

STATE OF NORTH DAKOTA

Journal of the Senate
of the
Thirty-seventh Session
of the
Legislative Assembly

Begun and held at the Capitol at Bismarck,
January 3 to March 3, 1961, Inclusive

ORVILLE HAGEN
Arnegard, N. Dak.
President of the Senate

HOWARD F. DOHERTY
Killdeer, N. Dak.
Secretary of the Senate

MEMBERS OF THE SENATE, 1961

Dist.	Name	Address	Business or Occupation	Marital Status	Member During Session of
	Lt. Gov. Orville Hagen	Arnegard	Farmer	Married	1961
1	Grant Trenbeath	Neche	Farmer	Married	1957-59-61
2	Lester N. Lautenschlager	Berthold	Farmer	Married	1959-61
3	C. F. Harris	Park River	Farmer, Bulk Oil Dealer	Married	1961
4	Elton W. Ringsak	Grafton	Attorney	Married	1959-61
5	Duane Mutch	Larimore	Bulk Oil Dealer	Married	1959-61
6	George Saumur	Grand Forks	Farmer	Married	1957-59-61
7	George Longmire	Grand Forks	Attorney	Married	1957-59-61
8	Jerome Nesvig	Buxton	Farmer	Married	1959-61
9	Lee F. Brooks	Fargo	Attorney	Married	1957-59-61
10	John E. Yunker	Durbin	Farmer	Married	1955-57-59-61
11	Harry W. Wadeson	Alice	Farmer	Married	1953-55-57-59-61
12	A. W. Luick	Fairmount	Farmer	Married	1951-53-55-57-59-61
13	Leonard A. Bopp	Cogswell	Farmer	Married	1961
14	Donald C. Holand	Lisbon	Attorney	Married	1955-57-59-61
15	P. L. Foss	Valley City	Druggist	Married	1941-43-45-47-49-51-53-55-57-59-61
16	Raymond Andre	Hope	Farmer	Married	1959-61
17	Alex Miller	Michigan	Farmer	Married	1957-59-61
18	O. S. Johnson	Langdon	Real Estate, Insurance	Married	1955-57-59-61
19	Philip Berube	Belcourt	Farmer	Married	1953-55-57-59-61
20	Bronald Thompson	Oberon	Elevator Manager	Married	1959-61
21	Ralph J. Erickstad	Devils Lake	Attorney	Married	1957-59-61
22	H. B. Baeverstad	Cando	Farm Manager	Married	1951-53-55-57-59-61
23	R. E. Meidinger	Jamestown	Automobile Dealer	Widower	1953-55-57-59-61
24	Clayton Paulson	Marion	Farmer	Married	1959-61

MEMBERS OF THE SENATE, 1961 — (Continued)

Dist.	Name	Address	Business or Occupation	Marital Status	Member During Session of
25	C. G. Kee	Ellendale	Implement Dealer	Married	1957-59-61
26	Adam Gefreh	Linton	Attorney	Married	1959-61
27	Evan E. Lips	Bismarck	Insurance	Married	1961
28	Edwin C. Becker, Jr.	Willow City	Farmer	Single	1959-61
29	C. W. Baker	Minot	Radio Operator	Married	1961
30	Charles L. Murphy	Mandan	Attorney	Married	1959-61
31	William R. Reichert	Dickinson	Attorney	Married	1961
32	C. W. Schrock	New Rockford	Chiropractor	Married	1943-45-47-49-51-53-55-57-59-61
33	Aloys Wartner, Jr.	Harvey	Attorney	Married	1957-59-61
34	Isak Hystad	Velva	Farmer	Married	1959-61
35	Harry W. George	Steele	Banker, Rancher	Married	1957-59-61
36	Gail H. Hernet	Ashley	Banker	Married	1955-57-59-61
37	Kenneth L. Morgan	Walcott	Farmer	Married	1957-59-61
38	Selmer Gilbertson	Nome	Farmer	Married	1955-57-59-61
39	Leland Roen	Bowman	Farmer	Married	1957-59-61
40	Rolland Redlin	Crosby	Farmer	Married	1959-61
41	John O. Garaas	Watford City	Attorney	Married	1957-59-61
42	A. F. Gronvold	Rugby	Automobile Dealer	Married	1959-61
43	Orville Witteman	Mohall	Farmer	Married	1961
44	Clark Van Horn	Parshall	Farmer	Married	1959-61
45	Iver Solberg	Ray	Farmer	Married	1941-43-49-51-53-55-61
46	Walter R. Fiedler	Ryder	Farmer	Married	1955-57-59-61
47	Dwight Kamrath	Elgin	Farmer	Married	1961
48	Dan Kisse	Halliday	Farmer, Rancher	Married	1959-61
49	Lloyd Erickson	Hettinger	Farmer	Married	1957-59-61

ERRATA

On page 145: There should be no message. President signed the same in the presence of the Senate.

