |           |         |

Absent and not voting:

|        |        |          |
|--------|--------|----------|
| Berube | Leier  | Schoeder |
| Kieley | Page   | Streibel |
| Kusler | Schmit | Thomas   |

So the resolution was adopted and the title was agreed to.

**House Concurrent Resolution "I-1".** A Concurrent Resolution providing and designating House and Senate Chief Engineer's and Assistant Engineer's salaries.

Which has been read.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

|            |                   |         |
|------------|-------------------|---------|
| Baeverstad | Hagen             | O'Brien |
| Bridston   | Hernett           | Olson   |
| Davis      | Holand            | Rue     |
| Day        | Johnson, Cass     | Sayer   |
| Dewing     | Johnson, Cavalier | Schrock |
| Dolan      | Kamrath           | Solberg |
| Duffy      | Klefstad          | Torno   |

|                        |            |          |
|------------------------|------------|----------|
| Ferry                  | Knudson    | Tuff     |
| Fiedler                | Krenz      | Wadeson  |
| Foss                   | Livingston | Welander |
| Fraser                 | Luick      | Wog      |
| Freed                  | Meidinger  | Wolf     |
| Gilbertson             | Nelson     | Yunker   |
| Absent and not voting: |            |          |
| Berube                 | Leier      | Schoeder |
| Bilden                 | Page       | Streibel |
| Kieley                 | Schmit     | Thomas   |
| Kusler                 |            |          |

So the resolution was adopted and the title was agreed to.

**House Concurrent Resolution "J-1".** A Concurrent Resolution requesting Congress to authorize North Dakota, South Dakota, Montana and Wyoming to enter into a compact for an equitable division among the states of the water supply of the Little Missouri River.

Which has been read.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Rue      |
| Bilden     | Johnson, Cass     | Schmit   |
| Bridston   | Johnson, Cavalier | Schoeder |
| Davis      | Kamrath           | Schrock  |
| Dewing     | Klefstad          | Solberg  |
| Dolan      | Knudson           | Thomas   |
| Duffy      | Krenz             | Torno    |
| Ferry      | Kusler            | Tuff     |
| Fiedler    | Livingston        | Wadeson  |
| Foss       | Luick             | Welander |
| Fraser     | Meidinger         | Wog      |
| Freed      | Nelson            | Wolf     |
| Hagen      | O'Brien           | Yunker   |
| Hernett    | Olson             |          |

Absent and not voting:

|            |        |          |
|------------|--------|----------|
| Berube     | Kieley | Sayer    |
| Day        | Leier  | Streibel |
| Gilbertson | Page   |          |

So the resolution was adopted and the title was agreed to.

**House Concurrent Resolution "L".** A House Concurrent Resolution urging the division of land management of the Department of the Interior to give adjacent landowners preference in leasing lands.

Which has been read.

#### ROLL CALL

The question being on the final passage of the Resolution, the roll was called and there were ayes, 34; nays, 8; absent and not voting, 7.

Those voting in the affirmative were:

|          |               |          |
|----------|---------------|----------|
| Bilden   | Hagen         | Rue      |
| Bridston | Hernett       | Sayer    |
| Davis    | Johnson, Cass | Schmit   |
| Day      | Kamrath       | Schoeder |

|         |            |          |
|---------|------------|----------|
| Dewing  | Krenz      | Schrock  |
| Dolan   | Kusler     | Solberg  |
| Duffy   | Livingston | Thomas   |
| Ferry   | Luick      | Tuff     |
| Fiedler | Meidinger  | Welander |
| Foss    | O'Brien    | Wog      |
| Fraser  | Olson      | Wolf     |
| Freed   |            |          |

Those voting in the negative were:

|                   |          |         |
|-------------------|----------|---------|
| Baeverstad        | Klefstad | Wadeson |
| Holand            | Nelson   | Yunker  |
| Johnson, Cavalier | Torno    |         |

Absent and not voting:

|            |         |          |
|------------|---------|----------|
| Berube     | Knudson | Page     |
| Gilbertson | Leier   | Streibel |
| Kieley     |         |          |

So the resolution was adopted and the title was agreed to.

**House Concurrent Resolution "L-1".** A Concurrent Resolution relating to the education of Indians.

Which has been read.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 5; nays, 38; absent and not voting, 6.

Those voting in the affirmative were:

|            |        |       |
|------------|--------|-------|
| Baeverstad | Dewing | Sayer |
| Bridston   | Hagen  |       |

Those voting in the negative were:

|            |                   |          |
|------------|-------------------|----------|
| Bilden     | Johnson, Cass     | Schmit   |
| Davis      | Johnson, Cavalier | Schoeder |
| Day        | Kamrath           | Schrock  |
| Dolan      | Klefstad          | Solberg  |
| Duffy      | Krenz             | Thomas   |
| Ferry      | Kusler            | Torno    |
| Fiedler    | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     | Rue               |          |

Absent and not voting:

|        |         |          |
|--------|---------|----------|
| Berube | Knudson | Page     |
| Kieley | Leier   | Streibel |

So the resolution was declared lost due to the lack of a constitutional majority.

**House Concurrent Resolution "N-1".** A Concurrent Resolution memorializing the President of the United States and his Commission on Intergovernmental Relations not to approve the reported recommendations of the Committee on Federal Aid to Agriculture relative to transfer of the function of soil conservation technical assistance to the various states.

Which has been read.

#### ROLL CALL

The question being on the final passage of the resolution,

the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Rue      |
| Bilden     | Johnson, Cass     | Sayer    |
| Davis      | Johnson, Cavalier | Schmit   |
| Day        | Kamrath           | Schoeder |
| Dewing     | Klefstad          | Schrock  |
| Dolan      | Knudson           | Solberg  |
| Duffy      | Krenz             | Thomas   |
| Ferry      | Kusler            | Torno    |
| Fiedler    | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | O'Brien           | Wolf     |
| Hagen      | Olson             | Yunker   |
| Hernett    |                   |          |

Absent and not voting:

|          |          |          |
|----------|----------|----------|
| Berube   | Kieleley | Page     |
| Bridston | Leier    | Streibel |

So the resolution was adopted, and the title was agreed to.

**House Concurrent Resolution "O".** A Concurrent Resolution for an amendment of section 14 of the Constitution of the state of North Dakota.

Which has been read.

### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 35; nays, 8; absent and not voting, 6.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hagen             | O'Brien  |
| Bilden     | Hernett           | Olson    |
| Bridston   | Holand            | Sayer    |
| Day        | Johnson, Cass     | Schmit   |
| Dewing     | Johnson, Cavalier | Schrock  |
| Dolan      | Kamrath           | Thomas   |
| Duffy      | Klefstad          | Tuff     |
| Ferry      | Krenz             | Welander |
| Fiedler    | Livingston        | Wog      |
| Fraser     | Luick             | Wolf     |
| Freed      | Meidinger         | Yunker   |
| Gilbertson | Nelson            |          |

Those voting in the negative were:

|                        |          |          |
|------------------------|----------|----------|
| Davis                  | Kusler   | Torno    |
| Foss                   | Schoeder | Wadeson  |
| Knudson                | Solberg  |          |
| Absent and not voting: |          |          |
| Berube                 | Leier    | Rue      |
| Kieleley               | Page     | Streibel |

So the resolution was adopted, and the title was agreed to.

**House Concurrent Resolution "P-1".** A House Concurrent Resolution directing the legislative research committee to study and modernize statutes relating to minimum wages and hours of labor.

Which has been read.



## ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 4; nays, 39; absent and not voting, 6.

Those voting in the affirmative were:

|          |     |      |
|----------|-----|------|
| Bridston | Wog | Wolf |
| Fiedler  |     |      |

Those voting in the negative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | O'Brien  |
| Bilden     | Holand            | Olson    |
| Davis      | Johnson, Cass     | Sayer    |
| Day        | Johnson, Cavalier | Schmit   |
| Dewing     | Kamrath           | Schoeder |
| Dolan      | Klefstad          | Schrock  |
| Duffy      | Knudson           | Solberg  |
| Ferry      | Krenz             | Thomas   |
| Foss       | Kusler            | Torno    |
| Fraser     | Livingston        | Tuff     |
| Freed      | Luick             | Wadeson  |
| Gilbertson | Meidinger         | Welander |
| Hagen      | Nelson            | Yunker   |

Absent and not voting:

|        |       |          |
|--------|-------|----------|
| Berube | Leier | Rue      |
| Kieley | Page  | Streibel |

So the resolution was declared lost due to the lack of a constitutional majority.

**House Concurrent Resolution "Q".** A Concurrent Resolution opposing repeal of long and short haul clause of section four of the Interstate Commerce Act.

Which has been read.

## ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 25; nays, 17; absent and not voting, 7.

Those voting in the affirmative were:

|               |                   |          |
|---------------|-------------------|----------|
| Bridston      | Johnson, Cavalier | Olson    |
| Davis         | Kamrath           | Schmit   |
| Dewing        | Knudson           | Schrock  |
| Fiedler       | Krenz             | Solberg  |
| Fraser        | Kusler            | Tuff     |
| Gilbertson    | Livingston        | Wadeson  |
| Hernett       | Meidinger         | Welander |
| Holand        | Nelson            | Wog      |
| Johnson, Cass |                   |          |

Those voting in the negative were:

|            |         |          |
|------------|---------|----------|
| Baeverstad | Foss    | Schoeder |
| Bilden     | Freed   | Thomas   |
| Day        | Hagen   | Torno    |
| Dolan      | Luick   | Wolf     |
| Duffy      | O'Brien | Yunker   |
| Ferry      | Sayer   |          |

Absent and not voting:

|          |       |          |
|----------|-------|----------|
| Berube   | Leier | Rue      |
| Kieley   | Page  | Streibel |
| Klefstad |       |          |

So the resolution was adopted, and the title was agreed to.

Senator Day moved that House Concurrent Resolution "Q-1" be placed at the foot of the calendar, which motion prevailed.

### MESSAGES TO THE SENATE

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to return:

Senate Bill No. 32  
Senate Bill No. 46  
Senate Bill No. 57  
Senate Bill No. 105  
Senate Bill No. 116  
Senate Bill No. 129  
Senate Bill No. 138  
Senate Bill No. 152  
Senate Bill No. 153  
Senate Bill No. 155  
Senate Bill No. 156  
Senate Bill No. 157  
Senate Bill No. 180  
Senate Bill No. 190  
Senate Bill No. 197  
Senate Bill No. 203  
Senate Bill No. 205  
Senate Bill No. 210  
Senate Bill No. 225

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to return:

Senate Bill No. 228  
Senate Bill No. 243  
Senate Bill No. 247  
Senate Bill No. 248  
Senate Concurrent Resolution "A"  
Senate Concurrent Resolution "Q"  
Senate Concurrent Resolution "B-1"  
Senate Concurrent Resolution "C-1"

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the Speaker has substituted Rep. Lindberg for Rep. Sticka on the Conference Committee on House Bill No. 527.

KENNETH L. MORGAN, Chief Clerk.

### SECOND READING OF HOUSE RESOLUTIONS

House Concurrent Resolution "R". A Concurrent Resolution urging the congress of the United States to approve legislation authorizing the Department of the Interior of the United States to transfer to the state of North Dakota, the original grave site of Sitting Bull at Fort Yates, North Dakota to be properly marked and designated as a state historic site.

Which has been read.

### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 10; nays, 32; absent and not voting, 7.

Those voting in the affirmative were:

|         |        |          |
|---------|--------|----------|
| Bilden  | Hagen  | Tuff     |
| Day     | Sayer  | Welander |
| Dewing  | Schmit | Wog      |
| Fiedler |        |          |

Those voting in the negative were:

|            |                   |         |
|------------|-------------------|---------|
| Baeverstad | Johnson, Cass     | Nelson  |
| Davis      | Johnson, Cavalier | O'Brien |
| Dolan      | Kamrath           | Olson   |
| Duffy      | Kieley            | Rue     |
| Ferry      | Klefstad          | Schrock |
| Foss       | Knudson           | Solberg |
| Fraser     | Krenz             | Torno   |
| Freed      | Kusler            | Wadeson |
| Gilbertson | Livingston        | Wolf    |
| Hernett    | Luick             | Yunker  |
| Holand     | Meidinger         |         |

Absent and not voting:

|          |          |          |
|----------|----------|----------|
| Berube   | Page     | Streibel |
| Bridston | Schoeder | Thomas   |
| Leier    |          |          |

So the resolution was declared lost due to the lack of a constitutional majority.

**House Concurrent Resolution "R-1".** A Concurrent Resolution directing the legislative research committee to study the vocational agriculture and vocational home economics program within high schools of this state.

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, 32; absent and not voting, 6.

Those voting in the affirmative were:

|            |            |         |
|------------|------------|---------|
| Baeverstad | Hagen      | Schrock |
| Bilden     | Kieley     | Solberg |
| Dewing     | Livingston | Tuff    |
| Fiedler    | Olson      |         |

Those voting in the negative were:

|            |                   |          |
|------------|-------------------|----------|
| Bridston   | Holand            | O'Brien  |
| Davis      | Johnson, Cass     | Rue      |
| Day        | Johnson, Cavalier | Sayer    |
| Dolan      | Kamrath           | Schmit   |
| Duffy      | Klefstad          | Torno    |
| Ferry      | Knudson           | Wadeson  |
| Foss       | Krenz             | Welander |
| Fraser     | Kusler            | Wog      |
| Freed      | Luick             | Wolf     |
| Gilbertson | Meidinger         | Yunker   |
| Hernett    | Nelson            |          |

**Absent and not voting:**

|        |          |          |
|--------|----------|----------|
| Berube | Page     | Streibel |
| Leier  | Schoeder | Thomas   |

So the resolution was declared lost due to the lack of a constitutional majority.

**MOTIONS**

Senate Day moved that the vote by which the following House Concurrent Resolutions were passed be reconsidered and the motion to reconsider be laid on the table: "E-1", "G-1", "H-1", "I-1", "J-1", "N-1", "O", "Q", which motion prevailed.

Senator Day moved that the vote by which the following House Concurrent Resolutions were lost be reconsidered, and the motion to reconsider be laid on the table: "B-1", "D-1", "F-1", "L-1", "P-1", "R", "R-1", which motion prevailed.

Senator Livingston moved that the courtesy of the floor be extended to Irving "Speed" Wallace, which motion prevailed.

Senator Klefstad moved that the Senate reconsider its action by which House Concurrent Resolution "L" was passed, which motion was lost.

**MESSAGES TO THE HOUSE**

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "B-1"  
House Concurrent Resolution "D-1"  
House Concurrent Resolution "F-1"  
House Concurrent Resolution "L-1"  
House Concurrent Resolution "P-1"  
House Concurrent Resolution "R"  
House Concurrent Resolution "R-1"

Which the Senate has indefinitely postponed.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "E-1"  
House Concurrent Resolution "G-1"  
House Concurrent Resolution "H-1"  
House Concurrent Resolution "I-1"  
House Concurrent Resolution "J-1"  
House Concurrent Resolution "N-1"  
House Concurrent Resolution "O"  
House Concurrent Resolution "Q"

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

**SECOND READING OF HOUSE RESOLUTIONS**

House Concurrent Resolution "U". A Concurrent Resolution authorizing and requesting the Governor to appoint a committee to select a suitable emblem to serve as a coat of arms for the state of North Dakota.

Which has been read.

## ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Hernett           | Olson     |
| Bilden     | Holand            | Rue       |
| Bridston   | Johnson, Cavalier | Sayer     |
| Davis      | Kamrath           | Schmit    |
| Day        | Kieley            | Schroberg |
| Dewing     | Klefstad          | Solberg   |
| Dolan      | Knudson           | Torno     |
| Duffy      | Krenz             | Tuff      |
| Ferry      | Kusler            | Wadeson   |
| Fiedler    | Livingston        | Welander  |
| Fraser     | Luick             | Wog       |
| Freed      | Meidinger         | Wolf      |
| Gilbertson | Nelson            | Yunker    |
| Hagen      | O'Brien           |           |

Absent and not voting:

|               |          |          |
|---------------|----------|----------|
| Berube        | Leier    | Streibel |
| Foss          | Page     | Thomas   |
| Johnson, Cass | Schoeder |          |

So the resolution was adopted and the title was agreed to. Senator Rue changed his vote from nay to aye.

House Concurrent Resolution "W". A Concurrent Resolution directing the legislative research committee to revise and modernize the statutes of North Dakota governing the taking up and disposal of estray animals.

Which has been read.

## ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 35; nays, 6; absent and not voting, 8.

Those voting in the affirmative were:

|            |               |          |
|------------|---------------|----------|
| Baeverstad | Holand        | Olson    |
| Bridston   | Johnson, Cass | Rue      |
| Davis      | Kamrath       | Sayer    |
| Day        | Kieley        | Schmit   |
| Dolan      | Knudson       | Solberg  |
| Duffy      | Krenz         | Tuff     |
| Ferry      | Kusler        | Wadeson  |
| Fiedler    | Livingston    | Welander |
| Freed      | Luick         | Wog      |
| Gilbertson | Meidinger     | Wolf     |
| Hagen      | Nelson        | Yunker   |
| Hernett    | O'Brien       |          |

Those voting in the negative were:

|        |                   |         |
|--------|-------------------|---------|
| Dewing | Johnson, Cavalier | Schroek |
| Fraser | Klefstad          | Torno   |

Absent and not voting:

|        |          |          |
|--------|----------|----------|
| Berube | Leier    | Streibel |
| Bilden | Page     | Thomas   |
| Foss   | Schoeder |          |

So the resolution was adopted and the title was agreed to.

Senator Day moved that House Concurrent Resolution "Q-1" be placed at the head of the calendar, which motion prevailed.

**House Concurrent Resolution "Q-1".** A Concurrent Resolution relating to law enforcement problems upon Indian reservations.

Which has been read.

#### ROLL CALL

The question being on the final passage of the resolution, as amended by the senate, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | O'Brien  |
| Bridston   | Johnson, Cass     | Olson    |
| Davis      | Johnson, Cavalier | Rue      |
| Day        | Kamrath           | Sayer    |
| Dewing     | Kieley            | Schmit   |
| Dolan      | Klefstad          | Schrock  |
| Duffy      | Knudson           | Solberg  |
| Ferry      | Krenz             | Torno    |
| Fiedler    | Kusler            | Tuff     |
| Fraser     | Livingston        | Wadeson  |
| Freed      | Luick             | Welander |
| Gilbertson | Meidinger         | Wolf     |
| Hagen      | Nelson            | Yunker   |
| Hennett    |                   |          |

Absent and not voting:

|        |          |          |
|--------|----------|----------|
| Berube | Leier    | Streibel |
| Bilden | Page     | Thomas   |
| Foss   | Schoeder | Wog      |

So the resolution was adopted and the title was agreed to.

#### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "G"  
House Concurrent Resolution "L"  
House Concurrent Resolution "U"  
House Concurrent Resolution "W"

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "Q-1"

Which the Senate has amended.

EDWARD LENO, Secretary.

Senator Day moved that House Concurrent Resolution "T-1" be placed at the foot of the calendar, which motion prevailed.

#### SECOND READING OF HOUSE RESOLUTIONS

**House Concurrent Resolution "Z-1".** A Concurrent Resolution urging that import restrictions upon Selkirk wheat be eased.

Which has been read.

## ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | O'Brien  |
| Bilden     | Johnson, Cass     | Olson    |
| Bridston   | Johnson, Cavalier | Rue      |
| Davis      | Kamrath           | Sayer    |
| Day        | Kieley            | Schrock  |
| Dewing     | Klefstad          | Solberg  |
| Dolan      | Knudson           | Torno    |
| Duffy      | Krenz             | Tuff     |
| Ferry      | Kusler            | Wadeson  |
| Fiedler    | Livingston        | Welander |
| Fraser     | Luick             | Wog      |
| Gilbertson | Meidinger         | Wolf     |
| Hagen      | Nelson            | Yunker   |
| Hernett    |                   |          |

Absent and not voting:

|        |        |          |
|--------|--------|----------|
| Berube | Leier  | Schoeder |
| Foss   | Page   | Streibel |
| Freed  | Schmit | Thomas   |

So the resolution was adopted and the title was agreed to.

**House Concurrent Resolution "C-2".** A Concurrent Resolution for the amendment of section 45 of the Constitution of the state of North Dakota relating to the compensation of members of the legislative assembly.

Was read the second time.

## ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Rue      |
| Bilden     | Johnson, Cass     | Sayer    |
| Bridston   | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schoeder |
| Day        | Kieley            | Schrock  |
| Dewing     | Klefstad          | Solberg  |
| Dolan      | Knudson           | Thomas   |
| Duffy      | Krenz             | Torno    |
| Ferry      | Kusler            | Tuff     |
| Fiedler    | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | O'Brien           | Yunker   |
| Hernett    | Olson             |          |

Absent and not voting:

|        |       |          |
|--------|-------|----------|
| Berube | Leier | Streibel |
| Foss   | Page  |          |

So the resolution was adopted and the title was agreed to.

**House Concurrent Resolution "E-2".** 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 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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Rue      |
| Bilden     | Johnson, Cass     | Sayer    |
| Bridston   | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schoeder |
| Day        | Kieley            | Schrock  |
| Dewing     | Klefstad          | Solberg  |
| Dolan      | Knudson           | Thomas   |
| Duffy      | Krenz             | Torno    |
| Ferry      | Kusler            | Tuff     |
| Fiedler    | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | O'Brien           | Yunker   |
| Hernett    | Olson             |          |

Absent and not voting:

|        |       |          |
|--------|-------|----------|
| Berube | Leier | Streibel |
| Foss   | Page  |          |

So the resolution was adopted and the title was agreed to.

**House Concurrent Resolution "F-2".** A Concurrent Resolution providing for the retaining of certain employees of the Senate and House after the legislative session for the purpose of completing legislative work.

Which has been read.

#### 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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Rue      |
| Bilden     | Johnson, Cass     | Sayer    |
| Bridston   | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schoeder |
| Day        | Kieley            | Schrock  |
| Dewing     | Klefstad          | Solberg  |
| Dolan      | Knudson           | Thomas   |
| Duffy      | Krenz             | Torno    |
| Ferry      | Kusler            | Tuff     |
| Fiedler    | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | O'Brien           | Yunker   |
| Hernett    | Olson             |          |

Absent and not voting:

|        |       |          |
|--------|-------|----------|
| Berube | Leier | Streibel |
| Foss   | Page  |          |

So the resolution was adopted and the title was agreed to.



House Concurrent Resolution "G-2". A Concurrent Resolution providing for the completion of the legislative journals of the House and Senate.

Which has been read.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dolan      | Knudson           | Solberg  |
| Duffy      | Krenz             | Thomas   |
| Ferry      | Kusler            | Torno    |
| Fiedler    | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meldinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     |                   |          |

Absent and not voting:

|        |       |          |
|--------|-------|----------|
| Berube | Foss  | Page     |
| Dewing | Leier | Streibel |

So the resolution was adopted and the title was agreed to.

#### MOTIONS

Senator Day moved that House Concurrent Resolutions "B-2" and "V-1" be returned to the Senate from the committees, which motion prevailed.

Senator Day moved that House Concurrent Resolutions "B-2" and "V-1" be placed on the calendar, which motion prevailed.

Senator Day moved that House Concurrent Resolution "B-2" be placed at the foot of the calendar, which motion prevailed.

Senator Day moved that House Concurrent Resolution "V-1" be placed at the head of the calendar, which motion prevailed.

Senator Day moved that House Concurrent Resolution "O-1" be returned to the Senate from the committee, which motion prevailed.

Senator Day moved that House Concurrent Resolution "O-1" be placed on the calendar after House Concurrent Resolution "V-1", which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Concurrent Resolution "V-1". A Concurrent Resolution urging the Federal Power Commission to deny applications for the importation of foreign natural gas into the North Central area which a surplus of gas exists in this area.

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, 24; absent and not voting, 5.

Those voting in the affirmative were:

|          |            |          |
|----------|------------|----------|
| Bilden   | Knudson    | Sayer    |
| Davis    | Kusler     | Thomas   |
| Dewing   | Livingston | Torno    |
| Fiedler  | Meidinger  | Tuff     |
| Kamrath  | O'Brien    | Welander |
| Kieley   | Olson      | Wog      |
| Klefstad | Rue        |          |

Those voting in the negative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Gilbertson        | Nelson   |
| Bridston   | Hagen             | Schmit   |
| Day        | Hernett           | Schoeder |
| Dolan      | Holand            | Schrock  |
| Duffy      | Johnson, Cass     | Solberg  |
| Ferry      | Johnson, Cavalier | Wadeson  |
| Fraser     | Krenz             | Wolf     |
| Freed      | Luick             | Yunker   |

Absent and not voting:

|        |       |          |
|--------|-------|----------|
| Berube | Leier | Streibel |
| Foss   | Page  |          |

So the resolution was declared lost due to the lack of a constitutional majority.

## MOTIONS

Senator Duffy moved that the vote by which House Bill No. 736 was passed be reconsidered, which motion prevailed.

Senator Duffy moved that House Bill No. 736 be placed at the head of the calendar, which motion prevailed.

Senator Duffy moved that House Bill No. 736 be amended as follows:

Amend the last line of the title by inserting before the period and after the word "systems" a comma and the words "and making an appropriation for administration".

In line 405 after the word "July" insert the following: "1," and after the number "1955" insert the following: "and ending June 30, 1957,".

In line 407 before the period at the end of the line insert the following: "or so much thereof as may be necessary and not otherwise appropriated".

Which motion prevailed.

Senator Duffy moved that the rules be suspended and House Bill No. 736 be placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS  
AND RESOLUTIONS

**House Bill No. 736.** A Bill for an Act to provide for the coverage under the Old Age and Survivors Insurance provisions of title II of the Federal Social Security Act, as amended, of all officers and employees of the state of North Dakota and political subdivisions within the state who are under the provisions of Chapter 52-09, entitled, Old Age and Survivors Insurance, or who may by election come under the

provisions of such chapter, and of all officers and employees of political subdivisions who are under locally administered retirement systems.

Was read the second time.

#### 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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Rue      |
| Bilden     | Johnson, Cass     | Sayer    |
| Bridston   | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schoeder |
| Day        | Kieley            | Schrock  |
| Dewing     | Klefstad          | Solberg  |
| Dolan      | Knudson           | Thomas   |
| Duffy      | Krenz             | Torno    |
| Ferry      | Kusler            | Tuff     |
| Fiedler    | Livingston        | Wadeson  |
| Fraser     | Luick             | Welander |
| Freed      | Meidinger         | Wog      |
| Gilbertson | Nelson            | Wolf     |
| Hagen      | O'Brien           | Yunker   |
| Hernett    | Olson             |          |

Absent and not voting:

|        |       |          |
|--------|-------|----------|
| Berube | Leier | Streibel |
| Foss   | Page  |          |

So the bill passed and the title was agreed to.

Senator Day moved that House Concurrent Resolution "T-1" be placed at the head of the calendar, which motion prevailed.

House Concurrent Resolution "T-1". A Concurrent Resolution for an amendment to section 216 of the Constitution of the state of North Dakota, and directing the legislative assembly to establish an educational institution at Williston.

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:

|            |               |          |
|------------|---------------|----------|
| Baeverstad | Holand        | Rue      |
| Bilden     | Johnson, Cass | Sayer    |
| Bridston   | Kamrath       | Schmit   |
| Davis      | Kieley        | Schoeder |
| Day        | Klefstad      | Schrock  |
| Dewing     | Knudson       | Solberg  |
| Dolan      | Krenz         | Thomas   |
| Duffy      | Kusler        | Torno    |
| Ferry      | Livingston    | Tuff     |
| Fiedler    | Luick         | Wadeson  |
| Fraser     | Meidinger     | Welander |
| Freed      | Nelson        | Wog      |
| Gilbertson | O'Brien       | Wolf     |
| Hagen      | Olson         | Yunker   |
| Hernett    |               |          |

Those voting in the negative were:

Johnson, Cavalier

Absent and not voting:

Berube

Leier

Streibel

Foss

Page

So the resolution was adopted and the title was agreed to.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 736

Which the Senate has amended.

EDWARD LENO, Secretary.

#### FIRST READING OF HOUSE RESOLUTIONS

**House Concurrent Resolution "H-2".** A Concurrent Resolution urging Congress and the Bureau of Indian Affairs to establish tribal courts or courts of Indian offenses for the Fort Totten Indian Reservation.

Was read the first time and referred to the Committee on Judiciary.

**House Concurrent Resolution "I-2".** A Concurrent Resolution relating to the old age and survivor's insurance system.

Was read the first time and referred to the Committee on Judiciary.

**House Concurrent Resolution "W-1".** A Concurrent Resolution directing the legislative research committee to study the licensing and inspection activities of the public service commission.

Was read the first time and referred to the Committee on Judiciary.

#### MOTIONS

Senator Day moved that the following House Concurrent Resolutions be returned from the Judiciary Committee to the Senate: "H-2", "I-2", "W-1".

Which motion prevailed.

Senator Day moved that House Concurrent Resolutions "H-2", "I-2", and "W-1" be placed on the calendar, which motion prevailed.

#### CONFERENCE COMMITTEES

The President appointed as a Conference Committee to act with a like committee from the House to consider House Bill No. 541, Senators Holand, Duffy, and Bridston.

The President appointed as Conference Committee to act with a like committee from the House to consider House Bill No. 530, Senators Wadeson, Bilden and Klefstad.

The President appointed as a Conference Committee to act with a like committee from the House to consider House Bill No. 527, Senators Freed, Wolf and Davis.

The President appointed as Conference Committee to act with a like committee from the House to consider House Bill No. 501, Senators Day, Johnson (Cass) and Hagen.

The President appointed as a Conference Committee to act

with a like committee from the House to consider House Bill No. 811, Senators Baeverstad, Hernettt and Solberg.

MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "Z-1"  
House Concurrent Resolution "C-2"  
House Concurrent Resolution "E-2"  
House Concurrent Resolution "F-2"  
House Concurrent Resolution "G-2"  
House Concurrent Resolution "T-1"

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

Senator Day moved that the Senate recess, which motion prevailed.

The Senate reconvened at the call of the Chair.

MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 501, Senators Day, Johnson of Cass, and Hagen.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 811, Senators Baeverstad, Hernettt, and Solberg.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 541, Senators Holand, Duffy and Bridston.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 530, Senators Wadeson, Bilden, and Klefstad.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 527, Senators Freed, Wolf, and Davis.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "V-1"

Which the Senate has indefinitely postponed.

EDWARD LENO, Secretary.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 32  
 Senate Bill No. 46  
 Senate Bill No. 57  
 Senate Bill No. 105  
 Senate Bill No. 116  
 Senate Bill No. 129  
 Senate Bill No. 138  
 Senate Bill No. 152  
 Senate Bill No. 153  
 Senate Bill No. 155  
 Senate Bill No. 156  
 Senate Bill No. 157  
 Senate Bill No. 180  
 Senate Bill No. 190  
 Senate Bill No. 197  
 Senate Bill No. 203  
 Senate Bill No. 205  
 Senate Bill No. 210  
 Senate Bill No. 225  
 Senate Bill No. 228  
 Senate Bill No. 243  
 Senate Bill No. 247  
 Senate Bill No. 248

Were delivered to the Governor for his approval at the hour of 9:50 o'clock a.m., March 5, 1955.

ROSAMOND O'BRIEN, Chairman.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution "A"  
 Senate Concurrent Resolution "Q"  
 Senate Concurrent Resolution "B-1"  
 Senate Concurrent Resolution "C-1"

Was delivered to the Secretary of State at the hour of 10:07 o'clock a.m., March 5, 1955.

ROSAMOND O'BRIEN, Chairman.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 175  
 Senate Bill No. 176  
 Senate Bill No. 177  
 Senate Bill No. 178

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed, and the report was adopted.

#### MOTIONS

Senator Kusler moved that the Senate do not concur in the

House amendments to Senate Bill No. 183, which motion prevailed.

Senator Freed moved that the House be requested to return House Bill No. 818, which motion was declared lost.

Senator Knudson moved that the House be requested to return House Concurrent Resolution "Y-1", which motion prevailed.

Senator Freed moved that the House be requested to return House Concurrent Resolution "D-2", which motion prevailed.

#### MESSAGES TO THE SENATE

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 801 and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Reps. Baker, Baldwin, and Frank.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 802 and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Reps. Baker, Baldwin, and Frank.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills Nos. 535, 754 and 736, and House Concurrent Resolution "Q".

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bills Nos. 527 and 542.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 860 and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Reps. Paulson, Saumur, and Miller.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the Speaker has appointed as a new Conference Committee on House Bill No. 557, Reps. Leet, Stockman, and Schuler.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to return:

Senate Concurrent Resolution "S"  
Senate Concurrent Resolution "V"  
Senate Concurrent Resolution "W"  
Senate Concurrent Resolution "X"  
Senate Concurrent Resolution "A-1"

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to transmit:

House Bill No. 804  
House Bill No. 810  
House Bill No. 816  
House Bill No. 830  
House Bill No. 838  
House Bill No. 856  
House Bill No. 847  
House Bill No. 864

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to transmit:

House Bill No. 667  
House Bill No. 669  
House Bill No. 675  
House Bill No. 702  
House Bill No. 713  
House Bill No. 727  
House Bill No. 740  
House Bill No. 770  
House Bill No. 785  
House Bill No. 799

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to transmit:

House Bill No. 601  
House Bill No. 613  
House Bill No. 623  
House Bill No. 627  
House Bill No. 631  
House Bill No. 641  
House Bill No. 643  
House Bill No. 649  
House Bill No. 651  
House Bill No. 662

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.



House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to transmit:

House Bill No. 516  
House Bill No. 540  
House Bill No. 563  
House Bill No. 570  
House Bill No. 576  
House Bill No. 586  
House Bill No. 587  
House Bill No. 588  
House Bill No. 589  
House Bill No. 600

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

#### MOTIONS

Senator Page moved that the Senate do concur in the House amendments to Senate Bill No. 7, which motion prevailed.

Senator Page moved that the rules be suspended and Senate Bill No. 7 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 7.** A Bill for an Act making an appropriation for the general maintenance, improvement and repairs, equipment, miscellaneous expenses, and new buildings and special projects for the State Training School at Mandan, North Dakota.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Page     |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Day        | Kieley            | Schoeder |
| Dewing     | Klefstad          | Schrock  |
| Dolan      | Knudson           | Solberg  |
| Duffy      | Krenz             | Streibel |
| Ferry      | Kusler            | Thomas   |
| Fiedler    | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     |                   |          |

Absent and not voting:

|        |       |     |
|--------|-------|-----|
| Berube | Davis | Rue |
|--------|-------|-----|

So the bill passed and the title was agreed to.

Senator Page moved that the Senate do concur in the House amendments to Senate Bill No. 8, which motion prevailed.

Senator Page moved that the rules be suspended and Senate Bill No. 8 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

**Senate Bill No. 8.** A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous expenses, and new building of the State Penitentiary.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Bilden     | Johnson, Cass     | Rue      |
| Bridston   | Johnson, Cavalier | Sayer    |
| Davis      | Kamrath           | Schmit   |
| Day        | Kieley            | Schoeder |
| Dewing     | Klefstad          | Schrock  |
| Dolan      | Knudson           | Solberg  |
| Duffy      | Krenz             | Streibel |
| Ferry      | Kusler            | Thomas   |
| Fiedler    | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |

Absent and not voting:

Berube

So the bill passed and the title was agreed to.

Senator Holand moved that the Senate do concur in the House amendments to Senate Bill No. 173, which motion prevailed.

Senator Holand moved that the rules be suspended and Senate Bill No. 173 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

**Senate Bill No. 173.** A Bill for an Act authorizing clerks of court to destroy certain records.

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:

|          |                   |          |
|----------|-------------------|----------|
| Bilden   | Johnson, Cass     | Rue      |
| Bridston | Johnson, Cavalier | Sayer    |
| Davis    | Kamrath           | Schmit   |
| Day      | Kieley            | Schoeder |
| Dewing   | Klefstad          | Schrock  |
| Dolan    | Knudson           | Solberg  |

|            |            |          |
|------------|------------|----------|
| Duffy      | Krenz      | Streibel |
| Ferry      | Kusler     | Thomas   |
| Fiedler    | Leier      | Torno    |
| Foss       | Livingston | Tuff     |
| Fraser     | Luick      | Wadeson  |
| Freed      | Meidinger  | Welander |
| Gilbertson | Nelson     | Wog      |
| Hagen      | O'Brien    | Wolf     |
| Hernett    | Olson      | Yunker   |
| Holand     | Page       |          |

Absent and not voting:

|            |        |
|------------|--------|
| Baeverstad | Berube |
|------------|--------|

So the bill passed and the title was agreed to.

#### MOTION

Senator Livingston moved that the Senate recognize the students and their instructor from the Minot Model High School, which motion prevailed.

#### COMMUNICATION

A communication was read from the employees of the Senate, expressing thanks to the Senators for the social gathering.

#### REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 527, has had the same under consideration and recommends that the Senate recede from their amendments.

For the Senate:

SENATOR FREED  
SENATOR WOLF  
SENATOR DAVIS

For the House:

REP. LINDBERG  
REP. ANDERSON (Cass)  
REP. TOUGH

Senator Freed moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Freed moved that the rules be suspended and House Bill No. 527 be placed on second reading and final action, as amended by the Conference Committee, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 527. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Department of the Registrar of Motor Vehicles.

Which 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, 35; nays, 13; absent and not voting, 1.

Those voting in the affirmative were:

|            |                   |         |
|------------|-------------------|---------|
| Baeverstad | Johnson, Cass     | O'Brien |
| Bilden     | Johnson, Cavalier | Rue     |

|          |            |          |
|----------|------------|----------|
| Bridston | Kieley     | Sayer    |
| Davis    | Klefstad   | Schoeder |
| Day      | Knudson    | Schrock  |
| Dolan    | Krenz      | Solberg  |
| Duffy    | Kusler     | Thomas   |
| Foss     | Leier      | Torno    |
| Fraser   | Livingston | Wadeson  |
| Freed    | Luick      | Wog      |
| Hernett  | Meidinger  | Wolf     |
| Holand   | Nelson     |          |

Those voting in the negative were:

|            |         |          |
|------------|---------|----------|
| Dewing     | Kamrath | Streibel |
| Ferry      | Olson   | Tuff     |
| Fiedler    | Page    | Welander |
| Gilbertson | Schmit  | Yunker   |
| Hagen      |         |          |

Absent and not voting:

Berube

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. 530, has had the same under consideration and recommends that the House concur with the Senate amendments except as follows:

In line 3, strike out the Senate amended figure of "\$836,634.00" and insert in lieu thereof the figure "\$857,000.00".

In line 11, strike out the Senate amendment reading "not to exceed 46 patrolmen the first year of the biennium and not to exceed 49 patrolmen the second year of the biennium \$400,000.00" and insert in lieu thereof the following language and figure: "not to exceed 49 patrolmen during the biennium \$411,200.00".

In line 16, strike out the Senate amended figure of "\$86,000.00" and insert in lieu thereof the figure "\$87,800.00".

In line 17, strike out the Senate amended figure of "\$20,000.00" and insert in lieu thereof the figure "\$20,400.00".

In line 20, strike out the Senate amended figure of "\$220,000.00" and insert in lieu thereof the figure "\$226,300.00".

In line 23, strike out the Senate amended figure of "\$21,834.00" and insert in lieu thereof the figure "\$22,500.00".

In line 25, strike out the Senate amended total figure of "\$836,634.00" and insert in lieu thereof the figure "\$857,000.00".

For the Senate:

SENATOR WADESON  
SENATOR KLEFSTAD  
SENATOR BILDEN

For the House:

REP. VINJE  
REP. FINE  
REP. DAVIS

Senator Wadeson moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Wadeson moved that the rules be suspended an

House Bill No. 530, be placed on second reading and final action, as amended by the Conference Committee, which motion prevailed.

### SECOND READING OF HOUSE BILLS

**House Bill No. 530.** 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.

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, 5; absent and not voting, 2.

Those voting in the affirmative were:

|               |                   |          |
|---------------|-------------------|----------|
| Bilden        | Johnson, Cavalier | Sayer    |
| Bridston      | Kamrath           | Schmit   |
| Davis         | Kieley            | Schoeder |
| Day           | Klefstad          | Schrock  |
| Dewing        | Knudson           | Solberg  |
| Dolan         | Krenz             | Streibel |
| Duffy         | Leier             | Thomas   |
| Ferry         | Livingston        | Torno    |
| Foss          | Luick             | Tuff     |
| Fraser        | Meidinger         | Wadeson  |
| Freed         | Nelson            | Welander |
| Hernett       | O'Brien           | Wog      |
| Holand        | Page              | Wolf     |
| Johnson, Cass | Rue               | Yunker   |

Those voting in the negative were:

|            |        |       |
|------------|--------|-------|
| Fiedler    | Hagen  | Olson |
| Gilbertson | Kusler |       |

Absent and not voting:

|            |        |
|------------|--------|
| Baeverstad | Berube |
|------------|--------|

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. 542, has had the same under consideration and recommends that the House concur with the Senate amendments with the following corrections as to line numbers:

Change line 230 to 231.

Change line 232 to 233.

Change line 233 to 234.

For the Senate:

SENATOR DUFFY  
SENATOR KNUDSON  
SENATOR SCHMIT

For the House:

REP. LEET  
REP. SORTLAND  
REP. GUMERINGER

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 House Bill No. 542 be placed on second reading and final action, as amended by the Conference Committee, which motion prevailed.

### SECOND READING OF HOUSE BILLS

**House Bill No. 542.** A Bill for an Act relating to vehicle accidents, the duties of persons involved in such accidents, accident reports, the reports of magistrates, coroners, garage operators and others concerned with persons involved in accidents, providing penalties for false reports and failure to report as required, and repealing sections 39-0712, 39-0804, 39-0805, 39-0806, 39-0807, and 39-0808 of the North Dakota Revised Code of 1943.

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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Johnson, Cass     | Rue       |
| Bilden     | Johnson, Cavalier | Sayer     |
| Bridston   | Kamrath           | Schmit    |
| Davis      | Kieley            | Schoeder  |
| Day        | Klefstad          | Schrock   |
| Dolan      | Knudson           | Solberg   |
| Duffy      | Krenz             | Streibel  |
| Ferry      | Kusler            | Thomas    |
| Fiedler    | Leier             | Torno     |
| Foss       | Livingston        | Tuff      |
| Fraser     | Luick             | Wadeson   |
| Freed      | Meidinger         | Welanders |
| Gilbertson | Nelson            | Wog       |
| Hagen      | O'Brien           | Wolf      |
| Hernett    | Olson             | Yunker    |
| Holand     | Page              |           |

Absent and not voting:

Berube Dewing

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. 656, has had the same under consideration and recommends that the Senate recede from its amendments.

For the Senate:

SENATOR O'BRIEN  
SENATOR SAYER  
SENATOR THOMAS

For the House:

REP. LANGSETH  
REP. HAUGLAND  
REP. KNUDSON

Senator O'Brien moved that the report be adopted, which motion prevailed and the report was adopted.

Senator O'Brien moved that the rules be suspended and House Bill No. 656 be placed on second reading and final

action, as amended by the Conference Committee, which motion prevailed.

### SECOND READING OF HOUSE BILLS

**House Bill No. 656.** A Bill for an Act allowing the participation of friends or relatives in the costs of burial of county welfare cases.

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, 4; absent and not voting, 2.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Kieley            | Schrock  |
| Day        | Krenz             | Solberg  |
| Dolan      | Kusler            | Streibel |
| Ferry      | Leier             | Thomas   |
| Fiedler    | Livingston        | Torno    |
| Foss       | Luick             | Tuff     |
| Fraser     | Meidinger         | Wadeson  |
| Freed      | Nelson            | Welanden |
| Gilbertson | O'Brien           | Wog      |
| Hagen      | Olson             | Wolf     |
| Hernett    | Page              | Yunker   |
| Holand     |                   |          |

Those voting in the negative were:

|          |         |       |
|----------|---------|-------|
| Duffy    | Knudson | Sayer |
| Klefstad |         |       |

Absent and not voting:

|        |        |
|--------|--------|
| Berube | Dewing |
|--------|--------|

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. 557, has had the same under consideration and have failed to agree and recommend that the Conference Committee be discharged and another Conference Committee appointed.

For the Senate:

SENATOR WOG  
SENATOR HOLAND  
SENATOR NELSON

For the House:

REP. WOLF  
REP. MUELLER  
REP. STOCKMAN

Senator Wog 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. 663, has had the same under consideration and recommends that the House concur with Senate amendments and add the following language after the last word "government", change period to comma and add: "or

for providing for the operation and facilities for joint county agricultural fairs."

For the Senate:

SENATOR HAGEN  
 SENATOR KAMRATH  
 SENATOR JOHNSON, Cass

For the House:

REP. LANGSETH  
 REP. BALDWIN  
 REP. TOLLEFSON

Senator Hagen moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Hagen moved that the rules be suspended and House Bill No. 663 be placed on second reading and final action, as amended by the Conference Committee, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 663.** A Bill for an Act to provide for the joint exercise of powers of two or more governmental units or municipal corporations, including every city, village, county, town, park district, school district, and states and United States Governments and departments of each thereof; and also to provide that two or more of such governmental units, by agreement entered into through action of their governing bodies, may jointly or cooperatively exercise any of their respective separate powers or any power common to such contracting parties or any similar powers; to provide for disbursements from public funds, including funds already raised to buy real estate for public buildings and other proper funds or properties already on hand; repealing all acts or parts of acts in conflict herewith; and declaring an emergency.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Bilden     | Johnson, Cass     | Rue      |
| Bridston   | Johnson, Cavalier | Sayer    |
| Davis      | Kamrath           | Schmit   |
| Day        | Kieley            | Schoeder |
| Dewing     | Klefstad          | Schrock  |
| Dolan      | Knudson           | Solberg  |
| Duffy      | Krenz             | Streibel |
| Ferry      | Kusler            | Thomas   |
| Fiedler    | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |

Absent and not voting:

Berube

So the bill passed and the title was agreed to, and the emergency clause carried.



## FIRST READING OF SENATE RESOLUTION

Senator O'Brien introduced:

**Senate Resolution No. "E-1".** A Resolution to Obtain Possession of and to Provide Safekeeping for the Ballots and Official Records of the Special Election for State Senator held February 21, 1955.

Was read the first time.

Senator Day moved that Senate Resolution "E-1" be placed on the calendar for second reading and final passage, which motion prevailed.

## SECOND READING OF SENATE RESOLUTIONS

**Senate Resolution No. "E-1".** A Resolution to Obtain Possession of and to Provide Safekeeping for the Ballots and Official Records of the Special Election for State Senator held February 21, 1955.

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, 47; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | Nelson            | Wog      |
| Hagen      | O'Brien           | Wolf     |
| Hernett    | Olson             | Yunker   |
| Holand     | Page              |          |

Absent and not voting:

Berube

Excused:

Fiedler

So the resolution was adopted and the title was agreed to.

Senator Fiedler was excused from voting on the resolution.

Senator Streibel moved that the Senate direct the Highway Patrol to furnish transportation for the Sergeant-at-Arms to go to Washburn, county seat of McLean County, to bring the ballots of the special election held there to the Secretary of State's office, Bismarck, No. Dak., which motion prevailed.

## MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the

Senate has concurred in the House amendments to Senate Bills No. 7, 8, and 173.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on:

House Bill No. 527 by a vote of ayes, 35; nays, 13; absent and not voting, 1.

House Bill No. 530 by a vote of ayes, 42; nays, 5; absent and not voting, 2.

House Bill No. 542 by a vote of ayes, 47; nays, 0; absent and not voting, 2.

House Bill No. 656 by a vote of ayes, 43; nays, 4; absent and not voting, 2.

House Bill No. 663 by a vote of ayes, 48; nays, 0; absent and not voting, 1.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to request the return of House Concurrent Resolution "Y-1" and House Concurrent Resolution "D-2".

EDWARD LENO, Secretary.

#### REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 811 has had the same under consideration and your Committee could not reach an agreement so recommends that this Committee be discharged and a new Conference Committee be appointed.

For the Senate:

SENATOR BAEVERSTAD

SENATOR HERNETT

SENATOR SOLBERG

For the House:

REP. NYGAARD

REP. STICKA

REP. LINK

Senator Baeverstad moved that the report be adopted, which motion prevailed and the report was adopted.

#### MOTIONS

Senator Page moved that the Senate do not concur in the proposed House amendments to Senate Bill No. 1, and that a Conference Committee be appointed, which motion prevailed.

Senator Page moved that the Senate do concur in the House amendments to Senate Bill No. 2, which motion prevailed.

Senator Page moved that the rules be suspended and Senate Bill No. 2 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 2.** A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, and equipment, of the School for the Deaf at Devils Lake, North Dakota.

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        | Johnson, Cavalier | Sayer    |
| Bridston      | Kamrath           | Schmit   |
| Davis         | Kieley            | Schoeder |
| Day           | Klefstad          | Schrock  |
| Dewing        | Krenz             | Solberg  |
| Dolan         | Kusler            | Streibel |
| Duffy         | Leier             | Thomas   |
| Ferry         | Livingston        | Torno    |
| Fiedler       | Nelson            | Tuff     |
| Fraser        | O'Brien           | Welander |
| Freed         | Olson             | Wog      |
| Hagen         | Page              | Wolf     |
| Hernett       | Rue               | Yunker   |
| Johnson, Cass |                   |          |

Absent and not voting:

|            |            |           |
|------------|------------|-----------|
| Baeverstad | Gilbertson | Luick     |
| Berube     | Holand     | Meidinger |
| Foss       | Knudson    | Wadeson   |

So the bill passed and the title was agreed to.

Senator Page moved that the Senate do concur in the House amendments to Senate Bill No. 3, which motion prevailed.

Senator Page moved that the rules be suspended and Senate Bill No. 3 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

**Senate Bill No. 3.** A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, and miscellaneous items of the School for the Blind at Bathgate, North Dakota.

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, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

|         |            |          |
|---------|------------|----------|
| Bilden  | Kamrath    | Sayer    |
| Davis   | Kieley     | Schmit   |
| Day     | Klefstad   | Schoeder |
| Dolan   | Knudson    | Schrock  |
| Duffy   | Krenz      | Streibel |
| Ferry   | Kusler     | Thomas   |
| Fiedler | Leier      | Torno    |
| Fraser  | Livingston | Tuff     |
| Freed   | Luick      | Welander |

|                   |         |        |
|-------------------|---------|--------|
| Hagen             | O'Brien | Wog    |
| Hernett           | Olson   | Wolf   |
| Johnson, Cass     | Page    | Yunker |
| Johnson, Cavalier | Rue     |        |

Absent and not voting:

|            |            |         |
|------------|------------|---------|
| Baeverstad | Foss       | Nelson  |
| Berube     | Gilbertson | Solberg |
| Bridston   | Holand     | Wadeson |
| Dewing     | Meidinger  |         |

So the bill passed and the title was agreed to.

Senator Page moved that the Senate do concur in the House amendments to Senate Bill No. 4, which motion prevailed.

Senator Page moved that the rules be suspended and Senate Bill No. 4 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

**Senate Bill No. 4.** A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous items, and new buildings and special projects for the Grafton State School at Grafton, North Dakota, and declaring an emergency.

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, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

|          |                   |          |
|----------|-------------------|----------|
| Bilden   | Johnson, Cass     | Rue      |
| Bridston | Johnson, Cavalier | Sayer    |
| Davis    | Kamrath           | Schmit   |
| Day      | Kieley            | Schrock  |
| Dolan    | Klefstad          | Streibel |
| Duffy    | Kusler            | Thomas   |
| Ferry    | Leier             | Torno    |
| Fiedler  | Livingston        | Tuff     |
| Foss     | Luick             | Welander |
| Fraser   | Meidinger         | Wog      |
| Freed    | O'Brien           | Wolf     |
| Hagen    | Olson             | Yunker   |
| Hernett  | Page              |          |

Absent and not voting:

|            |         |          |
|------------|---------|----------|
| Baeverstad | Holand  | Schoeder |
| Berube     | Knudson | Solberg  |
| Dewing     | Krenz   | Wadeson  |
| Gilbertson | Nelson  |          |

So the bill passed and the title was agreed to, and the emergency clause carried.

#### MESSAGES TO THE SENATE

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 811 and the Speaker has appointed as a new Conference Committee, Reps. Nygaard, Hofstrand, and Haugland.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to return House Concurrent Resolutions "Y-1" and "D-2", as requested by the Senate.

KENNETH L. MORGAN, Chief-Clerk.

### MOTIONS

Senator Page moved that the Senate do not concur in the proposed amendments to Senate Bill No. 6, and that a Conference Committee be appointed, which motion prevailed.

Senator Page moved that the Senate do concur in the House amendments to Senate Bill No. 13, which motion prevailed.

Senator Page moved that the rules be suspended and Senate Bill No. 13 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

### SECOND READING OF SENATE BILLS

**Senate Bill No. 13.** A Bill for an Act making an appropriation for the enforcement and administration of the Attorney General Licensing Department.

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, 31; nays, 2; absent and not voting, 16.

Those voting in the affirmative were:

|          |               |          |
|----------|---------------|----------|
| Bridston | Gilbertson    | Page     |
| Davis    | Hernett       | Rue      |
| Day      | Johnson, Cass | Schmit   |
| Dewing   | Kamrath       | Schrock  |
| Dolan    | Kieley        | Solberg  |
| Duffy    | Leier         | Streibel |
| Ferry    | Livingston    | Torno    |
| Fiedler  | Luick         | Tuff     |
| Foss     | O'Brien       | Wolf     |
| Fraser   | Olson         | Yunker   |
| Freed    |               |          |

Those voting in the negative were:

Hagen                      Wog

Absent and not voting:

|                   |           |          |
|-------------------|-----------|----------|
| Baeverstad        | Knudson   | Sayer    |
| Berube            | Krenz     | Schoeder |
| Bilden            | Kusler    | Thomas   |
| Holand            | Meidinger | Wadeson  |
| Johnson, Cavalier | Nelson    | Welander |
| Klefstad          |           |          |

So the bill passed and the title was agreed to.

Senator Page moved that the Senate do concur in the House amendments to Senate Bill No. 15, which motion prevailed.

Senator Page moved that the rules be suspended and Senate Bill No. 15 be deemed properly re-engrossed and

placed on second reading and final action, as amended by the House, which motion prevailed.

**Senate Bill No. 15.** 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, the administrative expenses and the teaching preparation scholarships of the teacher preparation scholarship plan, and two agricultural schools on the basis of enrollment.

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, 0; absent and not voting, 15.

Those voting in the affirmative were:

|            |               |          |
|------------|---------------|----------|
| Bridston   | Hagen         | Sayer    |
| Davis      | Hernett       | Schmit   |
| Day        | Holand        | Schrock  |
| Dewing     | Johnson, Cass | Solberg  |
| Dolan      | Kamrath       | Streibel |
| Duffy      | Kieley        | Torno    |
| Ferry      | Leier         | Tuff     |
| Fiedler    | Livingston    | Welander |
| Foss       | O'Brien       | Wog      |
| Fraser     | Olson         | Wolf     |
| Freed      | Rue           | Yunker   |
| Gilbertson |               |          |

Absent and not voting:

|                   |           |          |
|-------------------|-----------|----------|
| Baeverstad        | Knudson   | Nelson   |
| Berube            | Krenz     | Page     |
| Bilden            | Kusler    | Schoeder |
| Johnson, Cavalier | Luick     | Thomas   |
| Klefstad          | Meidinger | Wadeson  |

So the bill passed and the title was agreed to.

Senator Page moved that the Senate do concur in the House amendments to Senate Bill No. 18, which motion prevailed.

Senator Page moved that the rules be suspended and Senate Bill No. 18 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

**Senate Bill No. 18.** A Bill for an Act making an appropriation for the use of special education of exceptional children.

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, 28; nays, 6; absent and not voting, 15.

Those voting in the affirmative were:

|            |               |          |
|------------|---------------|----------|
| Davis      | Johnson, Cass | Schoeder |
| Dewing     | Kamrath       | Schrock  |
| Dolan      | Kieley        | Solberg  |
| Duffy      | Livingston    | Thomas   |
| Fiedler    | Meidinger     | Torno    |
| Fraser     | Nelson        | Tuff     |
| Freed      | O'Brien       | Wadeson  |
| Gilbertson | Olson         | Wolf     |
| Hagen      | Rue           | Yunker   |
| Holand     |               |          |

Those voting in the negative were:

|       |        |          |
|-------|--------|----------|
| Ferry | Page   | Streibel |
| Leier | Schmit | Welander |

Absent and not voting:

|            |                   |        |
|------------|-------------------|--------|
| Baeverstad | Foss              | Krenz  |
| Berube     | Hernett           | Kusler |
| Bilden     | Johnson, Cavalier | Luick  |
| Bridston   | Klefstad          | Sayer  |
| Day        | Knudson           | Wog    |

So the bill passed and the title was agreed to.

Senator Page moved that the Senate do not concur in the proposed House amendments to Senate Bill No. 19, and that a Conference Committee be appointed, which motion prevailed.

Senator Page moved that the Senate do concur in the House amendments to Senate Bill No. 21, which motion prevailed.

Senator Page moved that the rules be suspended and Senate Bill No. 21 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

Senate Bill No. 21. A Bill for an Act making an appropriation for salaries and expenses for the State Seed Department. 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, 33; nays, 9; absent and not voting, 7.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Bridston   | Johnson, Cass     | Rue      |
| Davis      | Johnson, Cavalier | Sayer    |
| Dolan      | Kamrath           | Schrock  |
| Duffy      | Kieley            | Solberg  |
| Ferry      | Klefstad          | Streibel |
| Foss       | Krenz             | Thomas   |
| Freed      | Leier             | Torno    |
| Gilbertson | Livingston        | Tuff     |
| Hagen      | Meidinger         | Welander |
| Hernett    | Nelson            | Wolf     |
| Holand     | Page              | Yunker   |

Those voting in the negative were:

|            |        |          |
|------------|--------|----------|
| Baeverstad | Fraser | Olson    |
| Dewing     | Kusler | Schmit   |
| Fiedler    | Luick  | Schoeder |

Absent and not voting:

|        |         |         |
|--------|---------|---------|
| Berube | Knudson | Wadeson |
| Bilden | O'Brien | Wog     |
| Day    |         |         |

So the bill passed and the title was agreed to.

Senator Page moved that the Senate do concur in the House amendments to Senate Bill No. 31, which motion prevailed.

Senator Page moved that the rules be suspended and Senate Bill No. 31 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

**Senate Bill No. 31.** A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Bank of North Dakota.

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, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Bridston   | Johnson, Cass     | Rue      |
| Davis      | Johnson, Cavalier | Sayer    |
| Dewing     | Kamrath           | Schmit   |
| Dolan      | Kieley            | Schoeder |
| Duffy      | Klefstad          | Schrock  |
| Ferry      | Krenz             | Solberg  |
| Fiedler    | Kusler            | Streibel |
| Foss       | Leier             | Thomas   |
| Fraser     | Livingston        | Torno    |
| Freed      | Luick             | Tuff     |
| Gilbertson | Meidinger         | Welander |
| Hagen      | Nelson            | Wolf     |
| Hernett    | Olson             | Yunker   |

Absent and not voting:

|        |         |         |
|--------|---------|---------|
| Berube | Knudson | Wadeson |
| Bilden | O'Brien | Wog     |
| Day    |         |         |

So the bill passed and the title was agreed to.

### MOTIONS

Senator Holand moved that after the reading of the proposed House amendments to Senate Bill No. 34 the Senate be at ease subject to the call of the Chair, which motion prevailed, and the Senate stood at ease.

The Senate reconvened at the call of the Chair.

Senator Day moved that the Senate do not concur in the House amendments to Senate Bill No. 34, and that a Conference Committee be appointed, which motion prevailed.

### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 516  
 House Bill No. 540  
 House Bill No. 563  
 House Bill No. 570  
 House Bill No. 576  
 House Bill No. 586  
 House Bill No. 587  
 House Bill No. 588  
 House Bill No. 589  
 House Bill No. 600  
 House Bill No. 601  
 House Bill No. 613  
 House Bill No. 623  
 House Bill No. 627  
 House Bill No. 631  
 House Bill No. 641



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. 643  
 House Bill No. 649  
 House Bill No. 651  
 House Bill No. 662  
 House Bill No. 667  
 House Bill No. 669  
 House Bill No. 675  
 House Bill No. 702  
 House Bill No. 713  
 House Bill No. 727  
 House Bill No. 740  
 House Bill No. 770  
 House Bill No. 785  
 House Bill No. 799  
 House Bill No. 804  
 House Bill No. 810

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. 816  
 House Bill No. 830  
 House Bill No. 838  
 House Bill No. 847  
 House Bill No. 856  
 House Bill No. 864

And the President signed the same in the presence of the Senate.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bills and resolutions:

Senate Bill No. 12  
 Senate Bill No. 30  
 Senate Bill No. 68  
 Senate Bill No. 73  
 Senate Bill No. 166  
 Senate Bill No. 169  
 Senate Bill No. 175  
 Senate Bill No. 176  
 Senate Bill No. 177  
 Senate Bill No. 178  
 Senate Bill No. 241  
 Senate Concurrent Resolution "B"  
 Senate Concurrent Resolution "C"  
 Senate Concurrent Resolution "M"  
 Senate Concurrent Resoltuion "D-1"

And find the same correctly enrolled.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed, and the report was adopted.

MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 516  
House Bill No. 540  
House Bill No. 563  
House Bill No. 570  
House Bill No. 576  
House Bill No. 586  
House Bill No. 587  
House Bill No. 588  
House Bill No. 589  
House Bill No. 600

Which the President has signed.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 601  
House Bill No. 613  
House Bill No. 623  
House Bill No. 627  
House Bill No. 631  
House Bill No. 641  
House Bill No. 643  
House Bill No. 649  
House Bill No. 651  
House Bill No. 662

Which the President has signed.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 667  
House Bill No. 669  
House Bill No. 799  
House Bill No. 804  
House Bill No. 810  
House Bill No. 816  
House Bill No. 830  
House Bill No. 838  
House Bill No. 847  
House Bill No. 856  
House Bill No. 864

Which the President has signed.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to Senate Bills Nos. 2, 3, 4, 13, 15, 18, 21, and 31.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 675  
House Bill No. 702  
House Bill No. 713  
House Bill No. 727  
House Bill No. 740  
House Bill No. 770  
House Bill No. 785

Which the President has signed.

EDWARD LENO, Secretary.

### MESSAGES TO THE SENATE

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committees on House Bills Nos. 530 and 656.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 663.

KENNETH L. MORGAN, Chief Clerk.

### MOTIONS

Senator Freed moved that the Senate do concur in the House amendments to Senate Bill No. 58, which motion prevailed.

Senator Freed moved that the rules be suspended and Senate Bill No. 58 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

### SECOND READING OF SENATE BILLS,

Senate Bill No. 58. A Bill for an Act authorizing the state board of higher education to convey to the Dickinson School District, Number One, Stark County, North Dakota, five acres, more or less, of a tract of land situated in the northwest quarter of section four, township one hundred thirty-nine north, range ninety-six west of the fifth principal meridian, in the city of Dickinson, Stark County, North Dakota.

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:

|            |                   |        |
|------------|-------------------|--------|
| Baeverstad | Johnson, Cass     | Olson  |
| Bridston   | Johnson, Cavalier | Page   |
| Davis      | Kieley            | Rue    |
| Day        | Klefstad          | Schmit |

|            |            |          |
|------------|------------|----------|
| Dolan      | Knudson    | Solberg  |
| Duffy      | Krenz      | Streibel |
| Ferry      | Kusler     | Torno    |
| Fiedler    | Leier      | Tuff     |
| Foss       | Livingston | Wadeson  |
| Freed      | Luick      | Welander |
| Gilbertson | Meidinger  | Wog      |
| Hagen      | Nelson     | Wolf     |
| Hernett    | O'Brien    | Yunker   |
| Holand     |            |          |

Absent and not voting:

|        |         |          |
|--------|---------|----------|
| Berube | Fraser  | Schoeder |
| Bilden | Kamrath | Schrock  |
| Dewing | Sayer   | Thomas   |

So the bill passed and the title was agreed to.

Senator Luick moved that the Senate do concur in the House amendments to Senate Bill No. 72, which motion prevailed.

Senator Luick moved that the rules be suspended and Senate Bill No. 72 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

Senate Bill No. 72. A Bill for an Act making an appropriation to meet extraordinary expenses of law enforcement arising by reason of federal agencies, correcting a clerical error in chapter 8, section 1, 1953 Session Laws of North Dakota, and declaring an emergency.

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:

|               |                   |          |
|---------------|-------------------|----------|
| Baeverstad    | Johnson, Cavalier | Olson    |
| Davis         | Kamrath           | Rue      |
| Day           | Kieley            | Schmit   |
| Dolan         | Klefstad          | Schrock  |
| Duffy         | Knudson           | Solberg  |
| Ferry         | Krenz             | Streibel |
| Fiedler       | Kusler            | Torno    |
| Foss          | Leier             | Tuff     |
| Freed         | Livingston        | Wadeson  |
| Gilbertson    | Luick             | Welander |
| Hagen         | Meidinger         | Wog      |
| Hernett       | Nelson            | Wolf     |
| Holand        | O'Brien           | Yunker   |
| Johnson, Cass |                   |          |

Absent and not voting:

|          |        |          |
|----------|--------|----------|
| Berube   | Dewing | Sayer    |
| Bilden   | Fraser | Schoeder |
| Bridston | Page   | Thomas   |

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Schrock moved that the Senate do concur in the House amendments to Senate Bill No. 172, which motion prevailed.

Senator Schrock moved that the rules be suspended and

Seante Bill No. 172 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

Senate Bill No. 172. A Bill for an Act to amend and reenact section 15-4014 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to high school tuition payments from state equalization fund, and declaring an emergency.

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, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

|            |                   |           |
|------------|-------------------|-----------|
| Baeverstad | Holand            | Olson     |
| Bilden     | Johnson, Cass     | Rue       |
| Davis      | Johnson, Cavalier | Schrock   |
| Day        | Kamrath           | Solberg   |
| Dolan      | Kieley            | Streibel  |
| Duffy      | Knudson           | Torno     |
| Ferry      | Krenz             | Tuff      |
| Fiedler    | Leier             | Wadeson   |
| Foss       | Livingston        | Welanders |
| Freed      | Luick             | Wog       |
| Gilbertson | Nelson            | Wolf      |
| Hagen      | O'Brien           | Yunker    |
| Hernett    |                   |           |

Absent and not voting:

|          |           |          |
|----------|-----------|----------|
| Berube   | Klefstad  | Sayer    |
| Bridston | Kusler    | Schmit   |
| Dewing   | Meidinger | Schoeder |
| Fraser   | Page      | Thomas   |

So the bill passed and the title was agreed to, and the emergency clause carried.

Senator Livingston moved that Senate do concur in the House amendments to Senate Bill No. 186.

Senator Knudson made a substitute motion that Senate Bill No. 186 be indefinitely postponed, which motion was declared lost.

The question being on the motion of Senator Livingston that the Senate do concur in the House amendments to Senate Bill No. 186, the motion prevailed.

Senator Livingston moved that the rules be suspended and Senate Bill No. 186 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

Senate Bill No. 186. A Bill for an Act relating to actions arising out of the use or application of any herbicide, insecticide, fungicide or agricultural chemical by aircraft; provision for filing reports of loss and time limitations.

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, 32; nays, 12; absent and not voting, 5.

Those voting in the affirmative were:

|        |                   |          |
|--------|-------------------|----------|
| Bilden | Johnson, Cavalier | Schoeder |
|--------|-------------------|----------|

|               |            |          |
|---------------|------------|----------|
| Day           | Kamrath    | Schrock  |
| Dewing        | Kieley     | Solberg  |
| Ferry         | Livingston | Streibel |
| Fiedler       | Luick      | Thomas   |
| Foss          | O'Brien    | Tuff     |
| Fraser        | Olson      | Welander |
| Gilbertson    | Page       | Wog      |
| Hagen         | Rue        | Wolf     |
| Hernett       | Sayer      | Yunker   |
| Johnson, Cass | Schmit     |          |

Those voting in the negative were:

|            |         |           |
|------------|---------|-----------|
| Baeverstad | Freed   | Leier     |
| Bridston   | Holand  | Meidinger |
| Davis      | Knudson | Nelson    |
| Dolan      | Krenz   | Torno     |

Absent and not voting:

|        |          |         |
|--------|----------|---------|
| Berube | Klefstad | Wadeson |
| Duffy  | Kusler   |         |

So the bill passed and the title was agreed to.

Senator Day moved that the Senate do not concur in the proposed House amendments to Senate Bill No. 220 and that a Conference Committee be appointed, which motion prevailed.

Senator Day moved that the Senate do concur in the House amendments to Senate Bill No. 211, which motion prevailed.

Senator Day moved that the rules be suspended and Senate Bill No. 211 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

Senate Bill No. 211. A Bill for an Act to amend and reenact Section 64-0210 of the 1953 Supplement to the North Dakota Revised Code of 1943.

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, 8; absent and not voting, 5.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Page     |
| Bridston   | Johnson, Cass     | Sayer    |
| Davis      | Johnson, Cavalier | Schoeder |
| Day        | Kamrath           | Schrock  |
| Dolan      | Kieley            | Solberg  |
| Duffy      | Knudson           | Thomas   |
| Fiedler    | Krenz             | Torno    |
| Foss       | Livingston        | Tuff     |
| Freed      | Luick             | Wadeson  |
| Gilbertson | Meidinger         | Wog      |
| Hagen      | Nelson            | Wolf     |
| Hernett    | O'Brien           | Yunker   |

Those voting in the negative were:

|        |        |          |
|--------|--------|----------|
| Dewing | Leier  | Streibel |
| Ferry  | Olson  | Welander |
| Fraser | Schmit |          |

Absent and not voting:

|        |          |     |
|--------|----------|-----|
| Berube | Klefstad | Rue |
| Bilden | Kusler   |     |

So the bill passed and the title was agreed to.

Senator Day: I wish to explain my vote on this bill. The inspector that handles this work has been in that work for some time and spent most of his time last June campaigning against me in my district. However, he is a jovial soul and has indicated to me several times since then that he was sorry he did so, and I wanted to be sure he got this increase in order that he might go on with his good work in that department.

#### CONFERENCE COMMITTEES

The President appointed a Conference Committee to act with a like committee from the House to consider Senate Bill No. 183, Senators O'Brien, Ferry and Livingston.

The President appointed a Conference Committee to act with a like committee from the House, to consider House Bill No. 811, Senators Wog, Kusler, and Baeverstad.

The President appointed a Conference Committee to act with a like committee from the House, to consider House Bill No. 557, Senators Hernet, Leier and Schoeder.

The President appointed a Conference Committee to act with a like committee from the House, to consider House Bills Nos. 801 and 802, Senators Day, Welander and Foss.

The President appointed a Conference Committee to act with a like committee from the House to consider Senate Bill No. 1, Senators Page, Dewing and Duffy.

The President appointed a Conference Committee to act with a like committee from the House to consider Senate Bill No. 6, Senators Luick, Bilden and Solberg.

The President appointed a Conference Committee to act with a like committee from the House to consider Senate Bill No. 19, Senators Kamrath, Ferry and Rue.

The President appointed a Conference Committee to act with a like committee from the House to consider Senate Bill No. 34, Senators Day, Wolf and Bridston.

The President appointed a Conference Committee to act with a like committee from the House, to consider House Bill No. 860, Senators Krenz, Johnson (Cav) and Tuff.

The President appointed a Conference Committee to act with a like committee from the House to consider Senate Bill No. 220, Senators Davis, Fraser and Yunker.

#### MOTION

Senator Day moved that the Senate do concur in the House amendments to Senate Bill No. 224, which motion prevailed.

Senator Day moved that the rules be suspended and Senate Bill No. 224 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

#### SECOND READING OF SENATE BILLS AND RESOLUTIONS

**Senate Bill No. 224.** A Bill for an Act to amend and reenact Section 40-1819 of the North Dakota Revised Code of 1943 relating to appeals from determinations of police magistrate or village justice; Trial; Bail.

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, 0; absent and not voting, 6.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Bilden     | Johnson, Cass     | Sayer    |
| Davis      | Johnson, Cavalier | Schmit   |
| Day        | Kamrath           | Schoeder |
| Dewing     | Kieley            | Schrock  |
| Dolan      | Knudson           | Solberg  |
| Duffy      | Krenz             | Streibel |
| Ferry      | Leier             | Thomas   |
| Fiedler    | Livingston        | Torno    |
| Foss       | Luick             | Tuff     |
| Fraser     | Meidinger         | Wadeson  |
| Freed      | Nelson            | Welander |
| Gilbertson | O'Brien           | Wog      |
| Hagen      | Olson             | Wolf     |
| Hernett    | Page              | Yunker   |
| Holand     |                   |          |

Absent and not voting:

|            |          |        |
|------------|----------|--------|
| Baeverstad | Bridston | Kusler |
| Berube     | Klefstad | Rue    |

So the bill passed and the title was agreed to.

Senator Streibel moved that the Senate do concur in the House amendments to Senate Concurrent Resolution "H", which motion prevailed.

Senator Streibel moved that the rules be suspended and Senate Concurrent Resoluion "H" be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

Senate Concurrent Resolution "H". A Concurrent Resolution urging that steps be taken to make available natural gas to the people of North Dakota.

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, 37; nays, 2; absent and not voting, 10.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Davis      | Holand            | Page     |
| Day        | Johnson, Cass     | Schmit   |
| Dewing     | Johnson, Cavalier | Schoeder |
| Dolan      | Kamrath           | Schrock  |
| Duffy      | Kieley            | Solberg  |
| Ferry      | Krenz             | Streibel |
| Fiedler    | Leier             | Thomas   |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Nelson            | Welander |
| Gilbertson | O'Brien           | Wolf     |
| Hagen      | Olson             | Yunker   |
| Hernett    |                   |          |

Those voting in the negative were:

|           |       |
|-----------|-------|
| Meidinger | Sayer |
|-----------|-------|



Absent and not voting:

|            |          |       |
|------------|----------|-------|
| Baeverstad | Klefstad | Rue   |
| Berube     | Knudson  | Torno |
| Bilden     | Kusler   | Wog   |
| Bridstøn   |          |       |

So the resolution was adopted and the title was agreed to.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

|                 |     |
|-----------------|-----|
| Senate Bill No. | 2   |
| Senate Bill No. | 3   |
| Senate Bill No. | 4   |
| Senate Bill No. | 7   |
| Senate Bill No. | 8   |
| Senate Bill No. | 13  |
| Senate Bill No. | 15  |
| Senate Bill No. | 18  |
| Senate Bill No. | 21  |
| Senate Bill No. | 31  |
| Senate Bill No. | 58  |
| Senate Bill No. | 72  |
| Senate Bill No. | 172 |
| Senate Bill No. | 173 |
| Senate Bill No. | 186 |
| Senate Bill No. | 211 |
| Senate Bill No. | 224 |

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien 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.              | 12    |
| Senate Bill No.              | 30    |
| Senate Bill No.              | 68    |
| Senate Bill No.              | 73    |
| Senate Bill No.              | 166   |
| Senate Bill No.              | 169   |
| Senate Bill No.              | 175   |
| Senate Bill No.              | 176   |
| Senate Bill No.              | 177   |
| Senate Bill No.              | 178   |
| Senate Bill No.              | 241   |
| Senate Concurrent Resolution | "B"   |
| Senate Concurrent Resolution | "C"   |
| Senate Concurrent Resolution | "M"   |
| Senate Concurrent Resolution | "D-1" |

And the President signed the same in the presence of the Senate.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 12  
 Senate Bill No. 30  
 Senate Bill No. 68  
 Senate Bill No. 73  
 Senate Bill No. 166  
 Senate Bill No. 169  
 Senate Bill No. 175  
 Senate Bill No. 176  
 Senate Bill No. 177  
 Senate Bill No. 178  
 Senate Bill No. 241  
 Senate Concurrent Resolution "B"  
 Senate Concurrent Resolution "C"  
 Senate Concurrent Resolution "M"  
 Senate Concurrent Resolution "D-1"

Which the President has signed and your signature is respectfully requested.

EDWARD LENO, Secretary.

Senate Chamber  
 Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 183 and the President has appointed as a Conference Committee, Senators O'Brien, Ferry, and Livingston.

EDWARD LENO, Secretary.

Senate Chamber  
 Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee, on House Bill No. 860, Senators, Krenz, Johnson of Cass, and Tuff.

EDWARD LENO, Secretary.

Senate Chamber  
 Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee, on House Bill No. 802, Senators Day, Welander, and Foss.

EDWARD LENO, Secretary.

Senate Chamber  
 Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee, on House Bill No. 801, Senators Day, Welander, and Foss.

EDWARD LENO, Secretary.

Senate Chamber  
 Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the Senate has refused to adopt the report of the Conference Committee on House Bill No. 811, and the President has appointed as a new Conference Committee, Senators, Wog, Kusler, and Baeverstad.

EDWARD LENO, Secretary.

Senate Chamber  
 Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the Senate has refused to adopt the report of the Conference

Committee on House Bill No. 557, and the President has appointed as a new Conference Committee, Senators Hernet, Leier, and Schoeder.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 220, and the President has appointed as a Conference Committee to act with a like committee from the House, Senators Davis, Fraser, and Yunker.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 34, and the President has appointed as a Conference Committee to act with a like committee from the House, Senators Day, Wolf, and Bridston.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 19, and the President has appointed as a Conference Committee, Senators Kamrath, Ferry, and Rue.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 6, and the President has appointed as a Conference Committee, Senators Luick, Bilden and Solberg.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

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, Senators, Page, Dewing, and Duffy.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to Senate Bills Nos. 58, 72, 172, 186, 211, 224, and Senate Concurrent Resolution "H".

EDWARD LENO, Secretary.

#### MOTIONS

Senator Wog moved that the Senate do not concur in the House amendments to Senate Bill No. 164 and that a Conference Committee be appointed, which motion prevailed.

The President appointed as a Conference Committee to

meet with a like committee from the House to consider Senate Bill No. 164, Senators Wog, Meidinger and Thomas.

Senator Day moved that the Senate do concur in the House amendments to Senate Bill No. 53, which motion prevailed.

Senator Day moved that the rules be suspended and Senate Bill No. 53 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

**Senate Bill No. 53.** A Bill for an Act to amend and reenact sections 43-2201, 43-2202, 43-2205, 43-2206 and 43-2208 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to registration of oil and gas brokers, and certification of their employees and agents, and declaring an emergency.

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:

|                   |            |           |
|-------------------|------------|-----------|
| Baeverstad        | Kamrath    | Sayer     |
| Davis             | Kieley     | Schmit    |
| Day               | Klefstad   | Schrock   |
| Dolan             | Knudson    | Solberg   |
| Duffy             | Krenz      | Streibel  |
| Ferry             | Kusler     | Thomas    |
| Fiedler           | Livingston | Torno     |
| Foss              | Luick      | Tuff      |
| Fraser            | Meidinger  | Wadeson   |
| Freed             | Nelson     | Welandner |
| Gilbertson        | O'Brien    | Wog       |
| Hagen             | Olson      | Wolf      |
| Holand            | Page       | Yunker    |
| Johnson, Cavalier | Rue        |           |

Absent and not voting:

|          |               |          |
|----------|---------------|----------|
| Berube   | Dewing        | Leier    |
| Bilden   | Hernett       | Schoeder |
| Bridston | Johnson, Cass |          |

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Day moved that the Senate do concur in the House amendments to Senate Bill No. 229, which motion prevailed.

Senator Day moved that the rules be suspended and Senate Bill No. 229 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

**Senate Bill No. 229.** A Bill for an Act to provide for the collection of fees commensurate with costs for services rendered to private persons by county auditors and for the disposition of such fees.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Rue      |
| Bilden     | Johnson, Cass     | Sayer    |
| Bridston   | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schrock  |
| Day        | Kieley            | Solberg  |
| Dewing     | Klefstad          | Streibel |
| Dolan      | Krenz             | Thomas   |
| Duffy      | Kusler            | Torno    |
| Ferry      | Livingston        | Tuff     |
| Fiedler    | Luick             | Wadeson  |
| Foss       | Meidinger         | Welander |
| Fraser     | Nelson            | Wog      |
| Freed      | O'Brien           | Wolf     |
| Gilbertson | Olson             | Yunker   |
| Hagen      | Page              |          |

Absent and not voting:

|         |         |          |
|---------|---------|----------|
| Berube  | Knudson | Schoeder |
| Hernett | Leier   |          |

So the bill passed and the title was agreed to.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 164 and the President has appointed as a Conference Committee, Senators Wog, Meidinger, and Thomas.

EDWARD LENO, Secretary.

#### MOTIONS

Senator Day moved that the Senate do not concur in the House amendments to Senate Bill No. 242, and that a Conference Committee be appointed, which motion prevailed.

The President appointed a Conference Committee to meet with a like committee from the House to consider Senate Bill No. 242, Senators Holand, Dolan and O'Brien.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 242 and the President has appointed as a Conference Committee, Senators Holand, Dolan and O'Brien.

EDWARD LENO, Secretary.

#### MOTIONS

Senator Thomas moved that the Senate do concur in the House amendments to Senate Bill No. 125, which motion prevailed.

Senator Thomas moved that the rules be suspended and Senate Bill No. 125 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 125.** A Bill for an Act to provide for the establishment of the office of county coroner, the duties thereof, the operation of the county coroner system, and repealing subsection 9 of section 11-1002 and chapter 11-19 of the North Dakota Revised Code of 1943, as amended.

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, 33; nays, 11; absent and not voting, 5.

Those voting in the affirmative were:

|                   |            |          |
|-------------------|------------|----------|
| Bilden            | Kamrath    | Sayer    |
| Dewing            | Kieley     | Schmit   |
| Dolan             | Klefstad   | Schoeder |
| Duffy             | Knudson    | Schrock  |
| Fiedler           | Krenz      | Solberg  |
| Foss              | Leier      | Streibel |
| Fraser            | Livingston | Thomas   |
| Gilbertson        | Meidinger  | Tuff     |
| Hernett           | Nelson     | Wadeson  |
| Holand            | Olson      | Welander |
| Johnson, Cavalier | Rue        | Wolf     |

Those voting in the negative were:

|       |               |        |
|-------|---------------|--------|
| Davis | Hagen         | Torno  |
| Day   | Johnson, Cass | Wog    |
| Ferry | Luick         | Yunker |
| Freed | Page          |        |

Absent and not voting:

|            |          |         |
|------------|----------|---------|
| Baeverstad | Bridston | O'Brien |
| Berube     | Kusler   |         |

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. 85, which motion prevailed.

Senator Day moved that the rules be suspended and Senate Bill No. 85 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

**Senate Bill No. 85.** A Bill for an Act to amend and reenact section 40-1803 of the North Dakota Revised Code of 1943, relating to police magistrates and justices of the peace.

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 ays, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

|          |                   |          |
|----------|-------------------|----------|
| Bilden   | Johnson, Cass     | Sayer    |
| Bridston | Johnson, Cavalier | Schmit   |
| Davis    | Kieley            | Schoeder |
| Day      | Klefstad          | Schrock  |
| Dewing   | Knudson           | Solberg  |
| Duffy    | Krenz             | Streibel |
| Ferry    | Leier             | Torno    |

|            |            |          |
|------------|------------|----------|
| Fiedler    | Livingston | Tuff     |
| Foss       | Luick      | Wadeson  |
| Fraser     | Meidinger  | Welander |
| Freed      | Nelson     | Wog      |
| Gilbertson | Olson      | Wolf     |
| Hagen      | Page       | Yunker   |
| Hernett    | Rue        |          |

**Absent and not voting:**

|            |         |         |
|------------|---------|---------|
| Baeverstad | Holand  | O'Brien |
| Berube     | Kamrath | Thomas  |
| Dolan      | Kusler  |         |

So the bill passed and the title was agreed to.

Senator Schmit moved that the Senate do concur in the House amendments to Senate Bill No. 90, which motion prevailed.

Senator Schmit moved that the rules be suspended and Senate Bill No. 90 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

**Senate Bill No. 90.** A Bill for an Act to amend and reenact section 35-2013 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to house mover's liens.

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, 4; absent and not voting, 9.

**Those voting in the affirmative were:**

|            |            |          |
|------------|------------|----------|
| Bilden     | Kielely    | Sayer    |
| Bridston   | Klefstad   | Schmit   |
| Davis      | Knudson    | Schrock  |
| Day        | Krenz      | Solberg  |
| Dewing     | Leier      | Streibel |
| Duffy      | Livingston | Thomas   |
| Fiedler    | Luick      | Tuff     |
| Foss       | Nelson     | Wadeson  |
| Fraser     | O'Brien    | Welander |
| Freed      | Olson      | Wog      |
| Gilbertson | Page       | Wolf     |
| Hagen      | Rue        | Yunker   |

**Those voting in the negative were:**

|                   |           |       |
|-------------------|-----------|-------|
| Johnson, Cass     | Meidinger | Torno |
| Johnson, Cavalier |           |       |

**Absent and not voting:**

|            |         |          |
|------------|---------|----------|
| Baeverstad | Ferry   | Kamrath  |
| Berube     | Hernett | Kusler   |
| Dolan      | Holand  | Schoeder |

So the bill passed and the title was agreed to.

Senator Schrock moved that the Senate do concur in the House amendments to Senate Bill No. 158, which motion prevailed.

Senator Schrock moved that the rules be suspended and Senate Bill No. 158 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

**Senate Bill No. 158.** A Bill for an Act to amend and

reenact sections 15-3914, 15-3915, 15-3931, 15-3926 and subsection 1 of section 15-3928 and section 15-3940 of the 1953 Supplement to the North Dakota Revised Code of 1943, and section 15-3923 of the North Dakota Revised Code of 1943, all relating to assessments, annuities, reduced annuities, withdrawals, qualifications and investment of funds of the North Dakota teachers' insurance retirement fund.

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, 0; absent and not voting, 10.

Those voting in the affirmative were:

|               |                   |          |
|---------------|-------------------|----------|
| Bilden        | Johnson, Cavalier | Sayer    |
| Bridston      | Kieley            | Schmit   |
| Davis         | Klefstad          | Schrock  |
| Day           | Knudson           | Solberg  |
| Dewing        | Krenz             | Streibel |
| Duffy         | Livingston        | Thomas   |
| Fiedler       | Luick             | Torno    |
| Foss          | Meidinger         | Tuff     |
| Fraser        | Nelson            | Wadeson  |
| Freed         | O'Brien           | Welander |
| Gilbertson    | Olson             | Wog      |
| Hagen         | Page              | Wolf     |
| Johnson, Cass | Rue               | Yunker   |

Absent and not voting:

|            |         |          |
|------------|---------|----------|
| Baeverstad | Hernett | Kusler   |
| Berube     | Holand  | Leier    |
| Dolan      | Kamrath | Schoeder |
| Ferry      |         |          |

So the bill passed and the title was agreed to.

Senator Duffy moved that the House be requested to return to the Senate House Bills Nos. 558, 688, 786, which motion prevailed.

#### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to request the return of House Bills Nos. 558, 688, and 786.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills Nos. 53, 85, 90, 125, 158, and 229.

EDWARD LENO, Chairman.

#### 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. | 2 |
| Senate Bill No. | 3 |
| Senate Bill No. | 4 |
| Senate Bill No. | 7 |



Senate Bill No. 8  
 Senate Bill No. 13  
 Senate Bill No. 15  
 Senate Bill No. 18  
 Senate Bill No. 21  
 Senate Bill No. 31  
 Senate Bill No. 58  
 Senate Bill No. 72  
 Senate Bill No. 172  
 Senate Bill No. 173  
 Senate Bill No. 186  
 Senate Bill No. 211  
 Senate Bill No. 224  
 Senate Concurrent Resolution "S"  
 Senate Concurrent Resolution "A-1"  
 Senate Resolution "E-1"

And find the same correctly enrolled.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed, and the report was adopted.

#### MESSAGES TO THE SENATE

House Chamber  
 Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee on Senate Bill No. 1, Reps. Heimes, Rickford, and Solberg.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
 Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee on Senate Bill No. 6, Reps. Lindberg; Simonson, 9th district; and Thompson, McLean.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
 Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee on Senate Bill No. 19, Reps. Anderson of Richland, Trydahl, and Snortland.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
 Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee on Senate Bill No. 34, Reps. Vinje, Lynch, and Brown.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
 Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee on Senate Bill No. 164, Reps. Renfrow, Einarson, and Bratcher.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee on Senate Bill No. 183, Reps. Brown, Currie, and Mollet.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee on Senate Bill 220, Reps. Gefreh, Sorlie, and Erickson of Burke, Divide.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee on Senate Bill No. 242, Reps. Brooks, Fristad, and Gefreh.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to return House Bills Nos. 558, 688, and 786, as requested by the Senate.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the Speaker has substituted Rep. Paulsen for Rep. Haugland on the Conference Committee on House Bill No. 811.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 19.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has refused to adopt the report of the Conference Committee on House Bill No. 541 and the Speaker has appointed as a new Conference Committee, Reps. Wolf, Roen, and Brooks.

KENNETH L. MORGAN, Chief Clerk.

#### REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 541 has had the same under consideration and recommends: Strike everything after "A BILL" and insert the following:

For an Act to provide for issuance, expiration, renewal, cancellation, suspension and revocation of vehicle operators' licenses, providing penalties for violations thereof, and repealing all sections of chapter 39-06 of the North Dakota Revised Code of 1943 and all sections of chapter 39-06 of the 1953 Supplement to the North Dakota Revised Code of 1943.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

## 1 SECTION 1. OPERATORS MUST BE LICENSED.)

2 No person, except those hereinafter expressly exempted,  
3 shall drive any motor vehicle upon a highway in this  
3a state

4 unless such person has a valid license as an operator or  
5 chauffeur under the provisions of this Act.

6 Any person licensed as an operator hereunder may  
6a exer-

7 cise the privilege thereby granted upon all streets and  
8 highways in this state and shall not be required to obtain  
9 any other license to exercise such privilege by any  
9a county,

10 municipal or local board, or body having authority to  
10a adopt

11 local police regulations.

12 SECTION 2. WHAT PERSONS ARE EXEMPT  
12a FROM LICENSE.)

13 The following persons are exempt from license  
13a hereunder:

14 1. Any employee of the United States government  
15 while operating a motor vehicle owned by or leased  
16 to that government and being operated on official  
17 business;

18 2. A nonresident who is at least sixteen years of  
19 age, who has in his immediate possession a valid  
20 operator's license issued to him in his home state  
21 or county, may operate a motor vehicle in this  
22 state for a period of not more than ninety days in  
23 any calendar year without making an application  
24 for or obtaining an operator's license of this  
25 state. After such ninety-day period it shall  
26 be unlawful for any such nonresident to operate  
27 a motor vehicle within North Dakota without a  
28 North Dakota license; and

29 3. A nonresident who is at least sixteen years of  
30 age, whose home state or country does not require  
31 the licensing of operators, may operate a motor  
32 vehicle within this state for a period of not  
33 more than thirty days in any calendar year  
34 without making an application for or obtaining  
35 an operator's license of this state, provided  
36 however, that he shall have in his possession  
37 while driving in this state an official certifi-  
38 cate showing the lawful registry of the motor  
39 vehicle and be able to prove his lawful possess-  
40 ion or the right to operate such vehicle and to  
41 establish his identity.

42 SECTION 3. WHAT PERSONS SHALL NOT BE  
42a LICENSED.)

43 The Commissioner shall not issue any license hereunder:

44 1. To any person who is under the age of sixteen  
45 years, except that the commissioner may issue a  
46 restricted permit or license as hereinafter prov-  
47 ided in sections five and sixteen of this Act  
48 to any person who is less than sixteen years of  
49 age;

50 2. To any person whose license has been suspended  
51 during such suspension, nor to any person whose  
52 license has been revoked, except as provided in  
53 sections thirty-four and thirty-five of this Act;

- 54 3. To any person who is an habitual drunkard, or  
 55 is an habitual user of narcotic drugs, or is  
 56 an habitual user of any other drug to a degree  
 57 which renders him incapable of safely driving a  
 58 motor vehicle;
- 59 4. To any person who has previously been adjudged  
 60 to be afflicted with or suffering from any mental  
 61 disability or disease and who has not at the time  
 62 of application been restored to competency by  
 63 the methods provided by law;
- 64 5. To any person who is required by this Act to  
 65 take an examination, unless such person shall  
 66 have successfully passed such examination;
- 67 6. To any person who is required under the laws  
 68 of this state to deposit security or file proof  
 69 of financial responsibility and who has not  
 70 deposited such security or filed such proof;
- 71 7. To any person when the commissioner has good  
 72 cause to believe that such person by reason of  
 73 physical or mental disability would not be able  
 74 to operate a motor vehicle with safety upon the  
 75 highways;
- 76 8. To any person when the commissioner has good  
 77 cause to believe that the operation of a motor  
 78 vehicle on the highways by such person would  
 79 be inimical to public safety or welfare;
- 80 9. To any person who has been convicted three times  
 81 of a misdemeanor under the provisions of this  
 82 Act or the laws of this state relating to highways,  
 83 within any two-year period.

84 SECTION 4. INSTRUCTION PERMIT.) Any person  
 84a may  
 85 apply to the commissioner for an instruction permit.  
 86 The commissioner may in his discretion issue to the  
 87 applicant an instruction permit which shall entitle the  
 88 applicant while having such permit in his immediate  
 89 possession to drive a motor vehicle upon the public high-  
 90 ways for a period of ninety days when accompanied by a  
 91 licensed operator who has had at least one year of  
 92 driving experience and who is occupying a seat beside  
 93 the driver, except in the event the permittee is operat-  
 94 ing a motorcycle. Any such instruction permit may be  
 95 renewed or a new permit issued for an additional  
 95a period.

96 SECTION 5. RESTRICTED INSTRUCTION  
 96a PERMIT.)  
 97 The commissioner upon receiving proper application  
 97a may  
 98 in his discretion issue a restricted instruction permit  
 99 effective for a school year or more restricted period  
 100 to an applicant who is enrolled in a driver-education  
 101 program which includes practice driving and which is  
 102 approved by the commissioner even though the  
 102a applicant  
 103 has not reached the legal age to be eligible for an  
 104 operator's license. Such instruction permit shall entitle  
 105 the permittee when he has such a permit in his  
 105a immediate  
 106 possession to operate a motor vehicle only on a  
 106a designated

107 highway or within a designated area but only when an  
 108 approved instructor is occupying a seat beside the  
 109 permittee.

110 SECTION 6. TEMPORARY DRIVER'S PERMIT.)

110a the

111 commissioner may in his discretion issue a temporary  
 112 driver's permit to an applicant for an operator's  
 112a license

113 permitting him to operate a motor vehicle while  
 113a the com-

114 missioner is completing his investigation and  
 114a determination

115 of all facts relative to such applicant's right to receive  
 116 an operator's license. Such permit must be in his imme-  
 117 diate possession while operating a motor vehicle, and it  
 118 shall be invalid when the applicant's license has been  
 119 issued or for good cause has been refused.

120 SECTION 7. APPLICATION FOR LICENSE OR  
 120a INSTRUC-

121 TION PERMIT.)

122 1. Every application for an instruction permit or  
 123 for an operator's license shall be made upon a  
 124 form furnished by the commissioner. Every appli-  
 125 cation shall be notarized or verified before a  
 126 person authorized by law to administer oaths  
 127 and accompanied by the proper fee and payment  
 128 of such fee shall entitle the applicant to not  
 129 more than three attempts to pass the examination  
 130 within a period of six months from the date of  
 131 application.

132 2. Every said application shall state the full name,  
 133 date of birth, sex, and residence address of the  
 134 applicant, and briefly describe the applicant,  
 135 and shall state whether the applicant has there-  
 136 tofore been licensed as an operator or chauffeur,  
 137 and, if so, when and by what state or country,  
 138 and whether an application has ever been refused,  
 139 suspended, cancelled, or revoked and, if so,  
 140 the date of and reason for such suspension,  
 141 cancellation, revocation, or refusal. The  
 142 application shall contain such other information  
 143 as the commissioner may require.

144 3. Whenever application is received from a person  
 145 previously licensed in another jurisdiction,  
 146 the commissioner may request copy of operator's  
 147 record from such other jurisdiction. When  
 148 received, the operator's record shall become  
 149 a part of the operator's record in this state  
 150 with the same force and effect as though entered  
 151 on the operator's record in this state in the  
 152 original instance.

153 4. Whenever the commissioner receives a request for  
 154 an operator's record from another licensing  
 155 jurisdiction the record shall be forwarded  
 156 without charge.

157 SECTION 8. APPLICATIONS OF MINORS.) The

158 application of any person under the age of eighteen  
 159 years for an instruction permit or operator's license  
 160 shall be signed and verified before a person authorized  
 161 to administer oaths by the father, mother, or guardian  
 162 or, in the event there is no parent or guardian, then

163 by another responsible adult who is willing to assume  
164 the obligation imposed under this Act upon a person  
165 signing the application of a minor.

166 SECTION 9. LIABILITY FOR NEGLIGENCE OF  
166a MINOR:

167 GENERAL.) Any negligence of a minor under the age  
168 of eighteen years when driving a motor vehicle upon a  
169 highway shall be imputed to the person who has signed  
170 the application of such minor for a permit or license,  
171 which person shall be jointly and severally liable with  
172 such minor for any damages caused by such negligence,  
173 except as otherwise provided in section 10 of this  
174 Act.

175 SECTION 10. LIABILITY FOR NEGLIGENCE OF  
175a MINOR:

176 PROOF OF FINANCIAL RESPONSIBILITY.) In the  
176a event a

177 minor under the age of eighteen deposits or there is  
178 deposited upon his behalf proof of financial responsibi-  
179 lity in respect to the operation of a motor vehicle  
180 owned by him, or if not the owner of a motor vehicle,  
181 then with respect to the operation of any motor vehicle,  
182 in form and in amounts as required under the motor vehi-  
183 cle financial responsibility laws of this state, then the  
184 commissioner may accept the application of such minor.

190 SECTION 11. CANCELLATION OF MINOR'S  
190a LICENSE OR

191 PERMIT UPON REQUEST.) Any person who has  
191a signed the

192 application of a minor for a license may thereafter file  
193 with the commissioner a verified written request that the  
194 license of the minor so granted be canceled. Thereupon  
195 the commissioner shall cancel the license or permit of  
196 the minor and the person who signed the application of  
197 the minor shall be relieved from the liability imposed  
198 under this Act by reason of having signed such applica-  
199 tion on account of any subsequent negligence of the minor  
200 in operating a motor vehicle.

201 SECTION 12. CANCELLATION OF MINOR'S  
201a LICENSE

202 OR PERMIT UPON DEATH OF APPLICANT.) The  
202a commissioner

203 upon receipt of satisfactory evidence of the death of  
204 the persons who signed the application of a minor for a  
205 license shall cancel the license or permit and shall not  
206 issue a new license or permit until such time as a new  
207 application duly signed and verified is made as required  
208 by this Act. This provision shall not apply in the event  
209 the minor has attained the age of eighteen years.

210 SECTION 13. EXAMINATION OF APPLICANTS.)

211 The highway patrol shall examine every applicant for an  
212 operator's license, except as otherwise provided in this  
213 Act. Such examination shall include a test of the  
214 applicant's eyesight, his ability to read and understand  
215 highway signs regulating, warning, and directing traffic,  
216 his knowledge of the traffic laws of this state, and  
217 shall include an actual demonstration of ability to exer-  
218 cise ordinary and reasonable control in the operation of  
219 a motor vehicle. The highway patrol shall make provi-  
220 sion for giving an examination either in the county where

221 the applicant resides or at a place adjacent thereto  
 222 reasonably convenient to the applicant within not more  
 223 than thirty days from the date the application is  
 224 received. The commissioner may require such other  
 225 physical or mental examination as may be deemed  
 225a advisable.

226 SECTION 14. LICENSES ISSUED TO OPERATORS;  
 227 GENERAL.) The commissioner shall, upon payment of  
 227a a two

228 dollar and fifty cent fee by applicants eighteen years  
 229 of age and over and a one dollar and fifty cent fee by  
 230 applicants under the age of eighteen, issue to every  
 231 applicant qualifying therefor an operator's license as  
 232 applied for in the form of a triple license card, which  
 233 license shall bear thereon a distinguishing number  
 234 assigned to the licensee, the full name, date of birth,  
 235 residence address, and a brief description of the licensee,  
 236 and either a facsimile of the signature of the licensee  
 237 or a space upon which the licensee shall write his usual  
 238 signature with pen and ink immediately upon receipt of  
 239 the license. No license shall be valid until it has been  
 240 so signed by the licensee. For purposes of verification,  
 241 an officer may require the licensee to write his signa-  
 242 ture in the presence of such officer.

A 1 SECTION 15. LICENSE TO BE CARRIED AND  
 A 1a EXHIBITED

A 2 ON DEMAND.) Every licensee shall have his  
 A 2a operator's

A 3 license or permit in his immediate possession at all  
 A 4 times when operating a motor vehicle and shall display  
 A 5 the same, upon demand of any court, police  
 A 5a magistrate,

A 6 a justice of the peace, a patrolman, peace officer,  
 A 7 or a field deputy or inspector of the division.

A 8 However, no person charged with violating this  
 A 8a section

A 9 shall be convicted if he produces in court or the  
 A 10 office of the arresting officer an operator's license  
 A 11 or permit theretofore issued to him and valid at the  
 A 12 time of his arrest.

A 13 SECTION 16. RESTRICTED LICENSES.)

A 14 1. The commissioner upon issuing an operator's  
 A 14a license

A 15 shall have authority whenever good cause appears  
 A 16 to impose restrictions suitable to the licensee's  
 A 17 driving ability with respect to the type of  
 A 18 or special mechanical control devices required  
 A 19 on a motor vehicle which the licensee may  
 A 20 operate or such other restrictions applicable  
 A 21 to the licensee as the commissioner may determine  
 A 22 to be appropriate to assure the safe operation  
 A 23 of a motor vehicle by the licensee.

A 24 2. The commissioner may either issue a special  
 A 25 restricted license or may set forth such  
 A 26 restrictions upon the usual license form.

A 27 The commissioner shall likewise restrict  
 A 28 licenses pursuant to the requirements of  
 A 29 section 39-1618 of the 1953 Supplement to the  
 A 30 Code.

A 31 3. A restricted operator's license may be issued

- A 32 to any child, otherwise qualified, upon the  
 A 33 written recommendation of his parent or  
 A 34 guardian. No such license shall be issued  
 A 35 unless the child, accompanied by his parent  
 A 36 or guardian, shall appear in person and satisfy  
 A 37 the examining officer that:
- A 38 a. The child is at least fourteen years of age;
  - A 39 b. The child is qualified to operate an auto-  
 A 40 mobile safely; and
  - A 41 c. It is necessary for the child to drive his  
 A 42 parent's or guardian's automobile without  
 A 43 being accompanied by some person over  
 A 44 sixteen years of age.
- A 45 The parent or guardian, at all times, shall be  
 A 46 responsible for any and all damages growing  
 A 47 out of the negligent operation of a motor  
 A 48 vehicle by any such child. The provisions of  
 A 49 this section shall not authorize the child  
 A 50 to drive a motorcycle, commercial truck,  
 A 51 motor bus, or taxicab.
- A 52 4. The commissioner may also issue a junior license  
 A 53 to a minor under the age of fourteen upon applica-  
 A 54 tion by parent, guardian or lawful custodian  
 A 55 of the minor when necessity for the license is  
 A 56 shown and ability to drive is demonstrated.  
 A 57 This license shall be restricted to the operation  
 A 58 of a motor vehicle registered to the licensee's  
 A 59 parent, guardian, or employer, either to or from  
 A 60 school, to or from work, or on business of the  
 A 61 parent, guardian, or employer, unless the licensee  
 A 62 is accompanied by and under the immediate super-  
 A 63 vision of an adult. Such restrictions shall be  
 A 64 made in writing and attached to and become a part  
 A 65 of such junior license. The possession of  
 A 66 a junior license shall not authorize the  
 A 67 licensee to operate a motor vehicle in  
 A 68 violation of any law, nor in violation of  
 A 69 any rule or regulation of the state or federal  
 A 70 authorities relating to the employment of minors.
  - A 71 5. The commissioner may upon receiving satis-  
 A 72 factory evidence of any violation of the  
 A 73 restrictions of such license suspend or revoke  
 A 74 the same but the licensee shall be entitled  
 A 75 to a hearing as upon a suspension or revocation  
 A 76 under this Act.
  - A 77 6. It is a misdemeanor, punishable by a fine of  
 A 78 not more than one hundred dollars and by  
 A 79 imprisonment for not more than thirty days  
 A 80 or by both such fine and imprisonment, for any  
 A 81 person to operate a motor vehicle in any manner  
 A 82 in violation of the restrictions imposed in a  
 A 83 restricted license issued to him.
- A 84 SECTION 17. DUPLICATE CERTIFICATES.)  
 A 85 In the event that a permit or license issued under  
 A 86 the provisions of this Act is lost, mutilated or  
 A 87 destroyed, the person to whom the same was issued  
 A 88 may obtain a duplicate, or substitute thereof, upon  
 A 89 furnishing proof satisfactory to the commissioner  
 A 90 that such permit or license has been lost or destroyed  
 A 91 and upon payment of a one dollar fee.



A 92 SECTION 18. EXPIRATION OF LICENSE;  
 A 93 RENEWAL.) Every operator's license shall be issued  
 A 94 for a term of two years, which shall commence on  
 A 95 July first of each odd numbered year, and expire  
 A 96 June thirtieth in the next succeeding odd numbered  
 A 97 calendar year. Every such license shall be renewable  
 A 98 on or before its expiration upon application and  
 A 99 payment of the required two dollars and fifty cents  
 A100 fee except that a licensee under the age of eighteen  
 A101 shall pay a one dollar and fifty cent fee. The  
 A102 commissioner may require an examination of the  
 A102a applicant

A103 as upon an original application, where the commissioner  
 A104 has good cause to believe that the applicant may not be  
 A105 competent or otherwise not qualified for automatic  
 A106 renewal of his license.

A107 SECTION 19. NOTICE OF CHANGE OF  
 A108 ADDRESS OR NAME.) Whenever any person after  
 A108a applying

A109 for or receiving an operator's license shall move  
 A110 from the address named in such application or in the  
 A111 license issued to him or when the name of a licensee  
 A112 is changed by marriage or otherwise such person shall  
 A113 within ten days thereafter notify the commissioner  
 A114 in writing of his old and new addresses or of such  
 A115 former and new names and of the number of any license  
 A116 then held by him.

A117 SECTION 20. FILING APPLICATION RECORDS.)

A118 The commissioner shall file every application for a  
 A119 license received by him and shall maintain suitable  
 A120 indexes containing, in alphabetical order:

- A121 1. All applications denied and on each thereof  
 A122 note the reasons for such denial;
- A123 2. All applications granted; and
- A124 3. The name of every licensee whose license has  
 A125 been suspended or revoked by the commissioner  
 A126 and after each such name note the reasons for  
 A127 such action.

A128 SECTION 21. DRIVING RECORDS OF  
 A128 LICENSEES.)

A129 The commissioner shall also file all accident reports  
 A130 and abstracts of court records of convictions  
 A131 received by him under the laws of this state and in  
 A132 connection therewith maintain convenient records or  
 A133 make suitable notations in order that an individual  
 A134 record of each licensee showing the convictions of  
 A135 such licensee and the traffic accidents in which he  
 A136 has been involved shall be readily ascertainable and  
 A137 available for the consideration of the commissioner  
 A138 upon any application for renewal of license and at  
 A139 other suitable times.

A140 SECTION 22. DEFINITION OF SUSPENSION,  
 A141 REVOCATION, AND CANCELLATION.) The following  
 A142 words when used in this Act shall, for the purposes  
 A143 of this Act, have the meanings respectively  
 A144 ascribed to them in this section:

- A145 1. Suspension means that the driver's license  
 A146 and privilege to drive a motor vehicle on  
 A147 the public highways are temporarily with-  
 A148 drawn but only during the period of such

- A149 suspension.
- A150 2. Revocation means that the driver's license
- A151 and privilege to drive a motor vehicle on
- A152 the public highways are terminated and shall
- A153 not be renewed or restored, except that an
- A154 application for a new license may be presented
- A155 and acted upon by the commissioner after the
- A156 expiration of the period of revocation, which
- A157 period shall not be less than thirty days.
- A158 3. Cancellation means that a driver's license
- A159 is annulled and terminated because of some
- A160 error or defect or because the licensee is no
- A161 longer entitled to such license, but the
- A162 cancellation of a license is without prejudice
- A163 and application for a new license may be made
- A164 at any time after such cancellation.

A165 SECTION 23. AUTHORITY TO CANCEL  
A165a LICENSES.)

A166 The commissioner is hereby authorized to cancel any

A167 operator's license or permit upon determining that

A168 the licensee was not entitled to the issuance thereof

A169 hereunder or that said licensee failed to give the

A170 required or correct information in his application

A171 or committed any fraud in making such application.

A172 Upon such cancellation, the licensee must surrender

A173 the license or permit so canceled to the commissioner.

A174 SECTION 24. SUSPENDING PRIVILEGES OF  
A175 NONRESIDENTS.) The privilege of driving a motor

A176 vehicle on the highways of this state given to a

A177 nonresident hereunder shall be subject to suspension

A178 or revocation by the commissioner in like manner and

A179 for like cause as an operator's license issued here-

A180 under may be suspended or revoked.

A181 SECTION 25. REPORTING CONVICTIONS OF  
A182 NONRESIDENTS.) The commissioner is further

A183 authorized, upon receiving a record of the convic-

A184 tion in this state of a nonresident driver of a

A185 motor vehicle of any offense under the motor vehicle

A186 laws of this state, to forward a certified copy of

A187 such record to the licensing authority in the state

A188 wherein the person so convicted is a resident.

A189 SECTION 26. SUSPENDING LICENSES UPON  
A190 CONVICTION IN ANOTHER STATE.) The

A190a commissioner

A191 is authorized to suspend or revoke the license

A192 of any resident of this state or the privilege of

A193 a nonresident to drive a motor vehicle in this state

A194 upon receiving notice of the conviction of such person

A195 in another state of an offense therein which, if

A196 committed in this state, would be grounds for the sus-

A197 pension or revocation of the license of an operator.

A198 SECTION 27. COURTS TO FORWARD LICENSE  
A198a TO COMMIS-  
A199 SIONER UPON CERTAIN CONVICTIONS.) Whenever

A199a any person

A200 is convicted of any offense for which this Act makes

A201 mandatory the revocation of the operator's license of

A202 such person by the commissioner, the court in which

A202a such

A203 conviction is had shall require the surrender to it of

A204 any operator's license then held by the person so con-  
 A205 victed and the court shall thereupon forward the same  
 A205a to-  
 A206 gether with a record of such conviction to the  
 A206a commission-  
 A207 er. Any court or juvenile commissioner in the state,  
 A208 upon finding any licensee guilty of hazardous traffic  
 A209 violation, may detach one of the three license cards,  
 A210 and shall in each case forward such card immediately  
 A210a to  
 A211 the commissioner with a statement of the facts  
 A211a regarding  
 A212 the offense.

A213 SECTION 28. COURTS TO REPORT RECORDS OF  
 A213a CERTAIN CON-

A214 VICTIONS.) Every court or juvenile commissioner  
 A214a having  
 A215 jurisdiction over offenses committed under this Act  
 A216 or any other law of this state or municipal ordinance  
 A217 regulating the operation of motor vehicles on highways,  
 A218 shall forward to the commissioner a record of the  
 A218a convic-  
 A219 tion of any person in said court, or a report of the  
 A220 action of the juvenile court in the case of a juvenile,  
 A221 for a violation of any of said laws other than  
 A221a regulations

A222 governing standing or parking, and may recommend  
 A222a the sus-  
 A223 pension of the operator's license or permit of the person  
 A224 so convicted or reported.

A225 SECTION 29. CONVICTION: MEANING AND

A226 EFFECT.) For the purposes of this Act the term  
 A227 "conviction" shall mean a final conviction. Also,  
 A228 for the purposes of this Act a forfeiture of bail  
 A229 or collateral deposited to secure a defendant's  
 A230 appearance in court, which forfeiture has not been  
 A231 vacated, shall be equivalent to a conviction.

A232 SECTION 30. MANDATORY REVOCATION OF

A233 LICENSES.) The commissioner shall forthwith  
 A234 revoke the license of any operator upon receiving a  
 A235 record of such operator's conviction of any of the fol-  
 A236 lowing offenses, when such conviction has become  
 A236a final:

- B 1 1. Manslaughter or negligent homicide resulting from
- B 2 operation of a motor vehicle;
- B 3 2. Any felony in the commission of which a motor
- B 4 vehicle is used;
- B 5 3. Failure to stop and render aid as required under
- B 6 the laws of this state in the event of a motor
- B 7 vehicle accident resulting in the death or personal
- B 8 injury of another;
- B 9 4. Perjury or the making of a false affidavit or
- B 10 statement under oath to the commissioner under
- B 10a this
- B 11 Act or under any other law relating to the owner-
- B 12 ship or operation of motor vehicles; or
- B 13 5. Conviction, or forfeiture of bail not vacated, upon
- B 14 two charges of driving a motor vehicle while under
- B 15 the influence of intoxicating liquor or a drug, or
- B 16 reckless driving, or aggravated reckless driving,

- B 17 committed within a period of eighteen months.
- B 18 SECTION 31. AUTHORITY TO SUSPEND
- B 18a LICENSES.)
- B 19 The commissioner is hereby authorized to suspend the
- B 19a license
- B 20 of an operator without preliminary hearing upon a
- B 20a showing
- B 21 by its records or other sufficient evidence that the
- B 21a licen-
- B 22 see:
- B 23 1. Has committed an offense for which mandatory
- B 23a revoc-
- B 24 ation of license is required upon conviction;
- B 25 2. Has been convicted of serious offenses against
- B 26 traffic regulations governing the movement of
- B 27 vehicles with such frequency as to indicate a dis-
- B 28 respect for traffic laws and a disregard for the
- B 29 safety of other persons on the highways;
- B 30 3. Is an habitually reckless or negligent driver of a
- B 31 motor vehicle;
- B 32 4. Is incompetent to drive a motor vehicle;
- B 33 5. Has permitted an unlawful or fraudulent use of his
- B 34 license;
- B 35 6. Has committed an offense in another state which if
- B 36 committed in this state would be grounds for
- B 37 suspension or revocation; or
- B 38 7. Has been convicted of driving a motor vehicle while
- B 39 under the influence of intoxicating liquor or a
- B 40 narcotic drug or under the influence of any other
- B 41 drug to a degree which renders him incapable of
- B 42 safely driving a motor vehicle.
- B 43 SECTION 32. HEARING SUBSEQUENT TO
- B 43a LICENSE
- B 44 SUSPENSION.) Upon suspending the license of any
- B 44a person
- B 45 as authorized in section 31, the commissioner shall
- B 45a immedi-
- B 46 ately notify the licensee in writing and upon his request
- B 47 shall afford him an opportunity for a hearing as early as
- B 48 practical at such place as the commissioner shall
- B 48a determine.
- B 49 Upon such hearing the commissioner or his duly
- B 49a authorized
- B 50 agent may administer oaths and may issue subpoenas
- B 50a or the
- B 51 attendance of witnesses and the production of relevant
- B 52 books and papers and may require a re-examination
- B 52a of the
- B 53 licensee. Upon such hearing the commissioner shall
- B 53a either
- B 54 rescind his order of suspension or, good cause
- B 54a appearing
- B 55 therefor, may continue, modify, or extend the
- B 55a suspension
- B 56 of such license or revoke such license.
- B 57 SECTION 33. COMMISSIONER MAY REQUIRE
- B 58 RE-EXAMINATION.) In addition to other powers set
- B 58a forth in
- B59 this Act, the commissioner having good cause to believe
- B 60 that a licensed operator is incompetent or otherwise not

B 61 qualified to be licensed, may upon written notice of at  
 B 62 least five days to the licensee require him to submit to  
 B 63 such physical, mental, or driver's examination as may  
 B 63a be  
 B 64 deemed necessary. Upon the conclusion of such  
 B 64a examination  
 B 65 the commissioner shall take action as may be  
 B 65a appropriate  
 B 66 and may suspend or revoke the license of such  
 B 66a person or  
 B 67 permit him to retain his license, or may issue a license  
 B 68 subject to restrictions as permitted under section 16 of  
 B 69 this Act. Refusal or neglect of the licensee to submit to  
 B 70 such examination shall be ground for suspension or  
 B 70a revoca-  
 B 71 cation of his license.  
 B 72 SECTION 34. PERIOD OF SUSPENSION.) The  
 B 73 commissioner shall not suspend a driver's license  
 B 73a or priv-  
 B 74 ilege to drive a motor vehicle on the public highways  
 B 74a for  
 B 75 a period of more than one year, except as permitted  
 B 75a under  
 B 76 section 42 of this Act.  
 B 77 SECTION 35. RESTORATION OF REVOKED  
 B 77a LICENSES.)  
 B 78 Any person whose license or privilege to drive a  
 B 78a motor  
 B 79 vehicle on the public highways has been revoked  
 B 79a shall not  
 B 80 be entitled to have such license or privilege renewed or  
 B 81 restored unless the revocation was for a cause which  
 B 81a has been  
 B 82 removed, except that after the expiration of the  
 B 82a revocation period  
 B 84 such person may make  
 B 85 application for a new license as provided by law,  
 B 85a but the  
 B 86 commissioner shall not then issue a new license  
 B 86a unless and  
 B 87 until he is satisfied after investigation of the character,  
 B 88 habits, and driving ability of such person that it will be  
 B 89 safe to grant the privilege of driving a motor vehicle on  
 B 90 the public highways.  
 B 91 SECTION 36. SURRENDER AND RETURN OF  
 B 91a LICENSE.)  
 B 92 The commissioner upon suspending or revoking a  
 B 92a license  
 B 93 shall require that such license shall be surrendered to  
 B 94 and be retained by the commissioner, except that  
 B 94a at the  
 B 95 end of the period of suspension such license so  
 B 95a surrendered  
 B 96 shall be returned to the licensee. If any person  
 B 96a fails to  
 B 97 return to the commissioner any license or permit  
 B 97a which has  
 B 98 been cancelled, suspended, or revoked, the com-  
 B 98a missioner  
 B 99 shall direct any highway potrolman or peace officer to

B100 secure possession thereof and return the same to the  
 B101 commissioner.  
 B102 SECTION 37. NO OPERATION UNDER FOREIGN  
 B102a LICENSE  
 B103 DURING SUSPENSION OR REVOCATION IN THIS  
 B104 STATE.) Any resident or nonresident whose  
 B104a operator's or  
 B105 chauffeur's license or right or privilege to operate a  
 B106 motor vehicle in this state has been suspended or  
 B106a revoked  
 B107 as provided in this Act shall not operate a motor  
 B107a vehicle  
 B108 in this state under a license, permit, or registration  
 B109 certificate issued by any other jurisdiction or  
 B109a otherwise  
 B110 during such suspension or after such revocation until a  
 B111 new license is obtained when and as permitted under  
 B112 this Act.  
 B113 SECTION 38. RIGHT OF APPEAL TO COURT.)  
 B114 Any person denied a license or whose license has  
 B114a been can-  
 B115 celled, suspended, or revoked by the commissioner,  
 B115a except  
 B116 where such cancellation or revocation is mandatory  
 B116a under  
 B117 the provisions of this Act, shall have the right to file  
 B118 a petition within thirty days thereafter for a  
 B118a hearing in  
 B119 the matter in the district court in the county wherein  
 B120 such person shall reside; and such court is hereby  
 B120a vested  
 B121 with jurisdiction and it shall be its duty to set the  
 B122 matter for hearing upon thirty days written notice  
 B122a to the  
 B123 commissioner and thereupon to take testimony and  
 B123a examine into  
 B124 the facts of the case and to determine whether the  
 B125 petitioner is entitled to a license or is subject to  
 B125a suspension,  
 B126 cancellation, or revocation of license under the  
 B126a provisions  
 B127 of this Act. The decision of the district court shall be  
 B128 subject to appeal by either the petitioner or the  
 B129 Commissioner.  
 B130 SECTION 39. UNLAWFUL USE OF LICENSE.)  
 B121 It is a misdemeanor punishable by a fine of not more  
 B121a than  
 B132 one hundred dollars or imprisonment for not more than  
 B133 thirty days or both such fine and imprisonment for any  
 B134 person:  
 B135 1. To display or cause or permit to be displayed or  
 B136 have in his possession any canceled, revoked, sus-  
 B137 pended, fictitious, or fraudulently altered opera-  
 B138 tor's or chauffeur's license;  
 B139 2. To lend his operator's or chauffeur's license to  
 B140 any other person or knowingly permit the use  
 B141 thereof by another;  
 B142 3. To display or represent as one's own any  
 B142a operator's  
 B143 or chauffeur's license not issued to him;

- B144 4. To fail or refuse to surrender to the commissioner  
 B145 upon his lawful demand any operator's or  
 B145a chauffeur's  
 B146 license which has been suspended, revoked, or  
 B147 canceled;
- B148 5. To use a false or fictitious name in any applica-  
 B149 tion for an operator's or chauffeur's license or  
 B150 to knowingly make a false statement or to  
 B150a knowingly  
 B151 conceal a material fact or otherwise commit a fraud  
 B152 in any such application;
- B153 6. To permit any unlawful use of an operator's or  
 B154 chauffeur's license issued to him; or
- B155 7. To do any act forbidden or fail to perform any act  
 B156 required by this Act.
- B157 SECTION 40. MAKING FALSE AFFIDAVIT  
 B157a PERJURY.)
- B158 Any person who makes any false affidavit, or  
 B158a knowingly  
 B159 swears or affirms falsely to any matter or thing  
 B159a required  
 B160 by the terms of this Act to be sworn to or affirmed, is  
 B161 guilty of perjury and upon conviction shall be  
 B161a punishable  
 B162 by fine or imprisonment as other persons committing  
 B162a perjury  
 B163 are punishable.
- B164 SECTION 41. PENALTY FOR DRIVING WHILE  
 B164a LICENSE  
 B165 SUSPENDED OR REVOKED.) Any person who  
 B165a drives a motor  
 B166 vehicle on any public highway of this state at a time  
 B167 when his privilege so to do is suspended or revoked  
 B167a shall  
 B168 be punished by imprisonment for not less than two  
 B168a days nor  
 B169 more than six months and there may be imposed in  
 B169a addition  
 B170 thereto a fine of not more than five hundred dollars.
- B171 SECTION 42. EXTENSION OF LICENSE  
 B171a SUSPENSION  
 B172 OR REVOCATION.) The commissioner upon  
 B172a receiving a  
 B173 record of the conviction of any person upon a charge of  
 B174 driving a vehicle while the license of such person was  
 B175 suspended shall extend the period of such suspension for  
 B176 an additional like period and if the conviction was upon  
 B177 a charge of driving while a license was revoked the  
 B177a com-  
 B178 missioner shall not issue a new license for an  
 B178a additional  
 B179 period of one year from and after the date such person  
 B180 would otherwise have been entitled to apply for a new  
 B181 license.
- B182 SECTION 43. PERMITTING UNAUTHORIZED  
 B182a MINOR  
 B183 TO DRIVE.) No person shall cause or knowingly  
 B183a permit his  
 B184 child or ward under the age of eighteen years to drive a  
 B185 motor vehicle upon any highway when such minor is not

B186 authorized hereunder or in violation of any of the  
B187 provisions of this Act.  
B188 SECTION 44. PERMITTING UNAUTHORIZED  
B188a PERSON  
B189 TO DRIVE.) No person shall authorize or knowingly  
B189a permit  
B190 a motor vehicle owned by him or under his control to be  
B191 driven upon any highway by any person who is not  
B191a authorized  
B192 hereunder or in violation of any of the provisions of  
B193 this Act.  
B194 SECTION 45. RENTING MOTOR VEHICLES:  
B194a LICENSE  
B195 OF RENTER.) No person shall rent a motor vehicle  
B195a to any  
B196 other person unless the latter person is then duly  
B196a licensed  
B197 hereunder or, in the case of a nonresident, then duly  
B198 licensed under the laws of the state or country of his  
B199 residence except a nonresident whose home state or  
B199a country  
B200 does not require that an operator be licensed, or unless  
B201 the renter certifies that the vehicle shall be driven by  
B202 a duly licensed driver.  
B203 SECTION 46. RENTING MOTOR VEHICLE:  
B203a LICENSE  
B204 INSPECTION.) No person shall rent a motor vehicle  
B204a to  
B205 another until he has inspected the operator's or  
B205a chauffeur's  
B206 license of the person to whom the vehicle is to be  
B206a rented,  
B207 or of the person by whom the vehicle shall be driven,  
B207a and  
B208 compared and verified the signature thereon with the  
B208a sign-  
B209 ature of such person written in his presence.  
B210 SECTION 47. RENTING MOTOR VEHICLE:  
B210a RECORDS.)  
B211 Every person renting a motor vehicle to another shall  
B211a keep  
B212 a record of the registration number of the motor  
B212a vehicle  
B213 so rented, the name and address of the person to whom  
B213a the  
B214 vehicle is rented, the number of the license of said  
B214a latter  
B215 person, or, his certified driver, and the date and place  
B216 when and where said license was issued. Such record  
B216a shall  
B217 be open to inspection by any police officer or officer  
B218 or employee of the commissioner.  
B219 SECTION 48. EXISTING LICENSES AND  
B219a PERMITS.)  
B220 All operator's licenses and permits issued prior to  
B220a September  
B221 1, 1955, for the period beginning July 1, 1955 and  
B221a ending  
B222 July 1, 1957 pursuant to existing law shall be valid for  
B223 the period designated, but subject to cancellation,



B223a revoc-  
 B224 ation, or suspension in accordance with the provisions  
 B224a of  
 B225 this Act and the laws of this state.  
 B226 SECTION 49. UNIFORMITY OF  
 B226a INTERPRETATION.)  
 B227 This Act shall be so interpreted and construed as to  
 B228 effectuate its general purposes to make uniform the law  
 B229 of those states which enact it.  
 B230 SECTION 50. FEES COLLECTED TO BE PAID  
 B230a INTO STATE  
 B231 TREASURY; USE OF.) All money received under  
 B231a the pro-  
 B232 visions of this Act shall be paid monthly into the  
 B232a general  
 B233 fund in the state treasury.  
 B234 SECTION 51. CONSTRUCTION.) This Act shall be  
 B235 construed as being a part of title 39, and as replacing  
 B236 chapter 39-06 of the North Dakota Revised Code, as  
 B236a amended.  
 B237 SECTION 52. SHORT TITLE.) This Act may be  
 B238 cited as the Uniform Motor Vehicle Operators' License  
 B238a Act.  
 B239 SECTION 53. REPEAL.) Chapter 39-06 of the North  
 B240 Dakota Revised Code of 1943 and of the 1953 Supplement  
 B241 thereto is hereby repealed.  
 B242 SECTION 54. COMMISSIONER MAY APPOINT  
 B242a AGENTS TO  
 B243 ISSUE LICENSES; FEES.) The commissioner shall  
 B243a appoint in  
 B244 each county and in all municipalities or other  
 B244a subdivisions  
 B245 thereof, where possible, as many local agents as in his  
 B246 judgment may be deemed necessary for the purpose  
 B246a of issuing  
 B247 and causing to be issued operators' licenses as provided  
 B248 in this chapter. Each such local agent may issue such  
 B249 licenses within or without the county of his residence.  
 B249a The  
 B250 compensation that may be charged by such local agent  
 B250a shall  
 B251 not exceed the sum of twenty-five cents for each such  
 B252 license issued, including notary fee, which sum shall be  
 B253 paid by the person to whom the license is issued, in  
 B254 addition to the license fee provided for in this chapter.

For the Senate:

SEN. HOLAND

SEN. DUFFY

SEN. BRIDSTON

For the House:

REP. ROEN

REP. BROOKS

REP. BRATCHER.

Senator Holand moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Streibel moved that after the reading of the Conference Committee Report on House Bill No. 541, the Senate be at ease subject to the call of the Chair, which motion prevailed.

Senator Day moved that today's Journal be divided into two sections and that the part up to this point be printed separately, which motion prevailed.

The Senate reconvened at the call of the Chair.

#### MOTION

Senator Sayer moved that Senator Rue make a report to the Senate on his visit to Washington at the invitation of President Eisenhower, and that his remarks be printed in the Journal, which motion prevailed. The President appointed Senator Sayer to escort Senator Rue to the rostrum.

Senator Rue:

Mr. President and members of the Senate. I will not make a long talk as I know the Senate is busy cleaning up its affairs in this session, but I will briefly summarize my trip to Washington and my visit at the White House.

To me, this was a very high honor and one of the greatest, if not the greatest event of my life. As you have read in the press, about five weeks ago I received an invitation from the President to attend a stag dinner at the White House with a small group, to be held February 28th, at about 7 p.m., and after dinner we would spend the evening in a social time. Mrs. Rue and I went to Washington, and a little after seven, we, that is I, as this was only for men, took a car to the White House. We went in the front door and were met there by Len Hall and Mr. Hagerty, the Press Secretary for the President. We were then escorted up to the second floor of the White House, which is the living quarters of the President. There we met the President himself in one of the smaller rooms of the White House.

When I arrived about half the guests were there. I might say now the total number of people there were twenty, but of that twenty was included the President himself, Len Hall, the Chairman of the Republican National Committee, Mr. Hagerty, Press Secretary, Mr. Hague, the President's economic adviser, and a member of the Secret Service, so there were fifteen other guests. Of these fifteen guests three were members of the Republican National Committee, as I happened to be from our State. The other guests were from various walks of life. There was Anker Nelson, a dirt farmer from Minnesota and administrator of the R.E.A., the head of General Mills, the head of the Eastman Kodak Company, the man in charge of construction of the St. Lawrence Waterway, and General Donovan, who was head of

our spy Secret Service system during the war and is now special ambassador to Thailand, also several others. We got acquainted up in the second floor room in the White House. I might state now that during the entire time we were at the White House, which was approximately five hours, there was not a moment that we were ill at ease or uncomfortable. The President has the happy faculty or gift to put people at ease and make one feel acquainted with the others, which made, as you all know, the evening more social, agreeable and thoroughly enjoyable.

We visited together upstairs for about an hour or hour and a half before they called us for dinner. We went downstairs to the dining room, and found our place cards at the table. I might mention that as we first entered the White House they brought out a large chart and showed us the seating arrangement in the dining room where we would all sit. We had a very enjoyable dinner. At one end of the long table, Mr. Hagerty sat, and at the other end was Len Hall. The President sat in the middle and I sat almost opposite him—a very good seat, and I certainly was pleased. It was very enjoyable and agreeable during the entire dinner. You might be interested in knowing what we had—there was soup, squab, salad, and dessert, and after the dessert we retired into another room—I think they called it the Rose Room, on the first floor. The chairs there were in a semi-circle and we were served coffee and cigars, and enjoyed a social talk. We discussed everything freely with the President, and he is, to me, one of the outstanding men of our times. He is a man I would describe as more or less humble with humility and spiritual feeling that he is dedicating himself to do what he thinks is the greatest good for the people of this the greatest nation in the world. If you could have met with him as intimately as I did I know each member of this Senate would have been deeply impressed. It is something I will always cherish and always feel very fortunate that I should be one picked to attend this dinner and evening at the White House of this great nation of 170 million people.

It is true I have been at the White House before—Mrs. Rue and I were there at a reception but you know at a reception you meet the President and his wife, have a cup of coffee and a cookie and you don't feel any intimacy about it. I have met the President alone in his office, and I had dinner with him when he was here at the Garrison Dam. You and I know that spending five hours intimately at one's home is quite a length of time. To have had this opportunity of being with the man who rules the greatest nation in the world makes me feel very humble, very thankful and very appreciative of this high honor.

I think, Mr. President, that this briefly summarizes the meeting. It doesn't go into detail as to what we visited about, but you are busy here and I don't want to take more time. However, I might add that as we left the White House—in fact at each place at the table there was a card from the President to Milton Rue and he gave each of us a present of a pocket knife. When we left about twelve o'clock the President stood at the door and shook hands goodbye, and the White House cars took us to our hotel.

Thank you, Mr. President and members of the Senate, for this opportunity to be up here.

## MOTIONS

Senator Freed moved that the Senate reconsider its action by which House Concurrent Resolution "D-2" was defeated, which motion prevailed.

Senator Freed moved that House Concurrent Resolution "D-2" be placed on the calendar, which motion prevailed.

Senator Freed moved that House Concurrent Resolution "D-2" be amended as follows:

Delete lines 10 through 14 inclusive and insert the following in lieu thereof: "That each employee of the thirty-fourth Legislative Assembly shall be paid the sum of two dollars for each day of such employment from any funds appropriated or made available for the Thirty-fourth Legislative Assembly as a special expense allowance to partially reimburse such employees for travel and costs of living incurred while in the employment of the Thirty-fourth Legislative Assembly."

Renumber the lines accordingly.

Which motion prevailed.

Senator Freed moved that House Concurrent Resolution "D-2" be placed at the bottom of the calendar, which motion prevailed.

## SIGNING OF BILLS

The Secretary announced that the President was about to sign:

|                              |       |
|------------------------------|-------|
| Senate Bill No.              | 2     |
| Senate Bill No.              | 3     |
| Senate Bill No.              | 4     |
| Senate Bill No.              | 7     |
| Senate Bill No.              | 8     |
| Senate Bill No.              | 13    |
| Senate Bill No.              | 15    |
| Senate Bill No.              | 18    |
| Senate Bill No.              | 21    |
| Senate Bill No.              | 31    |
| Senate Bill No.              | 58    |
| Senate Bill No.              | 72    |
| Senate Bill No.              | 172   |
| Senate Bill No.              | 173   |
| Senate Bill No.              | 186   |
| Senate Bill No.              | 211   |
| Senate Bill No.              | 224   |
| Senate Concurrent Resolution | "S"   |
| Senate Concurrent Resolution | "A-1" |
| Senate Resolution            | "E-1" |

And the President signed the same in the presence of the Senate.

## MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to transmit:

|                 |   |
|-----------------|---|
| Senate Bill No. | 2 |
| Senate Bill No. | 3 |
| Senate Bill No. | 4 |
| Senate Bill No. | 7 |
| Senate Bill No. | 8 |

Senate Bill No. 13  
 Senate Bill No. 15  
 Senate Bill No. 18  
 Senate Bill No. 21  
 Senate Bill No. 31  
 Senate Bill No. 58  
 Senate Bill No. 72  
 Senate Bill No. 172  
 Senate Bill No. 173  
 Senate Bill No. 186  
 Senate Bill No. 211  
 Senate Bill No. 224  
 Senate Concurrent Resolution "S"  
 Senate Concurrent Resolution "A-1"

Which the President has signed and your signature is respectfully requested.

EDWARD LENO, Secretary.

#### REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment respectfully report that:

Senate Resolution "E-1"

Was delivered to the Secretary of State at the hour of 11:03 o'clock a.m., March 7, 1955.

ROSAMOND O'BRIEN, Chairman.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 53  
 Senate Bill No. 85  
 Senate Bill No. 90  
 Senate Bill No. 125  
 Senate Bill No. 158  
 Senate Bill No. 229  
 Senate Concurrent Resolution "H"

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 53  
 Senate Bill No. 85  
 Senate Bill No. 90  
 Senate Bill No. 125  
 Senate Bill No. 158  
 Senate Bill No. 229  
 Senate Concurrent Resolution "H"  
 Senate Concurrent Resolution "V"  
 Senate Concurrent Resolution "W"  
 Senate Concurrent Resolution "X"

And find the same correctly enrolled.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien 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. 53  
 Senate Bill No. 85  
 Senate Bill No. 90  
 Senate Bill No. 125  
 Senate Bill No. 158  
 Senate Bill No. 229  
 Senate Concurrent Resolution "H"  
 Senate Concurrent Resolution "V"  
 Senate Concurrent Resolution "W"  
 Senate Concurrent Resolution "X"

And the President signed the same in the presence of the Senate.

## MESSAGE TO THE HOUSE

Senate Chamber  
 Bismarck, March 4, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 53  
 Senate Bill No. 85  
 Senate Bill No. 90  
 Senate Bill No. 125  
 Senate Bill No. 158  
 Senate Bill No. 229  
 Senate Concurrent Resolution "H"  
 Senate Concurrent Resolution "V"  
 Senate Concurrent Resolution "W"  
 Senate Concurrent Resolution "X"

Which the President has signed and your signature is respectfully requested.

EDWARD LENO, Secretary.

## FIRST READING OF SENATE RESOLUTION

Senator O'Brien introduced:

Senate Resolution No. 7. A Resolution relating to the contest of Dave M. Robinson of the election of Walter R. Fiedler as Senator from the 46th Senatorial District.

Was read the first time.

Senator Day moved that the rules be suspended and Senate Resolution No. 7 be placed on the calendar for final action, which motion prevailed.

## SECOND READING OF SENATE RESOLUTION

Senate Resolution No. 7. A Resolution relating to the contest of Dave M. Robinson of the election of Walter R. Fiedler as Senator from the 46th Senatorial District.

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, 0; absent and not voting, 2; excused, 1.

Those voting in the affirmative were:

|            |                   |        |
|------------|-------------------|--------|
| Baeverstad | Johnson, Cavalier | Rue    |
| Bilden     | Kamrath           | Sayer  |
| Bridston   | Kieley            | Schmit |

|            |            |          |
|------------|------------|----------|
| Davis      | Klefstad   | Schoeder |
| Day        | Knudson    | Schrock  |
| Dewing     | Krenz      | Solberg  |
| Dolan      | Kusler     | Streibel |
| Duffy      | Leier      | Thomas   |
| Ferry      | Livingston | Torno    |
| Foss       | Luick      | Tuff     |
| Freed      | Meidinger  | Wadeson  |
| Gilbertson | Nelson     | Welander |
| Hagen      | O'Brien    | Wog      |
| Hernett    | Olson      | Wolf     |
| Holand     | Page       | Yunker   |

Johnson, Cass

Absent and not voting:

Berube Fraser

Excused:

Fiedler

So the resolution was adopted and the title was agreed to. Senator Fiedler requested to be excused from voting on this resolution, which request was granted.

Senator Day moved that pursuant to Resolution No. 7 the President appoint a committee to check the ballots in the election contest, which motion prevailed.

The President appointed the following Senators to act on such committee: Senators Johnson (Cav), Leier, Schmit, Holand, and Nelson.

Senator Day moved that Senate Resolution "E-1", and Senate Resoluition No. 7 be printed in the Journal, which motion prevailed.

#### SENATE RESOLUTION "E-1"

Introduced by Senator O'Brien

A Resolution to Obtain Possession of and to Provide Safe-keeping for the Ballots and Official Records of the Special Election for State Senator held February 21, 1955.

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA:

- 1 WHEREAS, an election contest has been commenced
- 1a rela-
- 2 tive to the Special Election for State Senator of the 46th
- 3 Senatorial District of the State of North Dakota,
- 3a February
- 4 21, 1955, wherein the notice of contest proposes that the
- 5 ballots and official records of the said election shall be
- 6 produced on subpoena and the ballots be recounted before
- 7 a notary public, and
- 8 WHEREAS, the Supreme Court of this state in a
- 8a case
- 9 involving a similar contest held that each house of the
- 10 Legislative Assembly is the sole judge of any election
- 11 contest of the election of its own members, and
- 12 WHEREAS, the pleadings in said election contest
- 12a makes
- 13 several very serious charges that should be brought
- 13a before
- 14 the attention of the Senate at the earliest possible
- 15 moment for final determination;
- 16 NOW THEREFORE, BE IT RESOLVED, that the

16a Sargent-at-  
17 Arms of the Senate is hereby directed and empowered,  
17a with  
18 such assistance as he may require, to immediately take  
19 possession of all ballots and official records relating  
20 solely to the said special election from the County Judge  
21 and County Auditor of McLean County, and to invite  
21a and  
22 request the said county officials to accompany him and  
22a the  
23 said ballots and records, as official witnesses, to the  
24 office of the Secretary of State at Bismarck, where he  
25 shall, without opening or unsealing the said ballots, and  
26 in the presence of the Secretary of the Senate and the  
27 Secretary of State, safely enclose the ballots and such  
28 rcords in suitable containers, seal and deliver them into  
29 the custody of the Secretary of State to await the further  
30 order of the Senate.

## SENATE RESOLUTION NO. 7

Introduced by Senator O'Brien

A Resolution relating to the contest of Dave M. Robinson  
of the election of Walter R. Fiedler as Senator from the  
46th Senatorial District.

1 WHEREAS, the ballots and official election records  
1a and  
2 returns formerly in the possession of the County Judge  
2a and  
3 County Auditor of McLean County have been obtained  
3a by the  
4 Sergeant at Arms who sealed them in the presence of  
4 the  
5 Secretary of State, the Secretary of the Senate, the said  
6 County Judge and County Auditor where they now  
6a remain in  
7 the vault of the Secretary of State awaiting the further  
8 order of the Senate; and

9 WHEREAS, it is desirable that a recount of the said  
10 ballots and an examination of the said official records  
10a be  
11 held as soon as possible and that a committee of this  
11a body  
12 be appointed for this purpose;

13 NOW, THEREFORE, BE IT RESOLVED BY THE  
13a SENATE  
14 OF THE STATE OF NORTH DAKOTA' That a  
14a committee of  
15 five be appointed by the Senate, selected on motion from  
16 the floor, to conduct a recount of the said ballots and an  
17 examination of the said official records including the  
17a poll  
18 books, and that for this purpose they obtain possession  
18a of  
19 the sealed containers containing the said ballots and  
19a records  
20 from the Secretary of State, open such containers in the  
21 presence of the Secretary of State, the Secretary of the  
22 Senate and counsel representing the contestant and  
22a contestee



23 respectively and proceed to count the ballots and examine  
24 the said official records.

25 BE IT FURTHER RESOLVED that in addition to the  
26 chairman, two of the members of the committee act as  
26a judges

27 and two as clerks and exercise a function similar to such  
28 officials acting as an election board.

29 BE IT FURTHER RESOLVED that, after they have  
29a completed

30 the said recount of the ballots and examination of the  
31 official records pertaining thereto, they report the facts  
32 as they find them forthwith to the Senate for further  
33 appropriate action.

#### MESSAGE TO THE SENATE

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to request the return of  
Senate Bill No. 240.

KENNETH L. MORGAN, Chief Clerk.

#### MOTIONS

Senator Kusler moved that the House be requested to re-  
turn House Concurrent Resolution "V-1", which motion pre-  
vailed.

Senator Day moved that the Senate do return Senate Bill  
No. 240 to the House, as requested, which motion prevailed.

Senator Duffy moved that the House be requested to re-  
turn House Bill No. 535 to the Senate, which motion pre-  
vailed.

Senator Dolan moved that the House be requested to re-  
turn House Concurrent Resolution "C-2" to the Senate,  
which motion prevailed.

Senator Duffy moved that the vote by which House Bill  
No. 688 was passed be reconsidered, which motion prevailed.

Senator Duffy moved that the vote by which House Bill  
No. 558 was passed, be reconsidered, which motion prevailed.

Senator Duffy moved that the vote by which House Bill  
No. 786 was passed be reconsidered, which motion prevailed.

Senator Duffy moved that House Bills Nos. 688, 558, and  
786 be placed on the calendar, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to request the return of  
House Concurrent Resolutions "V-1", "C-2" and House Bill  
No. 535.

EDWARD LENO, Secretary.

#### MESSAGES TO THE SENATE

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to transmit:

House Bill No. 694

House Concurrent Resolution "N-1"

Which the Speaker has signed and your signature is  
respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

## House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House adopted the report of the Conference Committee on House Bill No. 811 and the Speaker has appointed as a new Conference Committee, Reps. Beede, Hofstrand, and Paulson.

KENNETH L. MORGAN, Chief Clerk.

## House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House adopted the Conference Committee reports on House Bills Nos. 557 and 860.

KENNETH L. MORGAN, Chief Clerk.

## MESSAGE TO THE HOUSE

## Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return Senate Bill No. 240 which the House has requested.