On page 475: Message to House, third Bill in message, change Bill No. 150 to read 156.

Page 772: Message to House, which Senate has passed unchanged. After House Bill No. 534, House Bill No. 539 should be inserted ahead of House Bill No. 777.

OFFICERS AND EMPLOYEES

of the

SENATE OF NORTH DAKOTA

for the

THIRTY-SEVENTH LEGISLATIVE ASSEMBLY
1961

Howard F. Doherty.....	Dickinson.....	Secretary of the Senate
Dagny Olson.....	Devils Lake.....	Desk Reporter
Victor L. Gilbreath.....	Bismarck.....	Sergeant-at-Arms
Arthur Herk.....	Fingal.....	Asst. Secretary of Senate
Carol Weller.....	Rock Lake.....	Secretary to President
Marjorie E. Daner.....	Bismarck.....	Bill Clerk
Edward Heer.....	Bismarck.....	Director of Personnel
Albert E. Bradley.....	Rock Lake.....	Asst. Sergeant-at-Arms
Sheila B. Limond.....	Bismarck.....	Calendar Clerk
Rebecca Quanrud.....	Bismarck.....	Chief Steno and Payroll
Agnes Ellwein.....	Bismarck.....	Stenographer
Blanche E. Bailey.....	Bismarck.....	Stenographer
Joan L. Nelson.....	Fargo.....	Stenographer
Iva Slag.....	Bismarck.....	Stenographer
Lois Jean Scherr.....	Bismarck.....	Committee Clerk
Edna Sand.....	Bismarck.....	Committee Clerk
J. Vernon Asheim.....	Mohall.....	Committee Clerk
Anne C. Ranes.....	Lisbon.....	Committee Clerk
Eugene Olaf Holen.....	Arnegard.....	Committee Clerk
Myrtle Steen.....	Bismarck.....	Appro. Committee Clerk
Robt. G. Ellsworth.....	Maxbass.....	Mess. to Gov. and House
Iver Kval.....	Lisbon.....	Parking Lot Attendant
Effie Hamry.....	Bismarck.....	Postmistress
Mrs. L. G. Fowler.....	Bismarck.....	Telephone Attendant
Helen Eckman.....	Mercer.....	Asst. Telephone Attendant
E. W. Willoughby.....	Grace City.....	Cloakroom Attendant
Frank J. Seavert.....	Forman.....	Supply Room Attendant
Mildred L. Moore.....	Bismarck.....	Enroll. and Eng. Clerk
Vonny Mushik.....	Mandan.....	Enroll. and Eng. Clerk
Mrs. Anna Krenz.....	Sherwood.....	Attend. Pub. Info. Desk
Anna Marie Ray.....	Bismarck.....	Proofreader for Journal
Sonja I. McKinnon.....	Bismarck.....	Proofreader for Journal
Victoria Stucke.....	Bismarck.....	Bill Book Attendant
Soloman C. Drath.....	Hazen.....	Bill Book Attendant
G. K. Ness.....	Fordville.....	Bill Book Attendant
Walter Link.....	Alexander.....	Bill Book Attendant
Edwin Fischer.....	Streeter.....	Bill Book Attendant
Ed Haag.....	Fredonia.....	Chief, Mail Room

OFFICERS AND EMPLOYEES — (Continued)