EDWARD LENO, Secretary.

## REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 811, has had the same under consideration and finds that your committee cannot agree and recommends that this committee be discharged and another Conference Committee be appointed.

For the Senate:

SENATOR WOG  
SENATOR BAEVERSTAD  
SENATOR KUSLER

For the House:

REP. NYGAARD  
REP. HOFSTRAND  
REP. HAUGLAND

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

The President appointed as a Conference Committee to act with a like committee from the House, to consider House Bill No. 811, Senators Schrock, Baeverstad, and Olson.

## MOTIONS

Senator Duffy moved that House Bill No. 688 be amended as follows:

In the title strike out "Sub-Section 3 of Section 43-1317.

In line 1 of the bill delete the words "Sub-Sections 1 and 3".

Which motion prevailed.

Senator Duffy moved that the rules be suspended and House Bill No. 688 be placed on second reading and final action, as amended, which motion prevailed.

## SECOND READING OF HOUSE BILLS

House Bill No. 688. A Bill for an Act to amend and reenact Sections 43-1301, 43-1307, 43-1308, 43-1317, subsection 3 of Section 43-1317, and 43-1320 relating to Optometrists.

Which has been read.

## 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, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

|            |               |          |
|------------|---------------|----------|
| Bilden     | Johnson, Cass | Schmit   |
| Davis      | Knudson       | Schoeder |
| Day        | Krenz         | Solberg  |
| Dewing     | Leier         | Streibel |
| Dolan      | Livingston    | Thomas   |
| Duffy      | Luick         | Torno    |
| Ferry      | Meidinger     | Tuff     |
| Fiedler    | Nelson        | Wadeson  |
| Foss       | O'Brien       | Welander |
| Freed      | Page          | Wog      |
| Gilbertson | Rue           | Wolf     |
| Hagen      | Sayer         | Yunker   |
| Holand     |               |          |

Absent and not voting:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Klefstad |
| Berube     | Johnson, Cavalier | Kusler   |
| Bridston   | Kamrath           | Olson    |
| Fraser     | Kieley            | Schrock  |

So the bill passed and the title was agreed to.

Senator Duffy moved that House Bill No. 558 be amended as follows:

In the title before the final period add the words "and providing a penalty".

Which motion prevailed.

Senator Duffy moved that the rules be suspended and that House Bill No. 558 be placed on second reading and final passage, as amended, which motion prevailed.

House Bill No. 558. A Bill for an Act to prohibit the feeding of raw garbage to swine in North Dakota and to provide for the licensing and regulation of garbage feeders and to provide minimum standards for the operation of garbage feeding establishments.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cavalier | Sayer    |
| Bilden     | Kamrath           | Schmit   |
| Bridston   | Kieley            | Schoeder |
| Davis      | Knudson           | Schrock  |
| Day        | Krenz             | Solberg  |
| Dewing     | Leier             | Streibel |
| Dolan      | Livingston        | Thomas   |
| Duffy      | Luick             | Torno    |

|            |           |          |
|------------|-----------|----------|
| Ferry      | Meidinger | Tuff     |
| Fiedler    | Nelson    | Waleson  |
| Foss       | O'Brien   | Welander |
| Freed      | Olson     | Wog      |
| Gilbertson | Page      | Wolf     |
| Holand     | Rue       | Yunker   |

Johnson, Cass

Absent and not voting:

|        |         |          |
|--------|---------|----------|
| Berube | Hagen   | Klefstad |
| Fraser | Hernett | Kusler   |

So the bill passed and the title was agreed to.

Senator Duffy moved that House Bill No. 786 be amended as follows:

In the title delete the number "1947" and insert in lieu thereof the number "1953".

In line 2 of the bill delete the number "1947" and insert in lieu thereof the number "1953".

Which motion prevailed.

Senator Duffy moved that the rules be suspended and that House Bill No. 786 be placed on second reading and final passage, as amended, which motion prevailed.

**House Bill No. 786.** 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.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Sayer    |
| Bilden     | Johnson, Cass     | Schmit   |
| Bridston   | Johnson, Cavalier | Schoeder |
| Davis      | Kamrath           | Schrock  |
| Day        | Kielely           | Streibel |
| Dewing     | Knudson           | Thomas   |
| Dolan      | Krenz             | Torno    |
| Duffy      | Leier             | Tuff     |
| Ferry      | Luick             | Wadeson  |
| Fiedler    | Nelson            | Welander |
| Foss       | O'Brien           | Wog      |
| Freed      | Olson             | Wolf     |
| Gilbertson | Page              | Yunker   |
| Hernett    | Rue               |          |

Absent and not voting:

|        |            |           |
|--------|------------|-----------|
| Berube | Klefstad   | Meidinger |
| Fraser | Kusler     | Solberg   |
| Hagen  | Livingston |           |

So the bill passed and the title was agreed to.

### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee

on House Bill No. 811, and the President has appointed as a new Conference Committee, Senators Schrock, Baeverstad, and Olson.

EDWARD LENO, Secretary.

#### MOTION

Senator Duffy moved that the Senate do not concur in the report of the Conference Committee on House Bill No. 541, which motion prevailed.

Senator Duffy moved that the House be requested to return to the Senate, House Bill No. 541, which motion prevailed.

Senator Luick moved that the House be requested to return House Bill No. 706 to the Senate, and requested a roll call.

#### ROLL CALL

The question being on the motion of Senator Luick, the roll was called and there were ayes, 22; nays, 20; absent and not voting, 7.

Those voting in the affirmative were:

|            |               |          |
|------------|---------------|----------|
| Baeverstad | Freed         | Luick    |
| Bilden     | Gilbertson    | Rue      |
| Bridston   | Holand        | Sayer    |
| Davis      | Johnson, Cass | Torno    |
| Day        | Kieley        | Wadesor  |
| Dolan      | Krenz         | Welander |
| Duffy      | Livingston    | Yunker   |
| Foss       |               |          |

Those voting in the negative were:

|                   |         |          |
|-------------------|---------|----------|
| Dewing            | Leier   | Solberg  |
| Ferry             | Nelson  | Streibel |
| Fiedler           | O'Brien | Thomas   |
| Hernett           | Olson   | Tuff     |
| Johnson, Cavalier | Page    | Wog      |
| Kamrath           | Schmit  | Wolf     |
| Kusler            | Schrock |          |

Absent and not voting:

|        |          |           |
|--------|----------|-----------|
| Berube | Klefstad | Meidinger |
| Fraser | Knudson  | Schoeder  |
| Hagen  |          |           |

So the motion prevailed.

#### MESSAGE TO THE SENATE

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has adopted the reports of the Conference Committees on Senate Bills Nos. 6 by a vote of ayes, 88; nays, 0; absent and not voting, 25; and 164 and 242.

#### REPORTS OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 6, has had the same under consideration and recommend: The House recede from their amendments.

For the Senate:

SENATOR LUICK  
SENATOR BILDEN  
SENATOR SOLBERG

For the House:

REP. LINDBERG  
 REP. SIMENSON (9th)  
 REP. THOMPSON (McLean)

Senator Luick moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 19, has had the same under consideration and recommends: That the Senate concur with the House amendments.

For the Senate:

SENATOR FERRY  
 SENATOR RUE  
 SENATOR KAMRATH

For the House:

REP. SNORTLAND  
 REP. TRYDAHL  
 REP. ANDERSON

Senator Ferry moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 164, has had the same under consideration and recommends as follows: Your committee agrees to the amendments as submitted by the House.

For the Senate:

SENATOR WOG  
 SENATOR MEIDINGER  
 SENATOR THOMAS

For the House:

REP. EINERSON  
 REP. RENFROW  
 REP. BRATCHER

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 220, has had the same under consideration and recommends: The Senate will concur with the House amendments.

For the Senate:

SENATOR DAVIS  
 SENATOR FRASER  
 SENATOR YUNKER

For the House:

REP. GEFREH  
 REP. SORLIE  
 REP. ERICKSON, Burke-Divide

Senator Davis moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 242, has had the same under consideration and recommends: The Senate will concur with the House amendments.

For the Senate:

SENATOR HOLAND  
 SENATOR DOLAN  
 SENATOR O'BRIEN

For the House:  
 REP. BROOKS  
 REP. FRISTAD  
 REP. GEFREH

Senator Holand moved that the report be adopted, which motion prevailed and the report was adopted.

### SECOND READING OF SENATE BILLS

Senator Ferry moved that the rules be suspended and Senate Bill No. 19 be deemed properly re-engrossed and placed on second reading and final action, as amended by the Conference Committee, which motion prevailed.

**Senate Bill No. 19.** A Bill for an Act making an appropriation for operation and maintenance of the Auto Transportation Division.

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, 6; absent and not voting, 5.

Those voting in the affirmative were:

|            |               |          |
|------------|---------------|----------|
| Baeverstad | Holand        | Schmit   |
| Bilden     | Johnson, Cass | Schoeder |
| Bridston   | Kamrath       | Schrock  |
| Davis      | Kieley        | Solberg  |
| Day        | Krenz         | Streibel |
| Dolan      | Kusler        | Thomas   |
| Duffy      | Leier         | Torno    |
| Ferry      | Livingston    | Tuff     |
| Fiedler    | Luick         | Wadeson  |
| Foss       | Meidinger     | Wog      |
| Freed      | Nelson        | Wolf     |
| Gilbertson | Rue           | Yunker   |
| Hernett    | Sayer         |          |

Those voting in the negative were:

|        |                   |          |
|--------|-------------------|----------|
| Dewing | Johnson, Cavalier | Page     |
| Hagen  | Olson             | Welander |

Absent and not voting:

|        |          |         |
|--------|----------|---------|
| Berube | Klefstad | O'Brien |
| Fraser | Knudson  |         |

So the bill passed and the title was agreed to.

Senator Wog moved that the rules be suspended and Senate Bill No. 164 be deemed properly re-engrossed and placed on second reading and final action, as amended by the Conference Committee, which motion prevailed.

**Senate Bill No. 164.** A Bill for an Act to provide for the impounding of any vehicle operated upon any highway, street or road in this state at weights in excess of the weight limitations as specified under the provisions of section 39-1203 of the North Dakota Revised Code of 1943 or as limited by the provisions of section 39-1205 of the 1953 Supplement to the North Dakota Revised Code of 1943 and to provide for the recovery of charges for extraordinary use of the highways, streets and roads of this state, and declaring an emergency.

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, 2; absent and not voting, 5.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Sayer    |
| Bilden     | Johnson, Cass     | Schmit   |
| Bridston   | Johnson, Cavalier | Schoeder |
| Davis      | Kamrath           | Schrock  |
| Dewing     | Kieleley          | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Fiedler    | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | O'Brien           | Wog      |
| Hagen      | Olson             | Wolf     |
| Hernett    | Rue               | Yunker   |

Those voting in the negative were:

Nelson Page

Absent and not voting:

|        |          |         |
|--------|----------|---------|
| Berube | Fraser   | Knudson |
| Day    | Klefstad |         |

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

**MESSAGE TO THE HOUSE**

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to request the return of House Bills Nos. 541 and 706.

EDWARD LENO, Secretary.

**SECOND READING OF SENATE BILLS**

Senator Day moved that the rules be suspended and Senate Bill No. 220 be deemed properly re-engrossed and placed on second reading and final action, as amended by the Conference Committee, which motion prevailed.

Senate Bill No. 220. A Bill for an Act to amend and reenact section 35-0506 of the North Dakota Revised Code of 1943 relating to Abstract of Crop Liens.

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, 41; nays, 2; absent and not voting, 6.

Those voting in the affirmative were:

|            |               |          |
|------------|---------------|----------|
| Baeverstad | Johnson, Cass | Schmit   |
| Bilden     | Kamrath       | Schrock  |
| Bridston   | Kieleley      | Schoeder |
| Davis      | Klefstad      | Solberg  |
| Day        | Krenz         | Streibel |
| Dewing     | Leier         | Thomas   |
| Dolan      | Livingston    | Torno    |
| Duffy      | Luick         | Tuff     |



|         |           |          |
|---------|-----------|----------|
| Ferry   | Meidinger | Wadeson  |
| Foss    | Nelson    | Welander |
| Freed   | O'Brien   | Wog      |
| Hagen   | Olson     | Wolf     |
| Hernett | Rue       | Yunker   |
| Holand  | Sayer     |          |

Those voting in the negative were:

Gilbertson                      Johnson, Cavalier

Absent and not voting:

|         |         |        |
|---------|---------|--------|
| Berube  | Fraser  | Kusler |
| Fiedler | Knudson | Page   |

So the bill passed and the title was agreed to.

Senator Holand moved that the rules be suspended and Senate Bill No. 242 be deemed properly re-engrossed and placed on second reading and final action, as amended by the Conference Committee, which motion prevailed.

Senate Bill No. 242. A Bill for an Act to amend and reenact section 15-0704 of the North Dakota Revised Code of 1943, relating to private sale of non-grant lands.

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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Rue      |
| Bilden     | Johnson, Cass     | Sayer    |
| Bridston   | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Krenz             | Solberg  |
| Dolan      | Kusler            | Streibel |
| Duffy      | Leier             | Torno    |
| Ferry      | Livingston        | Tuff     |
| Fiedler    | Luick             | Wadeson  |
| Foss       | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | O'Brien           | Wolf     |
| Hagen      | Olson             | Yunker   |
| Hernett    | Page              |          |

Absent and not voting:

|        |         |        |
|--------|---------|--------|
| Berube | Kieley  | Thomas |
| Fraser | Knudson |        |

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. 557, has had the same under consideration and recommends that the House concur with the Senate amendments.

For the Senate:  
 SENATOR HERNETT  
 SENATOR SCHOEDER  
 SENATOR LEIER

For the House:  
 REP. LEET  
 REP. STOCKMAN  
 REP. SCHULER

Senator Hernettt 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. 860, has had the same under consideration and recommends:

That the Senate recede from their amendment in line 2 by reinserting the words "Old Age and Survivors Insurance Trust Fund" and striking out the words "State Treasury", and

That the House concur with the Senate amendment in line 3 by striking out the word "Twenty-Five" and inserting the word "Fifteen" in lieu thereof.

For the Senate:

SENATOR KRENZ  
 SENATOR JOHNSON  
 (Cavalier)  
 SENATOR TUFF

For the House:

REP. PAULSON  
 REP. SAUMUR  
 REP. MILLER

Senator Krenz moved that the report be adopted, which motion prevailed and the report was adopted.

**SECOND READING OF HOUSE BILLS**

Senator Krenz moved that the rules be suspended and Senate Bill No. 860 be deemed properly re-engrossed and placed on second reading and final action, as amended by the Conference Committee, which motion prevailed.

**House Bill No. 860.** A Bill for an Act making an appropriation jointly to the North Dakota Legislative Research Committee and the North Dakota OASIS for the purpose of making an actuarial study of the North Dakota OASIS and maintaining the necessary expenses connected therewith.

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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Sayer    |
| Bilden     | Johnson, Cass     | Schmit   |
| Bridston   | Johnson, Cavalier | Schoeder |
| Davis      | Kamrath           | Schrock  |
| Day        | Klefstad          | Solberg  |
| Dewing     | Knudson           | Streibel |
| Dolan      | Krenz             | Thomas   |
| Duffy      | Kusler            | Torno    |
| Ferry      | Leier             | Tuff     |
| Fiedler    | Luick             | Wadeson  |
| Foss       | Meidinger         | Welander |
| Freed      | Nelson            | Wog      |
| Gilbertson | Olson             | Wolf     |
| Hagen      | Page              | Yunker   |
| Hernettt   | Rue               |          |

Absent and not voting:

Berube

Kieley

O'Brien

Fraser

Livingston

So the bill passed and the title was agreed to.

#### MOTION

Senator Day moved that the Employment Committee be requested to furnish a guard or guards for the Secretary of State's office, to guard the ballots in the election contest over night, which motion prevailed.

#### MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bills Nos. 557 and 860, by a vote of ayes, 44; nays, 0; absent and not voting, 5.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the Senate has refused to adopt the report of the Conference Committee on House Bill No. 541 and has requested the return of the bill.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bills Nos. 6, 19, 164, 220 and 242.

EDWARD LENO, Secretary.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 694

House Concurrent Resolution "N-1"

And the President signed the same in the presence of the Senate.

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 694

House Concurrent Resolution "N-1"

Which the President has signed.

EDWARD LENO, Secretary.

Senator Streibel moved that the Senate be at ease subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair.

### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 558  
House Bill No. 688  
House Bill No. 786

Which the Senate has amended.

EDWARD LENO, Secretary.

### MOTION

Senator Day moved that House Concurrent Resolution "Y-1" be placed on the calendar, which motion prevailed.

### SECOND READING OF HOUSE RESOLUTIONS

House Concurrent Resolution "O-1". A Concurrent Resolution authorizing the payment of the expenses of a select committee appointed pursuant to House Resolution No. 9 of the Thirty-third Legislative Assembly.

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, 5; absent and not voting, 18.

Those voting in the affirmative were:

|          |           |          |
|----------|-----------|----------|
| Bilden   | Freed     | Schoeder |
| Bridston | Hernett   | Schrock  |
| Day      | Kamrath   | Streibel |
| Dewing   | Kieley    | Thomas   |
| Dolan    | Knudson   | Torno    |
| Duffy    | Kusler    | Welander |
| Ferry    | Meidinger | Wog      |
| Fiedler  | Olson     | Wolf     |
| Fraser   | Rue       |          |

Those voting in the negative were:

|            |       |         |
|------------|-------|---------|
| Baeverstad | Page  | Wadeson |
| Foss       | Sayer |         |

Absent and not voting:

|        |                   |        |
|--------|-------------------|--------|
| Berube | Johnson, Cavalier | Nelson |
|--------|-------------------|--------|

|               |            |         |
|---------------|------------|---------|
| Davis         | Klefstad   | O'Brien |
| Gilbertson    | Krenz      | Schmit  |
| Hagen         | Leier      | Solberg |
| Holand        | Livingston | Tuff    |
| Johnson, Cass | Luick      | Yunker  |

So the resolution was adopted and the title was agreed to.

**House Concurrent Resolution "W-1".** A Concurrent Resolution directing the legislative research committee to study the licensing and inspection activities of the public service commission.

Which has been read.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 35; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

|            |               |          |
|------------|---------------|----------|
| Baeverstad | Gilbertson    | Sayer    |
| Bilden     | Hernett       | Schoeder |
| Bridston   | Johnson, Cass | Schrock  |
| Day        | Kamrath       | Streibel |
| Dewing     | Kieley        | Thomas   |
| Dolan      | Knudson       | Torno    |
| Duffy      | Kusler        | Wadeson  |
| Ferry      | Luick         | Welander |
| Fiedler    | Meidinger     | Wog      |
| Foss       | Olson         | Wolf     |
| Fraser     | Page          | Yunker   |
| Freed      | Rue           |          |

Absent and not voting:

|                   |            |         |
|-------------------|------------|---------|
| Berube            | Klefstad   | O'Brien |
| Davis             | Krenz      | Schmit  |
| Hagen             | Leier      | Solberg |
| Holand            | Livingston | Tuff    |
| Johnson, Cavalier | Nelson     |         |

So the resolution was adopted and the title was agreed to.

Senator Day moved that House Concurrent Resolutions "B-2" and "D-2" be placed at the foot of the calendar, which motion prevailed.

**House Concurrent Resolution "H-2".** A Concurrent Resolution urging Congress and the Bureau of Indian Affairs to establish tribal courts or courts of Indian offenses for the Fort Totten Indian Reservation.

Which has been read.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

|            |               |          |
|------------|---------------|----------|
| Baeverstad | Hagen         | Schoeder |
| Bilden     | Hernett       | Schrock  |
| Bridston   | Johnson, Cass | Solberg  |
| Day        | Kamrath       | Streibel |
| Dewing     | Kieley        | Thomas   |
| Dolan      | Knudson       | Torno    |
| Duffy      | Kusler        | Tuff     |
| Ferry      | Luick         | Wadeson  |
| Fiedler    | Meidinger     | Welander |

|            |         |        |
|------------|---------|--------|
| Foss       | O'Brien | Wog    |
| Fraser     | Olson   | Wolf   |
| Freed      | Rue     | Yunker |
| Gilbertson | Sayer   |        |

## Absent and not voting:

|                   |            |        |
|-------------------|------------|--------|
| Berube            | Klefstad   | Nelson |
| Davis             | Krenz      | Page   |
| Holand            | Leier      | Schmit |
| Johnson, Cavalier | Livingston |        |

So the resolution was adopted and the title was agreed to.

**House Concurrent Resolution "I-2".** A Concurrent Resolution relating to the old age and survivor's insurance system.

Which has been read.

## ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

|            |           |          |
|------------|-----------|----------|
| Baeverstad | Hagen     | Schoeder |
| Bilden     | Hernett   | Schrock  |
| Bridston   | Kamrath   | Solberg  |
| Day        | Kieley    | Streibel |
| Dewing     | Knudson   | Thomas   |
| Dolan      | Kusler    | Torno    |
| Duffy      | Luick     | Tuff     |
| Ferry      | Meidinger | Wadeson  |
| Fiedler    | O'Brien   | Welander |
| Foss       | Olson     | Wog      |
| Fraser     | Page      | Wolf     |
| Freed      | Rue       | Yunker   |
| Gilbertson | Sayer     |          |

## Absent and not voting:

|               |                   |            |
|---------------|-------------------|------------|
| Berube        | Johnson, Cavalier | Livingston |
| Davis         | Klefstad          | Nelson     |
| Holand        | Krenz             | Schmit     |
| Johnson, Cass | Leier             |            |

So the resolution was adopted, and the title was agreed to.

**House Concurrent Resolution "Y-1".** A Concurrent Resolution authorizing and directing the legislative research committee, in cooperation with the North Dakota State Bar Association, to formulate and organize an orientation program for the North Dakota Thirty-fifth Legislative Assembly.

Which has been read.

## ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 13; nays, 24; absent and not voting, 12.

Those voting in the affirmative were:

|            |           |          |
|------------|-----------|----------|
| Baeverstad | Kieley    | Schrock  |
| Bridston   | Knudson   | Solberg  |
| Dolan      | Meidinger | Tuff     |
| Freed      | Page      | Welander |
| Hernett    |           |          |

Those voting in the negative were:

|        |         |          |
|--------|---------|----------|
| Bilden | Hagen   | Schoeder |
| Day    | Kamrath | Streibel |

|                        |                   |            |
|------------------------|-------------------|------------|
| Dewing                 | Kusler            | Thomas     |
| Ferry                  | Luick             | Torno      |
| Fiedler                | O'Brien           | Wadeson    |
| Foss                   | Olson             | Wog        |
| Fraser                 | Rue               | Wolf       |
| Gilbertson             | Sayer             | Yunker     |
| Absent and not voting: |                   |            |
| Berube                 | Johnson, Cass     | Leier      |
| Davis                  | Johnson, Cavalier | Livingston |
| Duffy                  | Klefstad          | Nelson     |
| Holand                 | Krenz             | Schmit     |

So the resolution was declared lost.

**House Bill No. 711.** A Bill for an Act prohibiting the issuance of retail beer or liquor licenses to new establishments by county commissioners without written consent of township supervisors; and declaring an emergency.

Which has been read.

#### 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, 23; nays, 18; absent and not voting, 8.

Those voting in the affirmative were:

|            |            |         |
|------------|------------|---------|
| Baeverstad | Freed      | Sayer   |
| Bilden     | Kieley     | Solberg |
| Bridston   | Krenz      | Thomas  |
| Davis      | Livingston | Torno   |
| Dolan      | Luick      | Wadeson |
| Duffy      | Meidinger  | Wolf    |
| Ferry      | Olson      | Yunker  |
| Foss       | Rue        |         |

Those voting in the negative were:

|            |         |           |
|------------|---------|-----------|
| Day        | Hernett | Schoeider |
| Dewing     | Kamrath | Schrock   |
| Fiedler    | Knudson | Streibel  |
| Fraser     | Kusler  | Tuff      |
| Gilbertson | O'Brien | Welander  |
| Hagen      | Page    | Wog       |

Absent and not voting:

|               |                   |        |
|---------------|-------------------|--------|
| Berube        | Johnson, Cavalier | Nelson |
| Holand        | Klefstad          | Schmit |
| Johnson, Cass | Leier             |        |

So the bill was declared lost due to the lack of a constitutional majority.

Senator Knudson changed his vote from aye to nay.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 19  
 Senate Bill No. 164  
 Senate Bill No. 220  
 Senate Bill No. 242

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed, and the report was adopted.

## MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "O-1"

House Concurrent Resolution "W-1"

House Concurrent Resolution "H-2"

House Concurrent Resolution "I-2"

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "Y-1"

Which the Senate has indefinitely postponed.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 711

Which the Senate has indefinitely postponed.

EDWARD LENO, Secretary.

## REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 34, has had the same under consideration and recommends:

That the Senate accept the House amendments and that such amendments be further amended as follows:

In Section 7, Line 15 delete the word "to" after the word "subrogated" and in Line 35 delete everything after the bracket. "Delete Lines 36, 37, and 38 and insert in lieu thereof the following "if the claimant or his dependents do not institute suit within sixty days after date of injury the bureau may bring the"

For the Senate:

SENATOR DAY  
SENATOR BRIDSTON  
SENATOR WOLF

For the House:

REP. BROWN  
REP. VINJE  
REP. LYNCH

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Wolf moved that the rules be suspended and Senate Bill No. 34 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the Conference Committee, which motion prevailed.

## SECOND READING OF SENATE BILLS

Senate Bill No. 34. A Bill for an Act to amend and reenact sections 65-0205, 65-0427, 65-0801, 65-0518, 65-1011 of the North Dakota Revised Code of 1943 as amended; and to repeal section 10 of chapter 344 of the North Dakota Session Laws of 1951 relating to Workmen's Compensation.

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, 0; absent and not voting, 7.

Those voting in the affirmative were:

|            |               |          |
|------------|---------------|----------|
| Baeverstad | Hagen         | Rue      |
| Bilden     | Hernett       | Sayer    |
| Bridston   | Johnson, Cass | Schoeder |
| Davis      | Kamrath       | Schrock  |
| Day        | Kieley        | Solberg  |
| Dewing     | Knudson       | Streibel |
| Dolan      | Krenz         | Thomas   |
| Duffy      | Kusler        | Torno    |
| Ferry      | Livingston    | Tuff     |
| Fiedler    | Luick         | Wadeson  |
| Foss       | Meidinger     | Welander |
| Fraser     | O'Brien       | Wog      |
| Freed      | Olson         | Wolf     |
| Gilbertson | Page          | Yunker   |

Absent and not voting:

|        |          |        |
|--------|----------|--------|
| Berube | Klefstad | Nelson |
| Holand | Leier    | Schmit |

So the bill passed and the title was agreed to.

Senator Johnson (Cass) moved that the Senate reconsider its action by which House Bill No. 711 was lost.

## ROLL CALL

The question being on the motion of Senator Johnson (Cass) the roll was called and there were ayes, 29; nays, 12; absent and not voting, 8.

Those voting in the affirmative were:

|            |               |          |
|------------|---------------|----------|
| Baeverstad | Hernett       | Rue      |
| Bilden     | Johnson, Cass | Sayer    |
| Bridston   | Kieley        | Schrock  |
| Dewing     | Knudson       | Solberg  |
| Dolan      | Krenz         | Streibel |
| Duffy      | Kusler        | Torno    |
| Ferry      | Livingston    | Tuff     |
| Fiedler    | Luick         | Wadeson  |
| Foss       | Meidinger     | Wolf     |
| Freed      | Olson         |          |

Those voting in the negative were:

|            |          |          |
|------------|----------|----------|
| Day        | Kamrath  | Thomas   |
| Fraser     | O'Brien  | Welander |
| Gilbertson | Page     | Wog      |
| Hagen      | Schoeder | Yunker   |

Absent and not voting:

|        |                   |        |
|--------|-------------------|--------|
| Berube | Johnson, Cavalier | Nelson |
| Davis  | Klefstad          | Schmit |
| Holand | Leier             |        |

Which motion prevailed.

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to request the return of House Bill No. 711.

EDWARD LENO, Secretary.

## MESSAGE TO THE SENATE

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to return House Bill No. 711, which the Senate requested.

KENNETH L. MORGAN, Chief Clerk.

Senator Johnson (Cass) moved that House Bill No. 711 be placed on the calendar, which motion prevailed.

Senator Day moved that House Bill No. 711 be amended as follows:

At the end of the bill add the following: "This Act shall not apply in any county after county zoning has been adopted in that county."

Renumber the lines accordingly.

Which motion was declared lost.

## SECOND READING OF HOUSE BILLS

House Bill No. 711. A Bill for an Act prohibiting the issuance of retail beer or liquor licenses to new establishments by county commissioners without written consent of township supervisors; and declaring an emergency.

Which has been read.

## 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, 24; nays, 18; absent and not voting, 7.

Those voting in the affirmative were:

|            |               |           |
|------------|---------------|-----------|
| Baeverstad | Freed         | Meidinger |
| Bilden     | Hernett       | Olson     |
| Bridston   | Johnson, Cass | Rue       |
| Davis      | Kieley        | Sayer     |
| Dolan      | Knudson       | Solberg   |
| Duffy      | Krenz         | Torno     |
| Ferry      | Livingston    | Wadeson   |
| Foss       | Luick         | Wolf      |

Those voting in the negative were:

|            |          |           |
|------------|----------|-----------|
| Day        | Kamrath  | Streibel  |
| Dewing     | Kusler   | Thomas    |
| Fiedler    | O'Brien  | Tuff      |
| Fraser     | Page     | Welanders |
| Gilbertson | Schoeder | Wog       |
| Hagen      | Schrock  | Yunker    |

Absent and not voting:

|        |          |        |
|--------|----------|--------|
| Berube | Klefstad | Nelson |
| Holand | Leier    | Schmit |

Johnson, Cavalier  
So the bill was declared lost due to the lack of a constitutional majority.

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 711

Which the Senate has indefinitely postponed.

EDWARD LENO, Secretary.



|            |            |          |
|------------|------------|----------|
| Bilden     | Kamrath    | Sayer    |
| Bridston   | Kieley     | Schoeder |
| Davis      | Knudson    | Schrock  |
| Dolan      | Krenz      | Solberg  |
| Duffy      | Kusler     | Thomas   |
| Ferry      | Livingston | Torno    |
| Foss       | Luick      | Tuff     |
| Fraser     | Meidinger  | Wadeson  |
| Freed      | O'Brien    | Wog      |
| Gilbertson | Olson      | Yunker   |
| Hernett    | Page       |          |

Those voting in the negative were:

|        |          |      |
|--------|----------|------|
| Dewing | Streibel | Wolf |
| Hagen  | Welander |      |

Absent and not voting:

|         |                   |        |
|---------|-------------------|--------|
| Berube  | Holand            | Leier  |
| Day     | Johnson, Cavalier | Nelson |
| Fiedler | Klefstad          | Schmit |

So the bill passed and the title was agreed to.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 183.

EDWARD LENO, Secretary.

#### REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 811, has had the same under consideration and report that your Conference Committee is unable to come to any agreement on the matters in disagreement between the two houses on said bill and we recommend that your Conference Committee be discharged and that a new Conference Committee be appointed.

For the Senate:

SENATOR SCHROCK  
SENATOR OLSON  
SENATOR BAEVERSTAD

For the House:

REP. BEEDE  
REP. HOFSTRAND  
REP. PAULSON

Senator Schrock moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Streibel moved that the same members be appointed to serve on the Conference Committee to consider House Bill No. 811, which motion prevailed.

The President re-appointed Senators Olson, Schrock and Baeverstad to so act.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee

on House Bill No. 811, and the President has appointed as a new Conference Committee, Senators Olson, Schrock and Baeverstad.

EDWARD LENO, Secretary.

#### 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. 6  
Senate Bill No. 19  
Senate Bill No. 220  
Senate Bill No. 242  
Senate Resolution No. 7

And find the same correctly enrolled.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien 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. 6  
Senate Bill No. 19  
Senate Bill No. 220  
Senate Bill No. 242  
Senate Resolution No. 7

And the President signed the same in the presence of the Senate.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 6  
Senate Bill No. 19  
Senate Bill No. 220  
Senate Bill No. 242

Which the President has signed and your signature is respectfully requested.

EDWARD LENO, Secretary.

#### MOTION

Senator O'Brien moved that the House be requested to return House Bill No. 838 to the Senate, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to request the return of House Bill No. 838.

EDWARD LENO, Secretary.

#### MOTION

Senator Duffy moved that the title to House Bill No. 535 be amended as follows:

In the third line of the title after the number "39-0451"

insert the following: "and 39-0467", and add an "s" to the word "Section" before the number 39-0451.

Which motion prevailed and the title is thereby so amended.

### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 535

Which the Senate has amended title.

EDWARD LENO, Secretary.

### MOTION

Senator Duffy moved that House Bill No. 541 be further amended as follows:

Strike out everything in House Bill No. 541 after the words "A Bill" and insert the following:

For an Act to provide for issuance, expiration, renewal, cancellation, suspension and revocation of vehicle operators' licenses providing penalties for violation thereof, and repealing all sections of Chapter 39-06 of the North Dakota Revised Code of 1943, except Section 39-0615 and all sections of Chapter 39-06 of the 1953 Supplement to the North Dakota Revised Code of 1943, and the balance of the proposed amendments as printed in the Senate Journal commencing at the bottom of Page 879 and continuing through to Page 894, except that we delete therefrom Section 54.

In Section 53 after the numerals "1943" insert "except Section 39-0615 and Chapter 39-06".

Delete the word "and" after 1943.

Which motion prevailed.

Senator Olson moved that House Bill No. 541 be further amended as follows:

In Section 14, Line 228, delete the words "and fifty cents".

In Section 18, Line A99, delete the words "and fifty cents".

Which motion prevailed.

Senator Duffy moved that House Bill No. 541 as amended from the floor be placed on the calendar for second reading and final passage, which motion prevailed.

### SECOND READING OF HOUSE BILLS

House Bill No. 541. A Bill for an Act to provide for issuance, expiration, renewal, cancellation, suspension and revocation of vehicle operators' licenses, providing penalties for violations thereof, and repealing all sections of chapter 39-06 of the North Dakota Revised Code of 1943 and all sections of chapter 39-06 of the 1953 Supplement to the North Dakota Revised Code of 1943.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended from the floor, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Baeverstad

Hagen

Sayer

|                        |               |          |
|------------------------|---------------|----------|
| Bilden                 | Hernett       | Schoeder |
| Bridston               | Johnson, Cass | Schrock  |
| Davis                  | Kamrath       | Solberg  |
| Day                    | Klefstad      | Streibel |
| Dewing                 | Krenz         | Thomas   |
| Dolan                  | Kusler        | Torno    |
| Duffy                  | Livingston    | Tuff     |
| Ferry                  | Luick         | Wadeson  |
| Fiedler                | Meidinger     | Welander |
| Foss                   | O'Brien       | Wog      |
| Fraser                 | Olson         | Wolf     |
| Freed                  | Page          | Yunker   |
| Gilbertson             | Rue           |          |
| Absent and not voting: |               |          |
| Berube                 | Kieley        | Nelson   |
| Holand                 | Knudson       | Schmit   |
| Johnson, Cavalier      | Leier         |          |

So the bill passed and the title was agreed to.

#### MOTION

Senator Kusler moved that the vote by which House Concurrent Resolution V-1 was lost, be reconsidered, which motion prevailed.

Senator Kusler moved that House Concurrent Resolution V-1 be placed on the calendar, which motion prevailed.

#### SECOND READING OF HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution "V-1".** A Concurrent Resolution urging the Federal Power Commission to deny applications for the importation of foreign natural gas into the North Central area while a surplus of gas exists in this area.

Which has been read.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 36; nays, 5; absent and not voting, 8.

Those voting in the affirmative were:

|            |               |          |
|------------|---------------|----------|
| Baeverstad | Gilbertson    | Rue      |
| Bilden     | Hagen         | Sayer    |
| Bridston   | Hernett       | Schoeder |
| Davis      | Johnson, Cass | Solberg  |
| Dewing     | Kamrath       | Streibel |
| Dolan      | Krenz         | Thomas   |
| Duffy      | Kusler        | Torno    |
| Ferry      | Livingston    | Tuff     |
| Fiedler    | Luick         | Wadeson  |
| Foss       | Meidinger     | Welander |
| Fraser     | Olson         | Wolf     |
| Freed      | Page          | Yunker   |

Those voting in the negative were:

|          |         |     |
|----------|---------|-----|
| Day      | O'Brien | Wog |
| Klefstad | Schrock |     |

Absent and not voting:

|                   |         |        |
|-------------------|---------|--------|
| Berube            | Kieley  | Nelson |
| Holand            | Knudson | Schmit |
| Johnson, Cavalier | Leier   |        |

So the resolution was adopted and the title was agreed to.

Senator Dolan moved that the Senate reconsider its action on House Concurrent Resolution C-2, which motion prevailed.

Senator Dolan moved that House Concurrent Resolution C-2 be placed on the calendar, which motion prevailed.

Senator Dolan moved that House Concurrent Resolution C-2 be amended as follows:

On Line 14 strike out the language "a sum to be determined".

On Line 15 strike out the entire line.

On Line 16 add a comma after "salary" and strike the words "and fifteen dollars".

On Line 17, strike out "per day as an expense allowance".

Which motion prevailed.

Senator Dolan moved that the rules be suspended and House Concurrent Resolution C-2 be placed on second reading and final passage, as amended, which motion prevailed.

**House Concurrent Resolution "C-2".** A Concurrent Resolution for the amendment of section 45 of the Constitution of the state of North Dakota relating to the compensation of members of the legislative assembly.

Which has been read.

#### ROLL CALL

The question being on the final passage of the resolution, as amended by the Senate, the roll was called and there were ayes, 39; nays, 1; absnt and not voting, 9.

Those voting in the affirmative were:

|            |               |          |
|------------|---------------|----------|
| Baeverstad | Hernett       | Sayer    |
| Bilden     | Johnson, Cass | Schoeder |
| Davis      | Kamrath       | Schrock  |
| Day        | Klefstad      | Solberg  |
| Dewing     | Krenz         | Streibel |
| Dolan      | Kusler        | Thomas   |
| Duffy      | Livingston    | Torno    |
| Ferry      | Luick         | Tuff     |
| Fiedler    | Meidinger     | Wadeson  |
| Fraser     | O'Brien       | Welander |
| Freed      | Olson         | Wog      |
| Gilbertson | Page          | Wolf     |
| Hagen      | Rue           | Yunker   |

Those voting in the negative were:

Foss

Absent and not voting:

|          |                   |        |
|----------|-------------------|--------|
| Berube   | Johnson, Cavalier | Leier  |
| Bridston | Kieley            | Nelson |
| Holand   | Knudson           | Schmit |

So the resolution was adopted and the title was agreed to.

#### MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Concurrent Resolution V-1

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.



Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:  
House Concurrent Resolution C-2  
Which the Senate has amended.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:  
House Bill No. 541  
Which the Senate has amended.

EDWARD LENO, Secretary.

#### MESSAGES TO THE SENATE

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to request the return of  
Senate Bill No. 164.

KENNETH L. MORGAN, Chief Clerk.

Senator Duffy moved that the Senate return Senate Bill  
No. 164 to the House, as requested, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return Senate Bill No.  
164 as requested by the House.

EDWARD LENO, Secretary.

Senator Streibel moved that the Senate be at ease, subject  
to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair.

Senator Johnson (Cass) requested that the following remarks be printed in the Journal. We have been trying to get together here on Conference Committees to settle our difficulties. These kind of delays are causing the people in the state considerable concern of why they have sent legislators to the legislature here in North Dakota. This coalition group has done nothing since I have been in the Senate this session but to cause delays on all bills of monies pertaining to the state funds and institutions of higher learning. I sat on House Bill No. 501 in Conference Committee and there is no question but that we could have gotten together on 501 in ten minutes if the members of that committee of the coalition group could have spoken out their voices themselves in place of saying "we have to go back into caucus". They are being controlled by the coalition group in the caucus. I was a member of the ROC on that committee and had no instructions from the ROC, and I am sure the minority faction in this Senate would have accepted my decision on that Conference Committee.

We could get together if we would just agree on taking a couple of million dollars from these tax funds that have been granted—we could get together and pass the appropriation bills as they are and we could settle this entire legislative assembly and adjourn sine die in the next half hour.

Senator Page:

I rise to a point of personal privilege. The House on Saturday afternoon messaged to this body twenty-eight Senate Bills that were amended, and then they recessed. Among those bills were a lot of appropriation bills, one of which was Senate Bill No. 1. We appointed a Conference Committee on that bill on Saturday afternoon and it could not be messaged back until Sunday. The House did not appoint a committee until just before they recessed Sunday, and the first Conference Committee met on Sunday night. Who is using delaying tactics when they send these twenty-eight bills over on the last day?

Senator Duffy:

Mr. President, I arise to a question of the privileges of the Senate and I ask that my remarks be printed in the Journal. A few days ago there was laid upon our desks copies of the

Leader containing a cartoon which reflects upon two members of the legislative assembly—one long since deceased and one sitting beside us. The cartoon is a libel upon both.

The Leader may be excused for its libel upon Treadwell Twichell—the author of the alleged injunction to go home and slop your hogs. That falsehood has been told and retold so often that it has become a sort of political legend which passes for the truth. I want to set the record straight.

As told to me both by Mr. Twichell and several others who attended the meeting, what actually happened was this: Mr. Twichell was a member of a legislative committee which met during the 1915 session until near morning without agreement. Then Mr. Twichell, who was a brother of the well known Lafe Twichell and himself a farmer near Mapleton, arose and announced "It is time for us farmers to go home and slop our hogs." That sounds quite different from the slogan which has been repeated so often.

The Leader cannot be excused for its libel upon Senator Torno. Every senator here knows that Senator Torno did not say that old age pensions are hogwash. What he did say was that some of the debate on the issue was hogwash. That, too, is quite different.

No doubt you noticed the big diamond on the breast of the bloated ROC senator. Does that truthfully depict Senator Torno? You know how utterly false is that insinuation. I believe the Nonpartisan League Senators should make it clear that the Leader does not here speak for them.

I am encouraged to think that you will do so by the fact that my logic does win recruits even though it may take time to observe the effects.

Last night I enjoyed hearing and seeing the Senator from the 6th on television. You will remember that a few days ago I proposed an amendment to the public welfare bill to increase the appropriation for old age assistance to meet the statutory formula of 60-45. At that time the senator opposed my amendment and said it would still leave the old folks in the beggar class. Yesterday the conference committee of which he and I and Senator Dewing were members accepted my figures and last night I had the pleasure of hearing the senator announce that the 60-45 formula did take the old folks out of the beggar class. It makes me happy to have my position thus vindicated and approved.

But unfortunately, the Senator went on from there to discuss the finances of the state without the benefit of my counsel and advice. His figures on appropriations were quite accurate, except that he apparently overlooked the \$800,000.00 increase which his Conference Committee has thus far agreed upon in the college budget, the \$200,000.00 increase in the general budget approved by Conference Committee, and other increases which have recently been approved on the floor.

Taking all of these things into consideration I find that even if we do as he suggested—that is, disregard the appropriation of \$2,300,000 for highways and wipe out the buildings for the Jamestown Hospital and the Grafton School—we will still have a deficit at the end of the next biennium. We must find that money some place or we must sweat it out of the college appropriations.

The Senator said we might expect increased tax collec-

tions. That is pretty much wishful thinking. True, we will have some increases in oil taxes and use taxes. But we will probably suffer a loss in our income tax collections. That tax has fluctuated from \$116,000 in 1933 to more than \$6,000,000 in 1949. With farm income down, all income in the state is down and income taxes may easily drop a million dollars below expectations.

But the Senator says, never mind, we can take what we need from the Bank of North Dakota. I do not believe this is a sound policy. The total capital structure of the bank is about \$10,000,000. We have voted to take \$1,500,000 from that account, reducing it to approximately \$8,500,000. Its deposits are approximately \$125,000,000. It was long the banking rule that the capital structure should be 10% of the deposit liability. Because of the relative liquidity of banks today a ratio of 7% is deemed safe. You can see, therefore, that the capital structure will not be excessive and I do not believe it should be impaired. And, of course, there is another slight obstacle. We have no bill for a transfer and it is too late to introduce one.

True, we can match the deficit by an increase of two mills in the state tax levy, but that will exhaust our taxing ability and leave us with an empty treasury. I don't believe that is safe procedure. We need that 2 mill levy as a cushion to take up the slack in any other tax field and to maintain a safe working balance in the general fund. Nor is it pleasant to contemplate the disregard of the needs of the blind children, the feeble minded at Grafton and the insane at Jamestown. Obviously, they cannot be met out of the general fund. The coalition says they must not be met out of the sales tax.

I agree that in view of the vote of the people, the sales tax cannot be used for anything but education and welfare, but it does seem to me that the education of the blind, or the deaf, or the mentally retarded is just as much an educational project as the education of the more fortunate in our public schools. Remember, the Equalization Fund now goes to pay the state's share of regular school expenses, while other shares are paid by the counties and local school district. The local districts are entirely relieved as far as the blind and the deaf are concerned. The state assumes the whole burden so it would seem a substantial share of that cost might properly come from the sales tax.

The Welfare Fund largely goes to meet old age assistance payments. Well, what about the old folks at Jamestown? Many of them would be entitled to old age assistance if they were outside. Why should it be denied because they are hospitalized in an insane hospital when it would be paid to take care of them if they were in any other kind of hospital?

What is the difference except that those on the outside can vote and those on the inside can't. I do not believe our old folks who have retained their mental faculties would want to deprive their less fortunate brothers of equal consideration. I do not believe the parents of the children who are fortunate enough to attend the public schools would want to deny proper care for the less fortunate children of other parents.

Therefore, I ask you of the coalition not to close your minds to the questions here involved. I recognize the strength of your position. Certainly I do not want to dissipate these funds and I would cheerfully agree to put a floor below which these funds might not be taken for these special purposes. But I ask you to consider the justices of the position we are taking and perhaps before this long day ends you too, like the Senator from the 6th, will have accepted my proposal.

Senator Day requested that his remarks be printed in the Journal.

Mr. President, apparently this is the day for setting the record straight and having statements in the record.

Earlier in the session, a statement was made from the floor of the Senate by the Senator from Ramsey that the difference between he and I was that he told the truth. At the same time he remarked that that was the first time he had ever made a statement for the record. He had reference to a statement that I had made on the floor of the Senate to the effect that two years ago he had sated that he favored taxing the oil interests 5%. I checked the Journal for last session and I found he was in error because he had made some statements for the record two years ago, and among them was a rather lengthy statement that he made in which he stated substantially what I said he had said regarding the 5% tax.

Now, with reference to the remarks that have just been placed in the Journal, I was quoted as having said last night that we could anticipate increased tax collections during the next biennium. I certainly do not recall making any such remark. I do not believe that we can anticipate increased tax collections during the next biennium—I have no reason to believe that we may. On the other hand, I have no reason to believe that they will be less. Business conditions generally, crops and farm conditions generally, are not likely to be much worse. Bank deposits and other business activity indicate an increase, but I think we can, without being unreal, anticipate that they will continue about the same during the next biennium. If that is true, it is my understanding that we may anticipate approximately 29 million dollars income into the General Fund during the next biennium, without taking into account this new source that we have supplied by providing that the proceeds of drivers' license fees shall go into the General Fund—that is about \$600,000.00 and that does not take into account the three bills introduced by Senators Dewing and Page affecting the use tax, which will produce an estimated \$1,200,000.00. When these are taken into account we have a little over thirty million dollars anticipated revenue in the General Fund. The appropriations as they stand now including the increase provided by the Conference Committee on House Bill No. 501, and including the adjustment made by the House on Senate Bill No. 1, total approximately \$37,143,552.00. If the bill taking money from the general Fund for highway purposes is eliminated, and the two bills 801 and 802 are not passed, that will make \$4,344,000.00 difference. The original standing appropriation as it is called, of \$3,420,000.00 is now estimated to cost only one million dollars during the next biennium. When those adjustments are taken into account the net cost is \$30,399,552.00. In

other words, almost exactly the same as the outgo.

Now that does not leave any surplus in the General Fund unless our estimates are wrong, and a cushion is desirable. It does not leave us in the condition the South Dakota legislature left its state when they over-appropriated estimated income by several million dollars on the advice of their Governor, and I do not think we should do so, but this is without regard to the use of any money from sales tax funds, and does not include the use of any money from the Bank of North Dakota, except the million and a half already appropriated.

The Senator has referred to the Bank of North Dakota. Our Conference Committee called on the Bank of North Dakota officials and we learned that as of the end of last year December 31st, they had their original capital investment of two million dollars intact. In addition to that, they have, within the last three or four years, taken out of their undivided profits an additional two million dollars and set it up as a surplus. They have also taken from their profits one million dollars and set it up as a reserve for contingencies, still leaving undivided profits income as of December 31st last, \$2,694,141.88.

In addition to that, there is a fund they call unallocated reserve for loans and investments, \$2,409,555.67. When we questioned them we found that is nothing but profit. It is money they made in their bond accounts and set it aside in a separate fund and it could be placed in undivided profits account. If that was done then that account as of December 31st would be over five million dollars. We found the current earnings of the Bank of North Dakota profits—net profits—are running a little short of three million dollars biennium. If we would appropriate nothing from the Bank of North Dakota, in all probability at the end of the biennium their undivided profits account would be approximately eight million dollars. That belongs to the people of the state of North Dakota—the bank belongs to the people of North Dakota—there are no strings attached to it.

It is said that this money is needed as reserves because of the size of the bank. It is true that good banking practice dictates that there should be substantial reserves but the nation-wide average, according to the bank examiner is 6.9%. The Bank of North Dakota does not need to abide by the rules of FDIC, but even if it did we could still safely appropriate an additional two or three million dollars from their undivided profits. In this connection we must take into account "non risk" assets. In every other department we estimate what the income will be during the next two years and appropriate accordingly, but here in the Bank of North Dakota the profit is already made from which we can make appropriations. Suppose we should determine that five million dollars undivided profit should stay in the Bank of North Dakota—we would still be safe in appropriating three million dollars because that is what we may expect them to make during the next biennium.

That is why I say if we have need in North Dakota for any appropriation, for any purpose, here is some money that is ours that is doing us no good until we use it. But the Senator says there is no bill and there is no means by which we can take it out. I submit we have several bills yet that

haven't received final approval, and it could easily occur that one of those bills might find part of their funds appropriated from the Bank of North Dakota undivided profit account. If not, we have a bill we did pass some place in the machinery here appropriating a million and a half dollars from the Bank of North Dakota. That could be brought back and amended.

I realize that it has been reported in the press and otherwise that the Governor has given instructions to sit tight for several days if necessary. But I say that we need to sanely examine this situation and be practical. We have at least an honest disagreement over whether the traditional use of the sales tax funds should be broken. Regardless of who is right, the disagreement is real, it is fundamental, and it is honest. If we can settle the issue and provide funds sufficient to take care of our institutions and departments of state and by-pass that dispute or issue, I believe that it is our duty to do so.

I have not mentioned the mill levy. When I say the funds are about in balance that means that the Equalization Board would be justified in making a mill levy, which would provide a cushion in the General Funds of about two and a quarter million dollars in the biennium. That, together with some money taken from the Bank of North Dakota would justify some additional appropriation for needed buildings. At the same time it would not hurt us now that we are here and have our minds fixed on the problem—it would not hurt us to re-examine some of the appropriations or possibly all of the appropriations we have made to see whether there cannot be some savings here and there. I would certainly favor some such a procedure but I cannot see why we need, under the circumstances, to disregard any legitimate claim of any institution or department of our government.

Senator Duffy: The Senator came up with decimal point one difference as to the average of the bank capitalization from what I gave you. I said 7% was accepted as standard. He says the average is 6.9%. I will accept a correction of one-tenth of one per cent. On that basis he made the net for the Bank of North Dakota capitalization of approximately eight and three-quarters million dollars, so when we take the million and a half away there will be nothing over the average in that institution. It doesn't make a particle of difference whether you call it undivided profits, or surplus, or reserve for contingencies, all are part of the capital structure and the percentage is figured from that total capital structure.

When he proposes to take three million dollars from that and cut the capitalization down substantially one-third below that of the national average I submit to you that he would be doing something that would not be in the interests of the Bank of North Dakota nor its standing on the national level. We have built up that bank now to a place where it does have a firm standing. I do not think that should be jeopardized if we can prevent it.

Let me say if there should be any surplus from profits during the ensuing two years you have an excellent place for it two years from now, because the members of this legislative body then will be confronted with the question of finding not merely the funds for operating as we are now, but also to find the funds for nine million dollars for the Korean

bonus. You will have to do that by taking funds as we did for the World War II bonus from the bank or other places, or placing it on some form of taxation. So if there is any surplus, I submit we should wait until the profits are earned before we appropriate them. When they are earned they will be vitally needed and will serve to lessen the problems two years from now.

As far as re-examining the appropriations already made I don't know how we can do that. If we start calling back all the bills out, how do you do it when the Governor has signed them? If you still take these unsigned bills we are going to be here for a long, long day. As far as those that are still unfinished, I agree that we should re-examine them most closely and that, I think, is the only way. If you definitely have agreed not to take any part of the sales tax funds then I think that is the way and there is no use kidding ourselves that we are going to provide from something that has no foundation.

Senator Day: I want to at least try to get one thing straightened out. The Senator takes my figures and turns them around to the point where he says they reduce the Bank of North Dakota's reserve down to one-third of the national average. You can't do that by taking only three million dollars out of that.

In the first place if 6.9%, which is the national average, is accepted, how much is that? It is just slightly over seven million dollars because the total footings, as of December 31st, which is the date that is used in all of these calculations, is one hundred and seventeen million. Now it is true that at other times of the year those footings go up and down, but in compiling them for national purposes they take the December 31st footings each year. Seven million is three million less than the reserves we are now carrying. So we can take the three million right out of here and still have the national average, or if we should want to be three million dollars above the national average, we can still appropriate three million out of the anticipated profits in the next two years. We can appropriate five or six million dollars out of the Bank of North Dakota and still not jeopardize its capital structure.

I am not advocating that, but I want you to understand my point on the possibilities.

I neglected to comment on the Senator's statements with respect to the aged. I don't want to leave my position in that matter misinterpreted. I said on this floor, and I reiterate now, \$60.00 under current conditions is not enough. The people of North Dakota, with the standards we have, should hang their heads in shame that we allow the 60-45 law to stay on the statute books, but we were stopped cold by the ROC in this Senate from raising the statutory minimum, and so we have to reconcile ourselves to the best that is available under the circumstances.

What I said last night was that when money is provided, and it has been by the Conference Committee, of \$8,550,000.00 a new plan of operation goes into effect that has never been in effect in North Dakota yet, whereby the old age recipient is his own judge of how he spends his allowance. The case worker will say to him, in effect, you are entitled under our law to \$60.00, less income. That you will receive—you may spend it as you see fit. We will not be around every week or month to make adjustments depending upon what you need



or how you have spent your money. That much progress has been made, and all of those that helped in this session of the legislature to provide nearly three million dollars more for the old age in North Dakota than any biennium has ever seen, for the aged, in the history of our state—I think we can go home proud of that accomplishment as far as it goes.

Senator Duffy: The Senator from the 6th District quoted the Governor as giving orders that we should stay here for several days, if necessary. I want to say that is utterly unfounded. Certainly no such order has come from the Governor to me, or in my presence, and I don't know of any ROC member to whom that order has been given by the Governor.

### MESSAGES TO THE SENATE

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to transmit:  
House Concurrent Resolution "I-1"

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to transmit:

House Bill No. 502  
House Bill No. 519  
House Bill No. 520  
House Bill No. 527  
House Bill No. 530  
House Bill No. 531  
House Bill No. 532  
House Bill No. 534  
House Bill No. 537  
House Bill No. 542  
House Bill No. 548  
House Bill No. 556  
House Bill No. 557  
House Bill No. 577  
House Bill No. 581  
House Bill No. 591  
House Bill No. 598  
House Bill No. 611

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to transmit:

House Bill No. 640  
House Bill No. 658  
House Bill No. 656  
House Bill No. 659  
House Bill No. 661  
House Bill No. 663  
House Bill No. 673  
House Bill No. 674

House Bill No. 680  
 House Bill No. 682  
 House Bill No. 693  
 House Bill No. 698  
 House Bill No. 704  
 House Bill No. 705  
 House Bill No. 707  
 House Bill No. 708  
 House Bill No. 717  
 House Bill No. 736  
 House Bill No. 742

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to transmit:

House Bill No. 748  
 House Bill No. 749  
 House Bill No. 754  
 House Bill No. 755  
 House Bill No. 756  
 House Bill No. 779  
 House Bill No. 761  
 House Bill No. 762  
 House Bill No. 774  
 House Bill No. 775  
 House Bill No. 777  
 House Bill No. 812  
 House Bill No. 821  
 House Bill No. 829  
 House Bill No. 837  
 House Bill No. 846  
 House Bill No. 851  
 House Bill No. 852  
 House Bill No. 855

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to transmit:

House Bill No. 857  
 House Bill No. 861  
 House Bill No. 862  
 House Bill No. 863  
 House Concurrent Resolution "G"  
 House Concurrent Resolution "L"  
 House Concurrent Resolution "O"  
 House Concurrent Resolution "Q"  
 House Concurrent Resolution "U"  
 House Concurrent Resolution "W"  
 House Concurrent Resolution "E-1"

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

## House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to transmit:

House Concurrent Resolution "G-1"  
 House Concurrent Resolution "H-1"  
 House Concurrent Resolution "J-1"  
 House Concurrent Resolution "M-1"  
 House Concurrent Resolution "Q-1"  
 House Concurrent Resolution "T-1"  
 House Concurrent Resolution "Z-1"  
 House Concurrent Resolution "E-2"  
 House Concurrent Resolution "F-2"  
 House Concurrent Resolution "G-2"

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

## SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 502  
 House Bill No. 519  
 House Bill No. 520  
 House Bill No. 527  
 House Bill No. 530  
 House Bill No. 531  
 House Bill No. 532  
 House Bill No. 534  
 House Bill No. 537  
 House Bill No. 542  
 House Bill No. 548  
 House Bill No. 556  
 House Bill No. 557  
 House Bill No. 577  
 House Bill No. 581  
 House Bill No. 591  
 House Bill No. 598  
 House Bill No. 611  
 House Bill No. 640  
 House Bill No. 656  
 House Bill No. 658  
 House Bill No. 659  
 House Bill No. 661  
 House Bill No. 663  
 House Bill No. 673  
 House Bill No. 674  
 House Bill No. 680  
 House Bill No. 682  
 House Bill No. 693  
 House Bill No. 698  
 House Bill No. 704  
 House Bill No. 705  
 House Bill No. 707  
 House Bill No. 708

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. 748

House Bill No. 749  
 House Bill No. 754  
 House Bill No. 755  
 House Bill No. 756  
 House Bill No. 761  
 House Bill No. 762  
 House Bill No. 774  
 House Bill No. 775  
 House Bill No. 777  
 House Bill No. 779  
 House Bill No. 812  
 House Bill No. 821  
 House Bill No. 829  
 House Bill No. 837  
 House Bill No. 846  
 House Bill No. 851  
 House Bill No. 852  
 House Bill No. 855  
 House Bill No. 857  
 House Bill No. 861  
 House Bill No. 862  
 House Bill No. 863  
 House Concurrent Resolution "G"  
 House Concurrent Resolution "L"  
 House Concurrent Resolution "O"  
 House Concurrent Resolution "Q"  
 House Concurrent Resolution "U"  
 House Concurrent Resolution "W"  
 House Concurrent Resolution "E-1"  
 House Concurrent Resolution "G-1"  
 House Concurrent Resolution "H-1"  
 House Concurrent Resolution "J-1"

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Concurrent Resolution "M-1"  
 House Concurrent Resolution "Q-1"  
 House Concurrent Resolution "T-1"  
 House Concurrent Resolution "Z-1"  
 House Concurrent Resolution "E-2"  
 House Concurrent Resolution "F-2"  
 House Concurrent Resolution "G-2"  
 House Concurrent Resolution "I-1"

And the President signed the same in the presence of the Senate.

#### REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Resolution No. 7

Was delivered to the Secretary of State at the hour of 11:00 o'clock a.m., March 4, 1955.

ROSAMOND O'BRIEN, Chairman.

#### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:  
House Bill No. 502

House Bill No. 519  
 House Bill No. 520  
 House Bill No. 527  
 House Bill No. 530  
 House Bill No. 531  
 House Bill No. 532  
 House Bill No. 534  
 House Bill No. 537  
 House Bill No. 542  
 House Bill No. 548  
 House Bill No. 556  
 House Bill No. 557  
 House Bill No. 577  
 House Bill No. 581  
 House Bill No. 591  
 House Bill No. 598  
 House Bill No. 611  
 House Bill No. 640  
 House Bill No. 656  
 House Bill No. 658  
 House Bill No. 659  
 House Bill No. 661  
 House Bill No. 663  
 House Bill No. 673

Which the President has signed.

EDWARD LENO, Secretary.

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 674  
 House Bill No. 680  
 House Bill No. 682  
 House Bill No. 693  
 House Bill No. 698  
 House Bill No. 704  
 House Bill No. 705  
 House Bill No. 707  
 House Bill No. 708  
 House Bill No. 748  
 House Bill No. 749  
 House Bill No. 754  
 House Bill No. 755  
 House Bill No. 756  
 House Bill No. 761  
 House Bill No. 762  
 House Bill No. 774  
 House Bill No. 775  
 House Bill No. 777  
 House Bill No. 779  
 House Bill No. 812  
 House Bill No. 821  
 House Bill No. 829  
 House Bill No. 837

Which the President has signed.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 846  
House Bill No. 851  
House Bill No. 852  
House Bill No. 855  
House Bill No. 857  
House Bill No. 861  
House Bill No. 862  
House Bill No. 863  
House Concurrent Resolution "G"  
House Concurrent Resolution "L"  
House Concurrent Resolution "O"  
House Concurrent Resolution "Q"  
House Concurrent Resolution "U"  
House Concurrent Resolution "W"  
House Concurrent Resolution "E-1"  
House Concurrent Resolution "G-1"  
House Concurrent Resolution "H-1"  
House Concurrent Resolution "J-1"  
House Concurrent Resolution "M-1"  
House Concurrent Resolution "Q-1"  
House Concurrent Resolution "T-1"  
House Concurrent Resolution "Z-1"

Which the President has signed.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "E-2"  
House Concurrent Resolution "F-2"  
House Concurrent Resolution "G-2"  
House Concurrent Resolution "I-1"

Which the President has signed.

EDWARD LENO, Secretary.

#### MESSAGE TO THE SENATE

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to return:

Senate Bill No. 2  
Senate Bill No. 3  
Senate Bill No. 4  
Senate Bill No. 7  
Senate Bill No. 8  
Senate Bill No. 12  
Senate Bill No. 13  
Senate Bill No. 15  
Senate Bill No. 18  
Senate Bill No. 21  
Senate Bill No. 30  
Senate Bill No. 31  
Senate Bill No. 53  
Senate Bill No. 58  
Senate Bill No. 68  
Senate Bill No. 72

Senate Bill No. 73  
 Senate Bill No. 85  
 Senate Bill No. 90

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
 Bismarck, March 4, 1955

Mr. President: I have the honor to return:

Senate Bill No. 125  
 Senate Bill No. 158  
 Senate Bill No. 166  
 Senate Bill No. 169  
 Senate Bill No. 173  
 Senate Bill No. 175  
 Senate Bill No. 176  
 Senate Bill No. 177  
 Senate Bill No. 178  
 Senate Bill No. 186  
 Senate Bill No. 211  
 Senate Bill No. 224  
 Senate Bill No. 229  
 Senate Bill No. 241

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
 Bismarck, March 4, 1955

Mr. President: I have the honor to return:

Senate Concurrent Resolution "B"  
 Senate Concurrent Resolution "C"  
 Senate Concurrent Resolution "H"  
 Senate Concurrent Resolution "M"  
 Senate Concurrent Resolution "S"  
 Senate Concurrent Resolution "V"  
 Senate Concurrent Resolution "W"  
 Senate Concurrent Resolution "X"  
 Senate Concurrent Resolution "A-1"

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
 Bismarck, March 4, 1955

Mr. President: I have the honor to return:

Senate Bill No. 6  
 Senate Bill No. 19  
 Senate Bill No. 220  
 Senate Bill No. 242

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
 Bismarck, March 4, 1955

Mr. President: I have the honor to transmit:

House Bill No. 535  
 House Bill No. 558  
 House Bill No. 688  
 House Bill No. 786

## House Concurrent Resolution "C-2"

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

## SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 535

House Bill No. 558

House Bill No. 688

House Bill No. 786

House Concurrent Resolution "C-2"

And the President signed the same in the presence of the Senate.

## MESSAGES TO THE SENATE

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committees on Senate Bills Nos. 34 and 183.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 501 and the speaker appoints as a new Conference Committee, Reps. Baldwin, Baker and Wolf.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 811 and appointed as a new Conference Committee, Reps. Beede, Wambheim and McLain.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 541 and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Reps. Brooks, Roen and Wolf.

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills Nos. 558, 688, 786, and 535 and House Concurrent Resolution "C-2".

KENNETH L. MORGAN, Chief Clerk.

House Chamber

Bismarck, March 4, 1955

Mr. President: I have the honor to return House Bill No. 838, as requested.

KENNETH L. MORGAN, Chief Clerk.



House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to transmit:

House Bill No. 505

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 505

And the President signed the same in the presence of the Senate.

#### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 535

House Bill No. 558

House Bill No. 688

House Bill No. 786

House Concurrent Resolution "C-2"

Which the President has signed.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 505

Which the President has signed.

EDWARD LENO, Secretary.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 717

House Bill No. 736

House Bill No. 742

And the President signed the same in the presence of the Senate.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 717

House Bill No. 736

House Bill No. 742

Which the President has signed.

EDWARD LENO, Secretary.

#### REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2

Senate Bill No. 3  
 Senate Bill No. 4  
 Senate Bill No. 6  
 Senate Bill No. 8  
 Senate Bill No. 12  
 Senate Bill No. 13  
 Senate Bill No. 15  
 Senate Bill No. 18  
 Senate Bill No. 19  
 Senate Bill No. 21  
 Senate Bill No. 30  
 Senate Bill No. 31  
 Senate Bill No. 53  
 Senate Bill No. 58  
 Senate Bill No. 68  
 Senate Bill No. 72  
 Senate Bill No. 73  
 Senate Bill No. 85  
 Senate Bill No. 90  
 Senate Bill No. 125  
 Senate Bill No. 158  
 Senate Bill No. 166  
 Senate Bill No. 169  
 Senate Bill No. 172  
 Senate Bill No. 173  
 Senate Bill No. 175  
 Senate Bill No. 176  
 Senate Bill No. 177  
 Senate Bill No. 178  
 Senate Bill No. 186  
 Senate Bill No. 211  
 Senate Bill No. 220  
 Senate Bill No. 224  
 Senate Bill No. 229  
 Senate Bill No. 241  
 Senate Bill No. 242

Were delivered to the Governor for his approval at the hour of 12:30 o'clock p.m., March 4, 1955.

ROSAMOND O'BRIEN, Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution "B"  
 Senate Concurrent Resolution "C"  
 Senate Concurrent Resolution "H"  
 Senate Concurrent Resolution "M"  
 Senate Concurrent Resolution "S"  
 Senate Concurrent Resolution "V"  
 Senate Concurrent Resolution "W"  
 Senate Concurrent Resolution "X"  
 Senate Concurrent Resolution "A-1"

Were delivered to the Secretary of State at the hour of 1:00 o'clock p.m., March 4, 1955.

ROSAMOND O'BRIEN, Chairman.

#### CONFERENCE COMMITTEE

The President appointed as a Conference Committee to act with a like committee from the House to consider House Bill No. 541, Senators Dewing, Ferry and Duffy.

## JOURNAL OF THE SENATE

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 541, Senators Dewing, Ferry and Duffy.

EDWARD LENO, Secretary.

## REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 811, has had the same under consideration and have agreed to disagree.

For the Senate:

SENATOR OLSON  
SENATOR SCHROCK  
SENATOR BAEVERSTAD

For the House:

REP. BEEDE  
REP. WAMBHEIM  
REP. McLAIN

Senator Olson moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Streibel moved that the same committee be re-appointed to act as a Conference Committee on House Bill No. 811.

Senator Duffy made a substitute motion that the Senate request the return of House Bill No. 811, which motion was declared lost.

The question being on the motion of Senator Streibel that the same Conference Committee be re-appointed, the motion prevailed.

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the Senate has refused to adopt the report of the Conference Committee on House Bill No. 811 and the President has appointed as a new Conference Committee, Senators Schrock, Baeverstad and Olson.

EDWARD LENO, Secretary.

## REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 501, has had the same under consideration and recommends that the conference committee is unable to agree and recommend that a new conference committee be appointed.

For the Senate:

SENATOR DAY  
SENATOR HAGEN  
SENATOR JOHNSON  
(of Cass)

For the House:

REP. BAKER  
REP. BALDWIN  
REP. FRANK

Senator Day moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Streibel moved that the same Conference Committee be re-appointed to consider House Bill No. 501, which motion prevailed.

### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 501 and the President has appointed as a new Conference Committee, Senators Day, Hagen and Johnson of Cass.

EDWARD LENO, Secretary.

Senator O'Brien moved that the Senate reconsider its action by which House Bill No. 838 was passed, which motion prevailed.

Senator O'Brien moved that House Bill No. 838 be placed on the calendar, which motion prevailed.

Senator O'Brien moved that House Bill No. 838 be amended as follows:

Between lines 31 and 32 insert the following:

Subsection "4. "Department" shall mean the department of agriculture and labor."

Delete Subsection d. which is line 20, 21, 22 and 23 of the bill and insert in lieu thereof the following:

Subsection d. Ice milk shall contain a minimum of 4% milk fat and a maximum of 6% milk fat and shall weigh at least four and one half pounds avoirdupois per gallon and shall contain a minimum of 12% milk solids not fat.

Renumber the lines.

Which motion prevailed.

Senator O'Brien moved that the rules be suspended and House Bill No. 838 be placed on the calendar for second reading and final passage, as amended, which motion prevailed.

### SECOND READING OF HOUSE BILLS

House Bill No. 838. A Bill for an Act to amend and reenact sections 19-0601, 19-0602, 19-0603, 19-0604, 19-0605 and 19-0606 of the North Dakota Revised Code of 1943, relating to the sale of imitation ice cream.

Which has been read.

### 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, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

|            |               |          |
|------------|---------------|----------|
| Baeverstad | Hagen         | Rue      |
| Bilden     | Hernett       | Sayer    |
| Bridston   | Johnson, Cass | Schoeder |
| Davis      | Kamrath       | Schrock  |
| Day        | Kieley        | Solberg  |
| Dewing     | Knudson       | Streibel |
| Dolan      | Krenz         | Thomas   |

|                        |            |          |
|------------------------|------------|----------|
| Duffy                  | Kusler     | Torno    |
| Ferry                  | Livingston | Tuff     |
| Fiedler                | Luick      | Wadeson  |
| Foss                   | Meidinger  | Welander |
| Fraser                 | O'Brien    | Wog      |
| Freed                  | Olson      | Wolf     |
| Gilbertson             | Page       | Yunker   |
| Absent and not voting: |            |          |
| Berube                 | Klefstad   | Nelson   |
| Holand                 | Leier      | Schmit   |
| Johnson, Cavalier      |            |          |

So the bill passed and the title was agreed to.

## MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:  
House Bill No. 838  
Which the Senate has amended.

EDWARD LENO, 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. 34

Senate Bill No. 183

And find the same correctly enrolled.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien 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. 34

Senate Bill No. 183

And the President signed the same in the presence of the Senate.

## REPORTS OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 1, has had the same under consideration and recommends:

The House recede from its amendments and recommend that the same be amended as follows:

In line 121 strike out the figure \$13,800.00 and insert in lieu thereof the figure \$18,800.00.

In line 129 strike out the figure "\$33,580.00" and insert in lieu thereof the figure "\$38,580.00".

In line 176 strike out the figure "\$115,480.00" and insert in lieu thereof the figure "\$120,880.00".

In line 197 strike out the figure "\$38,000.00" and insert in lieu thereof the figure "\$40,000.00".

Strike out all of lines 202, 203 and 204. In line 206 strike out the figure "\$72,000.00" and insert in lieu thereof the figure "\$73,680.00".

Strike out all of lines 207, 208, 209 and 210.

In line 213 strike out the figure "\$12,000.00" and insert in lieu thereof the figure "\$325,482.00".

Strike out all of line 214.

In line 223 strike out the figure "\$130,200.00" and insert in lieu thereof "\$208,000.00".

In line 225 strike out the figure "\$8,500.00" and insert in lieu thereof the figure "\$13,100.00".

In line 226 strike out the figure "\$3,500.00" and insert in lieu thereof the figure "\$6,000.00".

In line 227 after the word "expenses", add the words "car exchange" and strike out the figure "\$10,000.00" and insert in lieu thereof the figure "\$41,000.00".

In line 228 strike out the figure "\$300.00" and insert in lieu thereof "\$520.00".

In line 230 after the word "cases" insert the word "and" and strike out the figure "\$12,000.00".

In line 232 after the word "commission" insert the word "and" and strike out the figure "\$5,000.00".

In line 234 strike out the figure "\$1,800.00", and insert in lieu thereof the figure "\$18,800.00".

In line 237 strike out the figure "\$1,800.00" and insert in lieu thereof the figure "\$2,875.00".

Strike out all of line 238, 239 and 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, and 252.

Strike out all of lines 255, 256, 257, 258 and 259.

Strike out all of line 263 and all of line 265 and 266.

In line 267 strike out the figure "\$107,175.00" and insert in lieu thereof the figure "\$369,470.00".

In line 303 strike out the figure "\$367,400.00" and insert in lieu thereof "\$380,000.00".

In line 312 strike out the figure "\$625,400.00" and insert in lieu thereof the figure "\$638,000.00".

In line 315 strike out the figure "\$31,200.00" and insert in lieu thereof the figure "\$36,000.00". Strike out all of line 316.

In line 320 strike out the figure "\$5,600.00" and insert in lieu thereof the figure "\$6,600.00".

In line 321 strike out the figure "\$700.00" and insert in lieu thereof the figure "\$900.00".

In line 322 strike out the figure "\$26,400.00" and insert in lieu thereof the figure "\$26,900.00".

In line 331 strike out the figure "\$10,000.00" and insert in lieu thereof the figure "\$100,000.00".

Add a new line 331a and the words "site planning for capital grounds — \$2,500.00".

Add line 331b and the words "lights for Legislative Chambers, — \$10,000.00".

In line 335 strike out the figure "\$689,255.10" and insert in lieu thereof "\$824,255.10".

In line 356 strike out the figure "\$50,000" and insert in lieu thereof the figure "\$55,000.00".

In line 365 strike out the figure "\$85,000.00" and insert in lieu thereof the figure "\$90,000.00".

In line 393 strike out the figure "\$44,500.00" and insert in lieu thereof the figure "\$50,000.00".

In line 395 strike out the figure "\$65,200.00" and insert in lieu thereof the figure "\$70,700.00".

In line 403 strike out the figure "\$3,000.00" and insert the figure "\$3,750.00" in lieu thereof.

In line 466 strike out the grand total "\$4,751,887.22" and insert in lieu thereof the figure "\$4,966,417.22."

For the Senate:

SENATOR PAGE  
SENATOR DEWING  
SENATOR DUFFY

For the House:

REP. HEIMES  
REP. SOLBERG  
REP. RICKFORD

Senator Page moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Page moved that the rules be suspended and Senate Bill No. 1 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the Conference Committee, which motion prevailed.

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 1.** A Bill for an Act to appropriate money for the expenses of the executive, legislative and judicial departments of the State Government, and for all of the subdivisions thereof, and for public schools, specifying the amount and time for which such appropriations shall be available, and repealing all acts, or parts of acts, insofar as the same shall relate to appropriations conflicting herewith or to appropriations for the same matters or purposes provided for herein, and declaring an emergency.

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, 0; absent and not voting, 10.

Those voting in the affirmative were:

|            |               |           |
|------------|---------------|-----------|
| Bridston   | Hernett       | Sayer     |
| Davis      | Johnson, Cass | Schoeder  |
| Day        | Kamrath       | Schrock   |
| Dewing     | Kieley        | Solberg   |
| Dolan      | Klefstad      | Streibel  |
| Duffy      | Krenz         | Thomas    |
| Ferry      | Kusler        | Torno     |
| Fiedler    | Luick         | Tuff      |
| Foss       | Meidinger     | Wadeson   |
| Fraser     | O'Brien       | Welanders |
| Freed      | Olson         | Wog       |
| Gilbertson | Page          | Wolf      |
| Hagen      | Rue           | Yunker    |

Absent and not voting:

|            |                   |            |
|------------|-------------------|------------|
| Baeverstad | Johnson, Cavalier | Livingston |
| Berube     | Knudson           | Nelson     |
| Bilden     | Leier             | Schmit     |
| Holand     |                   |            |

So the bill passed and the title was agreed to, and the emergency clause carried.

#### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

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.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

Senate Bill No. 34

Senate Bill No. 183

Which the President has signed and your signature is respectfully requested.

EDWARD LENO, Secretary.

Mr. President: Your committee on Enrollment and En-grossment respectfully report that they have examined the following bills:

Senate Bill No. 92

And find the same correctly enrolled.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien 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. 92

And the President signed the same in the presence of the Senate.

#### MESSAGES TO THE SENATE

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 838.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 811 and the Speaker has appointed as a new Conference Committee, Reps. Tollefson, Mueller and Mollet.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to return:

Senate Bill No. 164

Which the House has amended in the title.

KENNETH L. MORGAN, Chief Clerk.



## HOUSE AMENDMENT

Senate Bill No. 164

Following the comma after the word "state" in the next to the last line, insert the words "and providing a penalty,"

Senator Streibel moved that the Senate be at ease subject to the Call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair.

**MESSAGE TO THE SENATE**

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to transmit:  
House Bill No. 860.

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

**SIGNING OF BILLS**

The Secretary announced that the President was about to sign:

House Bill No. 860

And the President signed the same in the presence of the Senate.

**MESSAGE TO THE HOUSE**

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 860

Which the President has signed.

EDWARD LENO, Secretary.

**MESSAGE TO THE SENATE**

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to return:

Senate Bill No. 34

Senate Bill No. 183

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

**SIGNING OF BILLS**

The Secretary announced that the President was about to sign:

Senate Bill No. 210

And the President signed the same in the presence of the Senate.

Senator Wog moved that the Senate do concur in the House amendments to Senate Bill No. 164, which motion prevailed.

Senator Wog moved that the rules be suspended and Senate Bill No. 164 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

### SECOND READING OF SENATE BILLS

**Senate Bill No. 164.** A Bill for an Act to provide for the impounding of any vehicle operated upon any highway, street or road in this state at weights in excess of the weight limitations as specified under the provisions of section 39-1203 of the North Dakota Revised Code of 1943 or as limited by the provisions of section 39-1205 of the 1953 Supplement to the North Dakota Revised Code of 1943 and to provide for the recovery of charges for extraordinary use of the highways, streets and roads of this state, providing for the weighing of vehicles and the unloading of vehicles carrying excess weights and declaring an emergency.

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, 0; absent and not voting, 13.

Those voting in the affirmative were:

|                        |                   |          |
|------------------------|-------------------|----------|
| Bilden                 | Hernett           | Rue      |
| Day                    | Holand            | Sayer    |
| Dewing                 | Johnson, Cass     | Schmit   |
| Dolan                  | Johnson, Cavalier | Solberg  |
| Duffy                  | Kamrath           | Streibel |
| Ferry                  | Kieley            | Torno    |
| Fiedler                | Kusler            | Tuff     |
| Foss                   | Leier             | Wadeson  |
| Fraser                 | Livingston        | Welander |
| Freed                  | Luick             | Wog      |
| Gilbertson             | O'Brien           | Wolf     |
| Hagen                  | Page              | Yunker   |
| Absent and not voting: |                   |          |
| Baeverstad             | Knudson           | Olson    |
| Berube                 | Krenz             | Schoeder |
| Bridston               | Meidinger         | Schrock  |
| Davis                  | Nelson            | Thomas   |
| Klefstad               |                   |          |

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 164.

EDWARD LENO, Secretary.

### MOTIONS

Senator Page moved that the Senate reconsider its action on Senate Bill No. 92, which motion prevailed.

Senator Page moved that Senate Bill No. 92 be placed on the calendar, which motion prevailed.

Senator Page moved that further consideration of Senate Bill No. 92 be indefinitely postponed, which motion prevailed.

Senator Duffy moved that the House be requested to return House Bill No. 538, which motion was declared lost.

#### REPORT OF STANDING COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 34

Senate Bill No. 183

Were delivered to the Governor for his approval at the hour of 10:55 o'clock a.m., March 4, 1955.

ROSAMOND O'BRIEN, Chairman.

#### MOTIONS

Senator Luick moved that House Bill No. 706 be placed on the calendar, which motion was declared lost.

#### ROLL CALL

Senator Day moved that the Senate reconsider its action in refusing to place House Bill No. 706 on the calendar. The question being on the motion of Senator Day the roll was called and there were ayes, 23; nays, 22; absent and not voting, 4.

Those voting in the affirmative were:

|            |               |           |
|------------|---------------|-----------|
| Baeverstad | Hernett       | Meidinger |
| Bridston   | Holand        | Rue       |
| Davis      | Johnson, Cass | Sayer     |
| Day        | Klefstad      | Torno     |
| Dolan      | Krenz         | Wadeson   |
| Duffy      | Leier         | Welander  |
| Freed      | Livingston    | Yunker    |
| Gilbertson | Luick         |           |

Those voting in the negative were:

|                   |         |          |
|-------------------|---------|----------|
| Bilden            | Kamrath | Schrock  |
| Dewing            | Kieley  | Solberg  |
| Ferry             | Kusler  | Streibel |
| Fiedler           | O'Brien | Thomas   |
| Foss              | Olson   | Tuff     |
| Fraser            | Page    | Wog      |
| Hagen             | Schmit  | Wolf     |
| Johnson, Cavalier |         |          |

Absent and not voting:

|         |        |          |
|---------|--------|----------|
| Berube  | Nelson | Schoeder |
| Knudson |        |          |

So the motion was declared lost due to the lack of a two-thirds majority.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 706

Which the Senate has indefinitely postponed.

EDWARD LENO, Secretary.

## REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 541, has had the same under consideration and recommends:

That the Senate recede from the amendment to the bill as amended upon the floor of the Senate and the House accept the amendments adopted by the Senate except as to the amendment from which the Senate recedes.

For the Senate:

SENATOR DEWING  
SENATOR DUFFY  
SENATOR FERRY

For the House:

REP. BROOKS  
REP. WOLF  
REP. ROEN

Senator Dewing moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Dewing moved that the rules be suspended and House Bill No. 541 be placed on second reading and final passage, as amended by the Conference Committee, which motion prevailed.

## SECOND READING OF HOUSE BILLS

**House Bill No. 541.** A Bill for an Act to provide for issuance, expiration, renewal, cancellation, suspension and revocation of vehicle operators' licenses, providing penalties for violations thereof, and repealing all sections of chapter 39-06 of the North Dakota Revised Code of 1943 and all sections of chapter 39-06 of the 1953 Supplement to the North Dakota Revised Code of 1943.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended by the Conference Committee, the roll was called and there were ayes, 36; nays, 7; absent and not voting, 6.

Those voting in the affirmative were:

|          |                   |          |
|----------|-------------------|----------|
| Bilden   | Hernett           | Page     |
| Bridston | Holand            | Rue      |
| Davis    | Johnson, Cass     | Sayer    |
| Day      | Johnson, Cavalier | Schrock  |
| Dewing   | Kamrath           | Solberg  |
| Dolan    | Krenz             | Streibel |
| Duffy    | Kusler            | Torno    |
| Ferry    | Leier             | Tuff     |
| Foss     | Livingston        | Wadeson  |
| Fraser   | Luick             | Welander |
| Freed    | Meidinger         | Wolf     |
| Hagen    | O'Brien           | Yunker   |

Those voting in the negative were:

|            |        |        |
|------------|--------|--------|
| Fiedler    | Olson  | Thomas |
| Gilbertson | Schmit | Wog    |
| Klefstad   |        |        |

Absent and not voting:

|            |         |          |
|------------|---------|----------|
| Baeverstad | Kieleý  | Nelson   |
| Berube     | Knudson | Schoeder |

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 541 by a vote of ayes, 36; nays, 7; absent and not voting, 6.

EDWARD LENO, Secretary.

MESSAGE TO THE SENATE

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to request the return of Senate Bill No. 7.

KENNETH L. MORGAN, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return Senate Bill No. 7, which the House has requested.

EDWARD LENO, Secretary.

MOTIONS

Senator Day moved that the Senate receive the report from the Special Election Committee, which motion prevailed.

Senator Johnson (Cav.) moved that the report of the Special Committee on the Senate Contest be printed in the Journal, which motion prevailed.

REPORT OF SPECIAL COMMITTEE  
ON SENATE CONTEST

The special committee named by the Senate in the matter of the election contest of Dave M. Robinson, Contestant, versus Walter Fiedler, Contestee, pursuant to a resolution of the Senate, met to review available evidence and to count all of the votes cast in McLean County at the special election held February 21, 1955.

The committee has for the purpose of this count, eliminated all ballots about which any question was raised by any member of the committee or by counsel for either party.

Not including the ballots so eliminated, which are hereinafter reviewed, the committee finds the vote to be as follows:

|                        |       |
|------------------------|-------|
| WALTER FIEDLER .....   | 1,660 |
| DAVE M. ROBINSON ..... | 1,662 |
| ARLO BEGGS .....       | 1,216 |

The ballots which were set aside by the committee were set aside for the following reasons:

BALLOTS NEITHER STAMPED NOR INITIALED:

Fiedler — 2                      Robinson — 1

BALLOTS STAMPED, BUT NOT INITIALED:

Fiedler — 19                      Robinson — 13                      Beggs — 9

BALLOTS INITIALED, BUT NOT STAMPED:

Fiedler — 2                      Robinson — 1                      Beggs — 1

BALLOTS STAMPED AND INITIALED, BUT INITIALING IS OBVIOUSLY IN DIFFERENT HANDWRITING:

Fiedler — 2                      Beggs — 3

BALLOTS UPON WHICH THE "X's" APPEARED IN THE SQUARES FOLLOWING THE SPACES BELOW THE NAME:

Fiedler — 1                      Robinson — 4

BALLOTS DEEMED INVALID BECAUSE OF MULTIPLE VOTING:

Robinson — 3

BALLOTS NOT STAMPED, BUT INITIALED, HOWEVER, INITIALING IS OBVIOUSLY IN DIFFERENT HANDWRITING:

Fiedler — 5

BALLOT MARKED FOR DAVE ROBINSON WITH AN X, BUT ALSO CONTAINS ONE DIAGONAL MARK IN THE SQUARE FOLLOWING THE NAME OF WALTER FIEDLER.

BALLOTS MARKED OFFICIAL AND INITIALED, BUT FACE OF BALLOT CONTAINS NO PRINTED MATERIAL. FACE OF BALLOT HAS WRITTEN UPON IT THESE WORDS: "STATE SENATOR DAVE ROBINSON"

BALLOT MARKED FOR DAVE ROBINSON, BUT ON BOTTOM MARGIN ARE WRITTEN THE WORDS "SHAG MC FEE DOG CATCHER X"

The committee included in its official count five votes for Walter Fiedler, which has apparently been inadvertently omitted in the poll book of the 8th Precinct.

No other pertinent evidence came before this committee, although counsel for both parties were asked whether they had other evidence to present.

SEN. JOHNSON, Chairman  
SEN. LEIER, Judge  
SEN. HOLLAND, Judge  
SEN. SCHMIT, Clerk  
SEN. NELSON, Clerk

#### MOTIONS

Senator Duffy moved that the first section of the Special Senate Committee Report regarding the election contest, relating to ballots neither stamped nor initialed, shall be deemed invalid and not counted.

Senator Bridston moved that a call of the Senate be made, which motion prevailed.

Senator Duffy moved that the Senate dispense with the call of the Senate, which motion prevailed.

Senator Fiedler asked to be excused from voting.

#### ROLL CALL

The question being on the motion of Senator Duffy that the first section of the Special Senate Committee report regarding the election contest, relating to ballots neither stamped nor initialed, shall be deemed invalid and not counted,

the roll was called and there were ayes, 21; nays, 25; absent and not voting, 2; excused, 1.

Those voting in the affirmative were:

|            |               |            |
|------------|---------------|------------|
| Baeverstad | Hernett       | Livingston |
| Bridston   | Holand        | Luick      |
| Davis      | Johnson, Cass | Meidinger  |
| Dolan      | Kieley        | Rue        |
| Duffy      | Klefstad      | Sayer      |
| Foss       | Knudson       | Torno      |
| Freed      | Krenz         | Wadeson    |

Those voting in the negative were:

|                   |          |          |
|-------------------|----------|----------|
| Bilden            | Kusler   | Solberg  |
| Day               | Leier    | Streibel |
| Dewing            | O'Brien  | Thomas   |
| Ferry             | Olson    | Tuff     |
| Fraser            | Page     | Welander |
| Gilbertson        | Schmit   | Wog      |
| Hagen             | Schoeder | Wolf     |
| Johnson, Cavalier | Schrock  | Yunker   |
| Kamrath           |          |          |

Absent and not voting:

Berube                      Nelson

Excused:

Fiedler

So the motion was declared lost.

Senator Duffy moved that the Senate disregard the five votes cast for Mr. Fiedler, shown in the seventh section of the Special Report under the heading "Ballots Not Stamped But Initialed, However Initialing is Obviously in Different Hand-writing".

#### ROLL CALL

The question being on the motion of Senator Duffy, the roll was called and there were ayes, 21; nays, 25; absent and not voting, 2; excused, 1.

Those voting in the affirmative were:

|            |               |            |
|------------|---------------|------------|
| Baeverstad | Hernett       | Livingston |
| Bridston   | Holand        | Luick      |
| Davis      | Johnson, Cass | Meidinger  |
| Dolan      | Kieley        | Rue        |
| Duffy      | Klefstad      | Sayer      |
| Foss       | Knudson       | Torno      |
| Freed      | Krenz         | Wadeson    |

Those voting in the negative were:

|                   |          |          |
|-------------------|----------|----------|
| Bilden            | Kusler   | Solberg  |
| Day               | Leier    | Streibel |
| Dewing            | O'Brien  | Thomas   |
| Ferry             | Olson    | Tuff     |
| Fraser            | Page     | Welander |
| Gilbertson        | Schmit   | Wog      |
| Hagen             | Schoeder | Wolf     |
| Johnson, Cavalier | Schrock  | Yunker   |
| Kamrath           |          |          |

Absent and not voting:

Berube                      Nelson

Excused:

Fiedler

Which motion was declared lost.



Senator Duffy moved that the ballots covered by the sixth section of the Special Report entitled "Ballots Deemed Invalid Because of Multiple Voting", be disregarded in the count.

#### ROLL-CALL

The question being on the motion of Senator Duffy, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 2; excused, 1.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Johnson, Cass     | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Foss       | Livingston        | Tuff     |
| Fraser     | Luick             | Wadeson  |
| Freed      | Meidinger         | Welander |
| Gilbertson | O'Brien           | Wog      |
| Hagen      | Olson             | Wolf     |
| Hennett    | Page              | Yunker   |
| Holand     |                   |          |

Absent and not voting:

Berube                      Nelson

Excused:

Fiedler

Which motion prevailed.

Senator Duffy moved that the ballots listed in the fifth section of the Special Report entitled "Ballots Upon Which the "X's" Appeared in the Squares Following the Spaces Below the Name" be not counted.

#### ROLL CALL

The question being on the motion of Senator Duffy, the roll was called and there were ayes, 26; nays, 20; absent and not voting, 2; excused, 1.

Those voting in the affirmative were:

|            |                   |         |
|------------|-------------------|---------|
| Baeverstad | Johnson, Cass     | Rue     |
| Bridston   | Johnson, Cavalier | Sayer   |
| Davis      | Kieley            | Schmit  |
| Dolan      | Klefstad          | Schrock |
| Duffy      | Knudson           | Solberg |
| Foss       | Krenz             | Torno   |
| Freed      | Leier             | Wadeson |
| Hennett    | Luick             | Yunker  |
| Holand     | Meidinger         |         |

Those voting in the negative were:

|            |            |          |
|------------|------------|----------|
| Bilden     | Kamrath    | Streibel |
| Day        | Kusler     | Thomas   |
| Dewing     | Livingston | Tuff     |
| Ferry      | O'Brien    | Welander |
| Fraser     | Olson      | Wog      |
| Gilbertson | Page       | Wolf     |
| Hagen      | Schoeder   |          |

Absent and not voting:

Berube                      Nelson

Excused:

Fiedler

Which motion prevailed.

Senator Schmit: I would like to explain my vote. I felt it was clearly the intention of the voter to vote in the square below the name voted for because it was in the proper column and the voter intended to vote for that name.

Senator Duffy moved that the ballots covered by the second Section of the Special report entitled "Ballots Stamped But Not Initialed" be not counted.

#### ROLL CALL

The question being on the motion of Senator Duffy, the roll was called and there were ayes, 21; nays, 25; absent and not voting, 2; excused, 1.

Those voting in the affirmative were:

|            |               |            |
|------------|---------------|------------|
| Baeverstad | Hernett       | Livingston |
| Bridston   | Holand        | Luick      |
| Davis      | Johnson, Cass | Meidinger  |
| Dolan      | Kieley        | Rue        |
| Duffy      | Klefstad      | Sayer      |
| Foss       | Knudson       | Torno      |
| Freed      | Krenz         | Wadeson    |

Those voting in the negative were:

|                   |          |           |
|-------------------|----------|-----------|
| Bilden            | Kusler   | Solberg   |
| Day               | Leier    | Streibel  |
| Dewing            | O'Brien  | Thomas    |
| Ferry             | Olson    | Tuff      |
| Fraser            | Page     | Welanders |
| Gilbertson        | Schmit   | Wog       |
| Hagen             | Schoeder | Wolf      |
| Johnson, Cavalier | Schrock  | Yunker    |
| Kamrath           |          |           |

Absent and not voting:

Berube Nelson

Excused:

Fiedler

Which motion was declared lost.

Senator Day: This is for the record. As I understand the procedure, the Senate did seat Senator Fiedler by former action, and no action having been taken today to reconsider that action, his seating is not disturbed.

Senator Duffy moved that the Senate do find and determine that upon the election in McClean County Dave M. Robinson received a majority of the legal votes cast for the office of State Seantor.

Senator Day made a substitute motion that the findings of the canvassing board for determination of the election of Walter Fiedler be not disturbed.

#### ROLL CALL

The question being on the substitute motion of Senator Day, the roll was called and there were ayes, 25; nays, 21; absent and not voting, 2; excused, 1.

Those voting in the affirmative were:

|        |         |          |
|--------|---------|----------|
| Bilden | Kusler  | Solberg  |
| Day    | Leier   | Streibel |
| Dewing | O'Brien | Thomas   |

|                   |          |          |
|-------------------|----------|----------|
| Ferry             | Olson    | Tuff     |
| Fraser            | Page     | Welander |
| Gilbertson        | Schmit   | Wog      |
| Hagen             | Schoeder | Wolf     |
| Johnson, Cavalier | Schrock  | Yunker   |
| Kamrath           |          |          |

Those voting in the negative were:

|            |               |            |
|------------|---------------|------------|
| Baeverstad | Hernett       | Livingston |
| Bridston   | Holand        | Luick      |
| Davis      | Johnson, Cass | Meidinger  |
| Dolan      | Kieley        | Rue        |
| Duffy      | Klefstad      | Sayer      |
| Foss       | Knudson       | Torno      |
| Freed      | Krenz         | Wadeson    |

Absent and not voting:

|        |        |
|--------|--------|
| Berube | Nelson |
|--------|--------|

Excused:

Fiedler

Which motion prevailed.

Senator Fraser requested to change his vote from nay to aye, which request was granted.

Senator Luick requested unanimous consent to have the record show he had voted nay, which request was granted.

#### ANNOUNCEMENT

A committee of three from the House reported to the Senate that the House had completed its business and wished to notify the Senate that they are ready to adjourn semi die.

#### MESSAGES TO THE SENATE

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to return:

Senate Bill No. 240

Which the House has amended.

KENNETH L. MORGAN, Chief Clerk.

#### HOUSE AMENDMENT

Senate Bill No. 240

In line 6 of the engrossed bill, strike out the figure "5" and insert in lieu thereof the figure "10"

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to return:

House Bill No. 801

House Bill No. 802

House Bill No. 811

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 501.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on House Bill No. 524.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to return:

Senate Bill No. 7

Which the House has passed unchanged.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on House Bill No. 541.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on Senate Bill No. 1 by a vote of ayes, 88; nays, 0; absent and not voting, 25.

KENNETH L. MORGAN, Chief Clerk.

#### MOTION

Senator Day moved that the Senate do concur in the House amendments to Senate Bill No. 240, which motion prevailed.

Senator Day moved that the rules be suspended and Senate Bill No. 240 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 240. A Bill for an Act relating to old age assistance and amending and reenacting section 50-0723 of the North Dakota Revised Code of 1943.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Rue      |
| Bilden     | Holand            | Sayer    |
| Bridston   | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Streibel |
| Dolan      | Krenz             | Thomas   |
| Duffy      | Kusler            | Torno    |
| Ferry      | Leier             | Tuff     |
| Fiedler    | Livingston        | Wadeson  |
| Foss       | Luick             | Welander |
| Fraser     | Meidinger         | Wog      |

|                        |         |         |
|------------------------|---------|---------|
| Freed                  | O'Brien | Wolf    |
| Gilbertson             | Olson   | Yunker  |
| Hagen                  | Page    |         |
| Absent and not voting: |         |         |
| Berube                 | Kieley  | Solberg |
| Johnson, Cass          | Nelson  |         |

So the bill passed and the title was agreed to.

#### REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 811, has had the same under consideration and recommends:

That we agreed to disagree.

For the Senate:

SENATOR OLSON  
SENATOR SCHROCK  
SENATOR BAEVERSTAD

For the House:

REP. TOLLEFSON  
REP. MUELLER  
REP. MOLLET

Senator Olson moved that the report be adopted, which motion prevailed and the report was adopted.

#### MOTIONS

Senator Duffy moved that the House be requested to return House Bill No. 811 to the Senate, which motion was declared lost.

Senator Day moved the Senate consider House Concurrent Resolutions "B-2" and "D-2", which motion prevailed.

#### SECOND READING OF HOUSE RESOLUTIONS

House Concurrent Resolution "B-2". A Concurrent Resolution authorizing the payment of five dollars per day additional expense allowance to each member of the Legislative Assembly.

Which has been read.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 30; nays, 15; absent and not voting, 4.

Those voting in the affirmative were:

|         |                   |           |
|---------|-------------------|-----------|
| Bilden  | Johnson, Cavalier | Olson     |
| Day     | Kamrath           | Rue       |
| Dolan   | Kieley            | Sayer     |
| Ferry   | Kiefstad          | Schmit    |
| Fiedler | Knudson           | Schoeder  |
| Fraser  | Krenz             | Schrock   |
| Freed   | Kusler            | Thomas    |
| Hagen   | Livingston        | Tuff      |
| Hernett | Luick             | Welandier |
| Holand  | O'Brien           | Yunker    |

Those voting in the negative were:

|            |            |          |
|------------|------------|----------|
| Baeverstad | Gilbertson | Streibel |
| Davis      | Leier      | Torno    |
| Dewing     | Meidinger  | Wadeson  |

|                        |               |        |
|------------------------|---------------|--------|
| Duffy                  | Page          | Wog    |
| Foss                   | Solberg       | Wolf   |
| Absent and not voting: |               |        |
| Berube                 | Johnson, Cass | Nelson |
| Bridston               |               |        |

So the resolution was adopted and the title was agreed to.

**House Concurrent Resolution "D-2".** A Concurrent Resolution authorizing the payment of two dollars per day additional expense allowance to each employee of the Legislative Assembly.

Which has been read.

#### ROLL CALL

The question being on the final passage of the resolution, as amended in the Senate, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Holand            | Rue      |
| Bilden     | Johnson, Cavalier | Sayer    |
| Bridston   | Kamrath           | Schmit   |
| Davis      | Kieley            | Schoeder |
| Day        | Klefstad          | Schrock  |
| Dewing     | Knudson           | Solberg  |
| Dolan      | Krenz             | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Torno    |
| Fiedler    | Livingston        | Tuff     |
| Foss       | Luick             | Wadeson  |
| Fraser     | Meidinger         | Welander |
| Freed      | O'Brien           | Wog      |
| Gilbertson | Olson             | Wolf     |
| Hagen      | Page              | Yunker   |
| Hernett    |                   |          |

Absent and not voting:

|        |               |        |
|--------|---------------|--------|
| Berube | Johnson, Cass | Nelson |
|--------|---------------|--------|

So the resolution was adopted and the title was agreed to.  
Senator Yunker changed his vote from nay to aye.

#### REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 524, has had the same under consideration and recommends:

That the Senate recede from its amendments and your Conference Committee recommends that House Bill No. 524 be amended as follows:

In line 3 strike out the figures \$9,804,856.00 and insert the figures \$12,079,080.00

In line 14 strike out the figures \$6,276,460.00 and insert the figures \$8,550,684.00

In line 40 strike out the figures \$9,804,856.00 and insert the figures \$12,079,080.00

For the Senate:

SENATOR DAY  
SENATOR DEWING  
SENATOR DUFFY

For the House:

REP. BAKER.

REP. VINJE

REP. THOMPSON (McLean)

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 House Bill No. 524 be placed on second reading and final action, as amended by the Conference Committee, which motion prevailed.

### SECOND READING OF HOUSE BILLS

House Bill No. 524. 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 providing assistance to the needy aged and general assistance for relief to destitute and necessitous persons, aid to permanently and totally disabled, and for the necessary costs of administration of all of the programs above mentioned.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Page     |
| Bilden     | Holand            | Sayer    |
| Bridston   | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schoeder |
| Day        | Kieley            | Schrock  |
| Dewing     | Klefstad          | Solberg  |
| Dolan      | Knudson           | Streibel |
| Duffy      | Kusler            | Thomas   |
| Ferry      | Leier             | Tuff     |
| Fiedler    | Livingston        | Wadeson  |
| Foss       | Luick             | Welander |
| Fraser     | Meidinger         | Wog      |
| Freed      | O'Brien           | Wolf     |
| Gilbertson | Olson             | Yunker   |
| Hagen      |                   |          |

Absent and not voting:

|               |        |       |
|---------------|--------|-------|
| Berube        | Krenz  | Rue   |
| Johnson, Cass | Nelson | Torno |

So the bill passed and the title was agreed to.

Senator Streibel moved that Senators Day and Hernett be appointed as a committee from the Senate to work with a like committee from the House to investigate the Workmen's Compensation during the interim, which motion prevailed.

The President appointed as a Conference Committee to consider House Bill No. 811, Senators Dewing, O'Brien and Meidinger.

### MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the Senate has not adopted the report of the Conference Committee on House Bill No. 811 and the President has appointed as a

new Conference Committee, Senators Dewing, O'Brien and Meidinger.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "B-2"

Which the Senate has passed.

House Bill No. 801

House Bill No. 802

House Bill No. 811

Which the Senate has not requested.

House Concurrent Resolution "D-2"

Which the Senate has amended and has adopted the Conference Committee report on House Bill No. 524 and has concurred in the House amendments to Senate Bill No. 240.

EDWARD LENO, Secretary.

The President appointed the following Senators as members of the Legislative Research Committee:

For the minority, Senators Luick and Baeverstad; for the majority, Senators Solberg, Johnson (Cav) and Dewing.

Senator Duffy moved that House Bills Nos. 801, 802 and 811 be placed on the calendar for final action, which motion was lost.

Senator Duffy moved the Senate do now adjourn, which motion was declared lost.

Senator Day moved that the Senate be at ease until a message from the House is received, which motion prevailed.



The Senate reconvened at the call of the Chair.

Senator Hagen moved that the absent Senators be excused, which motion prevailed.

Senator Duffy moved that House Bill No. 811 be placed upon the calendar for final action.

#### ROLL CALL

The question being on the motion of Senator Duffy, the roll was called and there were ayes, 18; nays, 26.

Those voting in the affirmative were:

|            |            |           |
|------------|------------|-----------|
| Baeverstad | Freed      | Luick     |
| Bridston   | Hernett    | Meidinger |
| Davis      | Holand     | Rue       |
| Dolan      | Knudson    | Sayer     |
| Duffy      | Krenz      | Torno     |
| Foss       | Livingston | Wadeson   |

Those voting in the negative were:

|                   |          |          |
|-------------------|----------|----------|
| Bilden            | Kamrath  | Solberg  |
| Day               | Kusler   | Strëibel |
| Dewing            | Leier    | Thomas   |
| Ferry             | O'Brien  | Tuff     |
| Fiedler           | Olson    | Welander |
| Fraser            | Page     | Wog      |
| Gilbertson        | Schmit   | Wolf     |
| Hagen             | Schoeder | Yunker   |
| Johnson, Cavalier | Schrock  |          |

Absent and not voting:

|               |          |        |
|---------------|----------|--------|
| Berube        | Kielely  | Nelson |
| Johnson, Cass | Klefstad |        |

So the motion was declared lost.

Senator Duffy moved that the vote by which his motion was lost, be printed in the Journal, which motion prevailed.

Senator Day: The Senator from Ramsey has advised us that the House has adjourned Sine Die.

House Bill No. 811 was passed by this Senate, it being the Sales Tax Bill, in exactly the same form as it has been enacted for several years—in the same form that the people are accustomed to having it enacted. It would provide taxes and provide for the allocation of the profits of those taxes as our people have traditionally expected them to be. By the

vote last fall at the general election the people of our state reaffirmed their stand. We of the coalition have, throughout this session steadfastly maintained and defended that principle. Whether the House is still in position to act upon that bill or not, I do not know. As far as the Senate is concerned they are, because the House is in possession of the bill, as they are also in possession of House Bill No. 801 and 802, except for a maneuver by which I understand they attempted to divest themselves of possession. If they did, they may still regain possession and act on all three bills.

Senator Duffy: I ask that my remarks be printed in the Journal.

The House does not have possession of these three bills. Whether it was correctly done or not, the three bills were messaged to the Senate. They have not been returned to the House, although a messenger with them was sent to the House, but that messenger was not received by the House. The Senate, therefore, is in position to act upon them if it sees fit.

The House passed No. 811 with certain amendments, and let me say to you that those amendments were proposed by Rep. Beede, the floor leader of the Non-Partisan League, and I believe he is entitled to speak for the League better than the Senator from the 6th District in Grand Forks. That amendment provided that those funds might be taken only for educational and welfare purposes, and then only in such amounts as would not reduce those funds below ten million dollars for the Equalization Fund, and eight million dollars for the Welfare Fund; therefore, no great raid was anticipated upon these funds.

It is true that the voters of North Dakota voted against diverting any of the sales tax to the building of highways. They have not voted to prevent the use of either of those funds for the education of the blind, the care of the mentally retarded in the Grafton school, or the care of the senile old folks at the Jamestown Hospital, and I do not believe that the people of North Dakota, if confronted with that proposal, would reject those worthy causes.

Now then, if we are going to protect those funds from the diversion of a half million dollars for the use of the institution at Grafton, how can you justify destroying the revenue for both of those funds during the next two years? That is what the Senate will do if it now refuses to pass House Bill No. 811. We can do it if you want to do it, and we of the ROC will vote with you 100% to do it, and if you give it your votes, we can do it.

Senator Dewing: The Sales Tax Bill, House Bill No. 811, was introduced by Reps. Gress and Sticka, and not by Rep. Beede. The bill came over to the Senate in amended form different than from any sales tax law ever passed in the state of North Dakota. We amended it in the Senate to conform to the law passed in 1953. We passed that bill, returned it to the House and they refused to concur in our amendments. Conference Committees were appointed on that bill and at this time a Conference Committee is still appointed by the Senate to act on that bill. The House, by their refusal to appoint another Conference Committee on their own bill has killed House Bill No. 811.

Senator Day: I just received a message from Rep. Beede that those amendments are not the amendments that he pro-

posed. The record will show that the Senate passed House Bills No. 801 and 802 providing for the buildings at Grafton and Jamestown, and House Bill No. 811 providing for the sales tax in the form in which the people are used to it. Those bills were available for passage by the House and are still in that position. Let us not forget that we are leaving five million dollars in the Bank of North Dakota that belongs to the people of North Dakota, enough of which might readily have been made available to take care of these appropriations.

Senator Duffy: Insofar as House Bills No. 801 and 802 are concerned, it is true that this Senate passed them—passed them with appropriations of two million dollars to be taken out of the General Fund, when every member of this Senate knew that the other appropriations would exceed the monies in the General Fund and the anticipated revenue for the next two years. I say, therefore, that passing bills when you know you haven't got the money to carry out the appropriations is certainly an empty gesture and if that is the gesture upon which the Senator wishes to stand at the close of this session, I am sure he may stand on that empty gesture.

Senator Bridston: I am saying for the record that the Nonpartisan League members in this Senate have been misled by a false opportunist with a political ambition the equal of which I have never seen. By the politically inspired maneuvering of the leadership of the Senate coalition we are adjourning without reinstating the Sales Tax bill. Welfare and education will suffer. Let it be recorded that politics, and politics only, has killed the sales tax, and with it millions that would go to education and public relief.

Senator Schrock: Our educational fund apparently was about to begin a process of depletion. As amended in the House it was placed in a position where it would have to pay tribute to other funds of the state to survive. I have never believed in that kind of tribute which might also be called bribery. Someone has said, and I feel the quotation is very appropriate at this time—"millions for defense but not one cent for tribute".

Senator Baeverstad: As a member of the Senate Conference Committee, I have tried my very best to see if we could not arrive at some kind of a compromise on the sales tax bill, House Bill No. 811. I feel that in as much as the general fund of the State does not have the funds for all the appropriations already made; that funds for schools of higher learning which are part of our educational problems should have the assistance of funds from the equalization surpluses. This surplus has been used in the past for many other purposes that have to do with education. I feel that if the general public knew there would not be enough money in the general funds account of the State to take care of the necessary needs of higher education or various important welfare purposes, they would approve of our action. I feel that a vote by the people for such a purpose would carry with a big majority. Perhaps that is what we will have to do—go home and find out how the people feel about using the sales tax monies for these purposes.

Senator Duffy moved that after the signing of the House and Senate bills by the President, the Senate do adjourn sine die.

Vote was taken and the motion was declared lost.

The Senate stood at ease subject to the call of the Chair.

MESSAGE TO THE SENATE

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to transmit:

House Bill No. 501  
House Bill No. 524  
House Bill No. 541

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 501  
House Bill No. 524  
House Bill No. 541

And the President signed the same in the presence of the Senate.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 164  
Senate Bill No. 240

And find the same correctly engrossed.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 164  
Senate Bill No. 240

And find the same correctly enrolled.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien 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. 164  
Senate Bill No. 240

And the President signed the same in the presence of the Senate.

MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 164  
Senate Bill No. 240

Which the President has signed and your signature is respectfully requested.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 501

House Bill No. 524

House Bill No. 541

Which the President has signed.

EDWARD LENO, Secretary.

#### MOTIONS

Senator Day moved that the Governor be requested to return Senate Bill No. 7 to the Senate, which motion prevailed.

March 4, 1955

Hon. Norman Brunsdale  
Governor, State of North Dakota  
Bismarck, North Dakota

Dear Sir:

I have the honor to request the return of Senate Bill No. 7, which request is a result of a vote of the Senate.

Respectfully yours,

EDWARD LENO

Secretary of the Senate

Senator Day moved that Senate Bill No. 7 be placed on the calendar, which motion prevailed.

House amendments to Senate Bill No. 7:

Reinsert lines 31, 32 and 33.

In line 35 strike out the figure "773,100" and insert in lieu thereof the figure "793,340".

Renumber the lines.

Senator Day moved that the Senate adopt the House amendments to Senate Bill No. 7, which motion prevailed.

Senator Day moved that the rules be suspended and Senate Bill No. 7 be deemed properly re-engrossed and placed on second reading and final action, as amended by the House, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 7. A Bill for an Act making an appropriation for the general maintenance, improvement and repairs, equipment, miscellaneous expenses, and new buildings and special projects for the State Training School at Mandan, North Dakota.

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, 1; absent and not voting, 8.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hernett           | Sayer    |
| Bilden     | Johnson, Cavalier | Schmit   |
| Bridston   | Kamrath           | Schoeder |
| Davis      | Knudson           | Schrock  |
| Day        | Kusler            | Solberg  |
| Dewing     | Leier             | Streibel |
| Dolan      | Livingston        | Thomas   |
| Duffy      | Luick             | Tuff     |
| Ferry      | Meidinger         | Wadeson  |
| Fiedler    | O'Brien           | Welander |
| Foss       | Olson             | Wog      |
| Fraser     | Page              | Wolf     |

Freed Rue Yunker  
Gilbertson

Those voting in the negative were:

Hagen

Absent and not voting:

Berube Kieley Nelson  
Holand Klefstad Tornø  
Johnson, Cass Krenz

So the bill passed and the title was agreed to.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to inform you that the Senate has adopted the House amendments to Senate Bill No. 7.

EDWARD LENO, Secretary.

#### MOTION

Senator Dewing moved that the Senate request the House to return House Bill No. 811, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to request House Bill No. 811.

EDWARD LENO, Secretary.

Senator Page moved that the Senate reconsider its action on House Bill No. 811, which motion prevailed.

Senator Page moved that House Bill No. 811 be placed on the calendar for final action as passed by the House, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 811. 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.

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:

|            |                   |          |
|------------|-------------------|----------|
| Baeverstad | Hagen             | Sayer    |
| Bilden     | Hernett           | Schmit   |
| Bridston   | Johnson, Cavalier | Schoeder |
| Davis      | Kamrath           | Schrock  |
| Day        | Knudson           | Solberg  |
| Dewing     | Kusler            | Streibel |

|                        |            |          |
|------------------------|------------|----------|
| Dolan                  | Leier      | Thomas   |
| Duffy                  | Livingston | Tuff     |
| Ferry                  | Luick      | Wadeson  |
| Fiedler                | Meidinger  | Welander |
| Foss                   | O'Brien    | Wog      |
| Fraser                 | Olson      | Wolf     |
| Freed                  | Page       | Yunker   |
| Gilbertson             | Rue        |          |
| Absent and not voting: |            |          |
| Berube                 | Kieley     | Nelson   |
| Holand                 | Klefstad   | Torno    |
| Johnson, Cass          | Krenz      |          |

So the bill passed and the title was agreed to.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Bill No. 811

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

#### MOTION

Senator Day moved that the rules be suspended and Senate Resolution No. 8 be placed on the calendar, which motion prevailed.

Senator Day moved that Senate Resolution No. 8 be referred to the Judiciary Committee, which motion prevailed.

Senator Day moved that Senate Resolution No. 8 be returned to the Senate from the committee, which motion prevailed.

Senator Day moved that Senate Resolution No. 8 be placed on the calendar, which motion prevailed.

#### FIRST READING OF SENATE RESOLUTION

Senators Day and Streibel introduced:

Senate Resolution No. 8. A Resolution clarifying the intentions of the Coalition Faction of the Senate with respect to House Bill No. 811 as amended by the House.

Was read the first time.

Senator Duffy: I wish my remarks printed in the Journal. I am reminded of the fact that early in the sixtieth day of this legislative session, I mentioned the fact that frequently the coalition arrived at my way of thinking even though their arrival was a little bit delayed. I am happy that they have arrived in such a short time after my suggestion that we do this very thing. When it comes to voting on this Resolution which is to clarify the position of the coalition group, I feel the members of the ROC are not qualified to vote an explanation of the coalition, and therefore, Mr. President, I ask that all of the ROC Senators be excused from voting in view of the fact that they cannot possibly explain the action of the coalition.

Senator Day: I ask that my remarks be printed in the Journal. I want to call the Senator's attention to the fact that this Resolution also contains in the final adoption clause a declaration of principle, which you may want to vote on.

Senator Duffy: I know of no way in which we can vote on a declaration without voting on the where-ases, and in view of the fact that the where-ases are a part of the Resolution I repeat my request that we be excused from voting.

The President ruled that if the Senators who do not belong to the coalition do not want to vote on the resolution they may be excused from doing so.

### SECOND READING OF SENATE RESOLUTION

**Senate Resolution No. 8.** A Resolution clarifying the intentions of the Coalition Faction of the Senate with respect to House Bill No. 811 as amended by the House.

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, 0; absent and not voting, 23.

Those voting in the affirmative were:

|                   |          |          |
|-------------------|----------|----------|
| Bilden            | Kamrath  | Solberg  |
| Day               | Kusler   | Streibel |
| Dewing            | Leier    | Thomas   |
| Ferry             | O'Brien  | Tuff     |
| Fiedler           | Olson    | Welander |
| Fraser            | Page     | Wog      |
| Gilbertson        | Schmit   | Wolf     |
| Hagen             | Schoeder | Yunker   |
| Johnson, Cavalier | Schrock  |          |

Absent and not voting, and excused:

|            |               |           |
|------------|---------------|-----------|
| Baeverstad | Hernett       | Luick     |
| Berube     | Holand        | Meidinger |
| Bridston   | Johnson, Cass | Nelson    |
| Davis      | Kieley        | Rue       |
| Dolan      | Klefstad      | Sayer     |
| Duffy      | Knudson       | Torno     |
| Foss       | Krenz         | Wadeson   |
| Freed      | Livingston    |           |

So the resolution was adopted, and the title was agreed to.

Senator Day moved that Senate Resolution No. 8 be printed in the Journal, which motion prevailed.

### SENATE RESOLUTION NO. 8

Introduced by Senator Day and Streibel

A Resolution clarifying the intentions of the Coalition Faction of the Senate with respect to House Bill 811 as amended by the House.

- 1 WHEREAS, the House of Representatives has ad-
- 1a journed
- 2 Sine Die without permitting a report from the Confer-
- 3a ence Com-
- 3 mittee on adopting House Bill 811, the Sales Tax Act, it
- 3a be-
- 4 ing still under consideration in Conference Committee,
- 4a com-
- 5 pletely disregarding the possible consequences;
- 6 WHEREAS, the Senate is faced with two alternatives;
- 7 1. To enact the Sales Tax Law as amended by the
- 7a House



8 containing amendments completely objectionable as  
 9 far as the distribution of funds are concerned as  
 10 expressed by the people at the last general election  
 11 or;  
 12 2. Adjourning as the House of Representatives did  
 12a with-  
 13 out regard to the possible consequences of permit-  
 14 ting the Sales Tax Law to expire July 1, 1955.  
 15 WHEREAS, loss of Sales Tax funds would wreck the  
 15a common  
 16 schools of the State of North Dakota and destroy the  
 16a funds  
 17 needed for the aged and crippled children and the needy  
 18 blind and dependent children and;  
 19 WHEREAS, the Senate has safeguarded the dissipa-  
 19a tion of  
 20 such funds between now and the next Session of the  
 20a Legisla-  
 21 ture by refusing to permit any improper appropriations  
 21a there-  
 22 from and;  
 23 WHEREAS, the Coalition group in the Senate has  
 23a agreed to  
 24 cause to be submitted to the people an initiated measure  
 25 setting forth a proper sales tax act which may be voted  
 25a upon  
 26 prior to the 1957 Session of the Legislature thus  
 27 reestablishing the fundamental principles of preserving  
 28 sales tax funds for equalization and welfare purposes  
 28a only.  
 29 NOW THEREFORE, BE IT RESOLVED BY THE  
 29a SENATE OF THE  
 30 STATE OF NORTH DAKOTA that the fundamental  
 30a principle of  
 31 dedication of sales tax funds for equalization and welfare  
 32 purposes only be reaffirmed at the same time that the  
 32a Senate  
 33 adopt House Bill 811 under the circumstances herewith  
 33a set  
 34 forth.  
 35 BE IT FURTHER RESOLVED, that copies of this  
 35a resolution  
 36 be forwarded to the Governor of this State and to the  
 37 Secretary of State.

Senator Leier nominated Senator Page as President Pro-Tem for the interim.

Senator Day: Mr. President, Senator Page has served in this body for a good many years. I think he is recognized as one of the more able senators of this group. He has served on the Budget Board for some years and has been chairman of the Senate Appropriations Committee during the past two sessions. He is an individual thinker and a very able statesman and legislator. I am proud to second his nomination.

Senator Duffy moved that the nominations be closed and the Secretary be instructed to cast a unanimous ballot for Senator Page as President Pro-Tem for the interim, which motion prevailed.

The Secretary announced the Senate had cast a unanimous ballot for Senator Page as President Pro-Tem for the interim.

Senator Page: I think it is customary for the President Pro-Tem for the interim to make a speech. I think we have had too many speeches already, so I am not going to make one at this time. I am just going to say "thank you" from the bottom of my heart for this honor.

## MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to request the return of House Concurrent Resolution "B-2."

EDWARD LENO, Secretary.

## MOTION

Senator Freed moved that the House be requested to return House Concurrent Resolution "D-2," which motion prevailed.

## MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1955

Mr. Speaker: I have the honor to request the return of House Concurrent Resolution "D-2."

EDWARD LENO, Secretary.

Senator Freed moved that House Concurrent Resolution "D-2" be placed on the calendar, which motion prevailed.

Senator Freed moved that the Senate recede from its amendment to House Concurrent Resolution "D-2," which motion prevailed.

## SECOND READING OF HOUSE RESOLUTION

House Concurrent Resolution "D-2". A Concurrent Resolution authorizing the payment of two dollars per day additional expense allowance to each employee of the Legislative Assembly.

Which has been read.

## ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

|            |                   |          |
|------------|-------------------|----------|
| Bilden     | Hernett           | Sayer    |
| Bridston   | Johnson, Cavalier | Schmit   |
| Davis      | Kamrath           | Schoeder |
| Day        | Knudson           | Schrock  |
| Dewing     | Kusler            | Solberg  |
| Dolan      | Leier             | Streibel |
| Duffy      | Livingston        | Thomas   |
| Ferry      | Luick             | Tuff     |
| Fiedler    | Meidinger         | Wadeson  |
| Foss       | O'Brien           | Welander |
| Fraser     | Olson             | Wog      |
| Freed      | Page              | Wolf     |
| Gilbertson | Rue               | Yunker   |
| Hagen      |                   |          |

Absent and not voting:

|            |               |       |
|------------|---------------|-------|
| Baeverstad | Johnson, Cass | Krenz |
|------------|---------------|-------|

Berube  
Holand

Kieley  
Klefstad

Nelson  
Torno

So the resolution was adopted and the title was agreed to.

#### MESSAGE TO THE SENATE

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to return:

Senate Bill No. 164

Senate Bill No. 240

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

#### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "D-2"

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "B-2"

Which the Senate has passed unchanged.

EDWARD LENO, Secretary.

#### REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 164

Senate Bill No. 240

Were delivered to the Governor for his approval at the hour of 2:00 o'clock p. m., March 4, 1955.

ROSAMOND O'BRIEN, Chairman.

Senator Duffy moved that House Bill No. 801 be placed on the calendar for final action, which motion was lost.

Senator Page made a substitute motion to leave House Bills No. 801 and 802 right where they are until the House asks for them.

#### ROLL CALL

The question being on the substitute motion of Senator Page that House Bills No. 801 and 802 be left where they are until the House requests them, the roll was called and there were ayes, 26; nays, 15; absent and not voting, 8.

Those voting in the affirmative were:

Bilden  
Day  
Dewing  
Ferry  
Fiedler  
Fraser  
Gilbertson

Kamrath  
Kusler  
Leier  
O'Brien  
Olson  
Page  
Schmit

Solberg  
Streibel  
Thomas  
Tuff  
Welander  
Wog  
Wolf

|                                    |            |           |
|------------------------------------|------------|-----------|
| Hagen                              | Schoeder   | Yunker    |
| Johnson, Cavalier                  | Schrock    |           |
| Those voting in the negative were: |            |           |
| Baeverstad                         | Foss       | Luick     |
| Bridston                           | Freed      | Meidinger |
| Davis                              | Hernett    | Rue       |
| Dolan                              | Knudson    | Sayer     |
| Duffy                              | Livingston | Wadeson   |
| Absent and not voting:             |            |           |
| Berube                             | Kieley     | Nelson    |
| Holand                             | Klefstad   | Torno     |
| Johnson, Cass                      | Krenz      |           |

So the motion prevailed.

Senator Bridston: I wish to explain my vote. The ROC members of this Senate have to accept defeat in this attempt at this last minute to do a job that is needed at Grafton and at Jamestown. That is why I had to vote "no" on Senator Page's motion.

Senator Baeverstad:

Mr. President, I wish to advise the members of the Senate that this legislature has provided only a small part of the funds needed by the Agricultural College experiment farm, as was arranged for by House Bills Nos. 781, 782, 783 and 784.

That most of the farmers of North Dakota are going to seed in 1955 varieties of wheat and oats that are the result of studies of research in Minnesota and Canada. What other proof do we need, that unfortunately we are lagging behind in research developments.

It is tragic that because of politics we are not going to give our soils and grain scientists the funds and equipment needed as requested by them to assure the farmers of our State that we are ready to provide all and more than is needed in this work.

I charge that the coalition faction must assume the sole responsibility. I hope that somehow our farmers might escape the terrific loss of the crops from disease and rust in the years ahead, and that our soils and grain scientists can give to us varieties of grain to protect us from such losses. We members of this Legislature have the responsibility to help by providing all necessary funds and equipment, and I feel, we have not done what we should in this emergency.

Senator Day: I want to call the Senate's attention to the fact that earlier today the remark was made that the amendments to House Bill No. 811 were proposed by Rep. Beede. I wish to say that the amendments that were adopted to House Bill No. 811 by the House were voted against by the League faction in the House on a roll call vote, and the record is in the House Journal.

Senator Duffy moved that the Senate express its sympathy to Senator Kieley whose wife was taken to Rochester last night, which motion prevailed.

Senator Bilden moved that Senator Davis be instructed to send a bouquet of flowers to Mrs. Kieley, which motion prevailed.

## MESSAGES TO THE SENATE

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to transmit:

House Concurrent Resolution "O-1"  
House Concurrent Resolution "V-1"  
House Concurrent Resolution "W-1"  
House Concurrent Resolution "H-2"  
House Concurrent Resolution "I-2"

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to transmit:

House Bill No. 811  
House Concurrent Resolution "B-2"  
House Concurrent Resolution "D-2"

Which the Speaker has signed and your signature is respectfully requested.

KENNETH L. MORGAN, Chief Clerk.

## SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 811  
House Concurrent Resolution "O-1"  
House Concurrent Resolution "V-1"  
House Concurrent Resolution "W-1"  
House Concurrent Resolution "B-2"  
House Concurrent Resolution "D-2"  
House Concurrent Resolution "H-2"  
House Concurrent Resolution "I-2"

And the President signed the same in the presence of the Senate.

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to transmit:

House Bill No. 811  
House Concurrent Resolution "O-1"  
House Concurrent Resolution "V-1"  
House Concurrent Resolution "W-1"  
House Concurrent Resolution "B-2"  
House Concurrent Resolution "D-2"  
House Concurrent Resolution "H-2"  
House Concurrent Resolution "I-2"

Which the President has signed.

EDWARD LENO, Secretary.

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. 7

And find the same correctly Engrossed.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 1

Senate Bill No. 7

Senate Resolution No. 8

And find the same correctly enrolled.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien 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. 7

Senate Resolution No. 8

And the President signed the same in the presence of the Senate.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 4, 1955

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 1

Senate Bill No. 7

Which the President has signed and your signature is respectfully requested.

EDWARD LENO, Secretary.

#### MESSAGE TO THE SENATE

House Chamber  
Bismarck, March 4, 1955

Mr. President: I have the honor to return:

Senate Bill No. 1

Senate Bill No. 7

Which the Speaker has signed.

KENNETH L. MORGAN, Chief Clerk.

#### REPORTS OF STANDING COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

Senate Resolution No. 8

Was delivered to the Secretary of State at the hour of 2:15 o'clock p.m., March 4, 1955.

ROSAMOND O'BRIEN, Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Resolution No. 8

Was delivered to the Governor for his approval at the hour

of 2:20 o'clock p.m., March 4, 1955.

ROSAMOND O'BRIEN, Chairman.

The committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 1

Senate Bill No. 7

Were delivered to the Governor for his approval at the hour of 2:20 o'clock p.m., March 4, 1955.

ROSAMOND O'BRIEN, Chairman.

Senator O'Brien: I arise to a point of personal privilege. At the close of each legislative session it is customary to make certain presentations, and we intend to do so at this time. Senator Meidinger.

Senator Meidinger: Mr. President and fellow Senators. We are approaching the parting hour which one writer has described as the hour of sweet sorrow. Senator Streibel, we would be remiss if we failed to recognize again the stellar role that you have played in this session as majority floor leader. While you voluntarily slowed yourself down a little this session, it was plain to see that you continued to guide the affairs of the majority with a firm hand.

We have all come to recognize you as a man who is firm and honest in your convictions. Through your long years of experience in this distinguished body your help and counsel have been of great value, especially to the younger members of this group. As a parliamentarian, we all gladly recognize you as an authority.

Senator Streibel, it is a genuine pleasure for me to be able to present this small purse of appreciation to you on behalf of myself and colleagues of the Senate. We wish you health and happiness for the future.

Senator Streibel: Mr. President. For your kind words of praise, Senator Meidinger, I thank you. To each and every one of you who contributed toward this gift I am most grateful. To the opposition as well as those of my group who so consistently ran interference for me, I thank you most heartily. The many courtesies received from all of you, including our presiding officer, I appreciate especially.

What Senator Meidinger said with respect to my having eased up a little is true, because of my doctor's orders. But refraining from debate when issues are hot has its own rewards. It gave me a little extra time for mental reflection. Often while listening to debates I would recall other groups of men who met for the purpose of settling the pressing issues of their day.

Such a one, for instance, was the meeting for the signing of the Declaration of Independence. During our lengthy session this year I have often tried to picture in my mind's eye what occurred there before they were ready to sign that historic document.

I could just close my eyes and see George Washington occupy the presiding officer's high backed chair on which was painted a rising sun. I could just as clearly discern the oldest delegate who was recognized by Washington. This, the oldest delegate, was Benjamin Franklin, who is today, not referred to as a man from any particular county or

township, but a man who belongs to the whole world. Franklin, at that time, was too feeble to read his own speech. He had a young man read it for him.

Among other things, he said that during the course of their four month's session he had often looked at that rising sun painted on the back of Washington's chair and wondered if it was a rising or a setting sun.

Now, however, as the delegates were signing, Franklin said "Now, I know, Mr. President, that it is a rising and not a setting sun".

I have always felt that somehow we are big enough men to come to some agreement.

Senator Schrock: Mr. President, members of the Senate: The smoke of battle is clearing away and the time has arrived to learn whether we, as Senators, are big enough to be just fellow men rather than legislative opponents. Frequently I have wondered in the heat of debate, when tempers flare, how these Senators can forget and be friends. Then in a few minutes complete harmony seems to prevail, all anger subsiding, and no malice.

These observations are very applicable to Senator Duffy. Due to his personal ability, and as floor leader for the minority group I have been very much impressed with his ability. Still more, I have appreciated his consideration of legislation and avoidance of personalities.

Most of us are indebted to him for his ready counsel, so generously given, in legal matters pertaining to legislation.

Senator Duffy, it is my privilege, in behalf of the members of the Senate, to present this token of our admiration and respect.

Senator Duffy: Mr. President, I think that on this occasion I had better keep my remarks to a very simple "thank you". I have discovered today that if I say any more than that I will have seven rebuttals. Thank you.

Senator Holand: I appreciate the honor that has been given me in being asked to acknowledge the services of Senator Oliver Bilden.

Apparently Senator Bilden is a man who sticks with things. I understand that he was born, raised, and now lives at Northwood, North Dakota, where he operates a drug store. I understand, also, that in Northwood he is known as a very kindly gentleman and is a former baseball "great". The fact that he has lived in one community all his life is certainly testimony that is to his credit. It is always said that if you want to get anywhere you should get out of your own home town. This apparently has not been true in the case of Senator Bilden.

Senator Bilden's sticktoitiveness is further illustrated by his long and continuous service in the legislature of North Dakota. He began in the House in 1935 and has served in the Senate since 1937. This is a record of longevity that not many have achieved, I am sure. It is, therefore, proper in this session that he should be honored as he was in being named President Pro-Tem of the Senate.

Senator Bilden, in behalf of the Senate, it gives me a great deal of personal pleasure to be able to present this small token of appreciation for services rendered.



Senator Bilden: To Senator Holand for his kind remarks, and the Senate members for the fine gift, I wish to say a grateful "thank you".

In accepting the position of President Pro-Tem I asked for the help and kind consideration of all Senators when presiding, and this I received in full measure, for which I am very thankful.

Senator O'Brien: Mr. President, To preside over the Senate composed of 49 members with such a wide variety of ideas and personalities, the president must have uncommon ability. He must have a thorough knowledge of parliamentary procedure and to keep the continuity of each legislative day running smoothly he must be on the alert at all times. He must be able to make quick decisions, be a fair disciplinarian and keep the program moving. An even temper, a good sense of humor and a strong voice are other helpful attributes for the president of the Senate to have.

President Dahl has been called upon many times during this session to draw on his knowledge of Robert's Rules of Order and has shown that he is well versed in this subject. I know that I speak for every member of this body when I compliment him on the dispatch with which he has kept the day's activities moving. He has shown patience with everybody and been helpful to new members. So far as I know there have been no complaints that he could not be heard when speaking even though the acoustics in this chamber are not of the best and there is often a great deal of noise interference from the corridors and elsewhere. He has given all Senators, regardless of faction, an opportunity to present his views from the floor without restraint.

Speaking for myself, I wish to take this opportunity to publicly thank President Dahl for the courtesy he extended to me in allowing me to preside in his place for a brief time the other day. I appreciated this friendly gesture very much. It has been mentioned to me that a woman had never presided over the North Dakota Senate before. If this is true, I am doubly grateful to the President for being given a chance to preside and to make history as well.

Now, Mr. President, as we draw this program to a close, and all of us are soon to depart on our respective journeys home, as a parting token of good will, it gives me great pleasure to present you this gift on behalf of my colleagues and myself.

President Dahl: Thank you, Senator O'Brien, for those flattering words. I hope I deserve just a few of them. I accept them in all humility.

I wish to express my sincere thanks to each and every one of you for this friendly consideration, for today, the sixtieth day of the 34th Legislative Assembly, I am completing my service in the Senate, unless there should be a special session or something like that, that would call us back and I would, of course, have to function. I have enjoyed tremendously my experience during the time that I have served in the Senate—three sessions as a Senator and now completing my fifth term as Lieutenant-Governor. There have been a good many times during those sixteen years and nine sessions, including a special one, that I have seen the tempers often strained to the breaking point, but nevertheless we have always finally, on the final day, come through and parted as good friends,

and I hope we will do the same thing at this time, whenever this sixtieth day comes to an end. That I am unable to assure any of you at the present time.

I thank you.

Senator Wadson moved that the presentation talks and acceptances be printed in the Journal, which motion prevailed.

Senator Foss moved that the President appoint a committee of three to inform the Governor that the Senate has completed its business and is about to adjourn sine die, which motion prevailed.

The President appointed Senators Foss, Streibel and Duffy to so act.

Senator Kamrath 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 Kamrath, Fraser and Freed.

Senator Foss announced that the committee appointed to inform the Governor that the Senate had finished its business and is about to adjourn sine die, has completed its work and asked that the committee be discharged, which request was granted.

Senator Kamrath 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.

A committee from the House was received by the Senate and the committee announced that the House had completed its business and was about to adjourn sine die.

Senator Streibel moved that the Senate adjourn sine die, pending the fifteenth order of business, which motion prevailed.

And the Senate stood adjourned sine die, pursuant to the motion of Senator Streibel.

EDWARD LENO, Secretary.

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# RECORD OF BILLS AND RESOLUTIONS IN THE SENATE

## SENATE BILLS

### Senate Bill No. 1—(Committee on Appropriations)

**Senate Bill No. 1.** A Bill for an Act to appropriate money for the expenses of the executive, legislative and judicial departments of the State Government, and for all of the subdivisions thereof, and for public schools, specifying the amount and time for which such appropriations shall be available, and repealing all acts, or parts of acts, insofar as the same shall relate to appropriations conflicting herewith or to appropriations for the same matters or purposes provided for herein, and declaring an emergency.

Introduction, first reading, 38.

Referred to Committee on Appropriations.

Reported back, 362.

Amended, 362.

Amendments adopted, 392.

Second reading, 405.

To House, 418, 955.

House amendments, 785.

Returned to Senate, 785, 955.

Conference Committee, 844; Committee report, 922.

Final passage, 924.

Enrolled, 955.

Signed by President, 955.

Sent to Governor, 956.

### Senate Bill No. 2—(Committee on Appropriations)

**Senate Bill No. 2.** A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, and equipment, of the School for the Deaf at Devils Lake, North Dakota.

Introduction, first reading, 38.

Referred to Committee on Appropriations.

Reported back, 222.

Amended, 222.

Amendments adopted, 233.

Second reading, 248.

To House, 260, 873.

House amendments, 764.

Returned to Senate, 764, 915.

Senate concurred, 831.

Final passage, 832.

Enrolled, 853.

Signed by President, 873.

Sent to Governor, 918.

### Senate Bill No. 3—(Committee on Appropriations)

**Senate Bill No. 3.** A Bill for an Act making an appropriation for the general maintenance, improvements and repairs,

equipment, and miscellaneous items of the School for the Blind at Bathgate, North Dakota.

Introduction, first reading, 38.  
 Referred to Committee on Appropriations.  
 Reported back, 59.  
 Amended, 76.  
 Second reading, 70, 76.  
 To House, 80, 873.  
 House amendments, 764.  
 Returned to Senate, 764, 915.  
 Senate concurred, 832.  
 Final passage, 832.  
 Enrolled, 853.  
 Signed by President, 873.  
 Sent to Governor, 918.

**Senate Bill No. 4—(Committee on Appropriations)**

**Senate Bill No. 4.** A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous items, and new buildings and special projects for the Grafton State School at Grafton, North Dakota, and declaring an emergency.

Introduction, first reading, 39.  
 Referred to Committee on Appropriations.  
 Amended, 223.  
 Reported back, 223.  
 Amendments adopted, 233.  
 Second reading, 248.  
 To House, 260, 873.  
 House amendments, 764.  
 Returned to Senate, 764, 915.  
 Senate concurred, 833.  
 Final passage, 833.  
 Enrolled, 853.  
 Signed by President, 873.  
 Sent to Governor, 918.

**Senate Bill No. 5—(Committee on Appropriations)**

**Senate Bill No. 5.** A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, and special projects for the Tuberculosis Sanatorium at San Haven, North Dakota.

Introduction, first reading, 39.  
 Referred to Committee on Appropriations.  
 Reported back, (amended, do pass), 206.  
 Amended, 206.  
 Amendments adopted, 226.  
 Second reading, 234.  
 To House, 247, 577.  
 Returned to Senate, 537, 607.  
 Enrolled, 569.  
 Signed by President, 572.  
 Sent to Governor, 619.  
 Approved by Governor, 655.

**Senate Bill No. 6—(Committee on Appropriations)**

**Senate Bill No. 6.** A Bill for an Act making an appropria-

tion for the general maintenance, improvements and repairs, equipment, miscellaneous items and new buildings and special projects for the State Hospital for the Insane at Jamestown, North Dakota.

Introduction, first reading, 39.  
 Referred to Committee on Appropriations.  
 Reported back, (amended, do pass), 228.  
 Amended, 228.  
 Amendments adopted, 246.  
 Second reading, 265.  
 To House, 286, 898.  
 House amendments, 787.  
 Returned to Senate, (amended), 785, 916.  
 Conference Committee, 844; Report, 882.  
 Enrolled, 898.  
 Signed by President, 898.  
 Sent to Governor, 918.

**Senate Bill No. 7—(Committee on Appropriations)**

**Senate Bill No. 7.** A Bill for an Act making an appropriation for the general maintenance, improvement and repairs, equipment, miscellaneous expenses, and new buildings and special projects for the State Training School at Mandan, North Dakota.

Introduction, first reading, 39.  
 Referred to Committee on Appropriations.  
 Reported back, (amended, do pass), 207.  
 Amended, 207.  
 Amendments adopted, 226, 946.  
 Second reading, 235.  
 Requested from Governor, 946.  
 To House, 247, 873, 955.  
 House amendments, 772.  
 Returned to Senate, (amended), 772, 915, 956.  
 Senate concurred, 822.  
 Final passage, 822, 946.  
 Enrolled, 853, 955.  
 Signed by President, 873, 955.  
 Sent to Governor, 915, 956.

**Senate Bill No. 8—(Committee on Appropriations)**

**Senate Bill No. 8.** A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous expenses, and new building of the State Penitentiary.

Introduction, first reading, 39.  
 Referred to Committee on Appropriations.  
 Reported back, (amended), 229.  
 Amended, 229.  
 Amendments adopted, 246.  
 Second reading, 266.  
 To House, 286, 873.  
 House amendments, 772.  
 Returned to Senate, (amended), 772, 915.  
 Senate concurred, 823.  
 Final passage, 823.  
 Enrolled, 853.  
 Signed by President, 873.  
 Sent to Governor, 918.

**Senate Bill No. 9—(Committee on Appropriations)**

**Senate Bill No. 9.** A Bill for an Act making an appropriation for the general maintenance and operation of the North Dakota State Farm, Bismarck, North Dakota.

- Introduction, first reading, 39.
- Referred to Committee on Appropriations.
- Reported back, (do pass), 59.
- Second reading, 70.
- To House, 80, 665.
- Returned to Senate, 560, 713.
- Enrolled, 596.
- Signed by President, 615.
- Sent to Governor, 721.
- Approved by Governor, 735.

**Senate Bill No. 10—(Committee on Appropriations)**

**Senate Bill No. 10.** A Bill for an Act making an appropriation for the general maintenance and operation of the Tag and Sign Plant and the Coffin Factory at the State Penitentiary.

- Introduction, first reading, 39.
- Referred to Committee on Appropriations.
- Reported back, (do pass), 59.
- Second reading, 71.
- To House, 80, 665.
- Returned to Senate, 560, 713.
- Enrolled, 596.
- Signed by President, 615.
- Sent to Governor, 721.
- Approved by Governor, 735.

**Senate Bill No. 11—(Committee on Appropriations)**

**Senate Bill No. 11.** 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.

- Introduction, first reading, 39.
- Referred to Committee on Appropriations.
- Reported back, (do pass), 60.
- Second reading, 71.
- To House, 80, 665.
- House amendments, 586.
- Returned to Senate, (amended), 586, 713.
- Senate concurred, 587.
- Final passage, 587.
- Enrolled, 612.
- Signed by President, 622.
- Sent to Governor, 721.
- Approved by Governor, 735.

**Senate Bill No. 12—(Committee on Appropriations)**

**Senate Bill No. 12.** 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.

- Introduction, first reading, 40.
- Referred to Committee on Appropriations.



Reported back, (do pass), 60.  
 Second reading, 72.  
 To House, 80, 846.  
 Returned to Senate, 775, 915.  
 Enrolled, 838.  
 Signed by President, 846.  
 Sent to Governor, 918.

**Senate Bill No. 13—(Committee on Appropriations)**

**Senate Bill No. 13.** A Bill for an Act making an appropriation for the enforcement and administration of the Attorney General Licensing Department.

Introduction, first reading, 40.  
 Referred to Committee on Appropriations.  
 Reported back, (do pass), 332.  
 Second reading, 345.  
 To House, 355, 873.  
 House amendments, 765.  
 Returned to Senate, (amended), 764, 915.  
 Senate concurred, 834.  
 Final passage, 834.  
 Enrolled, 853.  
 Signed by President, 873.  
 Sent to Governor, 918.