Edna Jones.....	Bismarck	Mail Rm. & Bill Bk. Att.
Philip Henry.....	St. John	Mail Rm. & Bill Bk. Att.
Jacob Albrecht.....	Steele	Mail Rm. & Bill Bk. Att.
Carl Remmich.....	Streeter	Mail Rm. & Bill Bk. Att.
Jacob Hoffert.....	Rugby	Mail Rm. & Bill Bk. Att.
Ed Huenink.....	Hettinger	Mail Rm. & Bill Bk. Att.
V. J. Melvarie.....	Larimore	Mail Rm. & Bill Bk. Att.
Martin Kilwein.....	Dickinson	Mail Rm. & Bill Bk. Att.
Robert Dahl.....	Cooperstown	Mail Room
William Urlacher.....	Dickinson	Mail Room
Edward Leonard.....	Dunseith	Mail Room
George Anderson.....	Wing	Mail Room
Wm. A. Campbell.....	Fairmount	Page and Bill Book Clerk
Larry Lee Brenno.....	Harlow	Page and Bill Book Clerk
Verline D. Jensen.....	Bismarck	Page and Bill Book Clerk
Edna Mae Bohe.....	Washburn	Page and Bill Book Clerk
E. L. Christensen.....	Jamestown	Chart Room Clerk
Elmer M. Sundlie.....	Forman	Chart Room Clerk
Albert Strand.....	Ellendale	Bill Room Clerk
Miles W. Nelson.....	Rugby	Bill Room Clerk and Assistant Chief, Mail Room
Math J. Kraker.....	Valley City	Bill Room Clerk
Arvid Kjos.....	Wyndmere	Main Doorkeeper
J. D. Gronna.....	Grand Forks	Doorkeeper
Fred Shipman.....	Watford City	Doorkeeper
Sven Haugsjaa.....	Pekin	Doorkeeper

SENATE MEMBERS

Dist.	County	Name	Address
1.	Pembina.....	Grant Trenbeath.....	Neché
2.	Pt. Ward.....	L. N. Lautenschlager.....	Berthold
3.	Pt. Walsh.....	C. F. Harris.....	Park River
4.	Pt. Walsh.....	Elton W. Ringsak.....	Grafton
5.	Pt. Grand Forks.....	Duane Mutch.....	Larimore
6.	Pt. Grand Forks.....	George Saumur.....	Grand Forks
7.	Pt. Grand Forks.....	George Longmire.....	Grand Forks
8.	Trail.....	Jerome Nesvig.....	Buxton
9.	Pt. Cass.....	Lee F. Brooks.....	Fargo
10.	Pt. Cass.....	John E. Yunker.....	Durbin
11.	Pt. Cass.....	Harry W. Wadeson.....	Alice
12.	Pt. Richland.....	A. W. Luick.....	Fairmount
13.	Sargent.....	Leonard A. Bopp.....	Cogswell
14.	Ransom.....	Donald C. Holand.....	Lisbon
15.	Pt. Barnes.....	P. L. Foss.....	Valley City
16.	Griggs-Steele.....	Raymond Andre.....	Hope
17.	Nelson.....	Alex Miller.....	Michigan
18.	Cavalier.....	O. S. Johnson.....	Langdon
19.	Rolette.....	Philip Berube.....	Belcourt
20.	Benson.....	Bronald Thompson.....	Oberon
21.	Ramsey.....	Ralph J. Erickstad.....	Devils Lake
22.	Towner.....	H. B. Baeverstad.....	Cando
23.	Stutsman.....	R. E. Meidinger.....	Jamestown
24.	LaMoure.....	Clayton Paulson.....	Marion
25.	Dickey.....	C. G. Kee.....	Ellendale
26.	Emmons.....	Adam Gefreh.....	Linton
27.	Burleigh.....	Evan E. Lips.....	Bismarck
28.	Bottineau.....	E. C. Becker, Jr.....	Willow City
29.	Pt. Ward.....	C. W. Baker.....	Minot
30.	Morton.....	Charles L. Murphy.....	Mandan
31.	Stark.....	William R. Reichert.....	Dickinson
32.	Eddy-Foster.....	C. W. Schrock.....	New Rockford
33.	Wells.....	Aloys Wartner, Jr.....	Harvey
34.	McHenry.....	Isak Hystad.....	Velva
35.	Kidder-Sheridan.....	Harry W. George.....	Steele
36.	McIntosh-Logan.....	Gail H. Hernet.....	Ashley
37.	Pt. Richland.....	Kenneth L. Morgan.....	Walcott
38.	Pt. Barnes.....	Selmer Gilbertson.....	Nome
39.	Billings-Bowman- Golden Valley- Slope.....	Leland Roen.....	Bowman
40.	Burke-Divide.....	Rolland Redlin.....	Crosby
41.	McKenzie.....	John O. Garaas.....	Watford City
42.	Pierce.....	A. F. Gronvold.....	Rugby
43.	Renville.....	Orville Witteman.....	Mohall
44.	Mountrail.....	Clark Van Horn.....	Parshall
45.	Williams.....	Iver Solberg.....	Ray
46.	McLean.....	Walter R. Fiedler.....	Ryder
47.	Grant-Sioux.....	Dwight Kamrath.....	Elgin
48.	Mercer-Dunn- Oliver.....	Dan Kisse.....	Halliday
49.	Adams-Hettinger.....	Lloyd Erickson.....	Hettinger