**Senate Bill No. 14—(Committee on Appropriations)**

**Senate Bill No. 14.** A Bill for an Act making an appropriation for Vocational Agriculture, Vocational Home Economics, Occupational Information and Guidance, Business Education, and Trade and Industrial Education.

Introduction, first reading, 40.  
 Referred to Committee on Appropriations.  
 Reported back, (do pass), 79.  
 Second reading, 93.  
 To House, 101, 548.  
 Returned to Senate, 509, 585.  
 Enrolled, 535.  
 Signed by President, 546.  
 Sent to Governor, 587.  
 Approved by Governor, 623.

**Senate Bill No. 15—(Committee on Appropriations)**

**Senate Bill No. 15.** 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, the administrative expenses and the teaching preparation scholarships of the teacher preparation scholarship plan, and two agricultural schools on the basis of enrollment.

Introduction, first reading, 40.  
 Referred to Committee on Appropriations.  
 Reported back, (amended, do pass), 171.  
 Amendments adopted, 187.  
 Second reading, 204.  
 To House, 210.  
 House amendments, 787, 873.  
 Returned to Senate, (amended), 785, 915.  
 Senate concurred, 834.

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Final passage, 835.  
Enrolled, 853.  
Signed by President, 873.  
Sent to Governor, 918.

### Senate Bill No. 16—(Committee on Appropriations)

**Senate Bill No. 16.** 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, 40.  
Referred to Committee on Appropriations.  
Reported back, (do pass), 67.  
Second reading, 82.  
To House, 90, 548.  
House amendments, 509.  
Returned to Senate, (amended), 509, 585  
Senate concurred, 514.  
Final passage, 514.  
Enrolled, 535.  
Signed by President, 546.  
Sent to Governor, 587.  
Approved by Governor, 623.

### Senate Bill No. 17—(Committee on Appropriations)

**Senate Bill No. 17.** A Bill for an Act making an appropriation for the administrative expenses of the State School Construction Fund and State School Construction Board.

Introduction, first reading, 40.  
Referred to Committee on Appropriations.  
Reported back, (do pass), 67.  
Second reading, 82.  
To House, 90, 548.  
House amendments, 510.  
Returned to Senate, (amended), 509, 585.  
Senate concurred, 515.  
Final passage, 515.  
Enrolled, 535.  
Signed by President, 546.  
Sent to Governor, 587.  
Approved by Governor, 623.

### Senate Bill No. 18—(Committee on Appropriations)

**Senate Bill No. 18.** A Bill for an Act making an appropriation for the use of special education of exceptional children.

Introduction, first reading, 40.  
Referred to Committee on Appropriations.  
Reported back, (amended, do pass), 171.  
Amendments adopted, 187.  
Second reading, 204.  
To House, 210, 873.  
House amendments, 788.  
Returned to Senate, (amended), 785, 915.  
Senate concurred, 835.  
Final passage, 835.  
Enrolled, 854.  
Signed by President, 873.  
Sent to Governor, 918.

**Senate Bill No. 19—(Committee on Appropriations)**

**Senate Bill No. 19.** A Bill for an Act making an appropriation for operation and maintenance of the Auto Transportation Division.

Introduction, first reading, 40.  
Referred to Committee on Appropriations.  
Reported back, (do pass), 60.  
Second reading, 72.  
To House, 80, 898.  
House amendments, 788.  
Returned to Senate, (amended), 785, 916.  
Conference Committee, 844.  
Senate concurred, 883.  
Final passage, 884.  
Enrolled, 898.  
Signed by President, 898.  
Sent to Governor, 918.

**Senate Bill No. 20—(Committee on Appropriations)**

**Senate Bill No. 20.** A Bill for an Act making an appropriation for salaries and expenses of the Livestock Dealer's Division.

Introduction, first reading, 41.  
Referred to Committee on Appropriations.  
Reported back, (indefinitely postponed), 243, 286.  
On Calendar, 243, 286.  
Second reading, 294, Lost.

**Senate Bill No. 21—(Committee on Appropriations)**

**Senate Bill No. 21.** A Bill for an Act making an appropriation for salaries and expenses for the State Seed Department.

Introduction, first reading, 41.  
Referred to Committee on Appropriations.  
Reported back, (amended, do pass), 229.  
Amended, 229.  
Amendments adopted, 246.  
Second reading, 266.  
To House, 286, 873.  
House amendments, 788.  
Returned to Senate, (amended), 785, 915.  
Senate concurred, 836.  
Final passage, 836.  
Enrolled, 853.  
Signed by President, 873.  
Sent to Governor, 918.

**Senate Bill No. 22—(Committee on Appropriations)**

**Senate Bill No. 22.** A Bill for an Act making an appropriation to carry out the provisions of chapter 6-07 of the 1953 Supplement to the North Dakota Revised Code of 1943 for the Closed Bank Fund.

Introduction, first reading, 41.  
Referred to Committee on Appropriations.  
Reported back, (do pass,) 60.  
Reconsidered, 86.  
Amendments adopted, 86.  
Second reading, 72, 86.

To House, 90, 548.  
 Returned to Senate, 509, 585.  
 Enrolled, 535.  
 Signed by President, 546.  
 Sent to Governor, 587.  
 Approved by Governor, 623.

**Senate Bill No. 23—(Committee on Appropriations)**

**Senate Bill No. 23.** A Bill for an Act making appropriations for the Divisions of Vocational Rehabilitation and Vocational Education, and declaring an emergency.

Introduction, first reading, 41.  
 Referred to Committee on Appropriations.  
 Reported back, (amended, do pass), 88.  
 Amendments adopted, 105.  
 Second reading, 118.  
 To House, 548.  
 House amendments, 510.  
 Returned to Senate, (amended), 509, 585.  
 Senate concurred, 516.  
 Final passage, 516.  
 Enrolled, 535.  
 Signed by President, 546.  
 Sent to Governor, 587.  
 Approved by Governor, 623.

**Senate Bill No. 24—(Committee on Appropriations)**

**Senate Bill No. 24.** A Bill for an Act making an appropriation for the purpose of paying a bounty on wolves, coyotes, foxes, bobcats and magpies.

Introduction, first reading, 41.  
 Referred to Committee on Appropriations.  
 Reported back, (amended, do pass), 67.  
 Amended, 67, 84.  
 Second reading, 93.  
 To House, 101.  
 Returned to Senate, (indefinitely postponed), 673.

**Senate Bill No. 25—(Committee on Appropriations)**

**Senate Bill No. 25.** A Bill for an Act making an appropriation to pay the costs of the administration of the Old Age and Survivor Insurance System.

Introduction, first reading, 41.  
 Referred to Committee on Appropriations.  
 Reported back, (amended, do pass), 89.  
 Amended, 89.  
 Amendments adopted, 105.  
 Second reading, 118.  
 To House, 124, 548.  
 Returned to Senate, 509, 585.  
 Enrolled, 535.  
 Signed by President, 546.  
 Sent to Governor, 587.  
 Approved by Governor, 623.

**Senate Bill No. 26—(Committee on Appropriations)**

**Senate Bill No. 26.** A Bill for an Act making an appropria-

tion for the operation, maintenance and miscellaneous expenses of the Poultry Improvement Board.

Introduction, first reading, 41.  
 Referred to Committee on Appropriations.  
 Reported back, (amended, do pass), 89.  
 Amended, 89.  
 Amendments adopted, 105.  
 Second reading, 119.  
 To House, 124, 577.  
 Returned to Senate, 537, 607.  
 Enrolled, 569.  
 Signed by President, 572.  
 Sent to Governor, 619.  
 Approved by Governor, 655.

**Senate Bill No. 27—(Committee on Appropriations)**

**Senate Bill No. 27.** A Bill for an Act making an appropriation for the operation and maintenance of the State Hail Insurance Department.

Introduction, first reading, 41.  
 Referred to Committee on Appropriations.  
 Reported back, (amended, do pass), 79.  
 Amended, 79.  
 Amendments adopted, 90.  
 Second reading, 106.  
 To House, 114, 548.  
 Returned to Senate, 509, 585.  
 Enrolled, 535.  
 Signed by President, 546.  
 Sent to Governor, 587.  
 Approved by Governor, 623.

**Senate Bill No. 28—(Committee on Appropriations)**

**Senate Bill No. 28.** A Bill for an Act making an appropriation for the purpose of operating and maintaining the State Fire and Tornado Fund.

Introduction, first reading, 41.  
 Referred to Committee on Appropriations.  
 Reported back, (amended, do pass), 67.  
 Amended, 67.  
 Amendments adopted, 85.  
 Second reading, 94.  
 To House, 101, 548.  
 Returned to Senate, 509, 585.  
 Enrolled, 535.  
 Signed by President, 546.  
 Sent to Governor, 587.  
 Approved by Governor, 623.

**Senate Bill No. 29—(Committee on Appropriations)**

**Senate Bill No. 29.** A Bill for an Act making an appropriation for the purpose of operating and maintaining the State Bonding Fund.

Introduction, first reading, 42.  
 Referred to Committee on Appropriations.  
 Reported back, (do pass), 67.  
 Second reading, 82.

To House, 90, 548.  
 Returned to Senate, 509, 585.  
 Enrolled, 535.  
 Signed by President, 546.  
 Sent to Governor, 587.  
 Approved by Governor, 623.

**Senate Bill No. 30—(Committee on Appropriations)**

**Senate Bill No. 30.** A Bill for an Act making an appropriation for the salaries and miscellaneous expenses of the High School Correspondence Study.

Introduction, first reading, 42.  
 Referred to Committee on Appropriations.  
 Reported back, (amended, do pass), 171.  
 Amendments adopted, 187.  
 Second reading, 204.  
 To House, 210, 846.  
 Returned to Senate, 784, 915.  
 Enrolled, 838.  
 Signed by President, 846.  
 Sent to Governor, 918.

**Senate Bill No. 31—(Committee on Appropriations)**

**Senate Bill No. 31.** A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Bank of North Dakota.

Introduction, first reading, 42.  
 Referred to Committee on Appropriations.  
 Reported back, (do pass), 60.  
 Second reading, 73.  
 To House, 80, 873.  
 House amendments, 738.  
 Returned to Senate, (amended), 785, 915.  
 Senate concurred, 836.  
 Final passage, 837.  
 Enrolled, 853.  
 Signed by President, 873.  
 Sent to Governor, 918.

**Senate Bill No. 32—(Committee on Appropriations)**

**Senate Bill No. 32.** A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the State of North Dakota doing business as the North Dakota Mill and Elevator Association.

Introduction, first reading, 42.  
 Referred to Committee on Appropriations.  
 Reported back, (do pass), 60.  
 Second reading, 73.  
 To House, 80, 771.  
 Returned to Senate, 714, 807.  
 Enrolled, 759.  
 Signed by President, 770.  
 Sent to Governor, 819.

**Senate Bill No. 33—(Legislative Research Committee)**

**Senate Bill No. 33.** A Bill for an Act relating to drainage projects; providing for the establishment of drainage boards

and drainage districts and the operations thereof; and providing a penalty; and repealing chapter 61-21 of the North Dakota Revised Code of 1943, as amended.

Introduction, first reading, 42.  
 Referred to Committee on Agriculture.  
 Rereferred to Committee on Agriculture, 171.  
 Reported back, (amended, do pass), 158.  
 Amended, 183.  
 Amendments adopted, 203.  
 Second reading, 215.  
 To House, 225, 665.  
 Returned to Senate, 561, 713.  
 Enrolled, 596.  
 Signed by President, 615.  
 Sent to Governor, 721.

**Senate Bill No. 34—(Legislative Research Committee)**

**Senate Bill No. 34.** A Bill for an Act to amend and reenact subdivisions 5b3 and 5c and subsection 6 of section 65-0102; and sections 65-0109, 65-0201, 65-0205, 65-0425, 65-0427, 65-0505, 65-0511, 65-0512, 65-0513, 65-0517, 65-0801, 65-0518, 65-1001, and 65-1103 of the North Dakota Revised Code of 1943 as amended; and to repeal section 10 of chapter 344 of the North Dakota Session Laws of 1951 relating to Workmen's Compensation.

Introduction, first reading, 42.  
 Referred to Committee on Judiciary.  
 Reported back, (amended, do pass), 401.  
 Amended, 408.  
 Second reading, 408.  
 To House, 420, 925.  
 House amendments, 789.  
 Returned to Senate, (amended), 785, 927.  
 Conference Committee, 844; Committee report (amended), 893.  
 Final passage, 893  
 Enrolled, 922.  
 Signed by President, 922.  
 Sent to Governor, 929.

**Senate Bill No. 35—(Legislative Research Committee)**

**Senate Bill No. 35.** A Bill for an Act relating to the admission, custody, and release of patients at the state hospital, amending and reenacting section 25-0309 of the North Dakota Revised Code of 1943 and section 25-03071 of the 1953 Supplement to the North Dakota Revised Code of 1943, providing for the admission of alcoholics, drug addicts, and persons suffering from mental illness, and repealing section 25-0308 of the North Dakota Revised Code of 1943.

Introduction, first reading, 42.  
 Referred to Committee on Judiciary.  
 Reported back, (amended, do pass), 92.  
 Amendments adopted, 105.  
 Second reading, 74, 119.  
 To House, 124, 514.  
 Returned to Senate, 481, 536.  
 Enrolled, 502.

Signed by President, 513.  
Sent to Governor, 539.  
Approved by Governor, 553.

**Senate Bill No. 36—(Legislative Research Committee)**

**Senate Bill No. 36.** A Bill for an Act to correct clerical typographical or printing errors in sections of the North Dakota Revised Code of 1943 or the 1953 Supplement thereto, and amending sections 26-2315, 35-2302, 40-0105, 40-2501, of the North Dakota Revised Code of 1943, and section 24-0128 of the 1953 Supplement to the North Dakota Revised Code of 1943.

Introduction, first reading, 43.  
Referred to Committee on Judiciary.  
Reported back, (amended, do pass), 60.  
Amendments adopted, 84.  
Second reading, 94.  
To House, 101, 665.  
Returned to Senate, 561, 713.  
Enrolled, 596.  
Signed by President, 615.  
Sent to Governor, 721.  
Approved by Governor, 735.

**Senate Bill No. 37—(Legislative Research Committee)**

**Senate Bill No. 37.** A Bill for an Act to amend and reenact section 12-5313 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to imposition and suspension of sentences in certain criminal cases.

Introduction, first reading, 43.  
Referred to Committee on Judiciary.  
Reported back, (do pass), 60.  
Second reading, (do pass), 60.  
To House, 80, 514.  
Returned to Senate, 481, 536.  
Enrolled, 502.  
Signed by President, 513.  
Sent to Governor, 539.  
Approved by Governor, 553.

**Senate Bill No. 38—(Legislative Research Committee)**

**Senate Bill No. 38.** A Bill for an Act to amend and reenact section 54-2601 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the state census.

Introduction, first reading, 43.  
Referred to Committee on State and Federal Government.  
Reported back, (do pass), 67.  
Second reading, 83.  
To House, 90, 665.  
Returned to Senate, 561, 713.  
Enrolled, 596.  
Signed by President, 615.  
Sent to Governor, 721.  
Approved by Governor, 735.

**Senate Bill No. 39—(Legislative Research Committee)**

**Senate Bill No. 39.** A Bill for an Act to amend and



reenact section 57-1516 and subsection 1 of section 57-1517 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to tax levies for building funds in school districts and the use thereof.

Introduction, first reading, 43.

Referred to Committee on Finance and Taxation.

Reported back, (do pass), 79.

Second reading, 95.

To House, 101.

Returned to Senate, (indefinitely postponed), 673.

**Senate Bill No. 40—(Legislative Research Committee)**

**Senate Bill No. 40.** A Bill for an Act to amend and reenact section 16-1703 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to petitions to place the names of candidates for precinct committeemen on the ballot.

Introduction, first reading, 43.

Referred to Committee on Political Sub-Divisions.

Reported back, (do pass), 207.

Second reading, 236.

To House, 247, 548.

Returned to Senate, 509, 585.

Enrolled, 535.

Signed by President, 546.

Sent to Governor, 587.

Approved by Governor, 623.

**Senate Bill No. 41—(Legislative Research Committee)**

**Senate Bill No. 41.** A Bill for an Act to amend and reenact section 5-0520 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to penalties for violation of alcoholic beverage licensing and regulatory laws.

Introduction, first reading, 43.

Referred to Committee on Social Welfare.

Reported back, (indefinitely postponed), 134.

**Senate Bill No. 42—(Legislative Research Committee)**

**Senate Bill No. 42.** A Bill for an Act to repeal chapter 57-49 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to mineral rights privilege tax.

Introduction, first reading, 44.

Referred to Committee on Finance and Taxation.

Reported back, (amended), 60.

Amendments adopted, 84.

Second reading, 95.

To House, 102, 514.

Returned to Senate, 481, 536.

Enrolled, 502.

Signed by President, 513.

Sent to Governor, 539.

Approved by Governor, 553.

**Senate Bill No. 43—(Legislative Research Committee)**

**Senate Bill No. 43.** A Bill for an Act to amend and reenact section 54-1404 of the 1953 Supplement to the North

Dakota Revised Code of 1943, relating to claims against the state of North Dakota.

Introduction, first reading, 44.  
Referred to Committee on State and Federal Government.  
Reported back, (do pass), 68.  
Second reading, 83.  
To House, 90, 665.  
Returned to Senate, 560, 713.  
Enrolled, 596.  
Signed by President, 615.  
Sent to Governor, 721.  
Approved by Governor, 735.

Senate Bill No. 44—(Legislative Research Committee)

Senate Bill No. 44. A Bill for an Act to amend and reenact section 30-1933 of the North Dakota Revised Code of 1943 relating to orders to mortgage by county courts.

Introduction, first reading, 44.  
Referred to Committee on Judiciary.  
Reported back, (amended, do pass), 61.  
Amendment adopted, 84.  
Second reading, 96.  
To House, 102, 514.  
Returned to Senate, 481, 536.  
Enrolled, 502.  
Signed by President, 513.  
Sent to Governor, 539.  
Approved by Governor, 553.

Senate Bill No. 45—(Legislative Research Committee)

Senate Bill No. 45. A Bill for an Act to amend and reenact section 20-0125 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to the management of lands in the Heart Butte area and the expenditure of revenue derived therefrom.

Introduction, first reading, 44.  
Referred to Committee on General Affairs.  
Reported back, (do pass), 61.  
Amended, 74.  
Second reading, 74.  
To House, 80, 665.  
Returned to Senate, 585, 713.  
Enrolled, 612.  
Signed by President, 622.  
Sent to Governor, 721.  
Approved by Governor, 735.

Senate Bill No. 46—(Legislative Research Committee)

Senate Bill No. 46. A Bill for an Act authorizing the game and fish commissioner to cooperate with the army corps of engineers in planting replacement cover along the Garrison Dam reservoir, and declaring an emergency.

Introduction, first reading, 44.  
Referred to Committee on Natural Resources.  
Reported back, (do pass), 195.  
Amended, 216.  
Amendments adopted, 216.

Second reading, 216.  
 To House, 225, 736.  
 House amendments, 608.  
 Returned to Senate, (amended), 608, 807.  
 Senate concurred, 671.  
 Final passage, 671.  
 Enrolled, 729.  
 Signed by President, 730.  
 Sent to Governor, 819.

**Senate Bill No. 47—(Senators Bridston and Rue)**

**Senate Bill No. 47.** A Bill for an Act authorizing and directing the workmen's compensation bureau to construct an office building upon the capitol grounds for the use of the bureau, and making an appropriation therefor.

Introduction, first reading, 44.  
 Referred to Committee on Appropriations.  
 Reported back, (indefinitely postponed), 333.

**Senate Bill No. 48—(Senators Freed, Wadeson, Solberg and Schmit)**

**Senate Bill No. 48.** A Bill for an Act to amend and reenact Subsection 3 of Section 39-1204 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to length limitations on vehicles; exceptions.

Introduction, first reading, 44.  
 Referred to Committee on Transportation.  
 Reported back, (do pass), 125.  
 Amended, 237.  
 Second reading, 237.  
 To House, 247, 514.  
 Returned to Senate, 481, 536.  
 Enrolled, 502.  
 Signed by President, 513  
 Sent to Governor, 539.  
 Approved by Governor, 553.

**Senate Bill No. 49—(Senators Freed, Wadeson, Solberg and Schmit)**

**Senate Bill No. 49.** A Bill for an Act to amend and reenact Section 39-1208 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to penalties for violating width, height, length, and load limitations.

Introduction, first reading, 44.  
 Referred to Committee on Transportation.  
 Withdrawn, 293.

**Senate Bill No. 50—(Senators Duffy and Leier)**

**Senate Bill No. 50.** A Bill for an Act to amend and reenact subsection 1 of section 39-04A06 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to exceptions to the additional fee for motor vehicles engaged in the transportation of property.

Introduction, first reading, 45.  
 Referred to Committee on Transportation.  
 Reported back, (do pass), 113.

Second reading, 128.  
 To House, 138, 665.  
 Returned to Senate, 585, 713.  
 Enrolled, 612.  
 Signed by President, 622.  
 Sent to Governor, 721.  
 Approved by Governor, 735.

**Senate Bill No. 51—(Senators Duffy and Knudson)**

**Senate Bill No. 51.** A Bill for an Act to amend and reenact subdivisions b and i of subsection 2 of section 57-3711 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to terminable interests and interests in property considered as passing from a decedent, and declaring an emergency.

Introduction, first reading, 45.  
 Referred to Committee on Judiciary.  
 Reported back, (do pass), 92.  
 Second reading, 106.  
 To House, 114.  
 House amendments, 510, 578.  
 Returned to Senate, (amended), 510, 607.  
 Senate concurred, 544.  
 Final passage, 544.  
 Enrolled, 570.  
 Signed by President, 573.  
 Sent to Governor, 620.  
 Approved by Governor, 655.

**Senate Bill No. 52—(Senators Duffy and Hernet)**

**Senate Bill No. 52.** A Bill for an Act to amend and reenact section 21-0607 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to investment by political subdivisions of surplus fund moneys in government bonds.

Introduction, first reading, 45.  
 Referred to Committee on State and Federal Government.  
 Reported back, (do pass), 79.  
 Second reading, 96.  
 To House, 101, 665.  
 Returned to Senate, 560, 713.  
 Enrolled, 596.  
 Signed by President, 615.  
 Sent to Governor, 721.  
 Approved by Governor, 735.

**Senate Bill No. 53—(Senator Duffy)**

**Senate Bill No. 53.** A Bill for an Act to amend and reenact sections 43-2201, 43-2202, 43-2205, 43-2206 and 43-2208 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to registration of oil, gas or mineral brokers, and certification of their employees and agents, and declaring an emergency.

Introduction, first reading, 45.  
 Referred to Committee on State and Federal Government.  
 Reported back, (amended, do pass), 79.  
 Amended, 107.

Amendments adopted, 90.  
 Second reading, 107.  
 To House, 114, 875.  
 House amendments, 746.  
 Returned to Senate, (amended), 746, 915.  
 Senate concurred, 849.  
 Final passage, 849.  
 Enrolled, 874.  
 Signed by President, 875.  
 Sent to Governor, 918.

**Senate Bill No. 54—(Senator Duffy)**

**Senate Bill No. 54.** A Bill for an Act providing for an increased penalty where an offender is convicted of any crime within a three-year period in which he has already been convicted of three or more misdemeanors.

Introduction, first reading, 45.  
 Referred to Committee on Judiciary.  
 Rereferred to Committee on Judiciary, 120.  
 Reported back, (amended), 92.  
 Amendments adopted, 105.  
 Indefinitely postponed, 185.

**Senate Bill No. 55—(Senator Duffy)**

**Senate Bill No. 55.** A Bill for an Act to amend and reenact section 47-1905 of the North Dakota Revised Code of 1943 relating to the recording of deeds.

Introduction, first reading, 45.  
 Referred to Committee on Judiciary.  
 Reported back, (indefinitely postponed), 92.

**Senate Bill No. 56—(Senator Duffy)**

**Senate Bill No. 56.** A Bill for an Act to amend and reenact section 31-1206 of the North Dakota Revised Code of 1943 relating to the application of Chapter 31-12 where other provision is made by the decedent.

Introduction, first reading, 46.  
 Referred to Committee on Judiciary.  
 Reported back, (do pass), 135.  
 Second reading, 160.  
 To House, 175, 549.  
 Returned to Senate, 509, 585.  
 Enrolled, 535.  
 Signed by President, 546.  
 Sent to Governor, 587.  
 Approved by Governor, 623.

**Senate Bill No. 57—(Senators Duffy and Page)**

**Senate Bill No. 57.** A Bill for an Act to amend and reenact sections 6-0125, 11-2501, 15-2113, 15-2526, subsection 5 of section 15-2912, sections 21-0101, 21-0102, 40-0101 by creating subsection 6, 40-1705, and 54-2709 of the North Dakota Revised Code of 1943, and section 40-1706 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the preparation and issuance of warrants by the state of North Dakota and its political subdivisions.

Introduction, first reading, 49.  
 Referred to Committee on State and Federal Government.  
 Reported back, (do pass), 135.  
 Second reading, 160.  
 To House, 175, 771.  
 House amendments, 608.  
 Returned to Senate, (amended), 608, 807.  
 Senate concurred, 692.  
 Final passage, 692.  
 Enrolled, 759.  
 Signed by President, 770.  
 Sent to Governor, 819.

**Senate Bill No. 58—(Senator Freed)**

**Senate Bill No. 58.** A Bill for an Act authorizing the state board of higher education to convey to the Dickinson School District, Number One, Stark County, North Dakota, five acres, more or less, of a tract of land situated in the northwest quarter of section four, township one hundred thirty-nine north, range ninety-six west of the fifth principal meridian, in the city of Dickinson, Stark County, North Dakota.

Introduction, first reading, 49.  
 Referred to Committee on Education.  
 Reported back, (do pass), 346.  
 Second reading, 370.  
 To House, 376, 873.  
 House amendments, 748.  
 Returned to Senate, (amended), 746, 915.  
 Senate concurred, 840.  
 Final passage, 840.  
 Enrolled, 853.  
 Signed by President, 873.  
 Sent to Governor, 918.

**Senate Bill No. 59—(Senators Livingston, Wolf, Bridston and Johnson of Cass)**

**Senate Bill No. 59.** A Bill for an Act to amend and reenact sections 26-1203, 26-1220, and 26-1228 of the North Dakota Revised Code of 1943, section 26-1219 of the 1953 Supplement to the North Dakota Revised Code of 1943, and to repeal section 26-1221 of the North Dakota Revised Code of 1943, relating to fraternal benefit societies.

Introduction, first reading, 55.  
 Referred to Committee on Judiciary.  
 Reported back, (do pass), 113.  
 Second reading, 129.  
 To House, 138, 514.  
 Returned to Senate, 481, 536.  
 Enrolled, 502.  
 Signed by President, 513.  
 Sent to Governor, 539.  
 Approved by Governor, 553.

**Senate Bill No. 60—(Senator Solberg)**

**Senate Bill No. 60.** A Bill for an Act to amend and reenact sections 61-2504, 61-2505, 61-2506, 61-2509, 61-2513 and 61-2515 of the 1953 Supplement to the North Dakota

Revised Code of 1943, relating to the establishment of a reclamation district; providing for judicial proceedings to confirm acts preliminary to making contracts, levying special assessments, issuance of bonds or improvement warrants, or taking of any special action by such district, and to confirm proceedings leading to the organization thereof.

Introduction, first reading, 55.

Referred to Committee on Agriculture.

Withdrawn, 186.

**Senate Bill No. 61—(Senators Dewing, O'Brien and Livingston)**

**Senate Bill No. 61.** A Bill for an Act to amend and reenact section 19-0311 of the North Dakota Revised Code of 1943, relating to the professional use of narcotic drugs.

Introduction, first reading, 56.

Referred to Committee on Social Welfare.

Reported back, (do pass), 135.

Second reading, 161.

To House, 175, 578.

House amendments, 510.

Returned to Senate, 509; (amended), 607.

Senate concurred, 544.

Final passage, 545.

Enrolled, 570.

Signed by President, 573.

Sent to Governor, 619.

Approved by Governor, 655.

**Senate Bill No. 62—(Senator Knudson)**

**Senate Bill No. 62.** A Bill for an Act relating to property transferred to municipalities for park purposes by the counties, validating certain transfers thereof, and providing for the disposition thereof, and declaring an emergency.

Introduction, first reading, 56.

Referred to Committee on State and Federal Government.

Reported back, (do pass), 195.

Second reading, 216.

To House, 225, 665.

Returned to Senate, 560, 713.

Enrolled, 596.

Signed by President, 615.

Sent to Governor, 721.

Approved by Governor, 735.

**Senate Bill No. 63—(Senators Solberg and Hagen)**

**Senate Bill No. 63.** A Bill for an Act establishing a livestock claim fund of the Game and Fish Department, making an appropriation therefor, providing for the disbursement thereof, and providing a penalty.

Introduction, first reading, 56.

Referred to Committee on Natural Resources.

Rereferred to Committee on Appropriations, 184.

Reported back, (divided report), 184.

Reported back, (do pass), 243.

Second reading, 266.

To House, 286.

Returned to Senate, (indefinitely postponed), 609.

**Senate Bill No. 64—(Senator Day)**

**Senate Bill No. 64.** A Bill for an Act to amend and reenact section 33-1234 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to procedure in criminal actions in justice and police magistrate courts.

Introduction, first reading, 57.

Referred to Committee on Judiciary.

Reported back, (do pass), 113.

Second reading, 129.

To House, 138.

Returned to Senate, (indefinitely postponed), 609.

**Senate Bill No. 65—(Senators Leier and Duffy)**

**Senate Bill No. 65.** A Bill for an Act to require all persons having construction contracts with the state of North Dakota or any of its political subdivisions, to file a statement with the motor vehicle registrar if he is using trucks not registered in this state, and providing a penalty.

Introduction, first reading, 57.

Referred to Committee on State and Federal Government.

Reported back, (do pass), 113.

Second reading, 130.

To House, 138, 514.

Returned to Senate, 481, 536.

Enrolled, 502.

Signed by President, 513.

Sent to Governor, 539.

Approved by Governor, 553.

**Senate Bill No. 66—(Senator Duffy)**

**Senate Bill No. 66.** A Bill for an Act to amend and reenact section 11-1803 of the North Dakota Revised Code of 1943 relating to instruments entitled to record without regard to taxes.

Introduction, first reading, 57.

Referred to Committee on Judiciary.

Reported back, (amended, do pass), 113.

Amendments adopted, 125.

Second reading, 139.

To House, 157, 549.

Returned to Senate, 509, 585.

Enrolled, 535.

Signed by President, 546.

Sent to Governor, 587.

Approved by Governor, 623.

**Senate Bill No. 67—(Committee on Natural Resources)**

**Senate Bill No. 67.** A Bill for an Act creating the Garrison Diversion Conservancy District in order to facilitate the establishment, construction and maintenance of the Garrison Diversion Unit of the Missouri River Basin Project and defining its purposes, functions, powers and duties and repealing Chapter 61-24 of the 1953 Supplement to the North Dakota Revised Code for 1943.

Introduction, first reading, 61.

Referred to Committee on Natural Resources.

Reported back, (amended, do pass), 346.



Amendments adopted, 355.  
 Second reading, 381.  
 To House, 385, 729.  
 Returned to Senate, 608, 739.  
 Enrolled, 704.  
 Signed by President, 729.  
 Sent to Governor, 753.  
 Approved by Governor, 770.

**Senate Bill No. 68—(Senators Day and Wog)**

**Senate Bill No. 68.** A Bill for an Act making an appropriation for the purpose of constructing a highway bridge across the Little Beaver Creek in Slope County at the city of Marmarth, North Dakota.

Introduction, first reading, 62.  
 Referred to Committee on Appropriations.  
 Reported back, (amended, do pass), 333.  
 Amendments adopted, 348.  
 Second reading, 371.  
 To House, 376, 846.  
 Returned to Senate, 775, 915.  
 Enrolled, 838.  
 Signed by President, 846.  
 Sent to Governor, 918.

**Senate Bill No. 69—(Senator Schoeder)**

**Senate Bill No. 69.** A Bill for an Act providing for the disqualification of supreme court judges, in causes or proceedings before the supreme court, and the substitution of judges of the district court to serve in their place; providing procedure for disqualification, and the substitution of judges of the district court, and providing expenses, including mileage, of the district court judges, while serving as supreme court judges.

Introduction, first reading, 62.  
 Referred to Committee on Judiciary.  
 Reported back, (indefinitely postponed), 244.

**Senate Bill No. 70—(Senators Rue and Solberg)**

**Senate Bill No. 70.** A Bill for an Act to amend and reenact subsection 2 of Section 52-0101 and subdivision a. of subsection 11 of section 52-0101, of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to definitions; Section 52-0405 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to Standard Rate of Contributions; Subdivisions a. and b. of subsection 1, and subsection 4 of Section 52-0406 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to contributions; Section 52-0504, North Dakota Revised Code of 1943, relating to termination of coverage; Section 52-0604 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the amount of benefits, qualifying wage and definitions; Section 52-0633 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to recovery and recoupment.

Introduction, first reading, 62.  
 Referred to Committee on Judiciary.

Reported back, (amended, do pass), 168.  
 Amended, 168.  
 Amendments adopted, 171.  
 Second reading, 187.  
 To House, 194, 665.  
 Returned to Senate, 561, 713.  
 Enrolled, 596.  
 Signed by President, 615.  
 Sent to Governor, 721.  
 Approved by Governor, 735.

**Senate Bill No. 71—(Senators Meidinger, Dewing and Livingston)**

**Senate Bill No. 71.** A Bill for an Act relating to allowable deductions for state income tax purposes, creating and enacting subsections 13 and 14 of section 57-3822 of the North Dakota Revised Code of 1943, as amended.

Introduction, first reading, 62.  
 Referred to Committee on Finance and Taxation.  
 Reported back, (without recommendation), 103.  
 Second reading, 120.  
 To House, 124.  
 Returned to Senate, (indefinitely postponed), 509.

**Senate Bill No. 72—(Senators Leier and Duffy)**

**Senate Bill No. 72.** A Bill for an Act making an appropriation to meet extraordinary expenses of law enforcement arising by reason of federal agencies, correcting a clerical error in chapter 8, section 1, 1953 Session Laws of North Dakota, and declaring an emergency.

Introduction, first reading, 64.  
 Referred to Committee on Appropriations.  
 Reported back, (do pass), 89.  
 Second reading, 107.  
 To House, 114, 873.  
 House amendments, 765.  
 Returned to Senate, (amended), 764, 915.  
 Senate concurred, 841.  
 Final passage, 841.  
 Enrolled, 854.  
 Signed by President, 873.  
 Sent to Governor, 918.

**Senate Bill No. 73—(Senators Livingston and Day)**

**Senate Bill No. 73.** A Bill for an Act relating to county zoning regulations, and empowering counties to establish zoning districts, to impose regulations and restrictions within such districts, and to establish county planning commissions to secure the orderly development of the county, for the purpose of promoting health, safety, morals and the general public welfare, and declaring an emergency.

Introduction, first reading, 65.  
 Referred to Committee on Judiciary.  
 Reported back, (amended, do pass), 114.  
 Amended, 139.  
 Amendments adopted, 125.  
 Second reading, 139.  
 To House, 157, 846.

Returned to Senate, 775, 915.  
Enrolled, 838.  
Signed by President, 846.  
Sent to Governor, 918.

**Senate Bill No. 74—(Senator Leier)**

**Senate Bill No. 74.** A Bill for an Act to amend and reenact section 20-0502 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to the taking of deer.

Introduction, first reading, 68.  
Referred to Committee on Natural Resources.  
Reported back, (do pass), 124.  
Second reading, 140.  
To House, 157.  
Returned to Senate, (indefinitely postponed), 561.

**Senate Bill No. 75—(Senator Sayer)**

**Senate Bill No. 75.** A Bill for an Act relating to refunds of motor fuel tax where the motor fuel has been used for agricultural or industrial purposes, and allowing the buyer to assign his claim for refund to a dealer selling such fuel to him on open account.

Introduction, first reading, 68.  
Referred to Committee on General Affairs.  
Reported back, (do pass), 195.  
Second reading, 217.  
To House, 225, 549.  
Returned to Senate, 509, 585.  
Enrolled, 535.  
Signed by President, 546.  
Sent to Governor, 587.  
Approved by Governor, 623.

**Senate Bill No. 76—(Senator Meidinger)**

**Senate Bill No. 76.** A Bill for an Act providing for special damages against any insurance company failing to pay a valid claim without reasonable cause.

Introduction, first reading, 69.  
Referred to Committee on Industry and Business.  
Withdrawn, 315.

**Senate Bill No. 77—(Senators Berube and Kusler)**

**Senate Bill No. 77.** A Bill for an Act requiring a permit for the purchase of alcoholic beverages, providing for the issuance and revocation thereof, and providing a penalty.

Introduction, first reading, 69.  
Referred to Committee on Social Welfare.  
Rereferred to Committee on Social Welfare, 191.  
Reported back without recommendation, 135.  
Indefinitely postponed, 353.

**Senate Bill No. 78—(Senators Day and Duffy)**

**Senate Bill No. 78.** A Bill for an Act to amend and reenact section 27-05032 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to compensation of

retired judges and declaring an emergency and making the provisions of this act retroactive to March 10, 1949.

Introduction, first reading, 69.

Referred to Committee on Judiciary.

Reported back, (indefinitely postponed), 137.

**Senate Bill No. 79—(Senators Johnson of Cass and Wog)**

**Senate Bill No. 79.** A Bill for an Act to require trucks and buses operated upon the highways or streets of this state to be equipped so as to exhaust fumes above the highest part of the truck or bus, and imposing a penalty.

Introduction, first reading, 69.

Referred to Committee on General Affairs.

Reported back, (indefinitely postponed), 125.

**Senate Bill No. 80—(Senators Hernet, Davis, Page and Sayer)**

**Senate Bill No. 80.** A Bill for an Act to amend and reenact Section 6-0307, of North Dakota Revised Code of 1943, relating to Investment of State Banking Associations in Banking House, Bank Premises, Furniture and Fixtures.

Introduction, first reading, 80.

Referred to Committee on Industry and Business.

Reported back, (do pass), 135.

Second reading, 162.

To House, 175, 514.

Returned to Senate, 481, 536.

Enrolled, 502.

Signed by President, 513.

Sent to Governor, 539.

Approved by Governor, 553.

**Senate Bill No. 81—(Senators Klefstad and Wadeson)**

**Senate Bill No. 81.** A Bill for an Act to amend and reenact Section 35-0410 North Dakota Revised Code of 1943 Relating to the Renewal, Limitation, Cancellation and Satisfaction of Chattel Mortgages.

Introduction, first reading, 80.

Referred to Committee on Judiciary.

Reported back, (indefinitely postponed), 168.

**Senate Bill No. 82—(Senators Davis, Baeverstad and Sayer)**

**Senate Bill No. 82.** A Bill for an Act Providing for the Advancement of Funds by Banks or other Mortgagee to Protect Liens.

Introduction, first reading, 81.

Referred to Committee on Industry and Business.

Reported back, (amended, do pass), 135.

Amendments adopted, 157.

Second reading, 188.

To House, 194, 514.

Returned to Senate, 481, 536.

Enrolled, 502.

Signed by President, 513.

Sent to Governor, 539.

Approved by Governor, 553.

**Senate Bill No. 83—(Senators Baeverstad and Hernett)**

**Senate Bill No. 83.** A Bill for an Act to Permit the Giving of Chattel Mortgages to Secure Existing or Contemporaneous Debts and Future Advances, and to Establish the Priority and Extent of the Lien Thereof.

Introduction, first reading, 81.  
Referred to Committee on Industry and Business.  
Reported back, (do pass), 136.  
Second reading, 162.  
To House, 175, 514.  
Returned to Senate, 481, 536.  
Enrolled, 502.  
Signed by President, 513.  
Sent to Governor, 539.  
Approved by Governor, 553.

**Senate Bill No. 84—(Senators Hernett and Klefstad)**

**Senate Bill No. 84.** A Bill for an Act with Respect to the Investment of Trust Funds by a Corporate Trustee.

Introduction, first reading, 81.  
Referred to Committee on Industry and Business.  
Reported back, (do pass), 136.  
Second reading, 163.  
To House, 175, 514.  
Returned to Senate, 481, 536.  
Enrolled, 502.  
Signed by President, 513.  
Sent to Governor, 539.  
Approved by Governor, 553.

**Senate Bill No. 85—(Senator Day)**

**Senate Bill No. 85.** A Bill for an Act to amend and reenact section 40-1803 of the North Dakota Revised Code of 1943, relating to police magistrates and justices of the peace.

Introduction, first reading, 85.  
Referred to Committee on Judiciary.  
Reported back, (do pass), 114.  
Second reading, 130.  
To House, 138, 875.  
House amendments, 765.  
Returned to Senate, (amended), 764, 915.  
Senate concurred, 851.  
Final passage, 851.  
Enrolled, 874.  
Signed by President, 875.  
Sent to Governor, 918.

**Senate Bill No. 86—(Senator Day)**

**Senate Bill No. 86.** A Bill for an Act to amend and reenact sections 21-0605 and 21-0606 of the North Dakota Revised Code of 1943, relating to the destruction of documents.

Introduction, first reading, 85.  
Referred to Committee on Judiciary.  
Reported back, (do pass), 114.  
Second reading, 131.

To House, 138, 577.  
 Returned to Senate, 537, 607.  
 Enrolled, 569.  
 Signed by President, 572.  
 Sent to Governor, 619.  
 Approved by Governor, 655.

**Senate Bill No. 87—(Senator Day)**

**Senate Bill No. 87.** A Bill for an Act to amend and reenact section 28-0611 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to service of process upon non-resident highway users.

Introduction, first reading, 85.  
 Referred to Committee on Judiciary.  
 Reported back, (do pass), 114.  
 Second reading, 132.  
 To House, 138, 577.  
 Returned to Senate, 537, 607.  
 Enrolled, 569.  
 Signed by President, 572.  
 Sent to Governor, 619.  
 Approved by Governor, 655.

**Senate Bill No. 88—(Senators Baeverstad, Day, Duffy, Holand, Rue, Solberg, Streibel and Tuff)**

**Senate Bill No. 88.** A Bill for an Act appropriating four hundred and four thousand dollars for armory purposes and providing for the disbursement thereof, and declaring an emergency.

Introduction, first reading, 86.  
 Referred to Committee on Appropriations.  
 Reported back, (amended, do pass), 333.  
 Amendments adopted, 348.  
 Second reading, 371.  
 To House, 376.  
 Returned to Senate, 509, 585.  
 Enrolled, 535.  
 Signed by President, 546.  
 Sent to Governor, 587.  
 Approved by Governor, 623.

**Senate Bill No. 89—(Senator Day, by request)**

**Senate Bill No. 89.** A Bill for an Act to create a county highway department in each county, and to repeal sections 11-3101 and 11-31011 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to the office of the county highway engineer.

Introduction, first reading, 91.  
 Referred to Committee on Political Sub-Divisions.  
 Rereferred to Committee on Political Sub-Divisions, 220.  
 Reconsidered, 220.  
 Indefinitely postponed, 207, 312.

**Senate Bill No. 90—(Senator Schmit)**

**Senate Bill No. 90.** A Bill for an Act to amend and reenact section 35-2013 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to house mover's liens.

Introduction, first reading, 91.  
Referred to Committee on Labor Relations.  
Reported back, (do pass), 159.  
Second reading, 188.  
To House, 194, 875.  
House amendments, 765.  
Returned to Senate, (amended), 764, 915.  
Senate concurred, 852.  
Final passage, 852.  
Enrolled, 874.  
Signed by President, 875.  
Sent to Governor, 918.

**Senate Bill No. 91—(Senators Meidinger, Wadeson, Hernetz, Foss, Johnson of Cass, Dewing, Luick and Page)**

**Senate Bill No. 91.** A Bill for an Act prohibiting issuance of any hunting or fishing license where the applicant has unpaid delinquent personal property taxes outstanding.

Introduction, first reading, 91.  
Referred to Committee on State and Federal Government.  
Reported back, (indefinitely postponed), 136.

**Senate Bill No. 92—(Senator Page)**

**Senate Bill No. 92.** A Bill for an Act to amend and reenact sections 15-5903, 15-5904 and 15-5905, and to repeal section 15-5902 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to the program of special education of exceptional children.

Introduction, first reading, 91.  
Referred to Committee on Education.  
Reported back, (do pass), 347.  
Second reading, 372.  
To House, 376.  
Returned to Senate, 775.  
Enrolled, 925.  
Signed by President, 925.  
Indefinitely postponed, 929.

**Senate Bill No. 93—(Senator Duffy)**

**Senate Bill No. 93.** A Bill for an Act to amend and reenact subsections 3 and 4 of section 59-0302 of the North Dakota Revised Code of 1943 relating to restrictions on the purposes for which express trusts may be created.

Introduction, first reading, 103.  
Referred to Committee on Judiciary.  
Reported back, (do pass), 136.  
Second reading, 163.  
To House, 175, 514.  
Returned to Senate, 481, 536.  
Enrolled, 502.  
Signed by President, 513.  
Sent to Governor, 539.  
Approved by Governor, 553.

**Senate Bill No. 94—(Senator Duffy)**

**Senate Bill No. 94.** A Bill for an Act amending and reenacting section 58-0405 of the 1953 Supplement to the North

Dakota Revised Code of 1943 and section 58-0605 of the North Dakota Revised Code of 1943, relating to meetings of the board of township supervisors.

Introduction, first reading, 103.

Referred to Committee on Political Sub-Divisions.

Reported back, (do pass), 207.

To House, 247.

Returned to Senate, (indefinitely postponed), 609.

**Senate Bill No. 95—(Senators Duffy and Leier)**

**Senate Bill No. 95.** A Bill for an Act to amend and reenact subsection 3 of section 20-0126 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the operation of watercraft.

Introduction, first reading, 103.

Referred to Committee on General Affairs.

Reported back, (amended), 196.

Amendments adopted, 212.

Second reading, 240.

To House, 247.

Returned to Senate, (indefinitely postponed), 609.

**Senate Bill No. 96—(Senator Duffy)**

**Senate Bill No. 96.** A Bill for an Act repealing section 44-0610 of the North Dakota Revised Code of 1943, to remove the prohibition upon a notary public acting officially where he changes county residence.

Introduction, first reading, 103.

Referred to Committee on Judiciary.

Reported back, (do pass), 136.

Second reading, 164.

To House, 175, 577.

Returned to Senate, 537, 607.

Enrolled, 569.

Signed by President, 572.

Sent to Governor, 619.

Approved by Governor, 655.

**Senate Bill No. 97—(Senator Meidinger)**

**Senate Bill No. 97.** A Bill for an Act to amend and reenact section 57-38151 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to capital gains and losses for income tax purposes.

Introduction, first reading, 103.

Referred to Committee on Finance and Taxation.

Reported back, (indefinitely postponed), 196.

**Senate Bill No. 98—(Senators Page and Foss)**

**Senate Bill No. 98.** A Bill for an Act to amend and reenact section 53-0105 of the North Dakota Revised Code of 1943, relating to compensation of the boxing and wrestling commissioner and secretary of the state athletic commission.

Introduction, first reading, 104.

Referred to Committee on State and Federal Government.

Reported back, (do pass), 136.



Second reading, 164.  
To House, 175.  
Returned to Senate, (indefinitely postponed), 537.

**Senate Bill No. 99—(Senator Olson)**

**Senate Bill No. 99.** A Bill for an Act to repeal chapter 54-38 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the state commission on alcoholism.

Introduction, first reading, 104.  
Referred to Committee on Social Welfare.  
Reported back on Calendar, 363.  
Second reading, (Lost), 394.  
Reconsidered, 395.  
Passed, 395.  
To House, 400.  
Returned to Senate, (indefinitely postponed), 561.

**Senate Bill No. 100—(Senator Duffy)**

**Senate Bill No. 100.** A Bill for an Act to amend and reenact Section 1 of Chapter 277 of the North Dakota Session Laws of 1953, being Section 47-1636 of the 1953 Cumulative Supplement to the North Dakota Revised Code of 1943, and declaring an emergency.

Introduction, first reading, 104.  
Referred to Committee on Judiciary.  
Reported back, (do pass), 136.  
Second reading, 165.  
To House, 175, 549.  
Returned to Senate, 509, 585.  
Enrolled, 535.  
Sent to Governor, 587.  
Approved by Governor, 623.

**Senate Bill No. 101—(Committee on Judiciary)**

**Senate Bill No. 101.** A Bill for an Act to improve and extend by reciprocal legislation the enforcement of duties of support under chapter 14-12, and amending sections 14-1207, 14-1208, 14-1210, 14-1211, 14-1212, and 14-1218 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to reciprocal enforcement of duties of support.

Introduction, first reading, 104.  
Referred to Committee on Judiciary.  
Reported back, (do pass), 136.  
Second reading, 165.  
To House, 175, 577.  
Returned to Senate, 537, 607.  
Enrolled, 569.  
Signed by President, 572.  
Sent to Governor, 619.  
Approved by Governor, 655.

**Senate Bill No. 102—(Senators Streibel, Page, Leier, Duffy, Luick, Dewing and Day)**

**Senate Bill No. 102.** A Bill for an Act levying a tax upon the privilege of operating certain classes of motor vehicles upon the public highways of this state, providing for the

administration and enforcement thereof, and appropriating the proceeds thereof to the state highway department construction fund.

Introduction, first reading, 104.  
 Referred to Committee on Transportation.  
 Rereferred to Committee on Transportation, 185.  
 Reported back, (amended), 196.  
 Amended, 197.  
 Amendments adopted, 212.  
 Second reading, (Lost), 237.

**Senate Bill No. 103**—(Senators Duffy, Klefstad, Fraser and Olson)

**Senate Bill No. 103.** A Bill for an Act relating to cooperative associations or corporations, providing for their period of existence, making those heretofore organized under chapter 43 of the North Dakota Session Laws of 1921 be governed by the provisions of chapter 10-15 of the North Dakota Revised Code of 1943, making those heretofore organized under chapter 44 of the North Dakota Sessions Laws of 1921 be governed by the provisions of chapter 4-07 of the North Dakota Revised Code of 1943, and amending and reenacting sections 4-0710, 4-0713, 10-1504, 10-1508 and 10-1515 of the North Dakota Revised Code of 1943 and section 4-07121 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to amendment of articles of incorporation of cooperatives, adoption and amendment of their bylaws, voting by mail, calling of their regular and special meetings and quorum at meetings.

Introduction, first reading, 104.  
 Referred to Committee on State and Federal Government.  
 Reported back, (amended), 208.  
 Amended, 240, 267.  
 Amendments adopted, 226.  
 Second reading, 267.  
 To House, 286, 665.  
 Returned to Senate, 560, 713.  
 Enrolled, 596.  
 Signed by President, 615.  
 Sent to Governor, 721.  
 Approved by Governor, 735.

**Senate Bill No. 104**—(Senators Klefstad and O'Brien)

**Senate Bill No. 104.** A Bill for an Act to prevent the abandoning or discarding of ice-boxes, refrigerators, or ice chests which have latch lids or doors and to provide a penalty.

Introduction, first reading, 105.  
 Referred to Committee on Social Welfare.  
 Reported back, (do pass), 137.  
 Second reading, 166.  
 To House, 175, 514.  
 Returned to Senate, 481, 536.  
 Enrolled, 502.  
 Signed by President, 513.  
 Sent to Governor, 539.  
 Approved by Governor, 554.

**Senate Bill No. 105**—(Senator Knudson)

**Senate Bill No. 105.** A Bill for an Act to amend and

reenact section 44-0612 of the North Dakota Revised Code of 1943, relating to endorsements and matters following notary public's signature to jurat or certificate of acknowledgment.

Introduction, first reading, 115.  
 Referred to Committee on Judiciary.  
 Reported back, (do pass), 137.  
 Second reading, 166.  
 To House, 175, 736.  
 Returned to Senate, 672, 807.  
 Enrolled, 729.  
 Signed by President, 730.  
 Sent to Governor, 819.

**Senate Bill No. 106—(Senator Knudson)**

**Senate Bill No. 106.** A Bill for an Act amending and reenacting section 35-0410 of the North Dakota Revised Code of 1943, relating to renewal and limitation of chattel mortgages.

Introduction, first reading, 115.  
 Referred to Committee on Judiciary.  
 Reported back, (do pass), 169.  
 Second reading, 189.  
 To House, 194, 577.  
 Returned to Senate, 537, 607.  
 Enrolled, 569.  
 Signed by President, 572.  
 Sent to Governor, 619.  
 Approved by Governor, 655.

**Senate Bill No. 107—(Senator Knudson)**

**Senate Bill No. 107.** A Bill for an Act validating deeds, mortgages, or assignments of mortgage not containing the post office address of the grantee, recorded prior to the effective date of this Act.

Introduction, first reading, 115.  
 Referred to Committee on Judiciary.  
 Reported back, (amended), 137.  
 Amendments, adopted, 157.  
 Second reading, 189.  
 To House, 194, 577.  
 Returned to Senate, 537, 607.  
 Enrolled, 569.  
 Signed by President, 572.  
 Sent to Governor, 619.  
 Approved by Governor, 655.

**Senate Bill No. 108—(Senator Knudson)**

**Senate Bill No. 108.** A Bill for an Act to amend and reenact section 47-1903 of the North Dakota Revised Code of 1943, relating to prerequisites to recording instruments.

Introduction, first reading, 115.  
 Referred to Committee on Judiciary.  
 Reported back, (indefinitely postponed), 185.

**Senate Bill No. 109—(Senator Day)**

**Senate Bill No. 109.** A Bill for an Act relating to exemption of mobile homes from execution.

Introduction, first reading, 115.

Referred to Committee on Judiciary.

Rereferred to Committee on Judiciary, 186.

Reported back, (amended, do pass), 137, 245, 286.

Amendments adopted, 299.

Second reading, 167, 327.

Reprinted, 453.

To House, 338.

Returned to Senate, (indefinitely postponed), 609.

**Senate Bill No. 110—(Committee on Political Subdivisions)**

**Senate Bill No. 110.** A Bill for an Act to amend and reenact section 40-0706 of the North Dakota Revised Code of 1943 relating to compensation of village trustees.

Introduction, first reading, 115.

Referred to Committee on Political Sub-Divisions.

Reported back, (do pass), 208.

Second reading, 240.

To House, 247, 514.

Returned to Senate, 481, 536.

Enrolled, 502.

Signed by President, 513.

Sent to Governor, 539.

Approved by Governor, 554.

**Senate Bill No. 111—(Senator Dewing, at request of State Tax Commissioner)**

**Senate Bill No. 111.** A Bill for an Act to amend and reenact sections 57-3838 and 57-3840 of the North Dakota Revised Code of 1943 and the 1953 Supplement thereto, relating to tax audits and additional assessments for income tax purposes.

Introduction, first reading, 115.

Referred to Committee on Finance and Taxation.

Reported back, (amended), 198.

Amendments adopted, 212.

Second reading, (Lost), 268.

**Senate Bill No. 112—(Senator Dewing, at request of State Tax Commissioner)**

**Senate Bill No. 112.** A Bill for an Act to amend and reenact section 57-3844 of the North Dakota Revised Code of 1943 relating to income tax as a personal debt by adding thereto a provision relating to limitations of actions in those instances of failure to make a return as required by the income tax law.

Introduction, first reading, 116.

Referred to Committee on Finance and Taxation.

Rereferred to Committee on Finance and Taxation, 191.

Reported back, (amended, do pass), 137, 208.

Amendments adopted, 212, 226.

Second reading, 241.

To House, 247, 577.

Returned to Senate, 537, 607.

Enrolled, 569.  
Signed by President, 572.  
Sent to Governor, 619.  
Approved by Governor, 655.

**Senate Bill No. 113—(Senator Dewing, at request of State Tax Commissioner)**

**Senate Bill No. 113.** A Bill for an Act to amend and reenact section 57-3849 of the North Dakota Revised Code of 1943, relating to the filing and recording of income tax liens and to the payment of fees therefore.

Introduction, first reading, 116.  
Referred to Committee on Finance and Taxation.  
Reported back, (do pass), 137.  
Second reading, 191.  
To House, 194, 578.  
Returned to Senate, 537, 607.  
Enrolled, 570.  
Signed by President, 573.  
Sent to Governor, 619.  
Approved by Governor, 655.

**Senate Bill No. 114—(Senator Dewing, at request of State Tax Commissioner)**

**Senate Bill No. 114.** A Bill for an Act to create new subsections 18 and 19 to section 57-3801 of the North Dakota Revised Code of 1943 and the 1953 Supplement thereto and to amend and reenact section 57-3805, subsection 6 of section 57-3809, subsection 1 of section 57-3827, section 57-3835, section 57-3836, and subsections 1 and 3 of section 57-3842 of the North Dakota Revised Code of 1943, relating to definitions, deductions, exemptions, payment of tax, and information at the source, and for purposes of clarifying existing income tax laws.

Introduction, first reading, 116.  
Referred to Committee on Finance and Taxation.  
Reported back, (amended), 208.  
Amended, 242.  
Amendments adopted, 226.  
Second reading, 268.  
To House, 286, 577.  
Returned to Senate, 537, 607.  
Enrolled, 569.  
Signed by President, 572.  
Sent to Governor, 619.  
Approved by Governor, 655.

**Senate Bill No. 115—(Committee on Labor Relations)**

**Senate Bill No. 115.** A Bill for an Act to provide for rules affecting sanitation and shelter for railroad employees.

Introduction, first reading, 116.  
Referred to Committee on Labor Relations.  
Reported back, (amended, do pass), 137.  
Amendments adopted, 171.  
Second reading, 190.  
To House, 194, 577.  
House amendments, 510.

Returned to Senate, (amended), 510, 607.  
 - Senate concurred, 545.  
 Final passage, 545.  
 Enrolled, 569.  
 Signed by President, 572.  
 Sent to Governor, 619.

**Senate Bill No. 116—(Senators Schrock and Baeverstad)**

**Senate Bill No. 116.** A Bill for an Act authorizing political subdivisions to carry liability insurance and eliminating the defense of governmental immunity to insurers furnishing such insurance.

Introduction, first reading, 116.  
 Referred to Committee on Political Sub-Divisions.  
 Reported back, (do pass), 209, 229.  
 Second reading, 249.  
 To House, 260, 736.  
 House amendments, 608.  
 Returned to Senate, 608, 807.  
 Senate concurred, 694.  
 Final passage, 694.  
 Enrolled, 729.  
 Signed by President, 730.  
 Sent to Governor, 819.

**Senate Bill No. 117—(Senators Schrock and Solberg)**

**Senate Bill No. 117.** A Bill for an Act prohibiting the addition of any substance to public drinking water by persons or municipalities for purposes of medication or nutrition.

Introduction, first reading, 116.  
 Referred to Committee on Social Welfare.  
 Reported back, (amended), 223.  
 Amendments adopted, 233.  
 Second reading, (indefinitely postponed), 269.

**Senate Bill No. 118—(Senators Hagen and Schoeder)**

**Senate Bill No. 118.** A Bill for an Act to amend and reenact section 20-1001 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the seizure or confiscation of property by the game and fish commissioner and his agents.

Introduction, first reading, 116.  
 Referred to Committee on Natural Resources.  
 Reported back, (amended), 333.  
 Amended, 373.  
 Amendments adopted, 348.  
 Second reading, 372.  
 To House, 386.  
 Returned to Senate, (indefinitely postponed), 609.

**Senate Bill No. 119—(Senator Schoeder)**

**Senate Bill No. 119.** A Bill for an Act regulating lavatories on railroads, providing for penalties, and declaring an emergency.

Introduction, first reading 126.  
 Referred to Committee on Transportation.  
 Reported back, (indefinitely postponed), 224.

**Senate Bill No. 120—(Senators Meidinger and Dewing)**

**Senate Bill No. 120.** A Bill for an Act to create subsection 13 to section 57-3822 of the North Dakota Revised Code of 1943 as amended by section 57-3822 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to deductions allowed for income tax purposes.

Introduction, first reading 126.

Referred to Committee on Finance and Taxation.

Reported back, (indefinitely postponed), 198.

**Senate Bill No. 121—(Senator Schmit)**

**Senate Bill No. 121.** A Bill for an Act requiring railroad cars and locomotives to be equipped with warning lights, and declaring an emergency.

Introduction, first reading 126.

Referred to Committee on Transportation.

Reported back, (indefinitely postponed), 224.

**Senate Bill No. 122—(Senators Olson, Schoeder, Meidinger and Baeverstad)**

**Senate Bill No. 122.** A Bill for an Act to amend and reenact sections 11-3201 and 11-3203 of the 1953 Supplement to the North Dakota revised Code of 1943, relating to memorials.

Introduction, first reading 126.

Referred to Committee on General Affairs.

Reported back, (do pass), 387.

Withdrawn, 397.

**Senate Bill No. 123—(Senators Schrock, Solberg, Olson and Baeverstad)**

**Senate Bill No. 123.** A Bill for an Act to amend and reenact section 57-4601 of the North Dakota Revised Code of 1943 and the 1953 Supplement thereto, relating to income tax liability of persons in the armed forces.

Introduction, first reading 126.

Referred to Committee on Finance and Taxation.

Withdrawn, 138.

**Senate Bill No. 124—(Senators Johnson of Cass, Luick and Livingston)**

**Senate Bill No. 124.** A Bill for an Act to provide for the issuance, sale and delivery of general obligation bonds of the state of North Dakota by the state board of higher education to finance certain obligations issued or to be issued under the provisions of chapter 15-17 of the North Dakota Revised Code of 1943, or chapter 15-55 of the 1953 Supplement thereto, and to provide for levies of taxes and appropriations to pay such bonds.

Introduction, first reading 126.

Referred to Committee on State and Federal Government.

Indefinitely postponed, 334.

**Senate Bill No. 125—(Senators Solberg and Duffy)**

**Senate Bill No. 125.** A Bill for an Act to provide for the establishment of the office of county coroner, the duties

thereof, the operation of the county coroner system, and repealing subsection 9 of section 11-1002 and chapter 11-19 of the North Dakota Revised Code of 1943, as amended.

Introduction, first reading, 126.  
 Referred to Committee on Political Sub-Divisions.  
 Reported back, (amended), 230.  
 Amendments adopted, 246.  
 Second reading, 271.  
 To House, 286, 875.  
 House amendments, 773.  
 Returned to Senate, (amended), 772, 916.  
 Senate concurred, 850.  
 Final passage, 851.  
 Enrolled, 874.  
 Signed by President, 875.  
 Sent to Governor, 919.

**Senate Bill No. 126—(Senators Duffy and Baeverstad)**

Senate Bill No. 126. A Bill for an Act to amend and reenact section 10-1319 of the North Dakota Revised Code of 1943, relating to electric cooperative corporations.

Introduction, first reading, 127.  
 Referred to Committee on Industry and Business.  
 Reported back, (do pass), 198.  
 Second reading, 217.  
 To House, 225, 514.  
 Returned to Senate, 481, 536.  
 Enrolled, 502.  
 Signed by President, 513.  
 Sent to Governor, 539.  
 Approved by Governor, 554.

**Senate Bill No. 127—(Senators Duffy and Baeverstad)**

Senate Bill No. 127. A Bill for an Act to amend and reenact subsection 4 of section 10-1206 of the North Dakota Revised Code of 1943, relating to mutual aid corporations.

Introduction, first reading, 127.  
 Referred to Committee on Finance and Taxation.  
 Rereferred to Committee on Industry and Business, 152.  
 Reported back, (amended), 198.  
 Amendments adopted, 212  
 Second reading, 242.  
 To House, 247, 514.  
 Returned to Senate, 481, 536.  
 Enrolled, 502.  
 Signed by President, 513.  
 Sent to Governor, 539.  
 Approved by Governor, 554.

**Senate Bill No. 128—(Senator Olson, by request)**

Senate Bill No. 128. A Bill for an Act to amend and reenact section 24-0619 of the North Dakota Revised Code of 1943, relating to expenditure of road taxes on township roads.

Introduction, first reading, 127.  
 Referred to Committee on Political Sub-Divisions.  
 Reported back, (do pass), 209.



Amended, 272, 301.  
Second reading, 301.  
To House, 308.  
Returned to Senate, (indefinitely postponed), 537.

**Senate Bill No. 129—(Senator Olson, by request)**

**Senate Bill No. 129.** A Bill for an Act to amend and reenact section 26-2223 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to state hail insurance.

Introduction, first reading, 127.  
Referred to Committee on State and Federal Government.  
Reported back on Calendar, 334.  
Second reading, 358.  
To House, 361, 736.  
Returned to Senate, 608, 807.  
Enrolled, 704.  
Signed by President, 729.  
Sent to Governor, 819.

**Senate Bill No. 130—(Senator Davis)**

**Senate Bill No. 130.** A Bill for an Act to amend and reenact subsection 10 of section 1-0301 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to holidays.

Introduction, first reading, 127.  
Referred to Committee on Social Welfare.  
Reported back, (do pass), 209.  
Second reading, 252.  
To House, 260, 665.  
Returned to Senate, 560, 713.  
Enrolled, 596.  
Signed by President, 615.  
Sent to Governor, 721.  
Approved by Governor, 735.

**Senate Bill No. 131—(Senators Duffy and Leier)**

**Senate Bill No. 131.** A Bill for an Act to amend and reenact subsection E of section 52-0920 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to the determination of average monthly wages under the old age and survivor insurance system.

Introduction, first reading, 128.  
Referred to Committee on Industry and Business.  
Reported back without recommendation, 261.  
Second reading, 291.  
To House, 295.  
Returned to Senate, (indefinitely postponed), 509.

**Senate Bill No. 132—(Senators Livingston, Olson and O'Brien)**

**Senate Bill No. 132.** A Bill for an Act relating to chemical tests for intoxication, presumption of consent thereto by persons using the highway and effect of refusal, and suspension or revocation of driver's license thereafter.

Introduction, first reading, 145.  
Referred to Committee on General Affairs.  
Reported back, (do pass), 224.  
Second reading, (Lost), 272.

**Senate Bill No. 133—(Senator Schrock)**

**Senate Bill No. 133.** A Bill for an Act to amend and reenact Sections 15-5704 and 15-5707 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to teaching scholarships.

Introduction, first reading, 145.  
 Referred to Committee on Education.  
 Reported back, (do pass), 347.  
 Second reading, 374.  
 To House, 376, 549.  
 Returned to Senate, 509, 585.  
 Enrolled, 535.  
 Signed by President, 546.  
 Sent to Governor, 587.  
 Approved by Governor, 623.

**Senate Bill No. 134—(Senator Schrock)**

**Senate Bill No. 134.** A Bill for an Act to amend and reenact Section 15-2507 of the North Dakota Revised Code of 1943, relating to school libraries.

Introduction, first reading, 145.  
 Referred to Committee on Education.  
 Reported back, (do pass), 312.  
 Second reading, 340.  
 To House, 350, 549.  
 Returned to Senate, 509, 585.  
 Enrolled, 535.  
 Signed by President, 547.  
 Sent to Governor, 587.  
 Approved by Governor, 623.

**Senate Bill No. 135—(Committee on Judiciary)**

**Senate Bill No. 135.** A Bill for an Act relating to and providing for judges of the Fourth Judicial District of the state; amending and reenacting subsection 4 of section 27-0501 of the North Dakota Revised Code of 1943.

Introduction, first reading, 145.  
 Referred to Committee on Judiciary.  
 Reported back, (amended, do pass), 185.  
 Amendments adopted, 203.  
 Second reading, 218.  
 Reprinted, 453.  
 To House, 225, 577.  
 Returned to Senate, 537, 607.  
 Enrolled, 569.  
 Signed by President, 572.  
 Sent to Governor, 619.  
 Approved by Governor, 655.

**Senate Bill No. 136—(Committee on Judiciary)**

**Senate Bill No. 136.** A Bill for an Act to amend and reenact section 30-0213 of the North Dakota Revised Code of 1943 as amended, relating to notice of foreign heirs.

Introduction, first reading, 145.  
 Referred to Committee on Judiciary.  
 Reported back, (amended), 185.  
 Amendments adopted, 203.

Second reading, 218.  
 To House, 225, 577.  
 Returned to Senate, 537, 607.  
 Enrolled, 569.  
 Signed by President, 572.  
 Sent to Governor, 619.  
 Approved by Governor, 655.

**Senate Bill No. 137—(Senators Johnson of Cass and Day)**

**Senate Bill No. 137.** A Bill for an Act to amend and reenact section 15-1012 of the North Dakota Revised Code of 1943 relating to gifts and bequests to Institutions of Higher Education.

Introduction, first reading, 146.  
 Referred to Committee on State and Federal Government.  
 Rereferred to Committee on Judiciary, 150.  
 Reported back, (amended), 296.  
 Withdrawn, 397.

**Senate Bill No. 138—(Committee on Judiciary)**

**Senate Bill No. 138.** A Bill for an Act to amend and reenact section 40-3802 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to library funds, levy of taxes therefor, and restricting levy to limitation provided by law.

Introduction, first reading, 146.  
 Referred to Committee on Finance and Taxation.  
 Reported back, (do pass), 209.  
 Amended, 273.  
 Second reading, 273.  
 To House, 286, 736.  
 House amendments, 608.  
 Returned to Senate, (amended), 608, 807.  
 Senate concurred, 694.  
 Final passage, 694.  
 Enrolled, 729.  
 Signed by President, 730.  
 Sent to Governor, 819.

**Senate Bill No. 139—(Committee on Judiciary)**

**Senate Bill No. 139.** A Bill for an Act granting the supreme court power to review and reduce sentence imposed in a criminal case, power to consider proof in addition to record, and providing procedure for special appeal from sentence.

Introduction, first reading, 146.  
 Referred to Committee on Judiciary.  
 Reported back, (amended), 245.  
 Amendments adopted, 264.  
 Second reading, 292.  
 Reprinted, 453.  
 To House, 295.  
 Returned to Senate, (indefinitely postponed), 561.

**Senate Bill No. 140—(Senators Knudson and Olson, by request)**

**Senate Bill No. 140.** A Bill for an Act to amend and

reenact Sections 6-0628, 6-0631, 6-0612, 6-0632, 6-0633, and 6-0634 of the North Dakota Revised Code of 1943 and Sections 6-0103, 6-0602, 6-0604, 6-0608, 6-0612, and 6-0630 of the 1953 Supplement thereto, relating to credit unions, their management, methods of examination, supervision, duties, election and compensation of officers, voluntary and involuntary liquidation, and to relieve the state examiner of all duties relative to credit unions.

Introduction, first reading, 146.

Referred to Committee on State and Federal Government.

Reported back, (amended), 209.

Amendments adopted, 226.

Second reading, 274.

To House, 286.

Returned to Senate, (indefinitely postponed), 609.

**Senate Bill No. 141—(Senators Day, Duffy, Holand and Knudson)**

**Senate Bill No. 141.** A Bill for an Act to amend and reenact sections 27-1122 and 27-1204 of the North Dakota Revised Code of 1943, relating to annual attorneys' licenses to practice law, the fee therefor, and payment from the state bar fund.

Introduction, first reading, 146.

Referred to Committee on Industry and Business.

Reported back, (do pass), 261.

Second reading, 359.

To House, 361, 549.

Returned to Senate, 509, 585.

Enrolled, 535.

Signed by President, 547.

Sent to Governor, 587.

Approved by Governor, 623.

**Senate Bill No. 142—(Senator Knudson)**

**Senate Bill No. 142.** A Bill for an Act authorizing the Mayville state teachers college to pledge certain rentals to repay any loan for the purpose of building a new residence for the president thereof and remodeling the old residence into a men's dormitory, and declaring an emergency.

Introduction, first reading, 146.

Referred to Committee on State and Federal Government.

Reported back, (do pass), 198.

Amended, 219.

Second reading, 219.

To House, 225, 665.

Returned to Senate, 560, 713.

Enrolled, 596.

Signed by President, 615.

Sent to Governor, 721.

Approved by Governor, 735.

**Senate Bill No. 143—(Senator Solberg)**

**Senate Bill No. 143.** A Bill for an Act to amend and reenact section 40-3502 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the Revenue Bond Law so as to include the operation of trailer courts and facilities for house trailers, defining the undertakings for

which municipalities may issue revenue bonds to include public transportation systems.