HOUSE MEMBERS

Dist.	County	Name	Address		
1.	Pembina	Albert J. Christopher	Pembina		
		F. M. Einarson	Mountain		
		Don Halcrow	Drayton		
2.	Pt. Ward	Lee Christensen	Kenmare		
		3.	Pt. Walsh	Orville N. Hagen	Adams
4.	Pt. Walsh	Dean Miller	Fordville		
		Wilfred Collette	Grafton		
5.	Pt. Grand Forks	Howard O. Bye	Gilby		
6.	Pt. Grand Forks	Kenneth C. Lowe	Grand Forks		
7.	Pt. Grand Forks	Kenneth Tweten	Reynolds		
		8.	Trail	Ralph Diehl	Hillsboro
		Oscar J. Sorlie	Buxton		
9.	Pt. Cass	Gilman Wastvedt	Hatton		
		Gordon S. Aamoth	Fargo		
		Murray A. Baldwin	Fargo		
		K. A. Fitch	Fargo		
		Pershing Boe	Fargo		
10.	Pt. Cass	Jacque Stockman	Fargo		
		Don Otos	Mapleton		
11.	Pt. Cass	Sophus Trom	Casselton		
		Russell Idso	Amenia		
		Mrs. Anna Powers	Leonard		
12.	Pt. Richland	Vernon Anderson	Dwight		
		A. B. Burvee	Fairmount		
13.	Sargent	K. O. Nygaard	DeLamere		
		Ole Breum	Rutland		
		Vernon Dagman	Enderlin		
14.	Ransom	Lawrence Dick	Englevale		
		15.	Pt. Barnes	Ernest N. Johnson	Dazey
16.	Griggs-Steele	Donald W. Loder	Cooperstown		
		Kenneth Gronhovd	Hatton		
		Gillman C. Olson	Cooperstown		
		17.	Nelson	Abraham Thal	Lakota
18.	Cavalier	Fred W. Klinger	McVille		
		Harry G. Renfrow	Calvin		
		Frank Bassingthwaite	Sarles		
19.	Rolette	Frank Shablow	Langdon		
		Gerhart Wilkie	Rolla		
		Oscar Solberg	Mylo		
20.	Benson	Harold R. Hofstrand	Leeds		
		Byron Knutson	Harlow		
21.	Ramsey	Sybil Baker Kelly	Devils Lake		
		Selmer Overbo	Edmore		
		Louis Leet	Webster		
22.	Towner	Jack M. Currie	Cando		
		Harry H. Heller	Cando		
23.	Stutsman	Clifford Lindberg	Jamestown		
		John Neukircher	Jamestown		
		Robert F. Reimers	Melville		
		Ralph Scott	Spiritwood		
24.	LaMoure	Fred E. Rickford	LaMoure		
		Milo Knudsen	Edgeley		
25.	Dickey	Ed N. Davis	Monango		
		L. C. Mueller	Oakes		
26.	Emmons	Howard F. Bier	Hazelton		
		E. A. Tough	Linton		

Dist.	County	Name	Address
27.	Burleigh	R. Fay Brown	Bismarck
		James W. Johnston	Bismarck
		R. W. Wheeler	Bismarck
28.	Bottineau	Martin E. Vinje	Bottineau
		Olaf M. Berg	Souris
		Chester Fossum	Maxbass
29.	Pt. Ward	Bert A. Balerud	Minot
		Brynhild Haugland	Minot
		Ted G. Maragos	Minot
		Stanley Saugstad	Minot
30.	Morton	Chas. F. Karabensh	Mandan
		Carl A. Meyer	Flasher
		William N. Gietzen	Glen Ullin
31.	Stark	Gary Annear	Dickinson
		John F. Gengler	Dickinson
		Gilman Peterson	New England
32.	Eddy-Foster	R. L. Belquist	New Rockford
		Don Nicolson	Carrington
33.	Wells	Edmund Buechler	Bremen
		Arne Dahl	Harvey
34.	McHenry	J. T. Alme	Drake
		Emil Anderson	Upham
		Melvin Loftesnes	Granville
35.	Kidder-Sheridan	Gottlieb Frank	Kief
		Robert D. Mosal	Goodrich
36.	McIntosh-Logan	Eldon L. Goebel	Lehr
		T. E. Schuler	Streeter
		Ben J. Wolf	Zeeland
37.	Pt. Richland	Treadwell Haugen	Wyndmere
		Thomas R. Stallman	Barney
38.	Pt. Barnes	Ralph M. Winge	Litchville
39.	Billings-Bowman-Golden Valley-Slope	A. R. Miller	Beach
		L. G. Bowman	Bowman
		M. C. Tescher	Sentinel Butte
		R. H. Lynch	Crosby
40.	Burke-Divide	M. E. (Sam) Glaspey	Lignite
		Sam O. Bloom	Alkabo
		Arthur A. Link	Alexander
41.	McKenzie	Halvor Rolfsrud	Watford City
42.	Pierce	Peter Hornstein	Rugby
		Harold O. Ostrem	Rugby
43.	Renville	Richard Backes	Glenburn
44.	Mountrail	E. O. Sjaastad	Tagus
		Harold Skaar	New Town
45.	Williams	Walter O. Burk	Williston
		Leonell W. Fraase	Tioga
		Clarence Poling	Grenora
46.	McLean	Otto Hauf	Max
		Walter Christensen	Mercer
		Donald Giffey	Roseglen
47.	Grant-Sioux	John J. Bader	New Leipzig
		Joseph Menz	Fort Yates
48.	Mercer-Dunn-Oliver	Clarence P. Loewen	Hazen
		Leonard J. Davis	Killdeer
		Walter Kitzmann	Hannover
49.	Adams-Hettinger	I. E. Bratcher	Mott
		Herbert Halverson	Regent

"Buy Dakota Maid Flour"

Journal of the Senate



Thirty-seventh Legislative Assembly

FIRST DAY

Bismarck, January 3, 1961

At the hour of twelve o'clock noon of the third day of January, 1961, 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-seventh Legislative Assembly, assembled in the North Dakota State Capitol Building at Bismarck, North Dakota, were called to order by V. L. Gilbreath, Secretary of the Thirty-sixth Legislative Assembly of the State of North Dakota.

The following communications were received from the Secretary of State:

STATE OF NORTH DAKOTA
Department of State
Bismarck

January 3, 1961

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

Dear Sir:

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

Dist.	County	Name	Address
1	Pembina.....	Grant Trenbeath	Neche
3	Pt. Walsh.....	C. F. Harris	Park River
5	Pt. Grand Forks.....	Duane Mutch	Larimore
7	Pt. Grand Forks.....	George Longmire	Grand Forks
9	Pt. Cass.....	Lee F. Brooks	Fargo
11	Pt. Cass.....	Harry W. Wadeson	Alice
13	Sargent.....	Leonard A. Bopp	Cogswell
15	Pt. Barnes.....	P. L. Foss	Valley City
17	Nelson.....	Alex Miller	Michigan
19	Rolette.....	Philip Berube	Belcourt
21	Ramsey.....	Ralph J. Erickstad.....	Devils Lake
23	Stutsman.....	R. E. Meidinger	Jamestown
25	Dickey.....	C. G. Kee	Ellendale
27	Burleigh.....	Evan E. Lips	Bismarck
29	Pt. Ward.....	C. W. Baker	Minot
31	Stark.....	Wm. R. Reichert	Dickinson
33	Wells.....	Aloys Wartner, Jr.	Harvey

Dist.	County	Name	Address
35	Kidder-Sheridan	Harry W. George	Steele
37	Pt. Richland	Kenneth L. Morgan	Walcott
39	Billings-Bowman-Golden Valley-Slope	Leland Roen	Bowman
41	McKenzie	John O. Garaas	Watford City
43	Renville	Orville Witteman	Mohall
45	Williams	Iver Solberg	Ray
47	Grant-Sioux	Dwight Kamrath	Elgin
49	Adams-Hettinger	Lloyd Erickson	Hettinger

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of North Dakota, this 3rd day of January, A. D. 1961.