Introduction, first reading, 147.  
 Referred to Committee on Industry and Business.  
 Reported back, (do pass), 239.  
 Amended, 274, 275.  
 Second reading, 275.  
 Returned to Senate, 585, 713.  
 Enrolled, 612.  
 Signed by President, 622.  
 Sent to Governor, 721.  
 Approved by Governor, 735.

**Senate Bill No. 144—(Senator Day, by request)**

**Senate Bill No. 144.** A Bill for an Act to regulate the practice of land surveying; providing for the registration of qualified persons by the state board of registration for professional engineers; prescribing minimum qualifications and other requirements for registration; establishing fees with expiration and renewal requirements; and providing for enforcement and penalties.

Introduction, first reading, 147.  
 Referred to Committee on State and Federal Government.  
 Reported back, (do pass), 261.  
 Second reading, 330.  
 To House, 338.  
 Returned to Senate, (indefinitely postponed), 509.

**Senate Bill No. 145—(Senators Kusler and Berube)**

**Senate Bill No. 145.** A Bill for an Act imposing a temporary tax upon certain alcoholic beverages in excess of four per cent of alcohol by volume, providing for the administration thereof, and imposing a penalty.

Introduction, first reading, 147.  
 Referred to Committee on Finance and Taxation.  
 Reported back, (amended), 244.  
 Amendments adopted, 265.  
 Second reading, (Lost), 293.

**Senate Bill No. 146—(Senator Dewing)**

**Senate Bill No. 146.** A Bill for an Act to repeal subdivision b of subsection 3 of section 57-4001 of the North Dakota Revised Code of 1943, relating to definitions of processing.

Introduction, first reading, 147.  
 Referred to Committee on Finance and Taxation.  
 Reported back, (do pass), 198.  
 Second reading, 254.  
 To House, 260, 577.  
 Returned to Senate, 537, 607.  
 Enrolled, 569.  
 Signed by President, 572.  
 Sent to Governor, 619.  
 Approved by Governor, 655.

**Senate Bill No. 147—(Senator Torno, by request)**

**Senate Bill No. 147.** A Bill for an Act to amend and

reenact section 28-1304 of the North Dakota Revised Code of 1943, relating to designation of a trial judge upon the filing of an affidavit of prejudice.

Introduction, first reading, 147.  
 Referred to Committee on Judiciary.  
 Reported back, (amended), 245.  
 Amendments adopted, 265.  
 Second reading, 302.  
 To House, 308,  
 Returned to Senate, (indefinitely postponed), 609.

**Senate Bill No. 148—(Senators Solberg, Dewing, Olson and Hagen)**

**Senate Bill No. 148.** A Bill for an Act prohibiting the flaring of natural gas under certain conditions.

Introduction, first reading, 147.  
 Referred to Committee on Industry and Business.  
 Reported back, (indefinitely postponed), 297.

**Senate Bill No. 149—(Senator Johnson of Cass)**

**Senate Bill No. 149.** A Bill for an Act to repeal Section 48-0210 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to materials found, produced, or manufactured in this State from native natural resources.

Introduction, first reading, 147.  
 Referred to Committee on General Affairs.  
 Reported back, (do pass), 224.  
 Second reading, 249.  
 To House, 286, 665.  
 Returned to Senate, 560, 713.  
 Enrolled, 596.  
 Signed by President, 615.  
 Sent to Governor, 721.  
 Approved by Governor, 735.

**Senate Bill No. 150—(Senator Johnson of Cass)**

**Senate Bill No. 150.** A Bill for an Act to provide that all material produced in the state be given preference for use in public buildings.

Introduction, first reading, 147.  
 Referred to Committee on General Affairs.  
 Reported back, (amended), 287.  
 Amendments adopted, 299.  
 Second reading, 328.  
 To House, 338, 665.  
 Returned to Senate, 560, 713.  
 Enrolled, 596.  
 Signed by President, 615.  
 Sent to Governor, 721.  
 Approved by Governor, 735.

**Senate Bill No. 151—(Senators Yunker, Fraser, Hagen, Rue, Livingston, Johnson of Cass, Foss and Bilden)**

**Senate Bill No. 151.** A Bill for an Act to define and regulate the business of lending in amounts of \$1000 or less; to authorize the licensing of persons engaged in such business; to permit such licensees to make charges at a greater

rate than lenders not licensed hereunder; to prescribe maximum rates of charge which licensees are permitted to make; to regulate assignments of wages or salaries, earned or to be earned, when given as security for a loan of or as consideration for a payment of \$1000 or less; to provide for the administration and enforcement of this Act and the issuance of regulations and orders therefor by the State Examiner; to authorize the making of examinations and investigations and the publication of reports thereof; to provide that the State Examiner shall use the facilities of the Banking Department in administering and enforcing this Act and that he may have a deputy and other necessary employees; to provide for disposition of license and investigation fees; to provide for a review of administrative acts hereunder; to prescribe penalties; and to repeal all acts and parts of acts in conflict herewith.

Introduction, first reading, 148.

Referred to Committee on Industry and Business.

Reported back, (amended), 353.

Amendments adopted, 377.

Indefinitely postponed, 394.

**Senate Bill No. 152—(Senators Johnson of Cass, Rue and Hagen)**

**Senate Bill No. 152.** A Bill for an Act relating to contractors bonds and providing for payment of all taxes due the State of North Dakota or its subdivisions.

Introduction, first reading, 148.

Referred to Committee on Industry and Business.

Reported back, (do pass), 239.

Second reading, 252.

To House, 260, 736.

House amendments, 608.

Returned to Senate, (amended), 608, 807.

Senate concurred, 693.

Final passage, 693.

Enrolled, 729.

Signed by President, 730.

Sent to Governor, 819.

**Senate Bill No. 153—(Senator Schrock)**

**Senate Bill No. 153.** A Bill for an Act to provide for the transfer of insane persons from the state hospital to other institutions licensed to care for and treat the insane.

Introduction, first reading, 148.

Referred to Committee on State and Federal Government.

Reported back, (amended), 261.

Amendments adopted, 288.

Second reading, 302.

To House, 308, 736.

Returned to Senate, 608, 807.

Enrolled, 704.

Signed by President, 729.

Sent to Governor, 819.

**Senate Bill No. 154—(Senators Day and Hagen)**

**Senate Bill No. 154.** A Bill for an Act relating to the use

and furnishing of trading stamps or other similar schemes or devices or substitutes therefor, for or with the sale of goods, wares and merchandise, and prohibiting the same.

Introduction, first reading, 148.

Referred to Committee on Industry and Business.

Reported back without recommendation, 334.

Second reading, 355.

To House, 376.

Returned to Senate, (indefinitely postponed), 740.

**Senate Bill No. 155—(Senators Foss and Bilden)**

**Senate Bill No. 155.** A Bill for an Act to amend and reenact section 19-0310 of the North Dakota Revised Code of 1943, relating to sales by apothecaries.

Introduction, first reading, 148.

Referred to Committee on Industry and Business.

Rereferred to Committee on Industry and Business, 296.

Reported back, (do pass), 261.

Second reading, 328.

To House, 338, 771.

Returned to Senate, 714, 807.

Enrolled, 759.

Signed by President, 770.

Sent to Governor, 819.

**Senate Bill No. 156—(Senators Baeverstad and Duffy)**

**Senate Bill No. 156.** A Bill for an Act to amend and reenact Section 10-1313, North Dakota Revised Code of 1943, relating to by-laws of electric cooperative corporations.

Introduction, first reading, 148.

Referred to Committee on Industry and Business.

Reported back, (do pass), 261, 353.

Second reading, 382.

To House, 385, 736.

Returned to Senate, 608, 807.

Enrolled, 704.

Signed by President, 729.

Sent to Governor, 819.

**Senate Bill No. 157—(Senators Baeverstad and Duffy)**

**Senate Bill No. 157.** A Bill for an Act relating to the amendment of by-laws of mutual aid corporations.

Introduction, first reading, 149.

Referred to Committee on Industry and Business.

Reported back, (do pass), 261.

Second reading, 303.

To House, 308, 736.

Returned to Senate, 608, 807.

Enrolled, 704.

Signed by President, 729.

Sent to Governor, 819.

**Senate Bill No. 158—(Senator Schrock)**

**Senate Bill No. 158.** A Bill for an Act to amend and reenact sections 15-3914, 15-3915, 15-3926 and subsection 1 of section 15-3928 and section 15-3940 of the 1953 Supple-



ment to the North Dakota Revised Code of 1943, and section 15-3923 of the North Dakota Revised Code of 1943, all relating to assessments, annuities, reduced annuities, with draws, qualifications and investment of funds of the North Dakota teachers' insurance and retirement fund.

Introduction, first reading, 149.  
Referred to Committee on Education.  
Reported back, (amended), 347.  
Amendments adopted, 355.  
Second reading, 395.  
House requests return, 576.  
To House, 400, 579, 875.  
House amendments, 765.  
Returned to Senate, 537; (amended,), 764, 916.  
Senate concurred, 852.  
Final passage, 852.  
Enrolled, 874.  
Signed by President, 875.  
Sent to Governor, 918.

**Senate Bill No. 159—(Senators Johnson of Cass, Foss, Luick and Sayer)**

**Senate Bill No. 159.** A Bill for an Act to amend and reenact Section 49-0105 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to salary of Public Service Commissioner.

Introduction, first reading, 149.  
Referred to Committee on State and Federal Government.  
Reported back, (do pass), 224.  
Second reading, (Lost), 303, 340.  
To House, 308.  
Senate requests return, 316.  
Returned to Senate, 332.

**Senate Bill No. 160—(Senator O'Brien)**

**Senate Bill No. 160.** A Bill for an Act to amend and reenact section 15-2509 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to discontinuance of schools in common school districts having abnormally low pupil attendance.

Introduction, first reading, 153.  
Referred to Committee on Education.  
Reported back, (amended), 347.  
Amendments adopted, 355.  
Second reading, (Lost), 383.

**Senate Bill No. 161—(Senators Duffy and Rue)**

**Senate Bill No. 161.** A Bill for an Act to amend and reenact section 12-5503 of the North Dakota Revised Code of 1943, relating to meetings of the board of pardons.

Introduction, first reading, 153.  
Referred to Committee on Judiciary.  
Reported back, (amended), 245.  
Amendments adopted, 265.  
Second reading, 304.  
To House, 308, 577.  
Returned to Senate, 537, 607.

Enrolled, 569.  
Signed by President, 572.  
Sent to Governor, 619.  
Approved by Governor, 655.

**Senate Bill No. 162—(Senators Duffy and Streibel)**

**Senate Bill No. 162.** A Bill for an Act to amend and reenact section 24-0113 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to enforcement of highway laws controlling vehicle size and weights, and conferring police power on the state highway commissioner and inspectors appointed by him, and declaring an emergency.

Introduction, first reading, 153.  
Referred to Committee on Transportation.  
Reported back, (amended), 262.  
Amendment adopted, 288.  
Second reading, 304.  
To House, 308, 577.  
Returned to Senate, 537, 607.  
Enrolled, 569.  
Signed by President, 572.  
Sent to Governor, 619.  
Approved by Governor, 655.

**Senate Bill No. 163—(Senators Duffy and Streibel)**

**Senate Bill No. 163.** A Bill for an Act to amend and reenact section 39-1208 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to penalty for violating width, height, length and load limitations upon the highways of this state, and declaring an emergency.

Introduction, first reading, 153.  
Referred to Committee on Transportation.  
Reported back, (amended), 262.  
Amendments adopted, 288.  
Second reading, 305.  
To House, 308, 578.  
Returned to Senate, 537, 607.  
Enrolled, 570.  
Signed by President, 573.  
Sent to Governor, 619.  
Approved by Governor, 655.

**Senate Bill No. 164—(Senators Duffy and Streibel)**

**Senate Bill No. 164.** A Bill for an Act to provide for the impounding of any vehicle operated upon any highway, street or road in this state at weights in excess of the weight limitations as specified under the provisions of section 39-1203 of the North Dakota Revised Code of 1943 or as limited by the provisions of section 39-1205 of the 1953 Supplement to the North Dakota Revised Code of 1943 and to provide for the recovery of charges for extraordinary use of the highways, streets and roads of this state, providing for the weighing of vehicles and the unloading of vehicles carrying excess weights, providing a penalty and declaring an emergency.

Introduction, first reading, 153.  
Referred to Committee on Transportation.  
Reported back, (amended), 230.  
Amendments adopted, 247.

Second reading, 276.  
 House requests return, 902.  
 To House, 286, 902, 945.  
 House amendments, 773.  
 Returned to Senate, (amended), 772, 925, 952.  
 Conference Committee, 848.  
 Conference Committee report, 883.  
 Senate concurred, 883, 928.  
 Final passage, 884, 928.  
 Enrolled, 945.  
 Signed by President, 945.  
 Sent to Governor, 952.

**Senate Bill No. 165—(Senators Schrock and Wadeson)**

**Senate Bill No. 165.** A Bill for an Act to amend and reenact section 43-1536 of the North Dakota Revised Code of 1943, relating to rules and regulations of the Pharmacy Board, and declaring an emergency.

Introduction, first reading, 153.  
 Referred to Committee on General Affairs.  
 Reported back, (amended), 334.  
 Amendments adopted, 349.  
 Second reading, (Lost), 375.

**Senate Bill No. 166—(Senators Bridston and Day)**

**Senate Bill No. 166.** A Bill for an Act to amend and reenact sub-paragraph e of subsection 2 of section 21-0306 of the North Dakota Revised Code of 1943, to permit municipalities to borrow money and issue general obligation bonds for the purchase or acquisition or establishment of a public transportation system.

Introduction, first reading, 154.  
 Referred to Committee on Political Sub-Divisions.  
 Reported back, (do pass), 230.  
 Amendments, 377.  
 Second reading, 377.  
 To House, 386, 847.  
 Returned to Senate, 746, 916.  
 Enrolled, 838.  
 Signed by President, 846.  
 Sent to Governor, 919.

**Senate Bill No. 167—(Senators Bridston and Day)**

**Senate Bill No. 167.** A Bill for an Act to amend and reenact Section 40-3502 of the 1953 Supplement to the North Dakota Revised Code of 1943, defining the undertakings for which municipalities may issue revenue bonds to include public transportation systems.

Introduction, first reading, 154.  
 Referred to Committee on Political Sub-Divisions.  
 Reported back, (do pass), 231.  
 Withdrawn, 275.

**Senate Bill No. 168—(Senators Dewing and Page)**

**Senate Bill No. 168.** A Bill for an Act to repeal subsection 3 of section 57-4003 of the North Dakota Revised Code of 1943, pertaining to exemptions under the Use Tax Act.

Introduction, first reading, 154.  
 Referred to Committee on Finance and Taxation.  
 Reported back, (do pass), 209.  
 Second reading, 277.  
 To House, 286, 577.  
 Returned to Senate, 537, 607.  
 Enrolled, 569.  
 Signed by President, 572.  
 Sent to Governor, 619.  
 Approved by Governor, 655.

**Senate Bill No. 169—(Senators Bridston and Day)**

**Senate Bill No. 169.** A Bill for an Act to permit municipalities to borrow money and to issue general obligation bonds for part of the cost and revenue bonds for part of the cost of purchasing, acquiring or establishing a public transportation system.

Introduction, first reading, 154.  
 Referred to Committee on Political Sub-Divisions.  
 Reported back, (do pass), 231.  
 Second reading, 375.  
 To House, 385, 847.  
 Returned to Senate, 746, 916.  
 Enrolled, 838.  
 Signed by President, 846.  
 Sent to Governor, 916.

**Senate Bill No. 170—(Senators Fraser, Ferry, Solberg, Olson and Schoeder)**

**Senate Bill No. 170.** A Bill for an Act to amend and reenact section 26-2314 of the North Dakota Revised Code of 1943 relating to limitation of time for bringing action against the state bonding fund.

Introduction, first reading, 154.  
 Referred to Committee on Judiciary.  
 Reported back on Calendar, 26Z.  
 Amended, 306.  
 Second reading, (Lost), 306.

**Senate Bill No. 171—(Senators Kieley, Weland, Kusler and Sayer)**

**Senate Bill No. 171.** A Bill for an Act to provide for reciprocity for licensed electricians.

Introduction, first reading, 154.  
 Referred to Committee on Labor Relations.  
 Reported back, (do pass), 231.  
 Second reading, 277.  
 To House, 286, 665.  
 Returned to Senate, 585, 713.  
 Enrolled, 612.  
 Signed by President, 622.  
 Sent to Governor, 721.  
 Approved by Governor, 735.

**Senate Bill No. 172—(Senators Nelson, Schrock and Weland)**

**Senate Bill No. 172.** A Bill for an Act to amend and

reenact section 15-4014 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to high school tuition payments from state equalization fund, and declaring an emergency.

Introduction, first reading, 154.  
 Referred to Committee on Education.  
 Reported back, (amended), 348.  
 Amended, 384.  
 Amendments adopted, 355.  
 Second reading, 384.  
 To House, 386, 873.  
 House amendments, 796.  
 Returned to Senate, (amended), 785, 916.  
 Senate concurred, 841.  
 Final passage, 842.  
 Enrolled, 853.  
 Signed by President, 873.  
 Sent to Governor, 919.

**Senate Bill No. 173—(Senator Holand)**

**Senate Bill No. 173.** A Bill for an Act authorizing clerks of court to destroy certain records.

Introduction, first reading, 155.  
 Referred to Committee on Judiciary.  
 Reported back, (amended), 297.  
 Amendments adopted, 316, 341.  
 Second reading, 341.  
 To House, 350, 873.  
 House amendments, 765.  
 Returned to Senate, (amended), 764, 916.  
 Senate concurred, 823.  
 Final passage, 823.  
 Enrolled, 853.  
 Signed by President, 873.  
 Sent to Governor, 919.

**Senate Bill No. 174—(Senators O'Brien, Meidinger, Dolan, Nelson, Livingston, Davis, Welander and Hagen)**

**Senate Bill No. 174.** A Bill for an Act to amend and reenact Section 15-3611 of the North Dakota Revised Code of 1943, relating to teachers' certificates.

Introduction, first reading, 155.  
 Referred to Committee on Education.  
 Reported back, (do pass), 348.  
 Second reading, 378.  
 To House, 381.  
 Returned to Senate, (indefinitely postponed), 609.

**Senate Bill No. 175—(Senators Kieley, Welander, Kusler and Sayer)**

**Senate Bill No. 175.** A Bill for an Act to amend and reenact sections 43-0909, 43-0910 and 43-0919 of the North Dakota Revised Code of 1943 and sections 43-0901, 43-0902, 43-0911, 43-0913, 43-0914 and 43-0920 of the 1953 Supplement thereto, relating to electricians.

Introduction, first reading, 155.  
 Referred to Committee on Labor Relations.

Reported back, (do pass), 231.  
 Second reading, 278; Lost, 752.  
 Reconsidered, 760.  
 To House, 286, 847.  
 House amendments, 748.  
 Returned to Senate, (amended), 746, 916.  
 Senate concurred, 752.  
 Final passage, 775.  
 Enrolled, 838.  
 Signed by President, 846.  
 Sent to Governor, 919.

**Senate Bill No. 176—(Senators Livingston, Klefstad, Day,  
 Foss and Hagen)**

**Senate Bill No. 176.** A Bill for an Act to amend and reenact section 40-2805 of the North Dakota Revised Code of 1943, relating to sewer and water connections assessment funds of municipalities; providing for the issuance and payment of warrants and for contingent liability.

Introduction, first reading, 155.  
 Referred to Committee on Industry and Business.  
 Rereferred to Committee on Political Sub-Divisions, 344.  
 Reported back, (amended, do pass), 297, 364.  
 Amended, 392.  
 Amendments adopted, 392.  
 Second reading, 409.  
 To House, 418, 847.  
 House amendments, 712.  
 Returned to Senate, (amended), 712, 916.  
 Senate concurred, 750.  
 Final passage, 750.  
 Enrolled, 838.  
 Signed by President, 846.  
 Sent to Governor, 919.

**Senate Bill No. 177—(Senators Livingston, Klefstad, Day,  
 Foss and Hagen)**

**Senate Bill No. 177.** A Bill for an Act to amend and reenact sections 40-2913 and 40-2914 of the North Dakota Revised Code of 1943, relating to construction, repairing rebuilding of sidewalks in municipalities; providing for separate funds for such purposes and for contingent liability.

Introduction, first reading, 155.  
 Referred to Committee on Industry and Business.  
 Rereferred to Committee on Political Sub-Divisions, 344.  
 Reported back, (amended, do pass), 297, 364.  
 Amended, 392.  
 Amendments adopted, 392.  
 Second reading, 410.  
 To House, 418, 847.  
 House amendments, 713.  
 Returned to Senate, (amended), 712, 916.  
 Senate concurred, 751.  
 Final passage, 751.  
 Enrolled, 838.  
 Signed by President, 846.  
 Sent to Governor, 919.

**Senate Bill No. 178—(Senators Livingston, Klefstad, Day, Foss and Hagen)**

**Senate Bill No. 178.** A Bill for an Act to amend and reenact sections 40-3107 and 40-3108 of the North Dakota Revised Code of 1943, relating to construction and repair of curbing and gutters in municipalities; providing for separate funds for such purposes and for contingent liability.

Introduction, first reading, 155.

Referred to Committee on Industry and Business.

Rereferred to Committee on Political Sub-Divisions, 344.

Reported back, (amended, do pass), 297, 364.

Amended, 392.

Amendments adopted, 392.

Second reading, 410.

To House, 418, 847.

House amendments, 713.

Returned to Senate, (amended), 712, 916.

Senate concurred, 751.

Final passage, 752.

Enrolled, 838.

Signed by President, 846.

Sent to Governor, 919.

**Senate Bill No. 179—(Senator Freed)**

**Senate Bill No. 179.** A Bill for an Act to amend and reenact section 36-0401 of the 1953 Supplement to the North Dakota Revised Code of 1943 defining livestock, poultry and wool dealers, and declaring an emergency.

Introduction, first reading, 155.

Referred to Committee on Agriculture.

Reported back, (do pass), 209.

Second reading, 281.

To House, 295, 577.

Returned to Senate, 537, 607.

Enrolled, 569.

Signed by President, 572.

Sent to Governor, 619.

Approved by Governor, 655.

**Senate Bill No. 180—(Senators Olson and Knudson, by request)**

**Senate Bill No. 180.** A Bill for an Act to amend and reenact section 6-0614 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to credit union loans, and credit committee.

Introduction, first reading, 156.

Referred to Committee on Industry and Business.

Rereferred to Committee on State and Federal Government.

Reported back, (amended), 224.

Amendments adopted, 233.

Second reading, 250.

To House, 260, 736.

Returned to Senate, 608, 807.

Enrolled, 704.

Signed by President, 729.

Sent to Governor, 819.

**Senate Bill No. 181—(Senators Schoeder, Berube and Tuff)**

**Senate Bill No. 181.** A Bill for an Act imposing a gross production tax on producing oil and gas properties.

Introduction, first reading, 156.

Referred to Committee on Finance and Taxation.

Reported back without recommendation, 364.

Indefinitely postponed, 406.

**Senate Bill No. 182—(Senators Johnson of Cass and Day)**

**Senate Bill No. 182.** A Bill for an Act to provide for engineering scholarships to be established by the state highway commissioner for students attending North Dakota agricultural college and the university of North Dakota and to provide for employment contracts after graduation of recipients.

Introduction, first reading, 156.

Referred to Committee on Education.

Reported back on Calendar, 313.

Second reading, (Lost), 342.

**Senate Bill No. 183—(Senators O'Brien, Livingston and Kieley)**

**Senate Bill No. 183.** A Bill for an Act to amend and reenact Section 48-0202 of the North Dakota Revised Code of 1943, relating to altering, repairing or constructing public buildings involving more than three thousand dollars, procuring plans, drawings and specifications therefor from a licensed architect.

Introduction, first reading, 156.

Referred to Committee on Industry and Business.

Reported back, (do pass), 297.

Second reading, 329.

House requests return, 741.

To House, 338, 744, 925.

House amendments, 673, 796.

Returned to Senate, (amended), 673, 785, 927.

Conference Committee, 707, 847.

Conference Committee report, 733, 896.

Final passage, 733, 896.

Enrolled, 922.

Signed by President, 922.

Sent to Governor, 929.

**Senate Bill No. 184—(Committee on Appropriations)**

**Senate Bill No. 184.** A Bill for an Act transferring the unexpended balance of the appropriation for the construction of nurses quarters and classrooms at the state tuberculosis sanitarium to the general fund.

Introduction, first reading, 156.

Referred to Committee on Appropriations.

Reported back, (do pass), 198.

Second reading, 255.

To House, 260, 577.

Returned to Senate, 537, 607.

Enrolled, 569.

Signed by President, 572.

Sent to Governor, 619.

Approved by Governor, 655.



**Senate Bill No. 185—(Senator Schmit, by request)**

**Senate Bill No. 185.** A Bill for an Act making an appropriation for the purpose of refunding state income tax erroneously paid for the year 1948 by Russell W. Munson, 822 North 2nd Street, Wahpeton, North Dakota.

Introduction, first reading, 172.

Referred to Committee on Finance and Taxation.

Reported back, (indefinitely postponed), 287.

**Senate Bill No. 186—(Senator Day)**

**Senate Bill No. 186.** A Bill for an Act relating to actions arising out of the use or application of any herbicide, insecticide, fungicide or agricultural chemical by aircraft; provision for filing reports of loss and time limitations.

Introduction, first reading, 172.

Referred to Committee on Agriculture.

Reported back, (do pass), 209.

Second reading, 281.

To House, 295, 873.

House amendments, 766.

Returned to Senate, (amended), 764, 916.

Enrolled, 853.

Signed by President, 873.

Sent to Governor, 919.

**Senate Bill No. 187—(Senators Davis, Kusler and Welander)**

**Senate Bill No. 187.** A Bill for an Act to amend and reenact Section 24-0106 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the authority of the highway commissioner to abandon sections of routes on the state highway system.

Introduction, first reading, 172.

Referred to Committee on Political Sub-Divisions.

Reported back, (do pass), 231.

Second reading, 282.

To House, 295.

Returned to Senate, (indefinitely postponed), 714.

**Senate Bill No. 188—(Senator Schrock)**

**Senate Bill No. 188.** A Bill for an Act to amend section 50-0606 of the North Dakota Revised Code of 1943, by creating subsection 15 thereto, relating to powers and duties of the public welfare board.

Introduction, first reading, 172.

Referred to Committee on Social Welfare.

Reported back, (indefinitely postponed), 313.

**Senate Bill No. 189—(Senator Schrock)**

**Senate Bill No. 189.** A Bill for an Act providing per pupil payments from the state equalization fund aid program to a special account for the benefit of the state training school, school for the blind and school for the deaf.

Introduction, first reading, 172.

Referred to Committee on Education.

Reported back, (do pass), 313.

Second reading, 342.

To House, 350.

Returned to Senate, (indefinitely postponed), 609.

**Senate Bill No. 190—(Senators Bridston and Duffy)**

**Senate Bill No. 190.** A Bill for an Act relating to renewal and cancellation of judgments.

Introduction, first reading, 172.

Referred to Committee on Judiciary.

Reported back, (amended), 244.

Amendments adopted, 265.

Second reading, 306.

Reprinted, 453.

To House, 308, 736.

Returned to Senate, 672, 807.

Enrolled, 729.

Signed by President, 730.

Sent to Governor, 819.

**Senate Bill No. 191—(Senators Rue and Bridston)**

**Senate Bill No. 191.** A Bill for an Act to amend and reenact Section 43-1918 of the North Dakota Revised Code of 1943, relating to professional engineers and specifying the work which may be done without registration.

Introduction, first reading, 172.

Referred to Committee on Political Sub-Divisions.

Reported back, (indefinitely postponed), 313.

**Senate Bill No. 192—(Senators Rue and Bridston)**

**Senate Bill No. 192.** A Bill for an Act to amend and reenact section 11-3102 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to county highway engineers and prescribing qualifications and conditions of service.

Introduction, first reading, 173.

Referred to Committee on Political Sub-Divisions.

Reported back, (indefinitely postponed), 313.

**Senate Bill No. 193—(Senators Page, Bridston, Solberg and Rue)**

**Senate Bill No. 193.** A Bill for an Act authorizing and directing the industrial commission to construct a bank and office building upon the capitol grounds for the use of the Bank of North Dakota, making an appropriation therefor, and authorizing the sale of the existing bank building and premises.

Introduction, first reading, 173.

Referred to Committee on Appropriations.

Reported back, (indefinitely postponed), 334.

**Senate Bill No. 194—(Senator Bridston)**

**Senate Bill No. 194.** A Bill for an Act to fix the time when mechanic's liens shall attach, to provide for the subjection of the title of owners and vendors of land thereto, to establish the priority of liens, and to provide the time and manner of filing statements of claims for mechanic's liens,

to amend and reenact section 35-1213 of the North Dakota Revised Code of 1943, and to repeal sections 35-1204, 35-1210, 35-1212 and subdivision 2 of section 35-1205 of the North Dakota Revised Code of 1943.

Introduction, first reading, 173.

Referred to Committee on Judiciary.

Reported back, (indefinitely postponed), 334.

**Senate Bill No. 195—(Committee on Appropriations)**

**Senate Bill No. 195.** A Bill for an appropriation to continue the operation of the North Dakota Civil Defense as provided for by chapter 37-17 of the 1953 Supplement to the North Dakota Revised Code of 1943 and repealing section 37-1712 of the 1953 Supplement to the North Dakota Revised Code of 1943.

Introduction, first reading, 173.

Referred to Committee on Appropriations.

Reported back, (amended), 335.

Amended, 379.

Amendments adopted, 349.

Second reading, 379.

To House, 386, 577.

Returned to Senate, 537, 607.

Enrolled, 569.

Signed by President, 572.

Sent to Governor, 619.

Approved by Governor, 655.

**Senate Bill No. 196—(Senator Duffy)**

**Senate Bill No. 196.** A Bill for an Act authorizing the board of administration to sell certain lands belonging to the school for the deaf.

Introduction, first reading, 173.

Referred to Committee on State and Federal Government.

Reported back, (amended), 313.

Amendments adopted, 339.

Second reading, 359.

To House, 361, 665.

House amendments, 586.

Returned to Senate, (amended), 586, 713.

Enrolled, 612.

Signed by President, 622.

Sent to Governor, 721.

Approved by Governor, 735.

**Senate Bill No. 197—(Senator Duffy)**

**Senate Bill No. 197.** A Bill for an Act to amend and reenact section 61-0101 of the North Dakota Revised Code of 1943, relating to public waters.

Introduction, first reading, 173.

Referred to Committee on General Affairs.

Reported back, (do pass), 335.

Second reading, 360.

To House, 361, 736.

Returned to Senate, 608, 807.

Enrolled, 704.

Signed by President, 729.

Sent to Governor, 819.

**Senate Bill No. 198—(Senator Bridston)**

**Senate Bill No. 198.** A Bill for an Act to regulate, require court supervision of, and provide for the audit and examination of trusts and foundations for charitable, educational and eleemosynary purposes in which the beneficiaries, purposes and uses are not declared with certainty, and to provide penalties for violation hereof.

Introduction, first reading, 174.

Referred to Committee on Judiciary.

Reported back, (indefinitely postponed), 335.

**Senate Bill No. 199—(Senators Wolf, Bridston, Leier and Sayer)**

**Senate Bill No. 199.** A Bill for an Act to amend and reenact section 34-0908 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to enforcements of contracts.

Introduction, first reading, 176.

Reported back without recommendation, 314.

Indefinitely postponed, 379

**Senate Bill No. 200—(Senators Wolf, Bridston, Leier and Sayer)**

**Senate Bill No. 200.** A Bill for an Act relating to the settlement of labor disputes, amending and reenacting sections 34-1002 and 34-1006 of the 1953 Supplement to the North Dakota Revised Code of 1943, and providing for the appointment of a labor dispute board setting forth its powers and duties; providing for employees representation for collective bargaining with elections; defining unfair labor practices; providing for the payment of expenses of the labor dispute board; making orders of labor dispute board appealable to the district courts of this state and repealing sections 34-1003, 34-1004 and 34-1005 of the 1953 Supplement to the North Dakota Revised Code of 1943, and providing a savings clause.

Introduction, first reading, 176.

Referred to Committee on Labor Relations.

Reported back without recommendation, 314.

Amended, 380, 401.

Amendments adopted, 401.

Second reading, (indefinitely postponed), 401.

**Senate Bill No. 201—(Senator Solberg)**

**Senate Bill No. 201.** A Bill for an Act to amend and reenact subdivision "h" of subsection 2 of section 26-03A03 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to cancellation and refusal to renew accident and sickness insurance policy by the insurer.

Introduction, first reading, 176.

Referred to Committee on Industry and Business.

Reported back, (indefinitely postponed), 314.

**Senate Bill No. 202—(Senators Meidinger, Livingston and Olson)**

**Senate Bill No. 202.** A Bill for an Act to amend and reenact sections 5-0207 and 5-0208 of the North Dakota

Revised Code of 1943, relating to local licensing and regulating of the vending of beer and ale.

Introduction, first reading, 176.  
 Referred to Committee on Social Welfare, 288.  
 Rereferred to Committee on Transportation, 292.  
 Reported back, (amended), 262; on Calendar, 314.  
 Amended, 381.  
 Amendments adopted, 381.  
 Indefinitely postponed, 381.

**Senate Bill No. 203—(Committee on Agriculture)**

**Senate Bill No. 203.** A Bill for an Act providing for the regulation of information required on sales agreements or contracts made between a buyer and seller of agricultural seeds, when full or partial payment is made to the seller before the seed is delivered to the buyer, providing a penalty and declaring an emergency.

Introduction, first reading, 177.  
 Referred to Committee on Agriculture.  
 Reported back, (do pass), 239.  
 Second reading, 282.  
 To House, 295, 736.  
 Returned to Senate, (amended), 561, 807.  
 Senate concurred, 594.  
 Final passage, 594.  
 Enrolled, 704.  
 Signed by President, 729.  
 Sent to Governor, 819.

**Senate Bill No. 204—(Senators Meidinger, Hernet, Weland-  
 er and Duffy)**

**Senate Bill No. 204.** A Bill for an Act to amend and reenact subsection 7 of section 39-03A01 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to highway patrolmen's retirement system.

Introduction, first reading, 177.  
 Referred to Committee on Judiciary.  
 Reported back, (do pass), 244.  
 Second reading, 283.  
 To House, 295, 665.  
 Returned to Senate, 560, 713.  
 Enrolled, 596.  
 Signed by President, 615.  
 Sent to Governor, 721.  
 Approved by Governor, 735.

**Senate Bill No. 205—(Senators Schmit, Page, Kieley, Living-  
 ston and Sayer)**

**Senate Bill No. 205.** A Bill for an Act to exempt truck-tractors used only for moving buildings from the payment of registration, gross ton, or truck mile taxes or fees and to provide for an annual house mover's motor vehicle license and to provide a penalty, and declaring an emergency.

Introduction, first reading, 177.  
 Referred to Committee on Transportation.  
 Reported back, (amended), 297.  
 Amended, 316, 360.

Second reading, 360.  
To House, 366, 736.  
Returned to Senate, 608, 807.  
Enrolled, 704.  
Signed by President, 729.  
Sent to Governor, 819.

**Senate Bill No. 206—(Committee on Judiciary)**

**Senate Bill No. 206.** A Bill for an Act to amend and reenact Section 30-0213 of the 1953 Supplement to the North Dakota Revised Code of 1943 as amended, relating to notice of foreign heirs.

Introduction, first reading, 177.  
Referred to Committee on Judiciary.  
Reported back, (indefinitely postponed), 264.

**Senate Bill No. 207—(Senators Wolf and Bridston)**

**Senate Bill No. 207.** A Bill for an Act appropriating seventy five thousand dollars for the purpose of paying the State Training School's share of the assessment to be levied for the construction of a flood control project within the lower Heart River Water Conservation and Flood Control District of Morton County.

Introduction, first reading, 177.  
Referred to Committee on Appropriations.  
Rereferred to Committee on Appropriations, 350.  
Reported back, (indefinitely postponed), 335, 364.  
Reconsidered, 350.

**Senate Bill No. 208—(Senators Wolf, Freed and Kusler)**

**Senate Bill No. 208.** A Bill for an Act appropriating the sum of three hundred ten thousand dollars, or so much thereof as may be necessary to pay the state highway department's share of the cost of raising and reconstructing a bridge across the Heart River situated on the west edge of the city of Mandan, in Morton County, on U. S. Highway No. 10, made necessary by the proposed flood control project within the Lower Heart River Water Conservation and Flood Control District of Morton County, and authorizing and directing the state highway commissioner and his officers and engineers, in cooperation with the Corps of Engineers, U. S. Army, Garrison District, to prepare plans and specifications for such construction and to proceed with the construction thereof as soon as said project is ordered to be constructed by said Corps of Engineers.

Introduction, first reading, 177.  
Referred to Committee on Appropriations.  
Referred to Committee on Appropriations, 350.  
Reported back, (indefinitely postponed), 335, 365.  
Reconsidered, 350.

**Senate Bill No. 209—(Senators Page and Hernet)**

**Senate Bill No. 209.** A Bill for an Act to amend and reenact Subsection 3 of Section 64-0201 of the North Dakota Revised Code of 1943 to broaden the definition of "Gasoline pump" contained therein.

Introduction, first reading, 178.

Referred to Committee on Judiciary.  
 Reported back, (do pass), 264.  
 Second reading, 307.  
 To House, 308, 665.  
 Returned to Senate, 585, 713.  
 Enrolled, 612.  
 Signed by President, 622.  
 Sent to Governor, 721.  
 Approved by Governor, 735.

**Senate Bill No. 210—(Senators Page and Hernet)**

**Senate Bill No. 210.** A Bill for an Act to amend and reenact Section 64-0216 of the North Dakota Revised Code of 1943.

Introduction, first reading, 178.  
 Referred to Committee on Judiciary.  
 Amendments adopted, 265.  
 Second reading, 319.  
 To House, 338, 736.  
 Returned to Senate, 608, 807.  
 Enrolled, 704.  
 Signed by President, 729.  
 Sent to Governor, 819.

**Senate Bill No. 211—(Senators Page and Hernet)**

**Senate Bill No. 211.** A Bill for an Act to amend and reenact Section 64-0210 of the 1953 Supplement to the North Dakota Revised Code of 1943.

Introduction, first reading, 178.  
 Referred to Committee on Judiciary.  
 Reported back, (amended), 287.  
 Amended, 329.  
 Amendments adopted, 299.  
 Second reading, 329.  
 To House, 338, 873.  
 House amendments, 673.  
 Returned to Senate, (amended), 673, 916.  
 Senate concurred, 843.  
 Final passage, 843.  
 Enrolled, 853.  
 Signed by President, 873.  
 Sent to Governor, 919.

**Senate Bill No. 212—(Senators Solberg and Hagen)**

**Senate Bill No. 212.** A Bill for an Act to amend and reenact sections 38-0804, 38-0805, and subsection 3 of section 38-0807 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the administration of the oil and gas conservation laws of the state of North Dakota, and providing for the cooperation of the state geologist and the North Dakota geological survey.

Introduction, first reading, 178.  
 Referred to Committee on State and Federal Government.  
 Reported back, (indefinitely postponed), 264.

**Senate Bill No. 213—(Committee on Transportation)**

**Senate Bill No. 213.** A Bill for an Act relating to the use

of certain types of motor vehicles upon the highways of this state and providing a penalty.

Introduction, first reading, 178.  
 Referred to Committee on Transportation.  
 Reported back, (amended), 353.  
 Amended, 377, 417.  
 Amendments adopted, 377.  
 Second reading, (Lost), 411; (passed), 417.  
 Reconsidered, 417.  
 To House, 420.  
 Returned to Senate, (indefinitely postponed), 775.

**Senate Bill No. 214—(Senator Day)**

**Senate Bill No. 214.** A Bill for an Act authorizing the public service commission to fix the rates that may be charged for natural gas.

Introduction, first reading, 178.  
 Referred to Committee on Finance and Taxation.  
 Reported back, (indefinitely postponed), 387.

**Senate Bill No. 215—(Senator Day)**

**Senate Bill No. 215.** A Bill for an Act relating to telephone rates.

Introduction, first reading, 178.  
 Referred to Committee on Industry and Business.  
 Reported back, (indefinitely postponed), 398.

**Senate Bill No. 216—(Senator Day)**

**Senate Bill No. 216.** A Bill for an Act to authorize the Public Service Commission to assess certain public service companies a percentage of the expenses of the Public Service Commission.

Introduction, first reading, 179.  
 Referred to Committee on Finance and Taxation.  
 Reported back, (amended), on Calendar, 365.  
 Amendments adopted, 392.  
 Withdrawn, 415.

**Senate Bill No. 217—(Committee on Judiciary)**

**Senate Bill No. 217.** A Bill for an Act to amend and reenact section 47-1822 of the North Dakota Revised Code of 1943, relating to the conveyance of homesteads in case of insanity.

Introduction, first reading, 179.  
 Referred to Committee on Judiciary.  
 Reported back, (do pass), 264.  
 Second reading, 319.  
 To House, 338, 577.  
 Returned to Senate, 537, 607.  
 Enrolled, 569.  
 Signed by President, 572.  
 Sent to Governor, 619.  
 Approved by Governor, 655.

**Senate Bill No. 218—(Committee on Judiciary)**

**Senate Bill No. 218.** A Bill for an Act relating to un-



acknowledged instruments and their admission into evidence.

Introduction, first reading, 179.

Referred to Committee on Judiciary.

Reported back, (indefinitely postponed), 245.

**Senate Bill No. 219—(Committee on Judiciary)**

**Senate Bill No. 219.** A Bill for an Act to provide for the administration of estates of persons missing over seven years.

Introduction, first reading, 179.

Referred to Committee on Judiciary.

Reported back without recommendation, 387.

Second reading, (Lost), 412.

**Senate Bill No. 220—(Committee on Judiciary)**

**Senate Bill No. 220.** A Bill for an Act to amend and reenact section 35-0506 of the North Dakota Revised Code of 1943 relating to Abstract of Crop Liens.

Introduction, first reading, 180.

Referred to Committee on Judiciary.

Reported back, (amended), 264.

Amendments adopted, 288.

Second reading, 320.

To House, 338, 898.

House amendments, 766.

Returned to Senate, (amended), 764, 916.

Conference Committee, 848.

Conference Committee report, 883.

Final passage, 885.

Enrolled, 898.

Signed by President, 898.

Sent to Governor, 918.

**Senate Bill No. 221—(Committee on Judiciary)**

**Senate Bill No. 221.** A Bill for an Act to amend and reenact Section 33-0312 of the North Dakota Revised Code of 1943, relating to change of venue in justice court.

Introduction, first reading, 179.

Referred to Committee on Judiciary.

Reported back, (do pass), 246.

Second reading, 283.

To House, 295.

Returned to Senate, (indefinitely postponed), 509.

**Senate Bill No. 222—(Committee on Judiciary)**

**Senate Bill No. 222.** A Bill for an Act permitting stock dividends.

Introduction, first reading, 179.

Referred to Committee on Judiciary.

Reported back, (do pass), 264.

Second reading, 320.

To House, 338.

Returned to Senate, (indefinitely postponed), 609.

**Senate Bill No. 223—(Committee on Judiciary)**

**Senate Bill No. 223.** A Bill for an Act relating to cause for divorce.

Introduction, first reading, 179.  
Referred to Committee on Judiciary.  
Rereferred to Committee on Judiciary, 321.  
Reported back, (amended), 246, 335.  
Amendments adopted, 265, 349.  
Second reading, (Lost), 321; (passed), 385.  
Reconsidered, 321.  
Reprinted, 453.  
To House, 385.  
Returned to Senate, (indefinitely postponed), 509.

**Senate Bill No. 224—(Committee on Judiciary)**

**Senate Bill No. 224.** A Bill for an Act to amend and reenact Section 40-1819 of the North Dakota Revised Code of 1943 relating to appeals from determinations of police magistrate or village justice; Trial; Bail.

Introduction, first reading, 179.  
Referred to Committee on Judiciary.  
Reported back, (do pass), 246.  
Second reading, 284.  
House requests return, 746.  
To House, 295, 748, 873.  
House amendments, 774.  
Returned to Senate, 672; (amended), 772, 916.  
Senate concurred, 844.  
Final passage, 844.  
Enrolled, 853.  
Signed by President, 873.  
Sent to Governor, 919.

**Senate Bill No. 225—(Senators Foss and Dewing)**

**Senate Bill No. 225.** A Bill for an Act to tax the issuance and delivery of premium stamps.

Introduction, first reading, 180.  
Referred to Committee on Industry and Business.  
Reported back, (amended), 353.  
Amended, 415.  
Amendments adopted, 377.  
Second reading, 412.  
To House, 418, 736.  
House amendments, 616.  
Returned to Senate, (amended), 616, 807.  
Senate concurred, 623.  
Final passage, 623.  
Enrolled, 704.  
Signed by President, 729.  
Sent to Governor, 819.

**Senate Bill No. 226—(Senators Foss and Livingston)**

**Senate Bill No. 226.** A Bill for an Act providing for inclusion of kindergarten students in the determination of elementary per pupil payments from county tuition fund.

Introduction, first reading, 180.  
Referred to Committee on Education.  
Reported back, (indefinitely postponed), 348.

**Senate Bill No. 227—(Senators Dewing, Schrock and O'Brien)**

**Senate Bill No. 227.** A Bill for an Act to amend and reenact section 26-0111 of the North Dakota Revised Code of 1943, relating to collection of insurance premium tax.

Introduction, first reading, 180.  
 Referred to Committee on Judiciary.  
 Reported back, (indefinitely postponed), 387.

**Senate Bill No. 228—(Senators Holand and Knudson)**

**Senate Bill No. 228.** A Bill for an Act to amend and reenact section 31-0102 of the North Dakota Revised Code of 1943 relating to competency as a witness of one spouse against the other.

Introduction, first reading, 180.  
 Referred to Committee on Judiciary.  
 Reported back, (do pass), 246.  
 Second reading, 284.  
 To House, 295, 736.  
 Returned to Senate, 672, 807.  
 Enrolled, 729.  
 Signed by President, 730.  
 Sent to Governor, 819.

**Senate Bill No. 229—(Committee on Judiciary)**

**Senate Bill No. 229.** A Bill for an Act relating to the duties of the County Auditor and to provide for the collection of fees commensurate with costs for services rendered to private individuals, firms or corporations by county auditors and for the disposition of such fees.

Introduction, first reading, 180.  
 Referred to Committee on Political Sub-Divisions.  
 Reported back, (do pass), 298.  
 Second reading, 326.  
 To House, 338, 875.  
 House amendments, 774.  
 Returned to Senate, (amended), 772, 916.  
 Senate concurred, 849.  
 Final passage, 849.  
 Enrolled, 874.  
 Signed by President, 875.  
 Sent to Governor, 919.

**Senate Bill No. 230—(Senators O'Brien, Knudson and Kieley)**

**Senate Bill No. 230.** A Bill for an Act to levy a one mill general property tax for each six miles of state highway within a township to be credited to the county general fund.

Introduction, first reading, 180.  
 Referred to Committee on Finance and Taxation.  
 Reported back, (indefinitely postponed), 246.

**Senate Bill No. 231—(Senator Dewing, by request)**

**Senate Bill No. 231.** A Bill for an Act abolishing the defense of contributory negligence in all tort cases, or in all personal injury cases, and providing that the negligence of the plaintiff may be considered comparatively with the negligence of the defendant in determining where the greater

fault lies; providing for recovery of damages where plaintiff's neglect is less than that of the defendant; providing that plaintiff's neglect may be considered in mitigation of damages; and providing that all questions of fact as to negligence, comparative negligence, and mitigation of damages be determined by a jury in all cases tried to a jury.

Introduction, first reading, 180.

Referred to Committee on Judiciary.

Reported back, (indefinitely postponed), 388.

**Senate Bill No. 232—(Senators Kieley and Knudson)**

**Senate Bill No. 232.** A Bill for an Act to amend and reenact Section 34-0912 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to unlawful picketing and violations.

Introduction, first reading, 180.

Referred to Committee on Labor Relations.

Reported back, (indefinitely postponed), 314.

**Senate Bill No. 233—(Senator Sayer, by request)**

**Senate Bill No. 233.** A Bill for an Act permitting discharge of employees and replacement thereof, and remedies for certain illegal acts of employees or associations of employees.

Introduction, first reading, 181.

Referred to Committee on Labor Relations.

Reported back, (indefinitely postponed), 314.

**Senate Bill No. 234—(Senator Sayer, by request)**

**Senate Bill No. 234.** A Bill for an Act prohibiting interference in business operations for nonunion membership or in jurisdictional disputes, and providing remedies for violation.

Introduction, first reading, 181.

Referred to Committee on Labor Relations.

Reported back, (indefinitely postponed), 314.

**Senate Bill No. 235—(Senators Holand and Knudson)**

**Senate Bill No. 235.** A Bill for an Act amending and reenacting subsections 12 and 13 of section 11-1114, and creating and enacting subsection 14 of section 11-1114 of the North Dakota Revised Code of 1943, relating to the powers of a board of county commissioners.

Introduction, first reading, 181.

Referred to Committee on Political Sub-Divisions.

Reported back, (do pass), 298.

Second reading, 326.

To House, 338, 665.

Returned to Senate, 560, 713.

Enrolled, 596.

Signed by President, 615.

Sent to Governor, 721.

Approved by Governor, 735.

**Senate Bill No. 236—(Senator Knudson, by request)**

**Senate Bill No. 236.** A Bill for an Act repealing section

20-0803 of the North Dakota Revised Code of 1943 as amended by section 2, chapter 156, North Dakota Sessions Laws of 1953, and amending and reenacting section 20-0803 of the North Dakota Revised Code of 1943 as amended by section 2, chapter 163, North Dakota Session Laws of 1953, relating to orders and proclamations of governor.

Introduction, first reading, 181.

Referred to Committee on Natural Resources.

Reported back, (indefinitely postponed), 335.

**Senate Bill No. 237—(Senator Knudson)**

**Senate Bill No. 237.** A Bill for an Act to amend and reenact section 35-0902 of the North Dakota Revised Code of 1943, relating to procedure for obtaining a seed lien.

Introduction, first reading, 181.

Referred to Committee on Agriculture.

Reported back, (do pass), 231.

Second reading, 251.

To House, 260, 665.

Returned to Senate, 560, 713.

Enrolled, 596.

Signed by President, 615.

Sent to Governor, 721.

Approved by Governor, 735.

**Senate Bill No. 238—(Senator Bridston)**

**Senate Bill No. 238.** A Bill for an Act to amend and reenact section 39-0615 of the North Dakota Revised Code of 1943, relating to the appointment of agents to issue motor vehicle operator's licenses.

Introduction, first reading, 181.

Referred to Committee on General Affairs.

Reported back, (amended), 288.

Amendments adopted, 299.

Second reading, 327.

To House, 338.

Returned to Senate, (indefinitely postponed), 561.

**Senate Bill No. 239—(Senator Kusler)**

**Senate Bill No. 239.** A Bill for an Act making an appropriation for the construction of suitable facilities at the state hospital for the care, treatment, education and rehabilitation of alcoholics.

Introduction, first reading, 181.

Referred to Committee on Social Welfare.

Reported back, (do pass), 264.

Withdrawn, 293.

**Senate Bill No. 240—(Senators Day, O'Brien and Welander)**

**Senate Bill No. 240.** A Bill for an Act relating to old age assistance and amending and reenacting section 50-0723 of the North Dakota Revised Code of 1943.

Introduction, first reading, 182.

Referred to Committee on Social Welfare.

Reported back, (amended), 389.

Amended, 708.

Amendments Lost, 419.  
 Second reading, 708.  
 House requests return, 878.  
 To House, 711, 879, 945.  
 House amendments, 936.  
 Returned to Senate, (indefinitely postponed), 784;  
 (amended), 936, 952.  
 Senate concurred, 937.  
 Final passage, 937.  
 Enrolled, 945.  
 Signed by President, 945.  
 Sent to Governor, 952.

**Senate Bill No. 241—(Senator Luick)**

**Senate Bill No. 241.** A Bill for an Act making an appropriation for the purpose of refunding to Richland County amounts erroneously paid to the state of North Dakota by such county for state general property taxes with its October, 1954 report of state taxes collected.

Introduction, first reading, 186.  
 Referred to Committee on General Affairs.  
 Referred to Committee on Appropriations, 337.  
 Reported back, (amended), 365.  
 Amendments adopted, 393.  
 Second reading, 413.  
 To House, 418, 847.  
 Returned to Senate, 775, 916.  
 Enrolled, 838.  
 Signed by President, 846.  
 Sent to Governor, 819.

**Senate Bill No. 242—(Delayed Bills Committee)**

**Senate Bill No. 242.** A Bill for an Act to amend and reenact section 15-0704 of the North Dakota Revised Code of 1943, relating to private sale of non-grant lands.

Introduction, first reading, 299.  
 Referred to Committee on Judiciary.  
 Reported back, (amended), 399.  
 Amended, 399.  
 Amendments adopted, 399.  
 Second reading, 405.  
 To House, 418, 898.  
 House amendments, 766.  
 Returned to Senate, (amended), 764, 916.  
 Conference Committee, 850.  
 Conference Committee report, 883.  
 Final passage, 886.  
 Enrolled, 898.  
 Signed by President, 898.  
 Sent to Governor, 919.

**Senate Bill No. 243—(Delayed Bills Committee)**

**Senate Bill No. 243.** A Bill for an Act relating to claims for adjusted compensation of World War II veterans, creating a board of final review and declaring an emergency.

Introduction, first reading, 340.  
 Referred to Committee on Veterans and Military Affairs.

Reported back, (do pass), 354.  
 Second reading, 414.  
 To House, 418, 736.  
 Returned to Senate, 672, 807.  
 Enrolled, 729.  
 Signed by President, 730.  
 Sent to Governor, 819.

**Senate Bill No. 244—(Delayed Bills Committee)**

**Senate Bill No. 244.** A Bill for an Act authorizing the creation of an interstate joint advisory commission for the school for the blind, and declaring an emergency.

Introduction, first reading, 366.  
 Referred to Committee on Education.  
 Reported back, (indefinitely postponed), 388.

**Senate Bill No. 245—(Delayed Bills Committee)**

**Senate Bill No. 245.** A Bill for an Act authorizing the board of administration to enter into a contract with the state of South Dakota for the schooling of blind students and setting forth provisions of said contract, and declaring an emergency.

Introduction, first reading, 366.  
 Referred to Committee on Education.  
 Reported back, (indefinitely postponed), 388.

**Senate Bill No. 246—(Delayed Bills Committee)**

**Senate Bill No. 246.** A Bill for an Act providing for the payment of expenses of Public Service Commissioners, and declaring an emergency.

Introduction, first reading, 366.  
 Referred to Committee on Appropriations.  
 Returned to Senate, 408.  
 Second reading, (Lost), 414.

**Senate Bill No. 247—(Delayed Bills Committee)**

**Senate Bill No. 247.** A Bill for an Act to amend and reenact subsection 1 of section 10-0330 of the North Dakota Revised Code of 1943, relating to the increasing or diminishing of the capital stock of corporations.

Introduction, first reading, 377.  
 Referred to Committee on Industry and Business.  
 Rereferred to Committee on Judiciary, 387.  
 Reported back, (amended), 388.  
 Amendments adopted, 405.  
 Second reading, 417.  
 To House, 418, 736.  
 Returned to Senate, 608, 807.  
 Enrolled, 704.  
 Signed by President, 729.  
 Sent to Governor, 819.

**Senate Bill No. 248—(Delayed Bills Committee, at the request of the North Dakota County Commissioners Association)**

**Senate Bill No. 248.** A Bill for an Act to amend and reenact

section 57-1506 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to limitations on county tax levies.

Introduction, first reading, 387.

Referred to Committee on Social Welfare.

Reported back without recommendation, 388.

Second reading, 415.

To House, 418, 736.

Returned to Senate, 608, 807.

Enrolled, 704.

Signed by President, 729.

Sent to Governor, 819.



## SENATE RESOLUTIONS

### Senate Concurrent Resolution "A"—(Legislative Research Committee)

**Senate Concurrent Resolution "A".** A Concurrent Resolution for an amendment of section 93 of the Constitution of the state of North Dakota.

Introduction, first reading, 46.  
Referred to Committee on Judiciary.  
Reported back, (do pass), 137.  
Second reading, 167.  
To House, 175, 736.  
Returned to Senate, 672, 807.  
Enrolled, 729.  
Signed by President, 730.  
Sent to Secretary of State, 819.

### Senate Concurrent Resolution "B"—(Legislative Research Committee)

**Senate Concurrent Resolution "B".** A Concurrent Resolution memorializing congress to authorize the army corps of engineers to resell surplus lands above the normal pool level of water impoundments in North Dakota to the original land owners.

Introduction, first reading, 46.  
Referred to Committee on General Affairs.  
Signed by President, 846.  
Reported back, (amended, do pass), 61, 125.  
Second reading, 141.  
To House, 157, 846.  
Returned to Senate, 775, 916.  
Enrolled, 838.  
Rereferred to Committee on State and Federal Govern-  
ment, Sent to Secretary of State, 919.

### Senate Concurrent Resolution "C"—(Legislative Research Committee)

**Senate Concurrent Resolution "C".** A Concurrent Resolution requesting the army corps of engineers to provide for the development of recreational areas along the Garrison Dam Reservoir and authorizing the state historical society to explore avenues of cooperation in the management and maintenance of such areas.

Introduction, first reading, 46.  
Referred to Committee on Natural Resources.  
Reported back, (do pass), 336.  
Second reading, 356.  
To House, 376, 846.  
Returned to Senate, 775, 916.  
Enrolled, 838.  
Signed by President, 846.  
Sent to Secretary of State, 919.

### Senate Concurrent Resolution "D"—(Senators Hagen, Solberg, Schoeder, Berube, Dewing, Fraser and Knudson)

**Senate Concurrent Resolution "D".** A Concurrent Reso-

lution requesting the secretary of Agriculture of the United States to suspend acreage controls on durum wheat during 1955.

Introduction, first reading, 35.  
 Referred to Committee on Agriculture.  
 Adopted, 57.  
 To House, 66, 90.  
 Returned to Senate, 68, 112.  
 Enrolled, 78.  
 Signed by President, 85.  
 Sent to Secretary of State, 123.

**Senate Concurrent Resolution "E"—(Senators Duffy and Schrock)**

**Senate Concurrent Resolution "E".** A Concurrent Resolution providing for the amendment of the Constitution of the state of North Dakota relating to election of certain county officers.

Introduction, first reading, 46.  
 Referred to Committee on State and Federal Government.  
 Referred to Committee on State and Federal Government, 91.  
 Reported back, (amended, do pass), 68, 199.  
 Amended, 199, 322.  
 Amendments adopted, 212.  
 Second reading, 322.  
 To House, 338.  
 Returned to Senate, (indefinitely postponed), 561.

**Senate Concurrent Resolution "F"—(Senators Kamrath, Bilden, Wog and Foss)**

**Senate Concurrent Resolution "F".**

Introduction, first reading, 69.  
 Adopted, 74.  
 Second reading, 74.  
 To House, 80, 577.  
 Returned to Senate, 537, 607.  
 Enrolled, 569.  
 Signed by President, 572.  
 Sent to Secretary of State, 620.

**Senate Concurrent Resolution "G"—(Senator Page)**

**Senate Concurrent Resolution "G".** A Senate Concurrent Resolution inviting the Governor and members of the South Dakota Legislative Assembly to meet with similar representatives of the state of North Dakota to explore possibilities of cooperation in the training of the blind.

Introduction, first reading, 76.  
 Referred to Committee on State and Federal Government.  
 Adopted, 77.  
 To House, 80, 102.  
 Returned to Senate, 81, 112.  
 Senate concurred, 81.  
 Enrolled, 88.  
 Signed by President, 98.  
 Sent to Secretary of State, 123.

**Senate Concurrent Resolution "H"**—(Senators Solberg, Hagen, Rue, Berube, Fraser, Olson, Foss, Meidinger and Livingston)

**Senate Concurrent Resolution "H".** A Concurrent Resolution urging that steps be taken to make available natural gas to the people of North Dakota.

Introduction, first reading, 117.

Referred to Committee on State and Federal Government.

Reported back, 132.

Second reading, 132.

To House, 138, 875.

House amendments, 774.

Returned to Senate, 772, 916.

Senate concurred, 845.

Final passage, 845.

Enrolled, 874.

Signed by President, 875.

Sent to Secretary of State, 919.

**Senate Concurrent Resolution "I"**—(Senator Meidinger)

**Senate Concurrent Resolution "I".** A Concurrent Resolution authorizing and directing the board of administration to provide facilities for the installation in the capitol building of a sanitary milk dispenser, or vending machine.

Introduction, first reading, 127.

Second reading, 127.

To House, 138, 259.

Returned to Senate, 210, 285.

Enrolled, 222.

Signed by President, 259.

Sent to Secretary of State, 292.

**Senate Concurrent Resolution "J"**—(Senators Duffy, Rue, Solberg and Torno)

**Senate Concurrent Resolution "J".** A Concurrent Resolution expressing the thanks of the members of the legislature of the state of North Dakota, as well as that of all the citizens of the state to a true servant of all the people of the state, and changing the name of the Burlington Project to the "Judge A. M. Christianson Project", in tribute thereto.

Introduction, first reading, 149.

Referred to Committee on State and Federal Government.

Reported back, (do pass), 199.

Second reading, 256.

To House, 260, 665.

Returned to Senate, 560, 713.

Enrolled, 596.

Signed by President, 615.

Sent to Secretary of State, 722.

**Senate Concurrent Resolution "K"**—(Committee on Judiciary)

**Senate Concurrent Resolution "K"** A Concurrent Resolution to amend section 113 of Article IV of the constitution of North Dakota to provide for the election or appointment of police magistrates in cities, incorporated towns and villages, and for the fixing of their qualifications by the legislature.

Introduction, first reading, 149.

Referred to Committee on Political Sub-Divisions.  
 Rereferred to Committee on Judiciary, 330.  
 Reported back, (do pass), 299.  
 Reported back, (indefinitely postponed), 336.

**Senate Concurrent Resolution "L"**—(Committee on Veterans and Military Affairs)

**Senate Concurrent Resolution "L".** A Concurrent Resolution designating United States Highway No. 281 through the state of North Dakota as "American Legion Memorial Highway".

Introduction, first reading, 174.  
 Referred to Committee on Veterans and Military Affairs.  
 Reported back, (amended, do pass), 210.  
 Amended, 210.  
 Amendments adopted, 226.  
 Second reading, 256.  
 To House, 260, 457.  
 Returned to Senate, 404, 481.  
 Enrolled, 450.  
 Signed by President, 453.  
 Sent to Secretary of State, 490.

**Senate Concurrent Resolution "M"**—(Senators Hernet, Page, Duffy, Hagen and Leier)

**Senate Concurrent Resolution "M".** A Concurrent Resolution for an amendment to the Constitution of the state of North Dakota authorizing a bond issue for the construction of highways.

Introduction, first reading, 174.  
 Referred to Committee on State and Federal Government.  
 Reported back without recommendation, 315.  
 Amendments adopted, 357.  
 Second reading, 357.  
 To House, 366, 846.  
 Returned to Senate, 775, 916.  
 Enrolled, 838.  
 Signed by President, 846.  
 Sent to Secretary of State, 919.

**Senate Concurrent Resolution "N"**—(Senators Holand and Leier)

**Senate Concurrent Resolution "N".** A Concurrent Resolution directing the legislative research committee to study the feasibility of a ton mile tax.

Introduction, first reading, 288.  
 Referred to Committee on Transportation.  
 Reported back, (do pass), 365.  
 Amended, 393.  
 Amendments adopted, 393.  
 Second reading, 393.  
 To House, 400, 457.  
 Returned to Senate, 404, 481.  
 Enrolled, 450.  
 Signed by President, 453.  
 Sent to Secretary of State, 490.

**Senate Concurrent Resolution "O"—(Senators Duffy and Streibel)**

**Senate Concurrent Resolution "O".** A Concurrent Resolution authorizing and directing the legislative research committee to conduct a study of mental health problems in the state, with a view to introducing appropriate legislation.

Introduction, first reading, 317.

Adopted, 317.

To House, 338, 577.

Returned to Senate, 537, 607.

Enrolled, 569.

Signed by President, 572.

Sent to Secretary of State, 620.

**Senate Concurrent Resolution "P"—(Senators Davis, Freed, Wog, Schoeder, Leier and Thomas)**

**Senate Concurrent Resolution "P".** A Concurrent Resolution urging the board of university and school lands to consider lowering the rates for the leasing of agricultural lands under its control.

Introduction, first reading, 318.

Referred to Committee on State and Federal Government.

Reported back, (do pass), 480.

Second reading, (Lost), 782.

**Senate Concurrent Resolution "Q"—(Senators Freed and Davis)**

**Senate Concurrent Resolution "Q".** A Concurrent Resolution memorializing the Congress of the United States to enact legislation granting death pensions to surviving widows and orphans of deceased World War II and Korean Conflict veterans, the same as death pensions granted to surviving World War I widows and orphans.

Introduction, first reading, 318.

Adopted, 318.

To House, 338, 736.

Returned to Senate, 672, 807.

Enrolled, 729.

Signed by President, 730.

Sent to Secretary of State, 819.

**Senate Concurrent Resolution "R"—(Senator Kusler, by request)**

**Senate Concurrent Resolution "R".** A Concurrent Resolution directing the state highway department to make preliminary surveys and soundings for footings for a bridge and approaches in the vicinity of the old Washburn-Hensler ferry crossing of the Missouri River.

Introduction, first reading, 337.

Referred to Committee on State and Federal Government.

Reported back without recommendation, 582.

Second reading, (Lost), 782.

**Senate Concurrent Resolution "S"—(Committee on Transportation)**

**Senate Concurrent Resolution "S".** A Concurrent Resolu-

tion urging the interstate commerce commission to investigate the use of lamps or reflectors as warning devices on railroad cars.

Introduction, first reading, 370.  
 Referred to Committee on Transportation.  
 Reported back, (do pass), 582.  
 Second reading, 783.  
 To House, 784, 873.  
 Returned to Senate, 821, 916.  
 Enrolled, 853.  
 Signed by President, 873.  
 Sent to Secretary of State, 919.

**Senate Concurrent Resolution "T"**—(Senators Solberg, Dewing and Hagen)

**Senate Concurrent Resolution "T"**. A Concurrent Resolution memorializing Congress to restrict the importation of crude oil.

Introduction, first reading, 373.  
 Adopted, 392.  
 To House, 400.  
 Returned to Senate, (indefinitely postponed), 740.

**Senate Concurrent Resolution "U"**—(Senators Olson and Thomas)

**Senate Concurrent Resolution "U"**. A Concurrent Resolution authorizing and requesting the state board of higher education to provide for a study and analysis to determine the percentage distribution of consumers' money spent for goods derived from farm products.

Introduction, first reading, 381.  
 Referred to Committee on Agriculture.  
 Reported back, (amended, do pass), 389.  
 Amended, 389.  
 Amendments adopted, 404.  
 Second reading, 416.  
 To House, 418.  
 Returned to Senate, (indefinitely postponed), 537.

**Senate Concurrent Resolution "V"**—(Senators Hagen, Herneft, Davis, Dewing, Day and Page)

**Senate Concurrent Resolution "V"**. A Concurrent Resolution memorializing Congress, the President, and the Secretary of Agriculture to take appropriate steps to correct unwarranted and unfair discrimination in respect to acreage allotments for hard spring wheat farmers in North Dakota.

Introduction, first reading, 445.  
 Referred to Committee on Agriculture.  
 Rereferred to Committee on Agriculture, 488.  
 Reported back, (amended, do pass), 698; without recommendation, 450.  
 Amended, 698.  
 Amendments adopted, 732.  
 Second reading, 783.  
 To House, 798, 875.  
 Returned to Senate, 821, 916.

Enrolled, 874.  
Signed by President, 875.  
Sent to Secretary of State, 919.

**Senate Concurrent Resolution "W"**—(Senators Leier, Duffy, Kusler and Berube)

**Senate Concurrent Resolution "W"**. A Concurrent Resolution for an amendment of paragraph 2 of section 203 of the Constitution of the state of North Dakota, relating to state jurisdiction over lands of the United States and Indian lands.

Introduction, first reading, 480.  
Referred to Committee on State and Federal Government.  
Adopted, 777.  
To House, 784, 875.  
Returned to Senate, 821, 916.  
Enrolled, 874.  
Signed by President, 875.  
Sent to Secretary of State, 919.

**Senate Concurrent Resolution "X"**—(Senators Krenz, Luick and Dolan)

**Senate Concurrent Resolution "X"**. A Concurrent Resolution memorializing the Congress of the United States to enact legislation which would create an agricultural rating for pilots engaged in the aerial application of agricultural chemicals.

Introduction, first reading, 508.  
Referred to Committee on General Affairs.  
Reported back, (do pass), 602.  
Second reading, 796.  
To House, 798, 875.  
Returned to Senate, 821, 916.  
Enrolled, 874.  
Signed by President, 875.  
Sent to Secretary of State, 919.

**Senate Concurrent Resolution "Y"**—(Committee on Judiciary)

**Senate Concurrent Resolution "Y"**. A Concurrent Resolution for an amendment of section 92 of the Constitution of the state of North Dakota, relating to the selection of the chief justice of the supreme court.

Introduction, first reading, 539.  
Referred to Committee on Judiciary.  
Second reading, (Lost), 797.

**Senate Concurrent Resolution "Z"**—(Senators Foss and Page)

**Senate Concurrent Resolution "Z"**. A Concurrent Resolution directing the legislative research committee to study the feasibility of consolidating the state health department with the medical center at the university of North Dakota.

Introduction, first reading, 539.  
Referred to Committee on Social Welfare.  
Reported back, (do pass), 698.  
Second reading, (Lost), 797.

**Senate Concurrent Resolution "A-1"—(Senators Holand and Leier)**

**Senate Concurrent Resolution "A-1".** A Concurrent Resolution authorizing and directing the legislative research committee to conduct a comparative study of the old age assistance and aid to dependent children programs in the state of North Dakota.

Introduction, first reading, 595.  
Amended, 776.  
Second Reading, 776.  
To House, 798, 873.  
Returned to Senate, 821, 916.  
Enrolled, 853.  
Signed by President, 873.  
Sent to Secretary of State, 919.

**Senate Concurrent Resoluion "B-1"—(Committee on Veterans and Military Affairs)**

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**Senate Resolution No. 6.** A Senate Resolution to the Honorable Dwight D. Eisenhower, President of the United States; to the Congress of the United States; to the Honorable Sinclair Weeks, Secretary of the Department of Commerce; to the Honorable Charles E. Wilson, Secretary of Defense; to the Honorable C. D. Curtiss, Chief of Administration for the Bureau of Public Roads; to the Honorable Milton R. Young and the Honorable William Langer, United States Senators from the State of North Dakota; to the Honorable Otto Krueger and the Honorable Usher L. Burdick, Congressmen from the State of North Dakota; requesting a re-allocation and increased strategic mileage in the Federal Aid Highway Act of 1944 to add United States Highway Two to the National Interstate Highway System.

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Introduction, first reading and reference, 323.  
 Referred to Committee on Appropriations.  
 Reported back, (do pass), 438.  
 Second reading, 453.  
 To House, 462, 508.  
 Returned to Senate, 481.  
 Signed by President, 490.

**House Bill No. 514—(From House, 62)**

**House Bill No. 514.** 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 disbursement for such funds and making reports.

Introduction, first reading and reference, 64.  
 Referred to Committee on Appropriations.  
 Reported back, (do pass), 79.  
 Second reading, 97.  
 To House, 102, 138.  
 Returned to Senate, 125.  
 Signed by President, 132.

**House Bill No. 515—(From House, 68)**

**House Bill No. 515.** A Bill for an Act making an appropriation for inquest and burial of penal inmates, and action to release insane.

Introduction, first reading and reference, 75.  
 Referred to Committee on Appropriations.  
 Reported back, (do pass), 90.  
 Second reading, 108.  
 To House, 114, 175.  
 Returned to Senate, 152.  
 Signed by President, 157.