BEN MEIER
Secretary of State for
North Dakota

STATE OF NORTH DAKOTA
Department of State
Bismarck

January 3, 1961

Secretary of the Senate
Thirty-seventh 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 the hold-over Senators, elected at the General Election in 1958, and duly qualified by the Thirty-sixth Legislative Assembly:

Dist.	County	Name	Address
2	Pt. Ward	Lester N. Lautenschlager	Berthold
4	Pt. Walsh	Elton W. Ringsak	Grafton
6	Pt. Grand Forks	George Saumur	Grand Forks
8	Trails	Jerome Nesvig	Buxton
10	Pt. Cass	John E. Yunker	Durbin
12	Pt. Richland	A. W. Luick	Fairmount
14	Ransom	Donald C. Holand	Lisbon
16	Griggs-Steele	Raymond Andre	Hope
18	Cavalier	O. S. Johnson	Langdon
20	Benson	Bronald Thompson	Oberon
22	Towner	H. B. Baeverstad	Cando
24	LaMoure	Clayton Paulson	Marion
26	Emmons	Adam Gefreh	Linton
28	Bottineau	Edwin C. Becker, Jr.	Willow City
30	Morton	Charles L. Murphy	Mandan
32	Eddy-Foster	C. W. Schrock	New Rockford
34	McHenry	Isak Hystad	Velva
36	McIntosh-Logan	Gail H. Hernet	Ashley
38	Pt. Barnes	Selmer Gilbertson	Nome
40	Burke-Divide	Rolland Redlin	Crosby
42	Pierce	A. F. Gronvold	Rugby
44	Mountrail	Clark Van Horn	Parshall
46	McLean	Walter R. Fiedler	Ryder
48	Mercer-Dunn-Oliver	Dan Kisse	Halliday

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of North Dakota, this 3rd day of January, A. D. 1961.

BEN MEIER
Secretary of State for
North Dakota

Senator Holand 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 Meidinger, Garaas and Brooks.

Senator Holand moved that the Secretary appoint a committee of three to escort Chief Justice P. O. Sathre 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 Erickstad, Johnson and Longmire.

Chief Justice Sathre then administered the oath of office to Lieutenant Governor Orville W. Hagen, who thereupon took charge of the proceedings.

Chief Justice Sathre then administered the oath of office to twenty-four of the newly elected Senators, Senator Berube not taking the oath of office at this time.

Prayers by Chaplain Warren K. Johnson, 1st Lutheran, Bismarck.

ROLL CALL

The roll was called and there were present, 47, absent, 2.

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Berube	Kamrath	Roen
Bopp	Kee	Saumur
Brooks	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Longmire	Trenbeath
Foss	Luick	Van Horn
Garaas	Meidinger	Wadeson
Gefreh	Miller	Wartner
George	Morgan	Witteman
Gronvold	Mutch	Yunker
Harris	Nesvig	

Absent:

Gilbertson Murphy

Senator Kisse moved that the name of Howard F. Doherty of Stark County be placed in nomination for the office of Secretary of the Senate.

Senator Brooks moved that nominations cease, which motion prevailed.

ROLL CALL

The question being on the selection of Howard F. Doherty as Secretary of the Senate, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Trenbeath
Foss	Longmire	Van Horn
Garaas	Luick	Wadeson
Gefreh	Meidinger	Wartner
George	Miller	Witteman
Gilbertson	Morgan	Yunker
Gronvold	Mutch	

Absent and not voting:

Murphy Thompson

Senator Brooks took exception to the roll call taken on Secretary of the Senate because the oath of office had not been administered to Senator Berube.

Senator Holand moved that the committee appointed to escort the Chief Justice to the Senate for the purpose of administering oaths of office to the newly elected Senators escort the Chief Justice to the Senate for the purpose of administering the oath of office to Senator Berube, which motion prevailed.

The committee so appointed returned to the Senate with Justice Burke who then administered the oath of office to Senator Berube.

ROLL CALL

The question being on the selection of Howard F. Doherty as Secretary of the Senate, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Trenbeath
Foss	Longmire	Van Horn
Garaas	Luick	Wadeson
Gefreh	Meidinger	Wartner
George	Miller	Witteman
Gilbertson	Morgan	Yunker
Gronvold	Mutch	

Absent and not voting:

Murphy Thompson

- Howard F. Doherty 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 Erickstad moved that the name of Dagny Olson of Ramsey County be placed in nomination for the position of Desk Reporter.

Senator Foss moved that nominations cease, which motion prevailed.

ROLL CALL

The question being on the selection of Dagny Olson as Desk Reporter of the Senate, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Trenbeath
Foss	Longmire	Van Horn
Garaas	Luick	Wadeson
Gefreh	Meidinger	Wartner
George	Miller	Witteman
Gilbertson	Morgan	Yunker
Gronvoid	Mutch	

Absent and not voting:

Murphy Thompson

Dagny Olson was declared elected as Desk Reporter.

The Lieutenant Governor then administered the oath of office to the Desk Reporter-elect.

Senator Lips placed in nomination the name of V. L. Gilbreath for the office of Sergeant-at-Arms of the Senate.

Senator Hernett moved that nominations cease, which motion prevailed.

ROLL CALL

The question being on the selection of V. L. Gilbreath as Sergeant-at-Arms of the Senate, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Trenbeath
Foss	Longmire	Van Horn
Garaas	Luick	Wadeson

Gefreh	Meidinger	Wartner
George	Miller	Witteman
Gilbertson	Morgan	Yunker
Gronvold	Mutch	

Absent and not voting:

Murphy	Thompson
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V. L. Gilbreath was declared elected Sergeant-at-Arms of the Senate.

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

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

The President appointed as such committee Senators Hernet, Redlin and Harris.

Senator Holand moved that a committee of three be appointed 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 Erickson, Fiedler and Mutch.

MESSAGE FROM THE HOUSE

A committee from the House reported that the House was organized and ready to transact business.

Senator Hernet announced that the committee appointed to inform the Governor that the Senate is organized and ready to receive any message, had performed its duty and requested that it be discharged, which request was granted.

Senator Erickson announced that the committee appointed to inform the House that the Senate was organized and ready to transact business, had performed its duty and requested that it be discharged, which request was granted.

Senator Brooks moved that the rules of the Thirty-sixth Legislative Assembly be adopted as the temporary rules of the Senate of the Thirty-seventh Legislative Assembly, which motion prevailed.

Senator Foss moved that the rules be suspended and that the rule providing for a Committee on Committees consisting of seven members be amended to provide for eight members, which motion prevailed.

Senator Foss moved that President of the Senate appoint a Committee on Committees to consist of eight members, one of whom shall be the Lieutenant Governor who shall be chairman of the committee, which motion prevailed.

The President appointed as such Committee on Committees Senators Holand, Erickstad, Hernet, Roen, Fiedler, Schrock and Van Horn.

Senator Gronvold moved that the President appoint a committee of three to make arrangements for Senate Committee Rooms, which motion prevailed.

The President appointed as such committee Senators Gronvold, Longmire and Nesvig.

Senator Saumur moved that the President appoint a committee of three to confer with the Board of Administration relative to making arrangements for necessary stationery and supplies for the Thirty-seventh Session of the Senate, which motion prevailed.

The President appointed as such committee Senators Saumur, Kisse and Gilbertson.

Senator Wadeson moved that the President appoint a committee of five to act as a temporary Committee on Employment, which motion prevailed.

The President appointed as such committee Senators Wadeson, Lips, Mutch, Berube and Solberg.

Senator Kee moved that the President appoint a committee of three to act as a temporary committee on Revision and Correction of the Journal, which motion prevailed.

The President appointed as such committee Senators Kee, Ringsak and Yunker.

Senator Holand moved that the Senate recess for ten minutes for the purpose of selecting seats, and that the 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, the President presiding.

Senator Holand moved that the committee appointed to arrange for committee rooms be authorized to contract for a room for the Appropriations Committee at the Quain & Ramstad Clinic Building.

ROLL CALL

The question being on authorizing the committee on committee rooms to contract for a room for the Appropriations Committee at the Quain & Ramstad Clinic Building, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Trenbeath
Foss	Longmire	Van Horn
Garaas	Luick	Wadeson
Gefreh	Meidinger	Wartner
George	Miller	Witterman
Gilbertson	Morgan	Yunker
Gronvold	Mutch	

Absent and not voting:

Murphy Thompson

So the motion was declared carried.

Senator Gefreh moved that the President appoint a committee of two to serve as a committee on arrangements for chaplains, which motion prevailed.

The President appointed as such committee Senators Gefreh and Hystad.

Senator Ringsak 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 as such committee Senators Ringsak, Morgan and Schrock.

Senator Holand moved that the President appoint a committee of seven members on Rules of the Senate, which motion prevailed.