**House Bill No. 516—(From House, 62)**

**House Bill No. 516.** 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, 64.  
 Referred to Committee on Appropriations.  
 Reported back, (do pass), 530.  
 Amendments adopted, 562.  
 Second reading, 562.  
 To House, (amended), 577, 839.  
 Returned to Senate, 822.  
 House concurred, 672.  
 Signed by President, 837.

**House Bill No. 517—(From House, 403)**

**House Bill No. 517.** A Bill for an Act making an appropriation for the use of the North Dakota Research Foundation.

Introduction, first reading and reference, 426.  
Referred to Committee on Appropriations.  
Reported back, (do pass), 463.  
Second reading, 491.  
To House, 507, 578.  
Returned to Senate, 560.  
Signed by President, 573.

**House Bill No. 518—(From House, 232)**

**House Bill No. 518.** 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, 233.  
Referred to Committee on Appropriations.  
Reported back, (do pass), 422.  
Amendments adopted, 454.  
Second reading, 454.  
To House, (amended), 462, 665.  
Conference Committee Report, 549.  
Conference Committee report, 549.  
Returned to Senate, 615.  
House concurred, 549.  
Signed by President, 622.

**House Bill No. 519—(From House, 232)**

**House Bill No. 519.** A Bill for an Act making an appropriation into the "Administrative Fund" for the State Water Conservation Commission for general administration expenses, maintenance and construction of dams and planning and surveying projects, expenses of state compacts and for water conservation and irrigation districts for construction and development.

Introduction, first reading and reference, 233.  
Referred to Committee on Appropriations.  
Reported back, (amended, do pass), 463.  
Amendments adopted, 480.  
Second reading, 517.  
To House, (amended), 530, 913.  
Conference Committee, 560.  
Returned to Senate, 910.  
House concurred, 692.  
Signed by President, 912.

**House Bill No. 520—(From House, 195)**

**House Bill No. 520.** 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, 202.  
Referred to Committee on Appropriations.  
Reported back, (do pass), 597.  
Second reading, 684.



To House, 736, 913.  
 Returned to Senate, 910.  
 Signed by President, 912.

**House Bill No. 521—(From House, 152)**

**House Bill No. 521.** A Bill for an Act making an appropriation to the North Dakota Firemen's Association.

Introduction, first reading and reference, 156.  
 Referred to Committee on Appropriations.  
 Reported back, (do pass), 337.  
 Second reading, 434.  
 To House, 448, 459.  
 Returned to Senate, 449.  
 Signed by President, 457.

**House Bill No. 522—(From House, 62)**

**House Bill No. 522.** A Bill for an Act making an appropriation to pay the expenses and per diem of Presidential Electors.

Introduction, first reading and reference, 64.  
 Referred to Committee on Appropriations.  
 Reported back, (do pass), 80.  
 Second reading, 98.  
 To House, 102, 138.  
 Returned to Senate, 125.  
 Signed by President, 132.

**House Bill No. 523—(From House, 391)**

**House Bill No. 523.** A Bill for an Act making an appropriation for the payment of expenses of delegates to national conventions of political parties recognized as such by the laws of the State of North Dakota.

Introduction, first reading and reference, 422.  
 Referred to Committee on Appropriations.  
 Reported back, (do pass), 451.  
 Second reading, 468.  
 To House, 475, 548.  
 Returned to Senate, 536.  
 Signed by President, 546.

**House Bill No. 524—(From House, 195)**

**House Bill No. 524.** 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 providing assistance to the needy aged and general assistance for relief to destitute and necessitous persons, aid to permanently and totally disabled, and for the necessary costs of administration of all of the programs above mentioned.

Introduction, first reading and reference, 202.  
 Referred to Committee on Appropriations.  
 Reported back, (amended, do pass), 503.  
 Amendments adopted, 540, 584, 939.  
 Second reading, 609.  
 To House, (amended), 682, 946.

Conference Committee, 741.  
Conference Committee report, 939.  
Returned to Senate, 945.  
Final passage, 940.  
Signed by President, 945.

**House Bill No. 525—(From House, 431)**

**House Bill No. 525.** A Bill for an Act making an appropriation for the purpose of carrying out the provisions of Chapter 324, Session Laws of 1949.

Introduction, first reading and reference, 439.  
Referred to Committee on Appropriations.  
Reported back, (do pass), 463.  
Second reading, 492.  
To House, 507, 578.  
Returned to Senate, 560.  
Signed by President, 573.

**House Bill No. 526—(From House, 309)**

**House Bill No. 526.** 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 sub-divisions, 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, 323.  
Referred to Committee on Appropriations.  
Reported back, (do pass), 463.  
Second reading, 492.  
To House, 507, 578.  
Returned to Senate, 560.  
Signed by President, 573.

**House Bill No. 527—(From House, 265)**

**House Bill No. 527.** 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, 279.  
Referred to Committee on Appropriations.  
Reported back, (amended, do pass), 597.  
Amendments adopted, 707.  
Second reading, 737.  
To House, (amended), 753, 913.  
Conference Committee, 817.  
Conference Committee report, 824.  
Returned to Senate, 910.  
Final passage, 824.  
Signed by President, 912.

**House Bill No. 528—(From House, 309)**

**House Bill No. 528.** 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, 323.  
 Referred to Committee on Appropriations.  
 Reported back, (do pass), 531.  
 Second reading, 563.  
 To House, 577, 690.  
 Returned to Senate, 672.  
 Signed by President, 690.

**House Bill No. 530—(From House, 431)**

**House Bill No. 530.** A Bill for an Act making an appropriation out of the State Treasury, for the operation, maintenance, equipment, supplies, outfitting of patrolment, travel and miscellaneous expenses for the Highway Patrol Branch.

Introduction, first reading and reference, 439.  
 Referred to Committee on Appropriations.  
 Reported back, (amended, do pass), 597.  
 Amendments adopted, 707, 738, 825.  
 Second reading, 738.  
 To House, (amended), 753, 913.  
 Conference Committee, 817.  
 Conference Committee report, 825.  
 Returned to Senate, 910.  
 Final passage, 826.  
 Signed by President, 912.

**House Bill No. 531—(From House, 232)**

**House Bill No. 531.** 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, 233.  
 Referred to Committee on Appropriations.  
 Reported back, (do pass), 598.  
 Second reading, 684.  
 To House, 736, 913.  
 Returned to Senate, 910.  
 Signed by President, 912.

**House Bill No. 532—(From House, 309)**

**House Bill No. 532.** 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, 323.  
 Referred to Committee on Appropriations.  
 Reported back, (amended, do pass), 598.  
 Amendments adopted, 707.  
 Second reading, 738.  
 To House, (amended), 753, 913.  
 Returned to Senate, 910.  
 House concurred, 778.  
 Signed by President, 912.

**House Bill No. 533—(From House, 111)**

**House Bill No. 533.** 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, 121.

Referred to Committee on Appropriations.  
 Reported back, (do pass), 463.  
 Second reading, 493.  
 To House, 507, 578.  
 Returned to Senate, 560.  
 Signed by President, 573.

**House Bill No. 534—(From House, 138)**

**House Bill No. 534.** A Bill for an Act to amend and reenact sections 57-4111, 57-4305, 57-4302, 57-4304, 57-4306, 57-4307 and 57-4309 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to gasoline excise taxes, and providing for the levy of an additional one-cent refundable motor fuel tax.

Introduction, first reading and reference, 149.  
 Referred to Committee on Finance and Taxation.  
 Reported back, (amended, do pass), 598.  
 Amendments adopted, 707, 741.  
 Second reading, 742.  
 To House, (amended), 753, 913.  
 Returned to Senate, 910.  
 Signed by President, 912.

**House Bill No. 535—(From House, 403)**

**House Bill No. 535.** A Bill for an Act to amend and reenact section 39-0422, 39-0424 and subsections 2 and 3 of section 39-04A04 of the 1953 Supplement to the North Dakota Revised Code of 1943; and Section 39-0451 of the North Dakota Revised Code of 1943 relating to motor vehicle registration fees, ton fees, and bus seat tax fees.

Introduction, first reading and reference, 426.  
 Referred to Committee on Finance and Taxation.  
 Reported back, (amended, do pass), 704.  
 Amendments adopted, 732, 898.  
 Second reading, 754.  
 Senate requests return, 878.  
 To House, (amended), 779, 899, 918.  
 Returned to Senate, 896, 916.  
 House concurred, 820, 917.  
 Signed by President, 917.

**House Bill No. 536—(From House, 88)**

**House Bill No. 536.** 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 construction fund in the state treasury.

Introduction, first reading and reference, 93.  
 Referred to Committee on Finance and Taxation.  
 Reported back, (do pass), 103.  
 Second reading, 109.  
 To House, 114, 175.  
 Returned to Senate, 152.  
 Signed by President, 157.

**House Bill No. 537—(From House, 138)**

**House Bill No. 537.** A Bill for an Act to provide for the appropriation and transfer of funds from the Bank of North

Dakota and the mill and elevator association to the state highway construction fund in the state treasury.

Introduction, first reading and reference, 149.  
Referred to Committee on Finance and Taxation.  
Reported back, (do pass), 598.  
Second reading, 685.  
To House, 736, 913.  
Returned to Senate, 910.  
Signed by President, 912.

**House Bill No. 538—(From House, 431)**

**House Bill No. 538.** A Bill for an Act making an appropriation from the state treasury to the state highway department construction fund for the purpose of matching federal aid.

Introduction, first reading and reference, 439.  
Referred to Committee on Finance and Taxation.  
Reported back, (do pass), 598.  
Second reading, 686.  
To House, 736.

**House Bill No. 539—(From House, 138)**

**House Bill No. 539.** A Bill for an Act to amend and reenact sections 57-4809, 57-4813, 57-4815, and 57-4816 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to state highway anticipation certificates and the one cent motor fuel tax imposed for the retirement thereof.

Introduction, first reading and reference, 150.  
Referred to Committee on Finance and Taxation.  
Reported back, (do pass), 399.  
Second reading, 454.  
To House, 462, 508.  
Returned to Senate, 481.  
Signed by President, 490.

**House Bill No. 540—(From House, 125)**

**House Bill No. 540.** A Bill for an Act regulating traffic on highways and defining certain crimes in the use and operation of vehicles, providing for traffic signs and signals and defining the power of local and state authorities to enact or enforce ordinances, rules, or regulations in regard to matters embraced within the provisions of this Act and to provide for the enforcement of this Act and to make uniform the law relating to the subject matter of this Act; creating subsections numbered 27 through 59 to section 39-0101, and repealing subsections 6, 15, 16 and 23 of section 39-0101 of the North Dakota Revised Code of 1943 and all sections of chapter 39-10 of the Code and the 1953 Supplement thereto.

Introduction, first reading and reference, 125.  
Referred to Committee on Transportation.  
Reported back, (do pass), 489.  
Second reading, 517.  
To House, 529, 839.  
Returned to Senate, 822.  
Signed by President, 837.

**House Bill No. 541—(From House, 210)**

**House Bill No. 541.** A Bill for an Act to provide for

issuance, expiration, renewal, cancellation, suspension and revocation of vehicle operators' licenses, providing penalties for violations thereof, and repealing all sections of chapter 39-06 of the North Dakota Revised Code of 1943 and all sections of chapter 39-06 of the 1953 Supplement to the North Dakota Revised Code of 1943.

Introduction, first reading and reference, 221.  
 Referred to Committee on Transportation.  
 Reported back, (amended, do pass), 629.  
 Amendments adopted, 707, 743, 899.  
 Second reading, 743.  
 To House, (amended), 753, 902, 946.  
 Senate request return, 885.  
 Conference Committee, 817, 919.  
 Conference Committee report, 855.  
 Returned to Senate, 896, 945.  
 Final passage, 899.  
 Signed by President, 945.

**House Bill No. 542—(From House, 210)**

**House Bill No. 542.** A Bill for an Act relating to vehicle accidents, the duties of persons involved in such accidents, accident reports, the reports of magistrates, coroners, garage operators and others concerned with persons involved in accidents, providing penalties for false reports and failure to report as required, and repealing sections 39-0712, 39-0804, 39-0805, 39-0806, 39-0807, and 39-0808 of the North Dakota Revised Code of 1943.

Introduction, first reading and reference, 221.  
 Referred to Committee on Transportation.  
 Reported back, (amended, do pass), 476.  
 Amendments adopted, 508, 678, 826.  
 Second reading, 679.  
 To House, (amended), 683, 913.  
 Conference Committee, 741.  
 Conference Committee report, 826.  
 Returned to Senate, 910.  
 Final passage, 827.  
 Signed by President, 912.

**House Bill No. 543—(From House, 210)**

**House Bill No. 543.** A Bill for an Act relating to installation, specification, use, authorization of equipment on vehicles, amending and reenacting Sections 39-1103, 39-1108, 39-1109, 39-1119, 39-1120, 39-1130, 39-1132 and repealing section 39-1112 of the North Dakota Revised Code of 1943.

Introduction, first reading and reference, 221.  
 Referred to Committee on Transportation.  
 Reported back, (amended, do pass), 476.  
 Second reading, 518.  
 Amendments adopted, 508, 678, 826.  
 To House, 529, 665.  
 Returned to Senate, 607.  
 Signed by President, 617.

**House Bill No. 544—(From House, 176)**

**House Bill No. 544.** A Bill for an Act to amend and

reenact subsection 1 of section 39-1601, section 39-1602 through 39-1607, 39-1609 through 39-1613, 39-1615 through 39-1619, 39-1623 through 39-1629, all numbers inclusive; sections 39-1621, 39-1632, 39-1703, 39-17031, 39-1704, 39-17041, and 39-1710 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to financial responsibility of owners and operators of motor vehicles and the unsatisfied judgment fund, placing administration of chapters 39-16 and 39-17 of the 1953 Supplement to the North Dakota Revised Code of 1943 under supervision of the director of public safety, requiring that judgment creditors exhaust all remedies available before recovery from the fund, and requiring notice of pendency of action, notice of default and notice of examination of the judgment debtor.

Introduction, first reading and reference, 182.

Referred to Committee on Transportation.

Reported back, (amended, do pass), 649.

Amendments adopted, 707, 744.

Second reading, (lost), 745.

To House, (indefinitely postponed).

**House Bill No. 545—(From House, 111)**

**House Bill No. 545.** A Bill for an Act permitting school districts to make contracts for joint employment of qualified driver education instructors and equipment.

Introduction, first reading and reference, 121.

Referred to Committee on Transportation.

Reported back, (do pass), 477.

Second reading, 519.

To House, 529, 665.

Returned to Senate, 607.

Signed by President, 617.

**House Bill No. 546—(From House, 111)**

**House Bill No. 546.** A Bill for an Act relating to the state highway patrol and giving the superintendent authority to take summary disciplinary action against members of the patrol in certain cases for inefficiency, misconduct or insubordination, but with right of appeal in certain cases to a disciplinary board of review; removing the limitation on number of patrolmen; lowering the entry age limit; authorizing the superintendent to reorganize the patrol, designate ranks and establish promotional procedures; providing for the admissibility and relating to the use of evidence by electrical devices in speed violations; establishing a uniform traffic summons and complaint; and amending and reenacting section 39-0303 and subsection 1 of section 39-0304 of the 1953 Supplement to the North Dakota Revised Code of 1943.

Introduction, first reading and reference, 121.

Referred to Committee on Transportation.

Reported back, (do pass), 477.

Second reading, 519.

To House, 529, 690.

Returned to Senate, 672.

Signed by President, 690.

**House Bill No. 548—(From House, 431)**

**House Bill No. 548.** A Bill for an Act amending and reenact-

ing subsection 3 of sections 15-1901 and sections 15-1902, 15-1903, 15-1906, 15-4002, 15-2003, 15-4003, 15-4010 and 15-4105 of the North Dakota Revised Code of 1943; and sections 15-2002, 15-2003, 15-2004, 15-2006, 15-2010, subsections 1 and 4 of 15-2012, 15-2013, 15-2014, 15-2015, 15-4021, 15-5303, 15-5701, 15-5902, 15-5903, 15-5905, subsection 6 of 15-6001 and 15-6006 of the 1953 Supplement to the North Dakota Revised Code of 1943; and repealing sections 15-5304 and 15-6002 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to high school correspondence vocational education and rehabilitation, the state equalization emergency fund board, the advisory board for school district reorganization, the state board of teaching scholarships, the advisory council on special education, the state school construction fund and other elementary and secondary education functions, and creating the state board of public school education.

Introduction, first reading and reference, 439.

Referred to Committee on Education.

Reported back, (amended, do pass); 554.

Amendments adopted, 583, 678.

Second reading, 583.

To House, (amended) 605, 913.

Conference Committee, 707, 733.

Conference Committee report, 768.

Returned to Senate, 910.

Final passage, 768.

Signed by President, 912.

#### House Bill No. 549—(From House, 111)

House Bill No. 549. A Bill for an Act relating to the licensing and sale of alcoholic beverages, and the licensing of games and amusements and other activities; creating a division of licensing and inspections within the state laboratories department; amending and reenacting sections 53-0406, 53-0601, 53-0602, 53-0603, 53-0604, 53-0605, 53-0606, 53-0607, subsection 7 of section 53-0608, and section 53-0610 of the North Dakota Revised Code of 1943 and sections 5-0501, 5-0503, 5-0510, 5-0511, 5-0512, 5-0513, 5-0514, 5-0515, 5-0516, and 53-0405 of the 1953 Supplement to the North Dakota Revised Code of 1943; providing for the transfer of any balance in the attorney general's licensing fund to the general fund; and repealing subsection 5 of section 53-0608 and section 53-0610 of the North Dakota Revised Code of 1943 and section 54-1212 of the 1953 Supplement to the North Dakota Revised Code of 1943.

Introduction, first reading and reference, 121.

Referred to Committee on State and Federal Government.

Reported back, (do pass), 451.

Second reading, (Lost), 510.

To House, 530.

#### House Bill No. 550—(From House, 111)

House Bill No. 550. A Bill for an Act providing for the appointment and removal of inspectors of the state laboratories department.

Introduction, first reading and reference, 121.

Referred to Committee on State and Federal Government.



Reported back, (do pass), 503.  
Indefinitely postponed, 550.  
To House, 577.

**House Bill No. 551—(From House, 111)**

**House Bill No. 551.** A Bill for an Act to amend and reenact sections 5-0205, 5-0206, 5-0211, 5-0212, 5-0213, 5-0217, 5-0218, 5-0220, and 5-0307 of the North Dakota Revised Code of 1943 and subsection 1 of section 5-0222 of the 1953 Supplement to the North Dakota Revised Code of 1943, and to repeal sections 5-0203 and 5-0204 of the North Dakota Revised Code of 1943, relating to the licensing of alcoholic beverage dealers and distributors, and the taxation of alcoholic beverages; and to amend and reenact section 57-3602 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the licensing of tobacco dealers and distributors.

Introduction, first reading and reference, 121.  
Referred to Committee on State and Federal Government.  
Reported back, (do pass), 451.  
Second reading, 511.  
To House, 516, 578.  
Returned to Senate, 560.  
Signed by President, 573.

**House Bill No. 553—(From House, 248)**

**House Bill No. 552.** A Bill for an Act to amend and reenact enact sections 36-0306, 36-0307, 36-0308, 36-0309, 36-0310, 36-0311, 36-0312, 36-0313, 36-0314, 36-0315, 36-0318, 36-0319 and 36-0320, and to repeal sections 36-0302, 36-0303, 36-0304 and 36-0305 of the North Dakota Revised Code of 1943, relating to stallion registration and transferring the functions of the stallion registration board to the state veterinarian.

Introduction, first reading and reference, 257.  
Referred to Committee on Agriculture.  
Rereferred to Committee on Appropriations, 453.  
Reported back, (do pass), 531.  
Second reading, 564.  
To House, 577, 690.  
Returned to Senate, 672.  
Signed by President, 690.

**House Bill No. 554—(From House, 225)**

**House Bill No. 553.** A Bill for an Act making an appropriation for the purpose of defraying expenses of the final two years of a four-year soil reconnaissance survey and land classification program to facilitate rural land assessment.

Introduction, first reading and reference, 231.  
Referred to Committee on Appropriations.  
Reported back, (do pass), 438.  
Second reading, 455.  
To House, 462, 508.  
Returned to Senate, 481.  
Signed by President, 490.

**House Bill No. 556—(From House, 431)**

**House Bill No. 555.** A Bill for an Act to amend and reenact subsection 7 of section 57-4101, sections 57-4102,

and 57-4103, 57-4104, 57-4105, 57-4109, 57-4113, and 57-4115 of the North Dakota Revised Code of 1943 and sections 57-4107, 57-4110, 57-4111, 57-4114, 57-4117, 57-4133, 57-4134, subsection 6 of section 57-4301, sections 57-4303, 57-4305, 57-5001, 57-5002, 57-5004, 57-5006, 57-5007, and 57-5009 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the administration and collection of gasoline excise taxes and the refund of portions thereof.

Introduction, first reading and reference, 439.  
 Referred to Committee on Finance and Taxation.  
 Reported back, (do pass), 599.  
 Amendments adopted, 722.  
 Second reading, 722.  
 To House, (amended), 731, 913.  
 Returned to Senate, 910.  
 Signed by President, 912.

**House Bill No. 557—(From House, 403)**

**House Bill No. 557.** A Bill for an Act relating to traffic regulations, speed limits, establishing speed zones and coordinating highway safety activities, and amending section 39-0902 and subsection 1 of section 40-0501 of the North Dakota Revised Code of 1943, as amended.

Introduction, first reading and reference, 426.  
 Referred to Committee on Transportation.  
 Reported back, (amended, (do pass)), 489.  
 Amendments adopted, 508, 551.  
 Second reading, 550.  
 To House, (amended), 577, 913.  
 Conference Committee, 707, 844.  
 Returned to Senate, 828, 886.  
 Conference Committee Report: 828, 886.  
 Returned to Senate, 910.  
 House concurred, 886.  
 Signed by President, 912.

**House Bill No. 558—(From House, 391)**

**House Bill No. 558.** A Bill for an Act to prohibit the feeding of raw garbage to swine in North Dakota and to provide for the licensing and regulation of garbage feeders and to provide minimum standards for the operation of garbage feeding establishments, and providing for a penalty.

Introduction, first reading and reference, 423.  
 Referred to Committee on Agriculture.  
 Reported back, (do pass), 599.  
 Amendments adopted, 880.  
 Second reading, 686.  
 To House, 736; (amended), 889, 918.  
 Senate requests return, 853.  
 Reconsidered, 878.  
 Returned to Senate, 855, 916.  
 House concurred, 917.  
 Final passage, 880.  
 Signed by President, 917.

**House Bill No. 559—(From House, 111)**

**House Bill No. 559.** A Bill for an Act to amend and reenact

section 57-15101 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to authorizing counties in which are located cities having a population in excess of three thousand to levy a tax for the purpose of advertising the resources and opportunities in the county or city and promoting the industrial development thereof, and repealing all acts or parts of acts in conflict herewith and declaring an emergency.

Introduction, first reading and reference, 122.  
Referred to Committee on Finance and Taxation.  
Reported back, (do pass), 464.  
Second reading, 493.  
To House, 507, 578.  
Returned to Senate, 560.  
Signed by President, 573.

**House Bill No. 560—(From House, 176)**

**House Bill No. 560.** A Bill for an Act to amend and reenact sections 4-2204 and 4-2224 of the North Dakota Revised Code of 1943, relating to the state soil conservation committee, and county supervisors.

Introduction, first reading and reference, 182.  
Referred to Committee on Agriculture.  
Reported back, (do pass), 354.  
Second reading, 435.  
To House, 448, 459.  
Returned to Senate, 449.  
Signed by President, 457.

**House Bill No. 561—(From House, 125)**

**House Bill No. 561.** A Bill for an Act to amend and reenact subsection 3 of section 65-1204, sections 65-1206 and 65-1211 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to boiler inspection and certificate requirements.

Introduction, first reading and reference, 128.  
Referred to Committee on Industry and Business.  
Reported back, (do pass), 159.  
Second reading, 191.  
To House, 194, 259.  
Returned to Senate, 232.  
Signed by President, 259.

**House Bill No. 562—(From House, 309)**

**House Bill No. 562.** A Bill for an Act making an appropriation for the purpose of paying special assessments for public improvements levied against the state of North Dakota by the city of Bismarck.

Introduction, first reading and reference, 323.  
Referred to Committee on Appropriations.  
Reported back, (do pass), 477.  
Second reading, 520.  
To House, 529, 665.  
Returned to Senate, 607.  
Signed by President, 617.

**House Bill No. 563—(From House, 111)**

**House Bill No. 563.** A Bill for an Act to amend and reenact section 27-1603 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the compensation of juvenile commissioners, and providing for a reporter or an assistant and their compensation.

Introduction, first reading and reference, 122.

Referred to Committee on Judiciary.

Reported back, (do pass), 508.

Second reading, 551.

To House, 577, 839.

Returned to Senate, 821.

Signed by President, 837.

**House Bill No. 564—(From House, 210)**

**House Bill No. 564.** A Bill for an Act to amend and reenact subsection 6 of Section 57-3822 of the North Dakota Revised Code of 1943, as amended March 13, 1953 (Chapter 326) of the 1953 Supplement of the North Dakota Revised Code of 1943, relating to deductions allowed in computing net income for income tax purposes, to encourage and promote the mining and production of lignite coal in North Dakota and encourage its utilization as a natural resource.

Introduction, first reading and reference, 221.

Referred to Committee on Industry and Business.

Reported back, (do pass), 464.

Second reading, 511.

To House, 516, 578.

Returned to Senate, 560.

Signed by President, 573.

**House Bill No. 568—(From House, 391)**

**House Bill No. 568.** A Bill for an Act requiring all county and township roads to be constructed with back sloped grades and ditches and that grass be planted thereon, for control of weeds.

Introduction, first reading and reference, 423.

Referred to Committee on Political Subdivisions.

Reported back, (do pass), 503.

Second reading, 552.

To House, 553, 665.

Returned to Senate, 615.

Signed by President, 622.

**House Bill No. 569—(From House, 195)**

**House Bill No. 569.** A Bill for an Act to amend and reenact section 5-0318 of the North Dakota Revised Code of 1943 and sections 5-0210 and 5-0509 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the sale of alcoholic beverages to Indians and other persons.

Introduction, first reading and reference, 202.

Referred to Committee on Social Welfare.

Reported back, (do pass), 211.

Second reading, 280.

To House, 286, 319.

Returned to Senate, 309.

Signed by President, 318.

**House Bill No. 570—(From House, 176)**

**House Bill No. 570.** A Bill for an Act providing for a lien in favor of persons performing labor or furnishing material or services in relation to the drilling or operating of oil or gas wells or in the construction of pipelines or in constructing or repairing of any material used or employed therein, and providing for the filing, perfection and enforcement of said lien.

Introduction, first reading and reference, 182.  
 Referred to Committee on State and Federal Government.  
 Rereferred to Committee on Judiciary, 489.  
 Reported back, (amended, do pass), 531.  
 Second reading, 589.  
 To House, (amended), 605, 839.  
 Returned to Senate, 821.  
 House concurred, 691.  
 Signed by President, 837.

**House Bill No. 572—(From House, 112)**

**House Bill No. 572.** A Bill for an Act to amend and reenact section 18-0105 of the North Dakota Revised Code of 1943, relating to reporting fires and losses by fire insurance companies to state fire marshal.

Introduction, first reading and reference, 122.  
 Referred to Committee on Industry and Business.  
 Reported back, (do pass), 201.  
 Second reading, 435.  
 To House, 448, 459.  
 Returned to Senate, 449.  
 Signed by President, 457.

**House Bill No. 573—(From House, 210)**

**House Bill No. 573.** A Bill for an Act to amend and reenact subsection 6 of section 26-0340 of the 1953 Supplement, North Dakota Revised Code of 1943, relating to a standard fire insurance policy.

Introduction, first reading and reference, 222.  
 Referred to Committee on Industry and Business.  
 Reported back, (do pass), 451.  
 Second reading, 469.  
 To House, 507, 578.  
 Returned to Senate, 560.  
 Signed by President, 573.

**House Bill No. 574—(From House, 68)**

**House Bill No. 574.** A Bill for an Act to amend and reenact section 18-0115 of the North Dakota Revised Code of 1943, relating to abatement of conditions dangerous to persons.

Introduction, first reading and reference, 76.  
 Referred to Committee on Judiciary.  
 Reported back, (indefinitely postponed), 704.  
 To House, 737.

**House Bill No. 575—(From House, 138)**

**House Bill No. 575.** A Bill for an Act to repeal sections

14-0304, 14-0305, 14-0326 and 14-0327 of the North Dakota Revised Code of 1943 relating to miscegenation.

Introduction, first reading and reference, 150.

Referred to Committee on Judiciary.

Reported back, (do pass), 169.

Second reading, 192.

To House, 194, 259.

Returned to Senate, 232.

Signed by President, 259.

**House Bill No. 576—(From House, 295)**

**House Bill No. 576.** A Bill for an Act to provide for the regulation of propagation, taking, catching, destroying, and disposing of fish in this state; to provide for the regulation of bait vendors; to provide for the regulation of construction and maintenance of fishways; providing a penalty; and to repeal sections 20-0316, 20-0317, 20-0601, 20-0602, 20-0603, 20-0606, 20-0607, 20-0608, 20-0609, 20-0610, 20-0612, 20-0613, 20-0614, and 20-0615 of the North Dakota Revised Code of 1943, and to repeal sections 20-0314, 20-0315, 20-0604, 20-0605, 20-0611, and 20-0616 of the 1953 Supplement to the North Dakota Revised Code of 1943.

Introduction, first reading and reference, 299.

Referred to Committee on Natural Resources.

Reported back, (amended, do pass), 464.

Amendments adopted, 480.

Second reading, 564.

To House, (amended), 577, 839.

Returned to Senate, 821.

Signed by President, 837.

**House Bill No. 577—(From House, 100)**

**House Bill No. 577.** A Bill for an Act to amend and reenact section 21-0501 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to claims against a county.

Introduction, first reading and reference, 105.

Referred to Committee on Political Sub-Divisions.

Reported back, (do pass), 599.

Second reading, 687.

To House, 736, 913.

Returned to Senate, 910.

Signed by President, 912.

**House Bill No. 580—(From House, 138)**

**House Bill No. 580.** A Bill for an Act to create a lien upon crops in favor of any person who furnishes motor fuel to be used in the production of such crops.

Introduction, first reading and reference, 150.

Referred to Committee on Agriculture.

Reported back, (indefinitely postponed), 354.

To House, 355.

**House Bill No. 581—(From House, 403)**

**House Bill No. 581.** A Bill for an Act to amend and reenact sections 63-0305 and 63-0306 of the 1953 Supplement to the

North Dakota Revised Code of 1943, relating to the cutting of weeds and grasses adjoining county and township high-ways.

Introduction, first reading and reference, 427.

Referred to Committee on Political Sub-Divisions.

Reported back, (do pass), 599.

Amendments adopted, 723.

Second reading, 724.

To House, (amended), 731, 913.

Returned to Senate, 910.

House concurred, 744.

Signed by President, 912.

**House Bill No. 582—(From House, 391)**

**House Bill No. 582.** A Bill for an Act providing for a state game and fish department controlled and supervised by a state game and fish board and for officers of the department; prescribing duties, powers, and compensation; amending and reenacting subsections 1 and 2 of section 20-0101, sections 20-0201, 20-0202, 20-0204 and 20-0205 of the North Dakota Revised Code of 1943, and section 20-0203 of the 1953 Supplement to the North Dakota Revised Code of 1943, and repealing sections 20-0207, 20-0209 and 20-0212 of the 1953 Supplement to the North Dakota Revised Code of 1943.

Introduction, first reading and reference, 423.

Referred to Committee on Natural Resources.

Reported back, (amended, do pass), 702.

Indefinitely postponed, 732.

To House, 736.

**House Bill No. 584—(From House, 285)**

**House Bill No. 584.** A Bill for an Act to amend and reenact section 39-0102 of the 1953 Supplement to the North Dakota Revised Code of 1943, to remove the requirement for printing the license number on the side of state-owned motor vehicles, and declaring an emergency.

Introduction, first reading and reference, 290.

Referred to Committee on General Affairs.

Reported back, (do pass), 464.

Second reading, 494.

To House, 507, 578.

Returned to Senate, 560.

Signed by President, 573.

**House Bill No. 585—(From House, 285)**

**House Bill No. 585.** A Bill for an Act to amend and reenact sections 26-2229 and 26-2230 of the North Dakota Revised Code of 1943 relating to levies for hail indemnity taxes, and declaring an emergency.

Introduction, first reading and reference, 290.

Referred to Committee on Industry and Business.

Reported back, (do pass), 531.

Second reading, 565.

To House, 577, 690.

Returned to Senate, 672.

Signed by President, 690.

**House Bill No. 586—(From House, 431)**

**House Bill No. 586.** A Bill for an Act to amend and reenact section 57-1516 and subsection 1 of section 57-1517 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to tax levies for building funds in school districts and the use thereof.

Introduction, first reading and reference, 439.

Referred to Committee on Education.

Reported back, (do pass), 554.

Second reading, 589.

To House, 605, 839.

Returned to Senate, 821.

Signed by President, 837.

**House Bill No. 587—(From House, 112)**

**House Bill No. 587.** A Bill for an Act to amend and reenact section 15-4701 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to school ages.

**House Bill No. 588.** A Bill for an Act to amend and reenact Section 15-4727 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to renewal of teachers' contracts.

Introduction, first reading and reference, 122.

Referred to Committee on Education.

Reported back, (do pass), 554.

Second reading, 590.

To House, 605, 839.

Returned to Senate, 822.

Signed by President, 837.

**House Bill No. 588—(From House, 112)**

**House Bill No. 588.** A Bill for an Act to amend and reenact Section 15-4727 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to renewal of teachers' contracts.

Introduction, first reading and reference, 122.

Referred to Committee on Education.

Reported back, (do pass), 554.

Second reading, 590.

To House, 605, 839.

Returned to Senate, 822.

Signed by President, 837.

**House Bill No. 589—(From House, 112)**

**House Bill No. 589.** A Bill for an Act to amend and reenact Section 15-3412 of the North Dakota Revised Code of 1943, relating to vehicular school transportation.

Introduction, first reading and reference, 122.

Referred to Committee on Education.

Reported back, (do pass), 554.

Second reading, 591.

To House, 605, 839.

Returned to Senate, 822.

Signed by President, 837.

**House Bill No. 590—(From House, 309)**

**House Bill No. 590.** A Bill for an Act authorizing the



board of administration to expend the sum of ten thousand dollars for connecting the water and sewage system of the capitol building to the mains of the city of Bismarck and re-appropriating such sum for that purpose and declaring an emergency.

Introduction, first reading and reference, 324.  
 Referred to Committee on Appropriations.  
 Reported back, (do pass), 464.  
 Second reading, 495.  
 To House, 507, 578.  
 Returned to Senate, 560.  
 Signed by President, 573.

**House Bill No. 591—(From House, 339)**

**House Bill No. 591.** A Bill for an Act making an appropriation for the purpose of refunding to Steele County amounts erroneously paid by such county for the care of a patient at the state hospital.

Introduction, first reading and reference, 349.  
 Referred to Committee on Appropriations.  
 Reported back, (do pass), 696.  
 Second reading, 726.  
 To House, 731, 913.  
 Returned to Senate, 910.  
 Signed by President, 912.

**House Bill No. 593—(From House, 431)**

**House Bill No. 593.** A Bill for an Act relating to motor fuel excise taxes, providing for the coloring of tax exempt fuel and making such fuel tax exempt.

Introduction, first reading and reference, 440.  
 Referred to Committee on Transportation.  
 Reported back without recommendation, 554.  
 Indefinitely postponed, 591.  
 To House, 604.

**House Bill No. 594—(From House, 195)**

**House Bill No. 594.** A Bill for an Act to amend and reenact section 54-3601 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to the Indian Affairs Commission.

Introduction, first reading and reference, 203.  
 Referred to Committee on Social Welfare.  
 Reported back, (do pass), 224.  
 Second reading, 436.  
 To House, 448, 459.  
 Returned to Senate, 449.  
 Signed by President, 457.

**House Bill No. 595—(From House, 152)**

**House Bill No. 595.** A Bill for an Act to amend and reenact section 27-0818 of the North Dakota Revised Code of 1943, relating to court reporters in county courts of increased jurisdiction.

Introduction, first reading and reference, 156.  
 Referred to Committee on Judiciary.

Reported back, (amended, do pass), 185.  
 Amendments adopted, 203.  
 Second reading, 436.  
 To House, (amended), 453, 548.  
 Returned to Senate, 536.  
 Signed by President, 546.

**House Bill No. 596—(From House, 248)**

**House Bill No. 596.** A Bill for an Act exempting cigarettes given to soldiers' home from state cigarette taxes, and declaring an emergency.

Introduction, first reading and reference, 257.  
 Referred to Committee on Veterans and Military Affairs.  
 Reported back, (do pass), 315.  
 Second reading, 437.  
 To House, 448, 459.  
 Returned to Senate, 449.  
 Signed by President, 457.

**House Bill No. 597—(From House, 100)**

**House Bill No. 597.** A Bill for an Act to require the state board of administration to advertise for bids for coal and other supplies for the soldiers' home, upon the request of the board of trustees thereof, and declaring an emergency.

Introduction, first reading and reference, 105.  
 Referred to Committee on Veterans and Military Affairs.  
 Reported back, (do pass), 159.  
 Second reading, 192.  
 To House, 194, 259.  
 Returned to Senate, 232.  
 Signed by President, 259.

**House Bill No. 598—(From House, 309)**

**House Bill No. 598.** A Bill for an Act to amend and reenact section 39-0446 of the North Dakota Revised Code of 1943, relating to registration of motor vehicles in this state by non-residents, and declaring an emergency.

Introduction, first reading and reference, 324.  
 Referred to Committee on Transportation.  
 Reported back, (amended, do pass), 579.  
 Amendments adopted, 606.  
 Second reading, 687.  
 To House, (amended), 709, 913.  
 Returned to Senate, 910.  
 House concurred, 744.  
 Signed by President, 912.

**House Bill No. 600—(From House, 138)**

**House Bill No. 600.** A Bill for an Act relating to contracts for fire protection in unorganized townships or in school districts comprising unorganized townships and authorizing a tax for the payment thereof.

Introduction, first reading and reference, 150.  
 Referred to Committee on Education.  
 Reported back, (do pass), 554.  
 Second reading, 591.

To House, 839.  
Returned to Senate, 822.  
Signed by President, 837.

**House Bill No. 601—(From House, 285)**

**House Bill No. 601.** A Bill for an Act to create and enact subsection 6 of section 39-0704 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to powers of local authorities in traffic regulation.

Introduction, first reading and reference, 290.  
Referred to Committee on Transportation.  
Reported back, (do pass), 555.  
Second reading, 592.  
To House, 605, 839.  
Returned to Senate, 821.  
Signed by President, 837.

**House Bill No. 602—(From House, 195)**

**House Bill No. 602.** A Bill for an Act to authorize the board of county commissioners of any county, or the governing body of any municipal corporation or of any public library in this state to furnish rooms in public buildings for the use of the historical society of the county, and to authorize such board of county commissioners to make an annual appropriation from the general fund of the county for the promotion of the work of such historical society.

Introduction, first reading and reference, 203.  
Referred to Committee on Political Sub-Divisions.  
Reported back, (do pass), 599.  
Second reading, 688.  
To House, (indefinitely postponed), 737.

**House Bill No. 605—(From House, 138)**

**House Bill No. 605.** A Bill for an Act to validate certain estate tax determinations made by the state tax commissioner.

Introduction, first reading and reference, 150.  
Referred to Committee on Finance and Taxation.  
Reported back, (do pass), 555.  
Second reading, (Lost), 593.  
To House, (indefinitely postponed), 604.

**House Bill No. 606—(From House, 391)**

**House Bill No. 606.** A Bill for an Act to amend and reenact section 26-2211 of the North Dakota 1953 Supplement to the North Dakota Revised Code of 1943, relating to crops insurable; dates when coverage on insured crops commences and terminates.

Introduction, first reading and reference, 423.  
Referred to Committee on Industry and Business.  
Reported back, (do pass), 451.  
Second reading, 470.  
To House, 475, 548.  
Returned to Senate, 536.  
Signed by President, 546.

**House Bill No. 607—(From House, 195)**

**House Bill No. 607.** A Bill for an Act providing for licensing funeral establishments and inspection thereof; providing for prescribing of minimum standards, rules and regulations by State Department of Health; providing for requirement of embalming or preparation room in every funeral establishment, with exceptions; providing for issuance, denial, suspension or revocation of licenses by the State Health Officer and appeal therefrom to the District Court; and providing a penalty for the violation of the provisions of this Act.

Introduction, first reading and reference, 203.

Referred to Committee on Social Welfare.

Reported back, (indefinitely postponed), 399.

To House, 418.

**House Bill No. 610—(From House, 431)**

**House Bill No. 610.** A Bill for an Act to provide for the Licensing and bonding of Mobile Home Dealers; to provide for the licensing of Mobile Homes; to provide for safety devices and regulations in the operation of Mobile Homes; to provide for the size of Mobile Homes; to provide for the suspension and revocation of Dealer's Licenses and for penalties; and repealing all Acts in conflict herewith.

Introduction, first reading and reference, 440.

Referred to Committee on Industry and Business.

Rereferred to Committee on Industry and Business, 489.

Reported back, (do pass), 451, 503.

Second reading, 565.

To House, 577, 690.

Returned to Senate, 672.

Signed by President, 690.

**House Bill No. 611—(From House, 403)**

**House Bill No. 611.** A Bill for an Act to amend and reenact section 11-3201 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to World War memorials; providing for maintenance of such memorials, authorizing agreements with public or private non-profit agencies or corporations for such purpose, and declaring an emergency.

Introduction, first reading and reference, 427.

Referred to Committee on Veterans and Military Affairs.

Reported back, (do pass), 599.

Second reading, 689.

To House, 732, 913.

Returned to Senate, 910.

Signed by President, 912.

**House Bill No. 612—(From House, 176)**

**House Bill No. 612.** A Bill for an Act to amend and reenact section 36-2301 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to inspections by the livestock sanitary board.

Introduction, first reading and reference, 182.

Referred to Committee on Agriculture.

Reported back, (do pass), 451.

Second reading, 470.  
To House, 475, 548.  
Returned to Senate, 536.  
Signed by President, 546.

**House Bill No. 613—(From House, 210)**

**House Bill No. 613.** A Bill for an Act relating to the payment of publication costs in school district reorganization proceedings.

Introduction, first reading and reference, 222.  
Referred to Committee on Education.  
Reported back, (do pass), 555.  
Second reading, 610.  
To House, 683, 839.  
Returned to Senate, 821.  
Signed by President, 837.

**House Bill No. 614—(From House, 295)**

**House Bill No. 614.** A Bill for an Act making an appropriation for the purpose of paying a deficiency in the operating fund of the State hail insurance department for the period beginning January 1, 1955, and ending June 30, 1955, and declaring an emergency.

Introduction, first reading and reference, 299.  
Referred to Committee on Appropriations.  
Reported back, (do pass), 451.  
Second reading, 471.  
To House, 475, 548.  
Returned to Senate, 536.  
Signed by President, 546.

**House Bill No. 615—(From House, 285)**

**House Bill No. 615.** A Bill for an Act to amend and reenact section 26-2214 of the North Dakota Revised Code of 1943 relating to applications to county auditors and agents of insurance commissioner; duties of auditor, and declaring an emergency.

Introduction, first reading and reference, 290.  
Referred to Committee on Industry and Business.  
Reported back, (indefinitely postponed), 531.  
To House, 553.

**House Bill No. 616—(From House, 195)**

**House Bill No. 616.** A Bill for an Act to amend and reenact subsection 9 of section 65-0102 of the North Dakota Revised Code of 1943, providing that any condition or impairment of health of municipal paid firemen in the state of North Dakota caused by tuberculosis, hypertension, or heart disease, resulting in total or partial disability, shall be presumed to have been suffered in line of duty.

Introduction, first reading and reference, 203.  
Referred to Committee on Industry and Business.  
Reported back, (do pass), 452.  
Second reading, (Lost), 471.  
To House, (indefinitely postponed), 475.

**House Bill No. 617—(From House, 138)**

**House Bill No. 617.** A Bill for an Act to amend and reenact section 57-0210 of the North Dakota Revised Code of 1943, relating to lands exempt from taxation, and declaring an emergency.

Introduction, first reading and reference, 150.  
 Referred to Committee on Finance and Taxation.  
 Reported back, (do pass), 464.  
 Second reading, 495.  
 To House, 507, 578.  
 Returned to Senate, 560.  
 Signed by President, 573.

**House Bill No. 618—(From House, 152)**

**House Bill No. 618.** A Bill for an Act relating to negligent homicide, defining the crime, and providing for a penalty and revocation of driving privilege.

Introduction, first reading and reference, 156.  
 Referred to Committee on Judiciary.  
 Reported back without recommendation, 508.  
 Second reading, (Lost), 574.  
 To House, (indefinitely postponed), 604.

**House Bill No. 619—(From House, 210)**

**House Bill No. 619.** A Bill for an Act to amend and reenact subsection 3 of section 11-1010 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to salaries of county officers and declaring an emergency and making the provision of this Act retroactive to January 1, 1955.

Introduction, first reading and reference, 222.  
 Referred to Committee on Political Sub-Divisions.  
 Reported back, (do pass), 503.  
 Second reading, 566.  
 To House, 577, 690.  
 Returned to Senate, 672.  
 Signed by President, 690.

**House Bill No. 620—(From House, 232)**

**House Bill No. 620.** A Bill for an Act to amend and reenact section 27-0740 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to filing fees in county courts.

Introduction, first reading and reference, 233.  
 Referred to Committee on Judiciary.  
 Reported back, (do pass), 457.  
 Second reading, 472.  
 To House, 475, 548.  
 Returned to Senate, 536.  
 Signed by President, 546.

**House Bill No. 623—(From House, 138)**

**House Bill No. 623.** A Bill for an Act to amend and reenact section 15-3409 of the North Dakota Revised Code of 1943, relating to transportation or maintenance of pupils on discontinuance of a high school, and authorizing a levy for such purposes.

Introduction, first reading and reference, 150.  
Referred to Committee on Education.  
Reported back, (do pass), 555.  
Second reading, 611.  
To House, 683, 839.  
Returned to Senate, 821.  
Signed by President, 837.

**House Bill No. 625—(From House, 285)**

**House Bill No. 625.** A Bill for an Act limiting the meaning of mineral rights or royalties when used in instruments of conveyance or lease.

Introduction, first reading and reference, 290.  
Referred to Committee on Finance and Taxation.  
Reported back, (do pass), 452.  
Amendments adopted, 472.  
Second reading, 472.  
To House, (amended), 475, 578.  
Returned to Senate, 560.  
Signed by President, 573.

**House Bill No. 627—(From House, 265)**

**House Bill No. 627.** A Bill for an Act to vacate the plat of Capitol Park platted by the Capitol Commission by virtue of the provisions of Chapter 104, Laws of Dakota Territory for 1883, said plat being a plat of the present Capitol grounds, providing for a limitation of time for all claimants to object to such vacation and providing for the repeal of any act or part of any act in conflict herewith.

Introduction, first reading and reference, 279.  
Referred to Committee on State and Federal Government.  
Reported back, (do pass), 477.  
Second reading, 678.  
To House, 682, 839.  
Returned to Senate, 821.  
Signed by President, 837.

**House Bill No. 628—(From House, 152)**

**House Bill No. 628.** A Bill for an Act to authorize county commissioners to provide for or furnish clerical assistance to supervisors of soil conservation districts.

Introduction, first reading and reference, 157.  
Referred to Committee on State and Federal Government.  
Reported back, (do pass), 504.  
Second reading, 567.  
To House, 577, 690.  
Returned to Senate, 672.  
Signed by President, 690.

**House Bill No. 629—(From House, 152)**

**House Bill No. 629.** A Bill for an Act to provide for appeal from orders of the Insurance Commissioner and declaring an emergency.

Introduction, first reading and reference, 157.  
Referred to Committee on Judiciary.  
Reported back, (do pass), 508.

Second reading, 567.  
To House, 577, 690.  
Returned to Senate, 672.  
Signed by President, 690.

**House Bill No. 631—(From House, 285)**

**House Bill No. 631.** A Bill for an Act to amend and reenact Section 57-2226 of the North Dakota Revised Code of 1943, relating to deduction of personal property taxes from salaries and claims against public funds.

Introduction, first reading and reference, 290.  
Referred to Committee on Industry and Business.  
Reported back without recommendation, 555.  
Second reading, 611.  
To House, 683, 839.  
Returned to Senate, 821.  
Signed by President, 837.

**House Bill No. 632—(From House, 152)**

**House Bill No. 632.** A Bill for an Act to amend and reenact Section 48-0214 of the North Dakota Revised Code of 1943, relating to retention of money on public contracts.

Introduction, first reading and reference, 157.  
Referred to Committee on State and Federal Government.  
Reported back, (amended, do pass), 579.  
Second reading, (Lost), 689.  
To House, (indefinitely postponed), 737.

**House Bill No. 633—(From House, 285)**

**House Bill No. 633.** A Bill for an Act to amend and reenact Section 43-0712 of the North Dakota Revised Code of 1943, relating to bids, licenses of contractors, and issuance of contracts, and providing for avoidance of contracts for violation.

Introduction, first reading and reference, 290  
Referred to Committee on Industry and Business.  
Reported back, (do pass), 452  
Second reading, (Lost), 482.  
To House, (indefinitely postponed), 508.

**House Bill No. 634—(From House, 309)**

**House Bill No. 634.** A Bill for an Act to amend and reenact section 40-1904 of the North Dakota Revised Code of 1943 relating to the compensation of village assessors.

Introduction, first reading and reference, 324.  
Referred to Committee on Political Sub-Divisions.  
Reported back, (do pass), 464.  
Amendments adopted, 480.  
Second reading, 521.  
To House, (amended), 530, 665.  
Returned to Senate, 607.  
Signed by President, 617.

**House Bill No. 636—(From House, 295)**

**House Bill No. 636.** A Bill for an Act to authorize the state fire marshal to prescribe uniform regulations for safety



in the design, construction, location, installation and operation of equipment for storing, handling, transporting by tank-truck or tank-trailer and the utilizing of liquefied petroleum gas for fuel purposes, and for the odorization of said gases used therewith; to provide for the marking of liquefied petroleum gas containers and to prohibit the refilling or use of such containers without authorization by the owner thereof; providing for licensing of dealers; making an appropriation, and providing for penalty.

Introduction, first reading and reference, 300.

Referred to Committee on Industry and Business.

Rereferred to Committee on Industry and Business, 494.

Reported back, (amended, do pass), 464.

Amendments adopted, 480.

Reported back, (indefinitely postponed), 504.

To House, 530.

**House Bill No. 637—(From House, 248)**

**House Bill No. 637.** A Bill for an Act to repeal chapter 36-03 of the North Dakota Revised Code of 1943, relating to the registration of stallions.

Introduction, first reading and reference, 257.

Referred to Committee on State and Federal Government.

Reported back, (do pass), 452.

Second reading, 473.

To House, 475, 548.

Returned to Senate, 536.

Signed by President, 546.

**House Bill No. 638—(From House, 285)**

**House Bill No. 638.** A Bill for an Act relating to licensing and regulation of transient merchants doing business by auction or otherwise, and repealing chapter 51-04 of the North Dakota Revised Code of 1943 and sections 51-0401 and 51-0402 of the 1953 Supplement to the North Dakota Revised Code of 1943.

Introduction, first reading and reference, 290.

Referred to Committee on Industry and Business.

Reported back, (do pass), 531.

Second reading, 568.

To House, 577, 690.

Returned to Senate, 672.

Signed by President, 690.

**House Bill No. 639—(From House, 225)**

**House Bill No. 639.** A Bill for an Act to amend and reenact sections 15-5314 and 15-5316 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to reorganization of school districts.

Introduction, first reading and reference, 231.

Referred to Committee on Education.

Reported back, (indefinitely postponed), 555.

To House, 577.

**House Bill No. 640—(From House, 210)**

**House Bill No. 640.** A Bill for an Act to prohibit the offering or giving of commissions, fees or rewards to the

agent of any school or school district for or on account of the purchase of any school books, furniture or other supplies for the use of such school, school district, employees thereof, or students, and to provide a penalty.

Introduction, first reading and reference, 222.  
 Referred to Committee on Education.  
 Reported back on Calendar, 555.  
 Amendments adopted, 612.  
 Second reading, 612.  
 To House, (amended), 682, 913.  
 Returned to Senate, 910.  
 House concurred, 739.  
 Signed by President, 912.

**House Bill No. 641—(From House, 431)**

**House Bill No. 641.** A Bill for an Act to amend and reenact section 4-0227 of the North Dakota Revised Code of 1943, relating to county fair associations and tax levies therefor.

Introduction, first reading and reference, 440.  
 Referred to Committee on Finance and Taxation.  
 Reported back, (do pass), 555.  
 Second reading, 613.  
 To House, 683, 839.  
 Returned to Senate, 821.  
 Signed by President, 837.

**House Bill No. 643—(From House, 295)**

**House Bill No. 643.** A Bill for an Act relating to levy of taxes in reorganized school districts, and permitting adjustment of the tax burden equitably between merged rural and urban areas.

Introduction, first reading and reference, 300.  
 Referred to Committee on Finance and Taxation.  
 Reported back, (do pass), 556.  
 Second reading, 613.  
 To House, 683, 839.  
 Returned to Senate, 821.  
 Signed by President, 837.

**House Bill No. 644—(From House, 309)**

**House Bill No. 644.** A Bill for an Act to amend and reenact section 24-0105 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the designation of a secondary highway system.

Introduction, first reading and reference, 324.  
 Referred to Committee on Transportation.  
 Reported back, (do pass), 531.  
 Second reading, 568.  
 To House, 577, 690.  
 Returned to Senate, 672.  
 Signed by President, 690.

**House Bill No. 647—(From House, 391)**

**House Bill No. 647.** A Bill for an Act to provide a method of enforcement of the Initiated Measure which appeared on

the ballot at the primary election held in the State of North Dakota on the 29th day of June, 1954, and identified as measure No. 2 on the said ballot, prohibiting members of the Legislative Assembly and their spouses, and partnerships, corporations, and associations in which such members or spouses have a specified interest, from doing business with the State of North Dakota or its subdivisions under certain conditions, and providing penalties.

Introduction, first reading and reference, 423.

Referred to Committee on Industry and Business.

Indefinitely postponed, 691.

To House, (indefinitely postponed), 737.

**House Bill No. 649—(From House, 295)**

**House Bill No. 649.** A Bill for an Act to amend and reenact section 15-5315 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to transportation in reorganized school districts.

Introduction, first reading and reference, 300.

Referred to Committee on Education.

Reported back, (do pass), 556.

Second reading, 614.

To House, 683, 839.

Returned to Senate, 821.

Signed by President, 837.

**House Bill No. 650—(From House, 295)**

**House Bill No. 650.** A Bill for an Act to amend and reenact section 40-2608 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the liability of municipalities for deficiencies in special improvement funds.

Introduction, first reading and reference, 300.

Referred to Committee on Political Sub-Divisions.

Reported back, (amended, do pass), 365.

Amendments adopted, 393.

Second reading, 455.

To House, (amended), 462, 548.

Returned to Senate, 536.

Signed by President, 546.

**House Bill No. 651—(From House, 265)**

**House Bill No. 651.** A Bill for an Act to amend and reenact section 24-0619 of the North Dakota Revised Code of 1943, relating to the expenditure of township road funds.

Introduction, first reading and reference, 279.

Referred to Committee on Transportation.

Reported back, (do pass), 579.

Second reading, 614.

To House, 683, 839.

Returned to Senate, 821.

Signed by President, 837.

**House Bill No. 655—(From House, 285)**

**House Bill No. 655.** A Bill for an Act to amend and reenact section 26-2216 of the North Dakota Revised Code of 1943, relating to compensation of assessors, county auditors

and agents of the insurance commissioner for taking applications, and declaring an emergency.

Introduction, first reading and reference, 290.  
 Referred to Committee on Industry and Business.  
 Reported back, (indefinitely postponed), 531.  
 To House, 553.

**House Bill No. 656—(From House, 195)**

**House Bill No. 656.** A Bill for an Act relating to the cost of burial in county welfare cases, and amending and reenacting subsection 5 of section 23-0603 of the 1953 Supplement to the North Dakota Revised Code of 1943.

Introduction, first reading and reference, 203.  
 Referred to Committee on Social Welfare.  
 Rereferred to Committee on Social Welfare, 456.  
 Reported back, (amended, do pass), 212, 532.  
 Second reading, 617.  
 To House, (amended), 682, 913.  
 Conference Committee, 741.  
 Conference Committee report, 827.  
 Returned to Senate, 910.  
 Final passage, 828.  
 Signed by President, 912.

**House Bill No. 658—(From House, 232)**

**House Bill No. 658.** A Bill for an Act to amend and reenact section 36-1409 of the North Dakota Revised Code of 1943, relating to hog cholera virus.

Introduction, first reading and reference, 233.  
 Referred to Committee on Agriculture.  
 Rereferred to Committee on Agriculture.  
 Reported back, (do pass), 452, (amended), 532.  
 Amendments adopted, 562.  
 Second reading, 618.  
 To House, (amended), 682, 913.  
 Returned to Senate, 910.  
 House concurred, 739.  
 Signed by President, 912.

**House Bill No. 659—(From House, 285)**

**House Bill No. 659.** A Bill for an Act to amend and reenact section 58-0405 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to organization of annual or special township meetings and providing for five o'clock p.m. closing.

Introduction, first reading and reference, 291.  
 Referred to Committee on Industry and Business.  
 Reported back, (do pass), 696.  
 Second reading, 726.  
 To House, 731, 913.  
 Returned to Senate, 910.  
 Signed by President, 912.

**House Bill No. 661—(From House, 339)**

**House Bill No. 661.** A Bill for an Act to provide for nurse preparation scholarships for qualified residents of North

Dakota who express an intent to prepare for nursing; designating the state board to administer the provisions of this Act; and making an appropriation.

Introduction, first reading and reference, 349.  
 Referred to Committee on Appropriations.  
 Reported back, (do pass), 696.  
 Second reading, 727.  
 To House, 731, 913.  
 Returned to Senate, 910.  
 Signed by President, 912.

**House Bill No. 662—(From House, 225)**

**House Bill No. 662.** A Bill for an Act to amend and reenact Section 15-2515 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to compensation for clerks in common school districts.

Introduction, first reading and reference, 232.  
 Referred to Committee on Education.  
 Reported back, (do pass), 556.  
 Second reading, 620.  
 To House, 683, 839.  
 Returned to Senate, 821.  
 Final passage, 829.  
 Signed by President, 837.

**House Bill No. 663—(From House, 248)**

**House Bill No. 663.** A Bill for an Act to provide for the joint exercise of powers of two or more governmental units or municipal corporations, including every city, village, county, town, park district, school district, and states and United States Governments and departments of each thereof; and also to provide that two or more of such governmental units, by agreement entered into through action of their governing bodies, may jointly or cooperatively exercise any of their respective separate powers or any power common to such contracting parties or any similar powers; to provide for disbursements from public funds, including funds already raised to buy real estate for public buildings and other proper funds or properties already on hand; repealing all acts or parts of acts in conflict herewith; and declaring an emergency.

Introduction, first reading and reference, 257.  
 Referred to Committee on State and Federal Government.  
 Reported back, without recommendation, 504.  
 Amendments adopted, 574, 829.  
 Second reading, 574.  
 To House, (amended), 605, 913.  
 Conference Committee, 707.  
 Conference Committee report, 828.  
 Returned to Senate, 910.  
 Final passage, 829.  
 Signed by President, 912.

**House Bill No. 665—(From House, 248)**

**House Bill No. 665.** A Bill for an Act to amend and reenact section 12-1006 of the North Dakota Revised Code of 1943, relating to personal interest in contract by public officer.

Introduction, first reading and reference, 257.  
Referred to Committee on State and Federal Government.  
Reported back, (do pass), 477.  
Second reading, 521.  
To House, 529, 665.  
Returned to Senate, 607.  
Signed by President, 617.

**House Bill No. 666—(From House, 225)**

**House Bill No. 666.** A Bill for an Act to amend and reenact section 28-1301 of the North Dakota Revised Code of 1943, relating to affidavits of prejudice in district court.

Introduction, first reading and reference, 232.  
Referred to Committee on Judiciary.  
Reported back, (do pass), 457.  
Second reading, 482.  
To House, 507, 578.  
Returned to Senate, 560.  
Signed by President, 573.

**House Bill No. 667—(From House, 403)**

**House Bill No. 667.** A Bill for an Act to amend and reenact section 15-2512 of the North Dakota Revised Code of 1943 and section 15-5602 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to common school districts and providing for agreements between boards of districts of residence and boards of districts of enrollment, and determining the district of enrollment of elementary pupils and the credit for tuition therefor.

Introduction, first reading and reference, 427.  
Referred to Committee on Education.  
Reported back, (do pass), 556.  
Second reading, 621.  
To House, 683, 839.  
Returned to Senate, 821.  
Signed by President, 838.

**House Bill No. 668—(From House, 248)**

**House Bill No. 668.** A Bill for an Act to restrict political activities by licensing inspectors or investigators employed by the state of North Dakota and to provide a penalty.

Introduction, first reading and reference, 257.  
Referred to Committee on State and Federal Government.  
Reported back, (indefinitely postponed), 477.  
To House, 508.

**House Bill No. 669—(From House, 431)**

**House Bill No. 669.** A Bill for an Act to amend and reenact section 52-0909 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the Rate of Contributions and subsection 5 of section 52-0920 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to definitions.

Introduction, first reading and reference, 440.  
Referred to Committee on State and Federal Government.  
Reported back, (do pass), 556.

Second reading, 621.  
 To House, 683, 839.  
 Returned to Senate, 821.  
 Signed by President, 838.

**House Bill No. 670—(From House, 391)**

**House Bill No. 670.** A Bill for an Act relating to restrictions on the powers of police magistrates and municipal justices of the peace, and providing a penalty, and declaring an emergency.

Introduction, first reading and reference, 423.  
 Referred to Committee on Judiciary.  
 Reported back, (indefinitely postponed), 705.  
 To House, (indefinitely postponed), 737.

**House Bill No. 672—(From House, 431)**

**House Bill No. 672.** A Bill for an Act relating to creation, organization, reorganization, operation, powers, purposes, reports, fees, franchise taxes and charges, and dissolution of domestic and foreign profit corporations organized or operating within this state for any lawful purpose, providing certain penalties for violation of certain sections of this Act, and repealing Chapters 10-01, 10-02, 10-03, 10-05, 10-14, 10-16 and 10-17, and Subdivisions 4, 5, 8 and 9 of section 54-0904 of the North Dakota Revised Code of 1943, and the 1953 Supplement thereto.

Introduction, first reading and reference, 440.  
 Referred to Committee on Judiciary.  
 Reported back, (indefinitely postponed), 579. ,  
 To House, 604.

**House Bill No. 673—(From House, 339)**

**House Bill No. 673.** A Bill for an Act relating to bees and bee equipment, their control and regulation, amending sections 4-1204, 4-1209, 4-1212, 4-1220, and creating subsections 4 and 5 of section 4-1201 of the North Dakota Revised Code of 1943 and repealing sections 4-1214, 4-1218 and 4-1219 thereof.

Introduction, first reading and reference, 349.  
 Referred to Committee on Education.  
 Referred to Committee on Education.  
 Reported back, (do pass), 599.  
 Second reading, 691.  
 To House, 732, 913.  
 Returned to Senate, 910.  
 Signed by President, 912.

**House Bill No. 674—(From House, 431)**

**House Bill No. 674.** A Bill for an Act relating to eradication of noxious weeds, and prescribing functions of the extension service of the North Dakota agricultural college with reference thereto; providing for appointment of a commissioner of noxious weeds and deputy commissioner in each county commissioner district and in a city, village, township or irrigation district; prescribing their powers and duties and fixing their compensation, providing for a tax levy to cover compensation and expenses of such commissioner and

deputy commissioner of noxious weeds, providing penalties for violation of this Act; repealing chapter 63-02 of the North Dakota Revised Code of 1943 and declaring an emergency.

Introduction, first reading and reference, 440.  
 Referred to Committee on Agriculture.  
 Reported back, (do pass), 533.  
 Amendments adopted, 624.  
 Second reading, 575, 624.  
 To House, (amended), 682, 913.  
 Returned to Senate, 910.  
 House concurred, 739.  
 Signed by President, 912.

**House Bill No. 675—(From House, 391)**

**House Bill No. 675.** A Bill for an Act to amend and reenact subsection 67 of section 40-0501 and section 40-3301 of the North Dakota Revised Code of 1943, relating to the acquisition and operation of municipal utilities and authorizing municipalities to construct and operate natural or artificial gas transmission lines, plants, and distribution systems.

Introduction, first reading and reference, 424.  
 Referred to Committee on Industry and Business.  
 Reported back, (do pass), 533.  
 Second reading, 586.  
 To House, 605, 840.  
 Returned to Senate, 821.  
 Signed by President, 838.

**House Bill No. 676—(From House, 403)**

**House Bill No. 676.** A Bill for an Act to amend and reenact section 20-0302 of the 1953 Supplement to the North Dakota Revised Code of 1943 and section 20-0310 of the North Dakota Revised Code of 1943, relating to game and fish licenses.

Introduction, first reading and reference, 427.  
 Referred to Committee on Natural Resources.  
 Reported back, (amended, do pass), 465.  
 Amendments adopted, 480.  
 Second reading, 522.  
 To House, 577, 690.  
 Returned to Senate, 607.  
 Signed by President, 617.

**House Bill No. 678—(From House, 403)**

**House Bill No. 678.** A Bill for an Act to amend and reenact sections 23-1002, 23-1003, 23-1004, 23-1005, 23-1006, 23-1008, 23-1010, 23-1011 and 23-1012 of the North Dakota Revised Code of 1943, dealing with motor and trailer courts and to repeal sections 23-1001, 23-1007 and 23-1009 and declaring an emergency.

Introduction, first reading and reference, 427.  
 Referred to Committee on Social Welfare.  
 Reported back, (do pass), 533.  
 Second reading, 569.  
 To House, 577, 90.  
 Returned to Senate, 672.  
 Signed by President, 690.



**House Bill No. 680—(From House, 403)**

**House Bill No. 680.** A Bill for an Act under which the State Forester will provide for fire prevention, detection and suppression in the forested areas of North Dakota.

Introduction, first reading and reference, 427.

Referred to Committee on Natural Resources.

Reported back, (do pass), 533.

Second reading, 624.

To House, 683, 913.

Returned to Senate, 910.

Signed by President, 912.

**House Bill No. 681—(From House, 265)**

**House Bill No. 681.** A Bill for an Act to amend and reenact sections 50-0921 and 50-0922 of the North Dakota Revised Code of 1943, relating to payments of assistance to unmarried mothers or to the dependent children of unmarried mothers.

Introduction, first reading and reference, 279.

Referred to Committee on Social Welfare.

Reported back, (do pass), 366.

Second reading, 456.

To House, 462, 508.

Returned to Senate, 481.

Signed by President, 490.

**House Bill No. 682—(From House, 339)**

**House Bill No. 682.** A Bill for an Act relating to the registration of driveaway transporters of vehicles, providing for in-transit plates and fees, providing penalties, and declaring an emergency.

Introduction, first reading and reference, 349.

Referred to Committee on Transportation.

Reported back, (do pass), 556.

Second reading, 625.

To House, 683, 913.

Returned to Senate, 910.

Signed by President, 912.

**House Bill No. 683—(From House, 225)**

**House Bill No. 683.** A Bill for an Act to amend and reenact section 27-0831 of the North Dakota Revised Code of 1943, relating to Assignment of counsel for indigent defendants in county courts having increased jurisdiction and compensation thereof.

Introduction, first reading and reference, 232.

Referred to Committee on Judiciary.

Reported back, (do pass), 458.

Second reading, 482.

To House, 507, 578.

Returned to Senate, 560.

Signed by President, 573.

**House Bill No. 684—(From House, 225)**

**House Bill No. 684.** A Bill for an Act to amend and reenact section 29-0127 of the North Dakota Revised Code

of 1943, relating to compensation and limitation of assignment of counsel for indigent defendants.

Introduction, first reading and reference, 232.  
Referred to Committee on Judiciary.  
Reported back, (do pass), 458.  
Second reading, 483.  
To House, 507, 578.  
Returned to Senate, 560.  
Signed by President, 573.

**House Bill No. 685—(From House, 232)**

**House Bill No. 685.** A Bill for an Act to amend and reenact section 27-0812 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to Clerks of the County Court with increased jurisdiction, their appointment and salary.

Introduction, first reading and reference, 233.  
Referred to Committee on Judiciary.  
Reported back, (do pass), 458.  
Second reading, 484.  
To House, 507, 578.  
Returned to Senate, 560.  
Signed by President, 573.

**House Bill No. 686—(From House, 225)**

**House Bill No. 686.** A Bill for an Act to amend and reenact section 16-1016 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to election officers and their compensation.

Introduction, first reading and reference, 232.  
Referred to Committee on Judiciary.  
Reported back, (do pass), 458.  
Second reading, 484.  
To House, 507, 578.  
Returned to Senate, 560.  
Signed by President, 573.

**House Bill No. 687—(From House, 232)**

**House Bill No. 687.** A Bill for an Act to amend and reenact Section 31-0203 of the North Dakota Revised Code of 1943 relating to the examination of adverse parties before trial and declaring an emergency.

Introduction, first reading and reference, 233.  
Referred to Committee on Judiciary.  
Reported back, (do pass), 458.  
Second reading, 485.  
To House, 507, 578.  
Returned to Senate, 570.  
Signed by President, 573.

**House Bill No. 688—(From House, 285)**

**House Bill No. 688.** A Bill for an Act to amend and reenact Sections 43-1301, 43-1307, 43-1308, 43-1317, and 43-1320 relating to Optometrists.

Introduction, first reading and reference, 291.  
Referred to Committee on General Affairs.

Reported back, (do pass), 599.  
Amendments adopted, 714, 879.  
Second reading, 714.  
To House, (amended), 724, 918.  
Senate requests return, 853.  
Reconsidered, 878.  
Returned to Senate, 855, 916.  
House concurred, 744, 917.  
Final passage, 880.  
Signed by President, 917.

**House Bill No. 689—(From House, 285)**

**House Bill No. 689.** A Bill for an Act to appropriate and transfer moneys out of the funds available for aid to dependent children and to make such moneys available for expenditure by the Public Welfare Board for crippled children services during the remainder of the biennium ending June 30, 1955; and declaring an emergency.

Introduction, first reading and reference, 291.  
Referred to Committee on Appropriations.  
Reported back, (do pass), 422.  
Second reading, 446.  
To House, 452, 508.  
Returned to Senate, 481.  
Signed by President, 490.

**House Bill No. 690—(From House, 431)**

**House Bill No. 690.** A Bill for an Act to provide for a township tax levy of five mills to be used in cooperation with a county in the construction and maintenance of federal aid farm to market roads on the county highway system within such township, and providing for notification.

Introduction, first reading and reference, 440.  
Referred to Committee on Finance and Taxation.  
Reported back, (do pass), 465.  
Second reading, 496.  
To House, 507, 578.  
Returned to Senate, 570.  
Signed by President, 573.

**House Bill No. 691—(From House, 431)**

**House Bill No. 691.** A Bill for an Act to amend and reenact Subsection 8 of Section 57-3822 of the 1943 Revised Code relating to deductions allowed in computing net income.

Introduction, first reading and reference, 441.  
Referred to Committee on Financial Taxation.  
Reported back, (amended, do pass), 465.  
Amendments adopted, 480.  
Second reading, 522.  
To House, (amended), 530, 665.  
Returned to Senate, 607.  
Signed by President, 617.

**House Bill No. 692—(From House, 285)**

**House Bill No. 692.** A Bill for an Act to amend and reenact section 40-0911 of the North Dakota Revised Code of 1943, relating to meetings of boards of city commissioners.

Introduction, first reading and reference, 291.  
 Referred to Committee on Political Sub-Divisions.  
 Reported back, (do pass), 465.  
 Second reading, 496.  
 To House, 507, 578.  
 Returned to Senate, 570.  
 Signed by President, 573.

**House Bill No. 693—(From House, 295)**

**House Bill No. 693.** A Bill for an Act to amend and reenact sections 40-0808, 40-0816 and 40-0910 of the North Dakota Revised Code of 1943, relating to vacancies in city offices.

Introduction, first reading and reference, 300.  
 Referred to Committee on Political Sub-Divisions.  
 Reported back, (amended, do pass), 580.  
 Second reading, 715.  
 To House, (amended), 724, 913.  
 Returned to Senate, 910.  
 House concurred, 744.  
 Signed by President, 912.

**House Bill No. 694—(From House, 295)**

**House Bill No. 694.** A Bill for an Act amending and reenacting subsection 4 of section 21-0301 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the definition of assessed valuation, and declaring an emergency.

Introduction, first reading and reference, 300.  
 Referred to Committee on Education.  
 Reported back, (do pass), 556.  
 Second reading, 626.  
 To House, 683, 888.  
 Returned to Senate, 878.  
 Signed by President, 888.

**House Bill No. 695—(From House, 403)**

**House Bill No. 695.** A Bill for an Act to amend and reenact subsection 5 of Section 43-0442 of the North Dakota Revised Code of 1943; relating to increase in renewal fee for barber's certificate. Membership in North Dakota Barber Association.

Introduction, first reading and reference, 427.  
 Referred to Committee on State and Federal Government.  
 Reported back, (indefinitely postponed), 580.  
 Amendments adopted, 680.  
 Second reading, 680.  
 Senate requests return, 667.  
 To House, 604, 683, (amended).  
 Reconsidered, 671.  
 Returned to Senate, 670.

**House Bill No. 696—(From House, 248)**

**House Bill No. 696.** A Bill for an Act to repeal chapter 125 of the North Dakota Session Laws of 1953, relating to investment in farm loans by the board of university and school lands.

Introduction, first reading and reference, 257.  
 Referred to Committee on State and Federal Government.  
 Reported back, (do pass), 452.  
 Second reading, 485.  
 To House, 507, 578.  
 Returned to Senate, 570.  
 Signed by President, 573.

**House Bill No. 697—(From House, 248)**

**House Bill No. 697.** A Bill for an Act to amend and reenact section 11-1512 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to sheriff's mileage.

Introduction, first reading and reference, 258.  
 Referred to Committee on State and Federal Government.  
 Reported back, (do pass), 478.  
 Second reading, 523.  
 To House, 529, 665.  
 Returned to Senate, 607.  
 Signed by President, 617.

**House Bill No. 698—(From House, 248)**

**House Bill No. 698.** A Bill for an Act authorizing the industrial commission to make payments to certain school districts subject to appropriation.

Introduction, first reading and reference, 258.  
 Referred to Committee on State and Federal Government.  
 Reported back, (amended, do pass), 504.  
 Amendments adopted, 543.  
 Second reading, 626.  
 To House, (amended), 682, 913.  
 Returned to Senate, 910.  
 House concurred, 739.  
 Signed by President, 912.

**House Bill No. 702—(From House, 391)**

**House Bill No. 702.** A Bill for an Act to amend and reenact section 15-6004 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the limitations of purposes and amount expended from the school construction fund.

Introduction, first reading and reference, 424.  
 Referred to Committee on Education.  
 Reported back, (do pass), 556.  
 Second reading, 627.  
 To House, 683, 840.  
 Returned to Senate, 821.  
 Signed by President, 838.

**House Bill No. 703—(From House, 391)**

**House Bill No. 703.** A Bill for an Act to amend and reenact section 26-2240 of the North Dakota Revised Code of 1943, relating to hail taxes.

Introduction, first reading and reference, 424.  
 Referred to Committee on Industry and Business.  
 Reported back, (indefinitely postponed), 465.  
 To House, (indefinitely postponed), 475.

**House Bill No. 704—(From House, 431)**

**House Bill No. 704.** A Bill for an Act to authorize the industrial commission to deal with the federal government or its agencies in the disposition and utilization of government owned properties at Riverdale, North Dakota, to designate the industrial commission as a state agency authorized to co-operate under the Housing Act of 1954, authorizing the commission to apply for, receive and disburse planning funds and making an appropriation therefor.

Introduction, first reading and reference, 441.

Referred to Committee on State and Federal Government.

Rereferred to Committee on Appropriations, 582.

Reported back, (do pass), 581, 600.

Second reading, 715.

To House, 724, 913.

Returned to Senate, 910.

Signed by President, 912.

**House Bill No. 705—(From House, 248)**

**House Bill No. 705.** A Bill for an Act to amend and reenact subsection 2 of section 12-2115 of the North Dakota Revised Code of 1943, relating to acts of Sabbath breaking, and declaring an emergency.

Introduction, first reading and reference, 258.

Referred to Committee on State and Federal Government.

Reported back, (do pass), 581.

Amendments adopted, 627.

Second reading, 628.

To House, (amended), 682, 913.

Returned to Senate, 910.

House concurred, 740.

Signed by President, 912.

**House Bill No. 706—(From House, 431)**

**House Bill No. 706.** A Bill for an Act making an appropriation to the state board of administration for the construction of a school for the blind.

Introduction, first reading and reference, 441.

Referred to Committee on Appropriations.

Reported back, (indefinitely postponed), 702.

To House, 736; (indefinitely postponed), 929.

Senate requests return, 885.

Returned to Senate, 896.

**House Bill No. 707—(From House, 265)**

**House Bill No. 707.** A Bill for an Act to amend and reenact sections 36-1505, 36-1508 and 36-1509 of the North Dakota Revised Code of 1943, relating to diseased animals.

Introduction, first reading and reference, 279.

Referred to Committee on Agriculture.

Rereferred to Committee on Agriculture, 485.

Reported back, (amended, do pass), 452, 533.

Second reading, 628.

To House, (amended), 628, 913.

Returned to Senate, 910.

House concurred, 740.

Signed by President, 912.

**House Bill No. 708—(From House, 309)**

**House Bill No. 708.** A Bill for an Act to amend and reenact sections 15-4019, 15-5803, subsections 1, 2, and 3 of section 57-1514, and 57-15251 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to county high school equalization fund tax levy and payments, limitations in school districts, and determination of sums due county tuition funds and county high school equalization funds.

Introduction, first reading and reference, 324.

Referred to Committee on Education.

Reported back, (amended, do pass), 557.

Amendments adopted, 584.

Second reading, 629.

To House, (amended), 682, 913.

Returned to Senate, 910.

House concurred, 740.

Signed by President, 912.

**House Bill No. 710—(From House, 431)**

**House Bill No. 710.** A Bill for an Act providing for the licensing and regulating by the state department of health of the business of cleaning, pumping, and servicing cesspools, septic tanks, or privies; fixing the license fees; providing for the issuance of permits by health officers of cities, towns, counties, and health districts, fixing the fees for such permits; authorizing local and district health officers to regulate within their jurisdictions; and providing penalties for violation of any provision of this Act.

Introduction, first reading and reference, 441.

Referred to Committee on Social Welfare.

Reported back, (do pass), 478.

Amendments adopted, 524.

Second reading, 523.

To House, (amended), 530, 665.

Returned to Senate, 615.

Signed by President, 622.

**House Bill No. 711—(From House, 403)**

**House Bill No. 711.** A Bill for an Act prohibiting the issuance of retail beer or liquor licenses by county commissioners without written consent of township supervisors.

Introduction, first reading and reference, 427.

Referred to Committee on Political Sub-Divisions.

Reported back, (amended, do pass), 600.

Amendments adopted, 707.

Second reading, 748; (Lost), 892.

To House, (indefinitely postponed), 893; (indefinitely postponed), 895.

Reconsidered, 894.

Requests return, 894.

Returned to Senate, 895.

Final passage, (Lost), 895.

**House Bill No. 713—(From House, 403)**

**House Bill No. 713.** A Bill for an Act to amend and reenact sections 61-1602, 61-1605, 61-1615 and section 61-1620 of the 1953 Supplement to the North Dakota Revised Code

of 1943, relating to water conservation and flood control districts.

Introduction, first reading and reference, 428.  
Referred to Committee on Natural Resources.  
Reported back, (do pass), 581.  
Second reading, 656.  
To House, 670, 840.  
Returned to Senate, 821.  
Signed by President, 838.

**House Bill No. 714—(From House, 431)**

**House Bill No. 714.** A Bill for an Act to amend and reenact subdivisions 2, 3 and 4 of section 27-0905 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to fees and mileage for jurors.

Introduction, first reading and reference, 441.  
Referred to Committee on Judiciary.  
Reported back, (do pass), 458.  
Second reading, 486.  
To House, 507, 578.  
Returned to Senate, 570.  
Signed by President, 573.

**House Bill No. 715—(From House, 339)**

**House Bill No. 715.** A Bill for an Act to amend and reenact section 47-1007 and 47-1905 of the North Dakota Revised Code of 1943, relating to the requirement that the post office address of each grantee be shown in documents describing real estate.

Introduction, first reading and reference, 349.  
Referred to Committee on Judiciary.  
Reported back, (indefinitely postponed), 507.  
To House, (indefinitely postponed), 737.

**House Bill No. 717—(From House, 339)**

**House Bill No. 717.** A Bill for an Act to amend and reenact Section 15-5601 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to elementary per pupil payments from the county tuition fund.

Introduction, first reading and reference, 349.  
Referred to Committee on Education.  
Reported back, (amended, do pass), 557.  
Amendments adopted, 584, 656.  
Second reading, 656.  
To House, (amended), 671, 918.  
Returned to Senate, 910.  
House concurred, 739.  
Signed by President, 918.

**House Bill No. 720—(From House, 391)**

**House Bill No. 720.** A Bill for an Act requiring sellers of bulk petroleum fuels to equip fuel meters with devices for stamping amount of fuel metered on sales receipt.

Introduction, first reading and reference, 424.  
Referred to Committee on Industry and Business.  
Reported back, (indefinitely postponed), 505.  
To House, 530.



**House Bill No. 725—(From House, 391)**

**House Bill No. 725.** A Bill for an Act making an appropriation to the state water conservation commission for aid in drainage, irrigation, and flood control programs.

Introduction, first reading and reference, 424.

Referred to Committee on Appropriations.

Reported back, (do pass), 466.

Second reading, 497.

To House, 507, 578.

Returned to Senate, 570.

Signed by President, 573.

**House Bill No. 727—(From House, 309)**

**House Bill No. 727.** A Bill for an Act to amend and reenact Section 15-4803 of the North Dakota Revised Code of 1943, relating to school elections.

Introduction, first reading and reference, 324.

Referred to Committee on Education.

Reported back, (do pass), 557.

Second reading, 657.

To House, 670, 840.

Returned to Senate, 821.

Signed by President, 838.

**House Bill No. 728—(From House, 309)**

**House Bill No. 728.** A Bill for an Act to amend and reenact section 57-3835 of the North Dakota Revised Code of 1943, relating to payment of state income taxes.

Introduction, first reading and reference, 324.

Referred to Committee on Finance and Taxation.

Reported back, (indefinitely postponed), 399.

To House, 418.

**House Bill No. 729—(From House, 309)**

**House Bill No. 729.** A Bill for an Act to amend and reenact subsection 6 of section 57-3822 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to allowable deductions from net income for state income tax computation, and requiring use of the depreciation schedules used for federal income tax.

Introduction, first reading and reference, 324.

Referred to Committee on Finance and Taxation.

Reported back, (indefinitely postponed), 400.

To House, 418.

**House Bill No. 736—(From House, 431)**

**House Bill No. 736.** A Bill for an Act to provide for the coverage under the Old Age and Survivors Insurance provisions of title II of the Federal Social Security Act, as amended, of all officers and employees of the state of North Dakota and political subdivisions within the state who are under the provisions of Chapter 52-09, entitled, Old Age and Survivors Insurance, or who may by election come under the provisions of such chapter, and of all officers and employees retirement systems, and making an appropriation for administration.

Introduction, first reading and reference, 441.  
 Referred to Committee on State and Federal Government.  
 Reported back, (do pass), 557.  
 Amendments adopted, 815.  
 Second reading, 657.  
 To House, 670; (amended), 817, 918.  
 Senate requests return, 757.  
 Returned to Senate, 770, 910.  
 House concurred, 820.  
 Final passage, 815.  
 Signed by President, 918.

**House Bill No. 739—(From House, 339)**

**House Bill No. 739.** A Bill for an Act to amend and reenact section 16-0102 of the North Dakota Revised Code of 1943, relating to opening and closing of polls at primary and general elections and providing for extension of polling hours in any precinct upon resolution of the governing body of the city, village, or township in which such precinct is located.

Introduction, first reading and reference, 349.  
 Referred to Committee on Political Sub-Divisions.  
 Reported back, (do pass), 466.  
 Second reading, 497.  
 To House, 507, 578.  
 Returned to Senate, 570.  
 Signed by President, 573.

**House Bill No. 740—(From House, 309)**

**House Bill No. 740.** A Bill for an Act legalizing and validating proceedings taken by certain cities for the creation of improvement districts, notwithstanding certain defects in such proceedings, authorizing the levy of special assessments and taxes for payment of the municipal share of the cost of such improvements and the issuance of warrants in anticipation of the collection thereof, and declaring an emergency.

Introduction, first reading and reference, 325.  
 Referred to Committee on Finance and Taxation.  
 Reported back, without recommendation, 557.  
 Second reading, 658.  
 To House, 670, 840.  
 Returned to Senate, 821.  
 Signed by President, 838.

**House Bill No. 742—(From House, 309)**

**House Bill No. 742.** A Bill for an Act providing for credit or refund of fees or taxes upon destruction of licensed or taxed motor vehicles, and providing for an appropriation for refunds.

Introduction, first reading and reference, 325.  
 Referred to Committee on Transportation.  
 Reported back, (do pass), 557.  
 Amendments adopted, 667.  
 Second reading, (Lost), 659; (passed), 667, (amended).  
 Reconsidered, 667.  
 To House, (amended), 671, 918.

Returned to Senate, 910.  
House concurred, 739.  
Signed by President, 918.

**House Bill No. 744—(From House, 431)**

**House Bill No. 744.** A Bill for an Act relating to the Destruction of Noxious Weeds on Railroad Rights-of-way; Penalty.

Introduction, first reading and reference, 441.  
Referred to Committee on Political Sub-Divisions.  
Reported back, (indefinitely postponed), 703.  
To House, (indefinitely postponed), 737.

**House Bill No. 748—(From House, 391)**

**House Bill No. 748.** A Bill for an Act to amend and reenact subsection (d) of section 4-10A06 and subsection (a) of section 4-10A08 of the 1953 Supplement to the North Dakota Revised Code of 1943 relating to the regulatory powers of the North Dakota Potato Development Commission.

Introduction, first reading and reference, 424.  
Referred to Committee on State and Federal Government.  
Reported back, (do pass), 558.  
Second reading, 659.  
To House, 670, 913.  
Returned to Senate, 911.  
Signed by President, 912.

**House Bill No. 749—(From House, 391)**

**House Bill No. 749.** A Bill for an Act to amend and reenact Sections 15-2511 and 15-29082 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the approval by the county superintendent of elementary non-resident pupils.

Introduction, first reading and reference, 424.  
Referred to Committee on Education.  
Reported back, (amended, do pass), 558.  
Amendments adopted, 584.  
Second reading, 660.  
To House, (amended), 671, 913.  
Returned to Senate, 911.  
House concurred, 739.  
Signed by President, 912.

**House Bill No. 754—(From House, 403)**

**House Bill No. 754.** A Bill for an Act to amend and reenact section 10-0807 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to real estate holdings of religious and charitable corporations.

Introduction, first reading and reference, 428.  
Referred to Committee on General Affairs.  
Reported back, (amended, do pass), 696.  
Amendments adopted, 732.  
Second reading, 754.  
To House, (amended), 779, 913.

Returned to Senate, 911.  
House concurred, 820.  
Signed by President, 912.

**House Bill No. 755—(From House, 403)**

**House Bill No. 755.** A Bill for an Act providing for permissive requirement by the adjutant general of a bidder's bond in lieu of certified check from a contractor.

Introduction, first reading and reference, 428.  
Referred to Committee on Veterans and Military Affairs.  
Reported back, (do pass), 600.  
Second reading, 716.  
To House, 724, 913.  
Returned to Senate, 911.  
Signed by President, 912.

**House Bill No. 756—(From House, 403)**

**House Bill No. 756.** A Bill for an Act authorizing the transfer of title of national guard motor storage buildings to cities for armory purposes.

Introduction, first reading and reference, 428.  
Referred to Committee on Veterans and Military Affairs.  
Reported back, (do pass), 600.  
Second reading, 716.  
To House, 724, 913.  
Returned to Senate, 911.  
Signed by President, 912.

**House Bill No. 761—(From House, 309)**

**House Bill No. 761.** A Bill for an Act providing for the construction and equipping of an executive mansion on the capitol grounds and providing for an appropriation.

Introduction, first reading and reference, 325.  
Referred to Committee on Appropriations.  
Reported back, (amended, do pass), 478.  
Amendments adopted, 509.  
Second reading, 660.  
To House, (amended), 671, 913.  
Returned to Senate, 911.  
House concurred, 739.  
Signed by President, 912.

**House Bill No. 762—(From House, 431)**

**House Bill No. 762.** A Bill for an Act authorizing the Public Service Commission to appoint grain elevator weighmasters; prescribing qualifications; authorizing the Public Service Commission to prescribe fees; providing for remuneration of weighmasters, revocation of license and providing a penalty, and declaring an emergency.

Introduction, first reading and reference, 442.  
Referred to Committee on General Affairs.  
Reported back, (amended, do pass), 505.  
Amendments adopted, 543.  
Second reading, 681.  
To House, (amended), 683, 913.

Returned to Senate, 911.  
House concurred, 740.  
Signed by President, 912.

**House Bill No. 770—(From House, 391)**

**House Bill No. 770.** A Bill for an Act to amend and reenact sections 40-2907, 40-2908, and 40-2909 of the North Dakota Revised Code of 1943, relating to sidewalk construction in municipalities; providing for advertising for bids, awarding of contracts, and extension of assessments.

Introduction, first reading and reference, 424.  
Referred to Committee on Political Sub-Divisions.  
Reported back, (do pass), 505.  
Second reading, 661.  
To House, 670, 840.  
Returned to Senate, 821.  
Signed by President, 838.

**House Bill No. 771—(From House, 431)**

**House Bill No. 771.** A Bill for an Act to amend and reenact section 40-4608 of the North Dakota Revised Code of 1943, relating to investment of city employees' pension funds.

Introduction, first reading and reference, 442.  
Referred to Committee on General Affairs.  
Reported back, (do pass), 466.  
Second reading, 498.  
To House, 507, 578.  
Returned to Senate, 570.  
Signed by President, 573.

**House Bill No. 772—(From House, 431)**

**House Bill No. 772.** A Bill for an Act to amend and reenact section 40-4506 of the North Dakota Revised Code of 1943, relating to investment of policemen's pension funds.

Introduction, first reading and reference, 442.  
Referred to Committee on General Affairs.  
Reported back, (do pass), 466.  
Second reading, 498.  
To House, 507, 578.  
Returned to Senate, 570.  
Signed by President, 573.

**House Bill No. 774—(From House, 391)**

**House Bill No. 774.** A Bill for an Act to provide for the rehabilitation, clearance, and redevelopment of slums and blighted areas; to define the duties, liabilities, exemptions and powers of cities and towns in undertaking such activities, and declaring and emergency.

Introduction, first reading and reference, 424.  
Referred to Committee on State and Federal Government.  
Reported back, (do pass), 558.  
Second reading, 682.  
To House, 736, 913.  
Returned to Senate, 911.  
Signed by President, 912.

**House Bill No. 775—(From House, 391)**

**House Bill No. 775.** A Bill for an Act to amend and reenact section 39-0411 of the North Dakota Revised Code of 1943, relating to motor vehicle license plates.

Introduction, first reading and reference, 425.  
 Referred to Committee on State and Federal Government.  
 Reported back on Calendar, 505.  
 Amendments adopted, 662.  
 Second reading, 662.  
 To House, (amended), 671, 913.  
 Returned to Senate, 911.  
 House concurred, 739.  
 Signed by President, 912.

**House Bill No. 777—(From House, 403)**

**House Bill No. 777.** A Bill for an Act to promote industrial development within municipalities of this state; to authorize municipalities to acquire or construct, but not to operate, production facilities, together with all necessary appurtenances; to authorize the issuance and sale of revenue bonds for the purpose of this Act; and providing for separability of sections.

Introduction, first reading and reference, 428.  
 Referred to Committee on Political Sub-Divisions.  
 Reported back, (do pass), 600.  
 Second reading, 717.  
 To House, 724, 913.  
 Returned to Senate, 911.  
 Signed by President, 912.

**House Bill No. 778—(From House, 309)**

**House Bill No. 778.** A Bill for an Act to amend and reenact section 30-1705 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to summary administration of small estates and providing for assignment of such estates to the surviving spouse or minor children.

Introduction, first reading and reference, 325.  
 Referred to Committee on Judiciary.  
 Reported back, (do pass), 458.  
 Second reading, 486.  
 To House, 507, 578.  
 Returned to Senate, 570.  
 Signed by President, 573.

**House Bill No. 779—(From House, 391)**

**House Bill No. 779.** A Bill for an Act to amend and reenact section 40-4910 of the North Dakota Revised Code of 1943, relating to board of park commissioners.

Introduction, first reading and reference, 425.  
 Referred to Committee on Political Sub-Divisions.  
 Reported back, (do pass), 600.  
 Second reading, 717.  
 To House, 724, 913.  
 Returned to Senate, 911.  
 Signed by President, 912.

**House Bill No. 781—(From House, 403)**

**House Bill No. 781.** A Bill for an Act making an appropriation to the agricultural college experiment station for the purpose of providing soil testing services for irrigable or potentially irrigable land.

Introduction, first reading and reference, 428.

Referred to Committee on Appropriations.

Reported back on Calendar, 703.

Second reading, 727, Lost.

To House, (indefinitely postponed), 731.

**House Bill No. 782—(From House, 431)**

**House Bill No. 782.** A Bill for an Act establishing a revolving fund for the increase of new or improved varieties of agricultural seeds, and making an appropriation.

Introduction, first reading and reference, 442.

Referred to Committee on Appropriations.

Reported back on Calendar, 703.

Second reading, 728, Lost.

To House, (indefinitely postponed), 732.

**House Bill No. 783—(From House, 431)**

**House Bill No. 783.** A Bill for an Act making an appropriation to the Agricultural college experiment station for the purpose of providing general soil testing service.

Introduction, first reading and reference, 442.

Referred to Committee on Appropriations.

Reported back on Calendar, 704.

Second reading, 730, Lost.

To House, (indefinitely postponed), 731.

**House Bill No. 784—(From House, 431)**

**House Bill No. 784.** A Bill for an Act making an appropriation for a laboratory addition to Morrill Hall at the agricultural college for the purpose of soil testing and other agricultural experimentation and laboratory purposes.

Introduction, first reading and reference, 442.

Referred to Committee on Appropriations.

Reported back on Calendar, 704.

Second reading, 730, Lost.

To House, (indefinitely postponed), 731.

**House Bill No. 785—(From House, 431)**

**House Bill No. 785.** A Bill for an Act to amend and reenact subsection 2 of section 11-1010 of the North Dakota Revised Code of 1943, relating to salaries of county officers, and repealing subsection 4 of section 11-1010 of the North Dakota Revised Code of 1943 and section 11-10102 of the 1953 Supplement thereto.

Introduction, first reading and reference, 442.

Referred to Committee on State and Federal Government.

Reported back, (do pass), 581.

Second reading, 663.

To House, 670, 840.

Returned to Senate, 821.

Signed by President, 838.

**House Bill No. 786—(From House, 403)**

**House Bill No. 786.** 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 1953 Supplement to the North Dakota Revised Code of 1943.

Introduction, first reading and reference, 429.

Referred to Committee on Appropriations.

Reported back, (amended, do pass), 600.

Amendments adopted, 707, 881.

Second reading, 749.

To House, (amended), 753, 889, 918.

Senate requests return, 853.

Reconsidered, 878.

Returned to Senate, 855, 916.

House concurred, 917.

Final passage, 881.

Signed by President, 917.

**House Bill No. 788—(From House, 265)**

**House Bill No. 788.** A Bill for an Act providing for the termination of stock districts established under the herd law.

Introduction, first reading and reference, 279.

Referred to Committee on General Affairs.

Reported back, (amended, do pass), 466.

Amendments adopted, 480.

Second reading, 524.

To House, (amended), 530, 665.

Returned to Senate, 607.

Signed by President, 617.

**House Bill No. 789—(From House, 339)**

**House Bill No. 789.** A Bill for an Act to amend and reenact section 24-0628 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to obstruction of section lines.

Introduction, first reading and reference, 350.

Referred to Committee on State and Federal Government.

Reported back, (do pass), 478.

Second reading, 524.

To House, 529, 665.

Returned to Senate, 615.

Signed by President, 622.

**House Bill No. 790—(From House, 339)**

**House Bill No. 790.** A Bill for an Act to amend and reenact sections 24-1001 and 24-1002 of the North Dakota Revised Code of 1943, relating to cattle guards across county and township roads.

Introduction, first reading and reference, 350.

Referred to Committee on General Affairs.

Reported back, (do pass), 466.

Second reading, 499.

To House, 507, 578.

Returned to Senate, 570.

Signed by President, 573.



**House Bill No. 793—(From House, 431)**

**House Bill No. 793.** A Bill for an Act to provide for a consolidated primary election ballot and to repeal sections 16-0415 and 16-0420 of the 1953 Supplement to the North Dakota Revised Code of 1943.

Introduction, first reading and reference, 442.  
 Referred to Committee on Judiciary.  
 Reported back, (indefinitely postponed), 705.  
 To House, (indefinitely postponed), 737.

**House Bill No. 796—(From House, 391)**

**House Bill No. 796.** A Bill for an Act providing for the transfer of state health department funds of the division of vital statistics, representing deposits where no refunds have been requested; time limit; continuing policy.

Introduction, first reading and reference, 425.  
 Referred to Committee on Social Welfare.  
 Reported back, (do pass), 478.  
 Second reading, 525.  
 To House, 529, 690.  
 Returned to Senate, 672.  
 Signed by President, 697.

**House Bill No. 797—(From House, 391)**

**House Bill No. 797.** A Bill for an Act to amend and reenact section 10-1520 of the North Dakota Revised Code of 1943, relating to accumulations in reserve funds of cooperative associations, by including stock credits for accumulation, and renumbering the subsections.

Introduction, first reading and reference, 425.  
 Referred to Committee on Industry and Business.  
 Reported back, (amended, do pass), 505.  
 Indefinitely postponed, 543.  
 To House, 553.

**House Bill No. 799—(From House, 391)**

**House Bill No. 799.** A Bill for an Act to amend and reenact section 40-3703 of the North Dakota Revised Code of 1943, relating to the authorization for a levy and expenditure of funds for band purposes by municipalities.

Introduction, first reading and reference, 425.  
 Referred to Committee on Industry and Business.  
 Reported back, (do pass), 533.  
 Second reading, 663.  
 To House, 670, 839.  
 Returned to Senate, 821.  
 Signed by President, 838.

**House Bill No. 801—(From House, 431)**

**House Bill No. 801.** A Bill for an Act making an appropriation for the construction of a new building and purchasing equipment therefor for the Grafton state school.

Introduction, first reading and reference, 442.  
 Referred to Committee on Appropriations.  
 Reported back, (amended, do pass), 697.  
 Amendments adopted, 732.

Second reading, 755.  
 To House, (amended), 779, 941.  
 Conference Committee, 844.  
 Returned to Senate, 936.

**House Bill No. 802—(From House, 403)**

**House Bill No. 802.** A Bill for an Act making an appropriation to the state board of administration for the construction and purchase of a ward building and equipment for the state hospital for the insane at Jamestown.

Introduction, first reading and reference, 428.  
 Referred to Committee on Appropriations.  
 Reported back, (amended, do pass), 697.  
 Amendments adopted, 732.  
 Second reading, 755.  
 To House, (amended), 779, 941.  
 Conference Committee, 844.  
 Returned to Senate, 936.

**House Bill No. 804—(From House, 339)**

**House Bill No. 804.** A Bill for an Act providing for and establishing the maximum cost and price for public printing furnished to political subdivisions, and declaring an emergency.

Introduction, first reading and reference, 350.  
 Referred to Committee on Political Sub-Divisions.  
 Reported back, without recommendation, 505.  
 Second reading, 664.  
 To House, 670, 839.  
 Returned to Senate, 821.  
 Signed by President, 838.

**House Bill No. 805—(From House, 309)**

**House Bill No. 805.** A Bill for an Act to amend and reenact sections 16-1802, 16-1815 and 16-1817 of the North Dakota Revised Code of 1943, relating to absent voters' ballots.

Introduction, first reading and reference, 325.  
 Referred to Committee on Judiciary.  
 Reported back, (indefinitely postponed), 705.  
 To House, (indefinitely postponed), 737.

**House Bill No. 806—(From House, 309)**

**House Bill No. 806.** A Bill for an Act to amend and reenact section 16-1706 of the North Dakota Revised Code of 1943, relating to certificates of election for precinct committeemen.

Introduction, first reading and reference, 325.  
 Referred to Committee on Judiciary.  
 Reported back, (indefinitely postponed), 705.  
 To House, (indefinitely postponed), 737.

**House Bill No. 809—(From House, 403)**

**House Bill No. 809.** A Bill for an Act making an appropriation to the state school construction fund.

Introduction, first reading and reference, 428.  
 Referred to Committee on Appropriations.  
 Reported back, (indefinitely postponed), 601.  
 To House, (indefinitely postponed), 736.

**House Bill No. 810—(From House, 309)**

**House Bill No. 810.** A Bill for an Act to amend and reenact subsection 4, 5, and 6 of section 57-4006 of the North Dakota Revised Code of 1943 relating to and extending the time for filing returns required under the use tax law and relating to and extending the time for the payment of the tax due thereunder.

Introduction, first reading and reference, 325.  
 Referred to Committee on Finance and Taxation.  
 Reported back, (do pass), 558.  
 Second reading, 666.  
 To House, 670, 839.  
 Returned to Senate, 821.  
 Signed by President, 838.

**House Bill No. 811—(From House, 431)**

**House Bill No. 811.** 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.

Introduction, first reading and reference, 443.  
 Referred to Committee on Finance and Taxation.  
 Reported back, (amended, do pass), 697.  
 Amendments adopted, 732.  
 Second reading, 756.  
 To House, 941, 948, 954.  
 Conference Committee, 817, 844, 879, 897, 920, 940.  
 Conference Committee report, 831, 879, 897, 920.  
 Returned to Senate, 936, 954.  
 Senate requests return, 947.  
 Reconsider, 947.  
 Final passage, 947.  
 Signed by President, 954.

**House Bill No. 812—(From House, 403)**

**House Bill No. 812.** A Bill for an Act to amend and reenact section 39-0421 of the 1953 Supplement to the North Dakota Revised Code of 1943, and to repeal sections 39-0447 and 39-0448 of the North Dakota Revised Code of 1943, relating to exemptions from registration and reciprocal use of highways, and declaring an emergency.

Introduction, first reading and reference, 429.  
 Referred to Committee on Transportation.  
 Reported back, (do pass), 558.  
 Second reading, 666.  
 To House, 670, 913.  
 Returned to Senate, 911.  
 Signed by President, 912.

**House Bill No. 816—(From House, 391)**

**House Bill No. 816.** A Bill for an Act to amend and reenact Section 52-0627 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to Judicial Review of Decision; Petition For; Filing Petition.

Introduction, first reading and reference, 425.  
Referred to Committee on Judiciary.  
Reported back, (do pass), 479.  
Second reading, 525.  
To House, 529, 839.  
Returned to Senate, 821.  
Signed by President, 838.

**House Bill No. 817—(From House, 391)**

**House Bill No. 817.** A Bill for an Act creating and enacting subsection 4 of section 46-0410 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to distribution of copies of state law to the National conference of commissioners on uniform state laws.

Introduction, first reading and reference, 425.  
Referred to Committee on Judiciary.  
Reported back, (do pass), 458.  
Second reading, 486.  
To House, 507, 578.  
Returned to Senate, 570.  
Signed by President, 573.

**House Bill No. 818—(From House, 431)**

**House Bill No. 818.** A Bill for an Act relating to unfair methods of competition and unfair and deceptive acts and practices in the business of insurance.

Introduction, first reading and reference, 443.  
Referred to Committee on Industry and Business.  
Reported back, (amended, do pass), 533.  
Amendments adopted, 707.  
Indefinitely postponed, 749; (Lost), 776.  
To House, 753, 779.  
Senate requests return, 764.  
Returned to Senate, 770.

**House Bill No. 821—(From House, 431)**

**House Bill No. 821.** A Bill for an Act authorizing the use of voting machines in election precincts upon county and city authorization and agreement; providing for standards of construction and operation of such machines, for procedure in use, for application of other election laws and for penalties; amending and reenacting sections 16-1103, 16-1104, 16-1105, 16-1109, 16-0901, and 16-0902 of the North Dakota Revised Code of 1943.

Introduction, first reading and reference, 443.  
Referred to Committee on Political Sub-Divisions.  
Reported back, (do pass), 506.  
Second reading, 668.  
To House, 670, 913.  
Returned to Senate, 911.  
Signed by President, 912.

**House Bill No. 822—(From House, 403)**

**House Bill No. 822.** A Bill for an Act authorizing the State of North Dakota Aeronautics Commission to have notice of the erection of certain buildings, structures, towers and hazards within the State of North Dakota and providing for penalties.

Introduction, first reading and reference, 429.

Referred to Committee on State and Federal Government.

Reported back, (do pass), 479.

Second reading, 526.

To House, 529, 665.

Returned to Senate, 607.

Signed by President, 617.

**House Bill No. 825—(From House, 431)**

**House Bill No. 825.** A Bill for an Act relating to the prohibition of the buying, selling, distribution, designing or disseminating in any way, of obscene writings and pictures and providing for the enforcement and administration of this Act and penalties for its violation; and to repeal Sections 12-2107, 12-2109 and 12-2111 of the North Dakota Revised Code of 1943.

Introduction, first reading and reference, 443.

Referred to Committee on Judiciary.

Reported back, (do pass), 458.

Second reading, 487.

To House, 507, 578.

Returned to Senate, 570.

Signed by President, 573.

**House Bill No. 827—(From House, 431)**

**House Bill No. 827.** A Bill for an Act creating and enacting subsection 20 of section 57-0208 of the North Dakota Revised Code of 1943, relating to property exempt from taxation.

Introduction, first reading and reference, 443.

Referred to Committee on Finance and Taxation.

Reported back, (do pass), 466.

Second reading, 499.

To House, 507, 578.

Returned to Senate, 570.

Signed by President, 573.

**House Bill No. 828—(From House, 431)**

**House Bill No. 828.** A Bill for an Act to assist in the control of tuberculosis; providing for transfer of tubercular persons committed to or confined in state or county institutions to the state tuberculosis sanatorium or other appropriate institutions.

Introduction, first reading and reference, 443.

Referred to Committee on Judiciary.

Reported back, (do pass), 479.

Second reading, 526.

To House, 529, 690.

Returned to Senate, 672.

Signed by President, 690.

**House Bill No. 829—(From House, 431)**

**House Bill No. 829.** A Bill for an Act providing for the control of tuberculosis and protection of public health; creating county tuberculosis boards; authorizing compulsory care, treatment, isolation and quarantine at the state sanatorium or other appropriate institution, and the placing of persons having active, infectious tuberculosis dangerous to public health in the custody of the state board of administration for such purposes; and prescribing procedures.

Introduction, first reading and reference, 444.  
Referred to Committee on Judiciary.  
Reported back, (amended, do pass), 479.  
Amendments adopted, 509.  
Second reading, 669.  
To House, (amended), 671, 913.  
Returned to Senate, 911.  
House concurred, 739.  
Signed by President, 912.

**House Bill No. 830—(From House, 403)**

**House Bill No. 830.** A Bill for an Act to prohibit any insurance company or other insurance entity which is financially owned or financially controlled by any foreign government outside the United States or the territories of the United States from doing any kind of insurance business in the State of North Dakota, and to provide penalties for the violation of this Act, and declaring an emergency.

Introduction, first reading and reference, 429.  
Referred to Committee on Judiciary.  
Reported back, (amended, do pass), 534.  
Amendments adopted, 562.  
Second reading, 619.  
To House, (amended), 665, 839.  
Returned to Senate, 821.  
House concurred, 691.  
Signed by President, 838.

**House Bill No. 831—(From House, 391)**

**House Bill No. 831.** A Bill for an Act to amend and reenact Section 15-2102 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to salary and expenses of the superintendent of public instruction.

Introduction, first reading and reference, 425.  
Referred to Committee on State and Federal Government.  
Reported back, (do pass), 479.  
Amendments adopted, 669.  
Second reading, (Lost), 527; (Lost), 669.  
Senate requested return, 546.  
To House, 530, (indefinitely postponed), 737.  
Returned to Senate, 549.

**House Bill No. 832—(From House, 431)**

**House Bill No. 832.** A Bill for an Act providing for the payment of expenses to the superintendent of public instruction, making an appropriation and declaring an emergency.

Introduction, first reading and reference, 444.

Referred to Committee on Appropriations.  
 Reported back, (indefinitely postponed), 601.  
 To House, (indefinitely postponed), 736.

**House Bill No. 835—(From House, 391)**

**House Bill No. 835.** A Bill for an Act to amend and reenact section 54-0704 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to the salary of the governor.

Introduction, first reading and reference, 425.  
 Referred to Committee on State and Federal Government.  
 Reported back, (do pass), 479.  
 Indefinitely postponed, 528.  
 To House, 530.

**House Bill No. 836—(From House, 403)**

**House Bill No. 836.** A Bill for an Act making it unlawful for any broadcasting or television station within the boundaries of the State of North Dakota to broadcast or televise any advertisement of beer or other intoxicating liquor, prescribing a penalty for violation of this Act, and repealing all acts or parts of acts in conflict herewith.

Introduction, first reading and reference, 429.  
 Referred to Committee on Judiciary.  
 Reported back, (indefinitely postponed), 534.  
 To House, 553.

**House Bill No. 837—(From House, 391)**

**House Bill No. 837.** A Bill for an Act relating to unfair trade practices in the dairy industry.

Introduction, first reading and reference, 426.  
 Referred to Committee on Agriculture.  
 Reported back, (amended, do pass), 535.  
 Amendments adopted, 562.  
 Second reading, 673.  
 To House, (amended), 683, 913.  
 Returned to Senate, 911.  
 House concurred, 740.  
 Signed by President, 912.

**House Bill No. 838—(From House, 431)**

**House Bill No. 838.** A Bill for an Act to amend and reenact sections 19-0601, 19-0602, 19-0603, 19-0604, 19-0605 and 19-0606 of the North Dakota Revised Code of 1943, relating to the sale of imitation ice cream.

Introduction, first reading and reference, 444.  
 Referred to Committee on Social Welfare.  
 Reported back, (do pass), 535.  
 Amendments adopted, 921.  
 Second reading, 674.  
 To House, 682, 839; (amended), 922.  
 Senate requests return, 898.  
 Returned to Senate, 821, 917.  
 House concurred, 925.  
 Final passage, 921.  
 Signed by President, 838.

**House Bill No. 840—(From House, 391)**

**House Bill No. 840.** A Bill for an Act providing for bail pending determination of habeas corpus proceedings in extradition cases.

Introduction, first reading and reference, 426.  
 Referred to Committee on Judiciary.  
 Reported back, (do pass), 459.  
 Second reading, 488.  
 To House, 507, 578.  
 Returned to Senate, 570.  
 Signed by President, 573.

**House Bill No. 841—(From House, 431)**

**House Bill No. 841.** A Bill for an Act to provide for compensation of surface owners of land damaged or destroyed in drilling, mining, excavating or quarrying and fixing the measure of damages.

Introduction, first reading and reference, 444.  
 Referred to Committee on General Affairs.  
 Reported back, (do pass), 601.  
 Second reading, (Lost), 718.  
 To House, (indefinitely postponed), 736.

**House Bill No. 846—(From House, 309)**

**House Bill No. 846.** A Bill for an Act to amend and reenact subsections 2, 4, and 5 of section 57-4001, section 57-4002, subsection 2 of section 57-4003, and section 57-4010 of the North Dakota Revised Code of 1943 relating to definitions, imposition of the excise tax, exemptions, and credit for taxes paid in other states, and to create and enact subsection 10 of section 57-4001 of the North Dakota Revised Code of 1943 relating to definitions of "purchased at retail", and to create and enact subsection 8 of section 57-4003 of the North Dakota Revised Code of 1943 relating to exemptions.

Introduction, first reading and reference, 325.  
 Referred to Committee on Finance and Taxation.  
 Reported back, (amended, do pass), 466.  
 Amendments adopted, 480.  
 Second reading, 674.  
 To House, (amended), 683, 913.  
 Returned to Senate, 911.  
 House concurred, 740.  
 Signed by President, 912.

**House Bill No. 847—(From House, 391)**

**House Bill No. 847.** A Bill for an Act providing for the destruction of Motor Vehicle Fuel Tax Refund Claims, Invoices, and other items attached to such refund claims and repealing Section 57-4133 of the 1953 Supplement to the North

Introduction, first reading and reference, 426.  
 Referred to Committee on State and Federal Government.  
 Reported back, (do pass), 506.  
 Second reading, 675.  
 To House, 682, 839.  
 Returned to Senate, 821.  
 Signed by President, 838.



**House Bill No. 848—(From House, 431)**

**House Bill No. 848.** A Bill for an Act making an appropriation and providing for a continuing and extensive program of research, investigation and public education in the field of taxation and the study of the distribution of the tax burden among the various economic groups in the State of North Dakota.

Introduction, first reading and reference, 444.

Referred to Committee on Appropriations.

Reported back, (indefinitely postponed), 704.

To House, (indefinitely postponed), 737.

**House Bill No. 851—(From House, 391)**

**House Bill No. 851.** A Bill for an Act to amend and reenact Section 58-0516 of the North Dakota Revised Code of 1943 relating to vacancies in township offices, the manner of filling the same, the term of office, and repealing Section 44-0206 of the North Dakota Revised Code of 1943.

Introduction, first reading and reference, 426.

Referred to Committee on Political Sub-Divisions.

Reported back, (do pass), 601.

Second reading, 718.

To House, 724, 913.

Returned to Senate, 911.

Signed by President, 912.

**House Bill No. 852—(From House, 391)**

**House Bill No. 852.** A Bill for an Act to amend and reenact Section 24-0630 of the North Dakota Revised Code of 1943 relating to the removal of fences along public high-ways, notification to owner of adjacent property, removal of fences by Board of County Commissioners or by Board of Township Supervisors and assessment of costs therefor against property.

Introduction, first reading and reference, 426.

Referred to Committee on Political Sub-Divisions.

Reported back, (do pass), 601.

Second reading, 719.

To House, 724, 913.

Returned to Senate, 911.

Signed by President, 912.

**House Bill No. 854—(From House, 431)**

**House Bill No. 854.** A Bill for an Act making an additional appropriation for the per diem employees of the Thirty-fourth Legislative Assembly, and declaring an emergency.

Introduction, first reading and reference, 444.

Referred to Committee on Appropriations.

Reported back, (do pass), 445.

Second reading, 447.

To House, 448, 459.

Returned to Senate, 449.

Signed by President, 457.

**House Bill No. 855—(From House, 403)**

**House Bill No. 855.** A Bill for an Act relating to brucellosis vaccination of calves.

Introduction, first reading and reference, 429.  
 Referred to Committee on Agriculture.  
 Reported back, (do pass), 601.  
 Second reading, 720.  
 To House, 724, 913.  
 Returned to Senate, 911.  
 Signed by President, 912.

**House Bill No. 856—(From House, 431)**

**House Bill No. 856.** A Bill for an Act authorizing a special ten mill levy for certain county agricultural high schools for building fund purposes, and declaring an emergency.

Introduction, first reading and reference, 444.  
 Referred to Committee on Education.  
 Reported back, (do pass), 558.  
 Second reading, 675.  
 To House, 682, 839.  
 Returned to Senate, 821.  
 Signed by President, 838.

**House Bill No. 857—(From House, 431)**

**House Bill No. 857.** A Bill for an Act to amend and reenact section 40-0511 of the North Dakota Revised Code of 1943 relating to powers of foreign municipalities.

Introduction, first reading and reference, 444.  
 Referred to Committee on Political Sub-Divisions.  
 Reported back, (do pass), 697.  
 Second reading, 749.  
 To House, 753, 915.  
 Returned to Senate, 911.  
 Signed by President, 913.

**House Bill No. 858—(From House, 431)**

**House Bill No. 858.** A Bill for an Act to amend and reenact section 26-1513 of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to county mutual insurance companies.

Introduction, first reading and reference, 444.  
 Referred to Committee on Industry and Business.  
 Reported back, (do pass), 467.  
 Amendments adopted, 500.  
 Second reading, 500.  
 To House, (amended), 507, 665.  
 Returned to Senate, 615.  
 Signed by President, 622.

**House Bill No. 860—(From House, 431)**

**House Bill No. 860.** A Bill for an Act making an appropriation jointly to the North Dakota Legislative Research Committee and the North Dakota OASIS for the purpose of making an actuarial study of the North Dakota OASIS and maintaining the necessary expenses connected therewith.

Introduction, first reading and reference, 444.  
 Referred to Committee on State and Federal Government.  
 Rereferred to Committee on Appropriations, 480.  
 Reported back, (amended, do pass), 697.  
 Amendments adopted, 732, 887.

Second reading, 757.  
 To House, (amended), 779, 927.  
 Conference Committee, 844.  
 Conference Committee report, 887.  
 Returned to Senate, 927.  
 Final passage, 887.  
 Signed by President, 927.

**House Bill No. 861—(From House, 431)**

**House Bill No. 861.** A Bill for an Act to amend and reenact subsections A., E., and F., of Section 52-0920, of the 1953 Supplement to the North Dakota Revised Code of 1943, relating to definitions.

Introduction, first reading and reference, 445.  
 Referred to Committee on State and Federal Government.  
 Reported back, (amended, do pass), 558.  
 Amendments adopted, 584.  
 Second reading, 676.  
 To House, (amended), 683, 915.  
 Returned to Senate, 911.  
 House concurred, 740.  
 Signed by President, 913.

**House Bill No. 862—(From House, 431)**

**House Bill No. 862.** A Bill for an Act to amend and reenact section 38-0205 of the North Dakota Revised Code of 1943 providing for alternative methods of locating mining claims in lieu of sinking discovery shafts, and declaring an emergency.

Introduction, first reading and reference, 445.  
 Referred to Committee on Natural Resources.  
 Reported back, (do pass), 535.  
 Second reading, 677.  
 To House, 682, 915.  
 Returned to Senate, 911.  
 Signed by President, 913.

**House Bill No. 863—(From House, 431)**

**House Bill No. 863.** A Bill for an Act making an appropriation for salaries and expenses of the livestock dealer's division.

Introduction, first reading and reference, 445.  
 Referred to Committee on Appropriations.  
 Reported back on Calendar, 601.  
 Second reading, 720.  
 To House, 724, 915.  
 Returned to Senate, 911.  
 Signed by President, 913.

**House Bill No. 864—(From House, 431)**

**House Bill No. 864.** A Bill for an Act relating to tuition payments for high school students.

Introduction, first reading and reference, 445.  
 Referred to Committee on Education.  
 Reported back, (do pass), 559.  
 Second reading, 677.  
 To House, 682, 839.  
 Returned to Senate, 821.  
 Signed by President, 838.

# HOUSE CONCURRENT RESOLUTIONS

## House Concurrent Resolution "A"—(From House, 6)

House Concurrent Resolution "A". A Resolution directing and authorizing the legislative research committee, in cooperation with the North Dakota bar association, to formulate and organize an orientation program for legislators.

Introduction, first reading, 6.

Adopted, 6

To House, 16, 24.

Returned to Senate, 23.

Signed by President, 23.

## House Concurrent Resolution "B"—(From House, 20)

House Concurrent Resolution "B". A Concurrent Resolution commending county, state and national organizations of the foundation for infantile paralysis and the march of dimes campaign.

Introduction, first reading, 22.

Adopted, 22.

To House, 22, 66.

Returned to Senate, 46.

Signed by President, 49.

## House Concurrent Resolution "C"—(From House, 112)

House Concurrent Resolution "C". A concurrent resolution urging that the new Sanish bridge be renamed "Four Bears Memorial Bridge".

Introduction, first reading and reference, 122.

Referred to Committee on General Affairs.

Reported back, (do pass), 125.

Second reading, 141.

To House, 157, 195.

Returned to Senate, 176.

Signed by President, 193.

## House Concurrent Resolution "D"—(From House, 248)

House Concurrent Resolution "D". A Concurrent Resolution providing for the issuance, sale and delivery of the bonds of the State of North Dakota not to exceed the sum of \$9,000,000.00 to be used in the payment of an adjusted compensation to North Dakota veterans of the Korean Conflict who served in the Armed Forces of the United States or any of its allies between June 25, 1950 and July 27, 1953.

Introduction, first reading and reference, 258.

Referred to Committee on Veterans and Military Affairs.

Reported back, (amended, do pass), 315.

Adopted, 447.

To House, (amended), 453, 690.

Conference Committee, 489.

Conference Committee report, (amended), 584.

Returned to Senate, 672.

House concurred, 609.

Final passage, 584.

Signed by President, 690.

**House Concurrent Resolution "E"—(From House, 47)**

**House Concurrent Resolution "E".** A Concurrent Resolution allowing use of the Memorial Hall for Legislative Dances.

- Introduction, first reading and reference, 49.
- Referred to Committee on General Affairs.
- Reported back, (do pass), 61.
- Second reading, 75.
- To House, 80, 102.
- Returned to Senate, 87.
- Signed by President, 98.

**House Concurrent Resolution "F"—(From House, 63)**

**House Concurrent Resolution "F".** A Concurrent Resolution extending an invitation to General Alfred M. Gruenther to attend and address a joint session of the Thirty-fourth Legislative Assembly of the State of North Dakota.

- Introduction, first reading, 64.
- Adopted, 64.
- To House, 66, 90.
- Returned to Senate, 81.
- Signed by President, 85.

**House Concurrent Resolution "G"—(From House, 195)**

**House Concurrent Resoluion "G".** A House Concurrent Resolution urging Congress to take favorable action upon measures for flood control in the Red River Valley watershed area.

- Introduction, first reading and reference, 203.
- Referred to Committee on Political Sub-Divisions.
- Reported back, (do pass), 602.
- Second reading, 801.
- To House, 811, 915.
- Returned to Senate, 911.
- Signed by President, 913.

**House Concurrent Resolution "H"—(From House, 81-100)**

**House Concurrent Resolution "H".** A Concurrent Resolution providing and designating House and Senate Employees and naming and fixing their salaries.

- Introduction, first reading and reference, 101.
- Second reading, 101.
- Requested by House, 88.
- To House, 90, 102, 118.
- Returned to Senate, 100, 112.
- Signed by President, 113.

**House Concurrent Resolution "I"—(From House, 88)**

**House Concurrent Resolution "I".** A Concurrent Resolution to permit the Bismarck Association for the Handicapped to use memorial hall for the sale of goods manufactured by handicapped persons.

- Introduction, first reading and reference, 91.
- Second reading, (adopted), 92.
- To House, 102, 138.
- Returned to Senate, 125.
- Signed by President, 132.

**House Concurrent Resolution "J"—(From House, 138)**

**House Concurrent Resolution "J".** A Concurrent Resolution memorializing Congress and the Secretary of Agriculture to provide full one hundred per cent parity for products produced on family-type farms.

Introduction, first reading and reference, 150.

Referred to Committee on Agriculture.

Reported back without recommendation, 450.

Second reading, 488.

To House, 507, 690.

Returned to Senate, 672.

Signed by President, 690.

**House Concurrent Resolution "L"—(From House, 431)**

**House Concurrent Resolution "L".** A House Concurrent Resolution urging the division of land management of the Department of the Interior to give adjacent landowners preference in leasing lands.

Introduction, first reading and reference, 445.

Referred to Committee on General Affairs.

Reported back, (do pass), 506.

Second reading, 803.

To House, 811, 915.

Returned to Senate, 911.

Signed by President, 913.

**House Concurrent Resolution "M"—(From House, 255)**

**House Concurrent Resolution "M".** A Concurrent Resolution directing the state highway commissioner, with the recommendations of the state historical society and the national park service to cause to be surveyed a possible roadway through the North Dakota Badlands.

Introduction, first reading and reference, 258.

Referred to Committee on Transportation.

Reported back, (indefinitely postponed), 582.

To House, 604.

**House Concurrent Resolution "O"—(From House, 403)**

**House Concurrent Resolution "O".** A Concurrent Resolution for an amendment of section 14 of the Constitution of the state of North Dakota.

Introduction, first reading and reference, 429.

Referred to Committee on Industry and Business.

Reported back, (do pass), 535.

Second reading, 805.

To House, 809, 915.

Returned to Senate, 911.

Signed by President, 913.

**House Concurrent Resolution "P"—(From House, 391)**

**House Concurrent Resolution "P".** A Concurrent Resolution providing for examination by the statutory revisor of all enrolled bills before signing by the President of the Senate or Speaker of the House.

Introduction, first reading and reference, 430.

Referred to Committee on Judiciary.  
Reported back, (indefinitely postponed), 705.  
To House, (indefinitely postponed), 733.

**House Concurrent Resolution "Q"—(From House, 285)**

**House Concurrent Resolution "Q".** A Concurrent Resolution opposing repeal of long and short haul clause of section four of the Interstate Commerce Act.

Introduction, first reading and reference, 291.  
Referred to Committee on Social Welfare.  
Rereferred to Committee on Transportation.  
Reported back, (do pass), 582.  
Second reading, 806.  
To House, 809, 915.  
Returned to Senate, 911.  
Signed by President, 913.

**House Concurrent Resolution "R"—(From House, 235)**

**House Concurrent Resolution "R".** A Concurrent Resolution urging the congress of the United States to approve legislation authorizing the Department of the Interior of the United States to transfer to the state of North Dakota, the original grave site of Sitting Bull at Fort Yates, North Dakota to be properly marked and designated as a state historic site.

Introduction, first reading and reference, 235.  
Referred to Committee on State and Federal Government.  
Reported back, (do pass), 506.  
Second reading, (Lost), 807.  
To House, 809.

**House Concurrent Resolution "S"—(From House, 235)**

**House Concurrent Resolution "S".** A Concurrent Resolution memorializing the President of the United States to continue service of Northwest Airlines to Honolulu.

Introduction, first reading and reference, 236.  
Adopted, 236.  
To House, 236, 286.  
Returned to Senate, 260.  
Signed by President, 272.

**House Concurrent Resolution "T"—(From House, 255)**

**House Concurrent Resolution "T".** A Concurrent Resolution declaring the policy of the states of North Dakota and South Dakota relative to the education and training of the blind, and providing a procedure to be followed in the establishment of joint educational and training facilities.

Introduction, first reading and reference, 258.  
Referred to Committee on State and Federal Government.  
Reported back, (do pass), 318.  
Second reading, 318.  
To House, 338, 351.  
Returned to Senate, 350.  
Signed by President, 351.

**House Concurrent Resolution "U"—(From House, 403)**

**House Concurrent Resolution "U".** A Concurrent Resolu-

tion authorizing and requesting the Governor to appoint a committee to select a suitable emblem to serve as a coat of arms for the state of North Dakota.

Introduction, first reading and reference, 429.  
Referred to Committee on Veterans and Military Affairs.  
Reported back, (do pass), 602.  
Second reading, 809.  
To House, 811, 915.  
Returned to Senate, 911.  
Signed by President, 913.

**House Concurrent Resolution "V"—(From House, 391)**

**House Concurrent Resolution "V".** A Concurrent Resolution petitioning the Congress of the United States to enact legislation authorizing a study and investigation into the feasibility of establishing additional manufacturing enterprises adjacent to Indian reservations in this state.

Introduction, first reading and reference, 430.  
Referred to Committee on General Affairs.  
Reported back, (do pass), 467.  
Second reading, 512.  
To House, 529, 690.  
Returned to Senate, 672.  
Signed by President, 690.

**House Concurrent Resolution "W"—(From House, 391)**

**House Concurrent Resolution "W".** A Concurrent Resolution directing the legislative research committee to revise and modernize the statutes of North Dakota governing the taking up and disposal of stray animals.

Introduction, first reading and reference, 430.  
Referred to Committee on Agriculture.  
Reported back, (do pass), 535.  
Second reading, 810.  
To House, 811, 915.  
Returned to Senate, 911.  
Signed by President, 913.

**House Concurrent Resolution "Y"—(From House, 391)**

**House Concurrent Resolution "Y".** A Concurrent Resolution authorizing and directing the board of administration to take necessary action to improve the lighting in the legislative chambers.

Introduction, first reading and reference, 430.  
Referred to Committee on General Affairs.  
Reported back, (do pass), 467.  
Second reading, 513.  
To House, 529, 690.  
Returned to Senate, 672.  
Signed by President, 690.

**House Concurrent Resolution "B-1"—(From House, 391)**

**House Concurrent Resolution "B-1".** A Concurrent Resolution directing the legislative research committee to study the operation of section 186 of the Constitution of the state of North Dakota.



Introduction, first reading and reference, 430.  
 Referred to Committee on State and Federal Government.  
 Reported back, (do pass), 480.  
 Second reading, (Lost), 798.  
 To House, 809.

**House Concurrent Resolution "C-1"—(From House, 403)**

**House Concurrent Resolution "C-1".** A Concurrent Resolution authorizing and directing the legislative research committee to examine and review all current statutes and introduce bills to eliminate obsolete and outmoded statutes.

Introduction, first reading and reference, 429.  
 Referred to Committee on Judiciary.  
 Indefinitely postponed, 698.  
 To House, (indefinitely postponed), 737.

**House Concurrent Resolution "D-1"—(From House, 403)**

**House Concurrent Resolution "D-1".** A Concurrent Resolution directing the legislative research committee to make a study of certain legal and other aspects of law enforcement problems on Indian reservations and in Indian reservation counties.

Introduction, first reading and reference, 42.  
 Referred to Committee on State and Federal Government.  
 Reported back, (do pass), 559.  
 Second reading, (Lost), 799.  
 To House, (indefinitely postponed), 809.

**House Concurrent Resolution "E-1"—(From House, .....)**

**House Concurrent Resolution "E-1"** A Concurrent Resolution urging Congress to reimburse the state of North Dakota and Benson County for expenses of law enforcement upon the Fort Totten Indian reservation.

Introduction, first reading and reference, 430.  
 Referred to Committee on State and Federal Government.  
 Reported back, (do pass), 559.  
 Second reading, 800.  
 To House, 809, 915.  
 Returned to Senate, 912.  
 Signed by President, 913.

**House Concurrent Resolution "F-1"—(From House, .....)**

**House Concurrent Resolution "F-1".** A Concurrent Resolution supporting the passage of legislation by the Congress of the United States to prohibit the transportation in interstate commerce of advertisements of alcoholic beverages.

Introduction, first reading and reference, 430.  
 Referred to Committee on General Affairs.  
 Reported back without recommendation, 506.  
 Lost, 800.  
 To House, (indefinitely postponed), 809.

**House Concurrent Resolution "G-1"—(From House, 536)**

**House Concurrent Resolution "G-1".** A Concurrent Resolution memorializing Congress to authorize the payment of

one hundred per cent of the cost of acquisition of right-of-way, construction, and maintenance of military highways in North Dakota.

Introduction, first reading and reference, 543.  
 Referred to Committee on Transportation.  
 Reported back, (do pass), 602.  
 Second reading, 801.  
 To House, 809, 915.  
 Returned to Senate, 912.  
 Signed by President, 913.

**House Concurrent Resolution "H-1"—(From House, 560)**

**House Concurrent Resolution "H-1".** A Concurrent Resolution authorizing and directing the board of administration to take necessary action to improve the air conditioning and ventilation of the legislative chambers.

Introduction, first reading and reference, 562.  
 Referred to Committee on State and Federal Government.  
 Reported back without recommendation, 582.  
 Second reading, 802.  
 To House, 809, 915.  
 Returned to Senate, 912.  
 Signed by President, 913.

**House Concurrent Resolution "I-1"—(From House, 391)**

**House Concurrent Resolution "I-1".** A Concurrent Resolution providing and designating House and Senate Chief Engineer's and Assistant Engineer's salaries.

Introduction, first reading and reference, 430.  
 Referred to Committee on Appropriations.  
 Reported back, (do pass), 602.  
 Second reading, 802.  
 To House, 809, 915.  
 Returned to Senate, 912.  
 Signed by President, 913.

**House Concurrent Resolution "J-1"—(From House, 431)**

**House Concurrent Resolution "J-1".** A Concurrent Resolution requesting Congress to authorize North Dakota, South Dakota, Montana and Wyoming to enter into a compact for an equitable division among the states of the water supply of the Little Missouri River.

Introduction, first reading and reference, 445.  
 Referred to Committee on Natural Resources.  
 Reported back, (do pass), 581.  
 Second reading, 803.  
 To House, 809, 915.  
 Returned to Senate, 912.  
 Signed by President, 913.

**House Concurrent Resolution "L-1"—(From House, 481)**

**House Concurrent Resolution "L-1".** A Concurrent Resolution relating to the education of Indians.

Introduction, first reading and reference, 489.  
 Referred to Committee on Education.

Reported back, (do pass), 559.  
Second reading, (Lost), 804.  
To House, (indefinitely postponed), 809.

**House Concurrent Resolution "M-1"—(From House, 673)**

**House Concurrent Resolution "M-1".** A Concurrent Resolution directing the agricultural college to investigate the feasibility of establishing a curriculum of property evaluation.

Introduction, first reading and reference, 702.  
Referred to Committee on Agriculture.  
Reported back, (do pass), 733.  
Second reading, 777.  
To House, 784, 915.  
Returned to Senate, 912.  
Signed by President, 913.

**House Concurrent Resolution "N-1"—(From House, 560)**

**House Concurrent Resolution "N-1".** A Concurrent Resolution memorializing the President of the United States and his Commission on Intergovernmental Relations not to approve the reported recommendations of the Committee on Federal Aid to Agriculture relative to transfer of the function of soil conservation technical assistance to the various states.

Introduction, first reading and reference, 562.  
Referred to Committee on Agriculture.  
Reported back, (do pass), 602.  
Second reading, 804.  
To House, 809, 888.  
Returned to Senate, 878.  
Signed by President, 888.

**House Concurrent Resolution "O-1"—(From House, 685)**

**House Concurrent Resolution "O-1".** A Concurrent Resolution authorizing the payment of the expenses of a select committee appointed pursuant to House Resolution No. 9 of the Thirty-third Legislative Assembly.

Introduction, first reading and reference, 702.  
Referred to Committee on Finance and Taxation.  
Reported back, 814.  
Second reading, 889.  
To House, 893, 954.  
Returned to Senate, 954.  
Signed by President, 954.

**House Concurrent Resolution "P-1"—(From House, 509)**

**House Concurrent Resolution "P-1".** A House Concurrent Resolution directing the legislative research committee to study and modernize statutes relating to minimum wages and hours of labor.

Introduction, first reading and reference, 514.  
Referred to Committee on Labor Relations.  
Reported back, (do pass), 602.  
Second reading, (Lost), 805.  
To House, (indefinitely postponed), 809.

**House Concurrent Resolution "Q-1"—(From House, 536)**

**House Concurrent Resolution "Q-1".** A Concurrent Resolution relating to law enforcement problems upon Indian reservations.

- Introduction, first reading and reference, 544.
- Referred to Committee on Judiciary.
- Reported back, (amended, do pass), 581.
- Amendments adopted, 606.
- Second reading, 811.
- To House, (amended), 811, 915.
- Returned to Senate, 912.
- House concurred, 820.
- Signed by President, 913.

**House Concurrent Resolution "R-1"—(From House, 536)**

**House Concurrent Resolution "R-1".** A Concurrent Resolution directing the legislative research committee to study the vocational agriculture and vocational home economics program within high schools of this state.

- Introduction, first reading and reference, 544.
- Referred to Committee on Education.
- Rereferred to Committee on Education, 571.
- Reported back, (indefinitely postponed), 559.
- Reconsidered, 571.
- Reported back, (do pass), 698.
- Second reading, (Lost), 808.
- To House, (indefinitely postponed), 809.

**House Concurrent Resolution "S-1"—(From House, 713)**

**House Concurrent Resolution "S-1".** A Concurrent Resolution providing for the amendment of section 173 of the Constitution of the state of North Dakota.

- Introduction, first reading and reference, 758.
- Referred to Committee on Judiciary.
- Reported back, 759; (indefinitely postponed), 760.
- To House, 771.

**House Concurrent Resolution "T-1"—(From House, 749)**

**House Concurrent Resolution "T-1".** A Concurrent Resolution for an amendment to section 216 of the Constitution of the state of North Dakota, and directing the legislative assembly to establish an educational institution at Williston.

- Introduction, first reading and reference, 759.
- Referred to Committee on Judiciary.
- Reported back, 760.
- Second reading, 816.
- To House, 818, 915.
- Returned to Senate, 912.
- Signed by President, 913.

**House Concurrent Resolution "U-1"—(From House, 749)**

**House Concurrent Resolution "U-1".** A Concurrent Resolution directing the legislative research committee to study means for providing display space for early models of farm machinery and vehicles used in the early development in the state of North Dakota.

Introduction, first reading and reference, 759.  
Referred to Committee on Judiciary.  
Reported back, 759.  
Indefinitely postponed, 760.  
To House, 771.

**House Concurrent Resolution "V-1"—(From House, 673)**

**House Concurrent Resolution "V-1".** A Concurrent Resolution urging the Federal Power Commission to deny applications for the importation of foreign natural gas into the North Central area which a surplus of gas exists in this area.

Introduction, first reading and reference, 702.  
Referred to Committee on State and Federal Government.  
Reported back, 814.  
Second reading, (Lost), 814.  
Senate requests return, 878.  
To House, 818, 901, 954.  
Returned to Senate, 896, 954.  
Reconsidered, 900.  
Final passage, 900.  
Signed by President, 954.

**House Concurrent Resolution "W-1"—(From House, 775)**

**House Concurrent Resolution "W-1".** A Concurrent Resolution directing the legislative research committee to study the licensing and inspection activities of the public service commission.

Introduction, first reading and reference, 817.  
Referred to Committee on Judiciary.  
Reported back, 817.  
Second reading, 890.  
To House, 893, 954.  
Returned to Senate, 954.  
Signed by President, 954.

**House Concurrent Resolution "X-1"—(From House, 713)**

**House Concurrent Resolution "X-1".** A Concurrent Resolution designating the period between Memorial Day and Labor Day of 1955 as a "Slow Down and Live" campaign period.

Introduction, first reading and reference, 758.  
Referred to Committee on Judiciary.  
Reported back, 759; (indefinitely postponed), 760.  
To House, 771.

**House Concurrent Resolution "Y-1"—(From House, 713)**

**House Concurrent Resolution "Y-1".** A Concurrent Resolution authorizing and directing the legislative research committee, in cooperation with the North Dakota State Bar Association, to formulate and organize an orientation program for the North Dakota Thirty-fifth Legislative Assembly.

Introduction, first reading and reference, 758.  
Referred to Committee on Judiciary.  
Reported back, 759; (indefinitely postponed), 760.  
To House, 771; (indefinitely postponed), 893.  
Senate requests return, 831.  
Returned to Senate, 834.  
Final passage, (Lost), 891.

**House Concurrent Resolution "Z-1"—(From House, 713)**

**House Concurrent Resolution "Z-1".** A Concurrent Resolution urging that import restrictions upon Selkirk wheat be eased.

Introduction, first reading and reference, 758.  
Referred to Committee on Judiciary.  
Reported back, 760.  
Second reading, 811.  
To House, 818, 915.  
Returned to Senate, 912.  
Signed by President, 913.

**House Concurrent Resolution "A-2"—(From House, 713)**

**House Concurrent Resolution "A-2".** A Concurrent Resolution directing the legislative research committee to study the feasibility of the adoption of the "port of entry system" for the exemption of personal property while in transit.

Introduction, first reading and reference, 758.  
Referred to Committee on Judiciary.  
Reported back, 759; (indefinitely postponed), 760.  
To House, 771.

**House Concurrent Resolution "B-2"—(From House, 685)**

**House Concurrent Resolution "B-2".** A Concurrent Resolution authorizing the payment of five dollars per day additional expense allowance to each member of the Legislative Assembly.

Introduction, first reading and reference, 702.  
Referred to Committee on State and Federal Government.  
Reported back, 814.  
Second reading, 938.  
To House, 941, 954.  
Returned to Senate, 954.  
Signed by President, 954.

**House Concurrent Resolution "C-2"—(From House, 726)**

**House Concurrent Resolution "C-2".** A Concurrent Resolution for the amendment of section 45 of the Constitution of the state of North Dakota relating to the compensation of members of the legislative assembly.

Introduction, first reading and reference, 758.  
Referred to Committee on Judiciary.  
Reported back, 760.  
Amended, 901.  
Second reading, 812.  
Senate requests return, 878.  
To House, (amended), 818, 902, 918.  
Returned to Senate, 896, 916.  
Reconsidered, 901.  
Final passage, 901.  
Signed by President, 917.

**House Concurrent Resolution "D-2"—(From House, 726)**

**House Concurrent Resolution "D-2".** A Concurrent Resolution authorizing the payment of two dollars per day additional expense allowance to each employee of the Legislative Assembly.

Introduction, first reading and reference, 758.  
Referred to Committee on Judiciary.  
Reported back, 759; (indefinitely postponed), 760.  
Reconsidered, 873.  
Amended, 873, 951.  
To House, 711; (amended), 941, 952, 954.  
Senate requests return, 831, 951.  
Returned to Senate, 834, 951, 954.  
Final passage, 939, 951.  
Signed by President, 954.

**House Concurrent Resolution "E-2"—(From House, 726)**

**House Concurrent Resolution "E-2".** 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.

Introduction, first reading and reference, 758.  
Referred to Committee on Judiciary.  
Reported back, 760.  
Second reading, 812.  
To House, 818, 915.  
Returned to Senate, 912.  
Signed by President, 913.

**House Concurrent Resolution "F-2"—(From House, 726)**

**House Concurrent Resolution "F-2".** A Concurrent Resolution providing for the retaining of certain employees of the Senate and House after the legislative session for the purpose of completing legislative work.

Introduction, first reading and reference, 758.  
Referred to Committee on Judiciary.  
Reported back, 760.  
Second reading, 813.  
To House, 818, 915.  
Returned to Senate, 912.  
Signed by President, 913.

**House Concurrent Resolution "G-2"—(From House, 726)**

**House Concurrent Resolution "G-2".** A Concurrent Resolution providing for the completion of the legislative journals of the House and Senate.

Introduction, first reading and reference, 759.  
Referred to Committee on Judiciary.  
Reported back, 760.  
Second reading, 814.  
To House, 818, 915.  
Returned to Senate, 912.  
Signed by President, 913.

**House Concurrent Resolution "H-2"—(From House, 775)**

**House Concurrent Resolution "H-2".** A Concurrent Resolution urging Congress and the Bureau of Indian Affairs to establish tribal courts or courts of Indian offenses for the Fort Totten Indian Reservation.

Introduction, first reading and reference, 817.  
Referred to Committee on Judiciary.

Reported back, 817.  
Second reading, 890.  
To House, 893, 954.  
Returned to Senate, 954.  
Signed by President, 954.

**House Concurrent Resolution "I-2"—(From House, 779)**

**House Concurrent Resolution "I-2".** A Concurrent Resolution relating to the old age and survivor's insurance system.

Introduction, first reading and reference, 817.  
Referred to Committee on Judiciary.  
Reported back, 817.  
Second reading, 891.  
To House, 893, 954.  
Returned to Senate, 954.  
Signed by President, 954.