The President appointed as such committee Senators Holand, Wartner, Brooks, Meidinger, Erickstad, Garaas and Johnson.

Senator George moved that the President appoint a committee of three to serve as a committee on Mileage and Per Diem, which motion prevailed.

The President appointed as such committee Senators George, Fiedler and Baeverstad.

Senator Foss: "Mr. President, at this time, members of the Senate, it gives me a great deal of pleasure to speak to you for a couple of minutes. During the years I have been around the Senate, there is one asset I have acquired that I value very dearly, not that it has any intrinsic value, nevertheless it has more value than that of a material value. I have met men in all walks of our state, men of the party I belong to, men of the other group, the other party, men that I know are giving the best they know how to the best interest of all people of our State. While there is difference of opinion among us, I am sure each one of us here today will do the best we know how. During this time many of the men that have served with me have passed on, but the memory of those men will live on and on, as far as I am concerned, as long as I am here. The work they have done for our State has been terrific under the leadership of these fine governors, of the four last governors, North Dakota has made tremendous progress, and I trust that under our new governor we can continue to grow in prestige for North Dakota and its people. Sitting beside me is a gentleman who has been a friend of mine for years, a good co-worker, a good citizen of North Dakota, a man I am sure each and everyone of us respect and admire. At this time I would like to nominate Senator A. W. Luick for the position of President Pro Tem of this Senate."

Senator Garaas: "Mr. President, I nominate a person who is well liked and well thought of as a member of this Senate, a person who has served in this Senate of North Dakota continuously since 1943. He is a family man, three children. This man served as mayor of New Rockford for eleven years. He is a community leader, well liked in his community and known for his stand on legislation for the past 17 years. This man has the ability to act as President Pro Tem and is a man of stature and integrity. I speak of Senator Schrock of New Rockford, Eddy-Foster counties. I am sure this man will be able to act as President Pro Tem for the reason that he has a great deal of ability in

parliamentary procedure. I, therefore, nominate this man, Dr. C. W. Schrock, as President Pro Tem of the Senate."

Senator Wartner moved that nominations cease, which motion prevailed.

ROLL CALL

The question being on the election of a President Pro Tem, the roll was called and there were: voting for Luick, 28; for Schrock, 20; absent and not voting, 1.

Those voting for Luick were:

Baeverstad	Harris	Morgan
Baker	Hernett	Mutch
Becker	Holand	Ringsak
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lips	Schrock
Foss	Longmire	Trenbeath
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gronvold		

Those voting for Schrock were:

Andre	Johnson	Reichert
Berube	Kamrath	Solberg
Bopp	Lautenschlager	Thompson
Fiedler	Luick	Van Horn
Garaas	Nesvig	Witteman
Gilbertson	Paulson	Yunker
Hystad	Redlin	

Absent and not voting:

Murphy

So Senator Luick was declared elected as President Pro Tem of the Senate.

Senator Luick: "Mr. President and members of the Senate, I wish to thank you all for the honor you have just given me. I feel pleased to say that I have enjoyed my work here with the entire group we have had for many years. I think it is a distinct honor to be chosen for this position and I wish to thank all of you for that. It is surprising to me that a person raised and who has worked practically all his life out on a farm, and who never thought of politics, could be honored in this way. I would say that back in 1945 I had no idea of the workings of the House and Senate. It was strange to me when I came out here. I did not think I would like it but I have learned to like it. I would feel rather lost to be out of the service of this body and to think that a farmer could sit alongside of business people, professional people and begin to feel as an equal is really surprising. Now that is the way I think. I feel as an equal, not any more than that and above no one. I think that is right and proper. I think without further ado I will again thank you."

Senator Schrock: "Mr. President, I should also like to thank you who have supported me. This is not the first time this has happened to me. I am glad to say this is the best vote I have ever had. I am glad to see improvement. If I could be elected for another four years I think I might have a chance to be President Pro Tem. I thank you all for your

support and to Senator Luick. I might say also that in the words of someone who is greater than I, 'I would rather be right than President.'"

Senator Gronvold moved that the remarks of both Senator Luick and Senator Schrock be printed in the journal, which motion prevailed.

FIRST READING OF SENATE BILLS

Senators Gefreh, Brooks, Holand, Ringsak and Wartner introduced Senate Bill No. 1.

Senate Bill No. 1. A Bill for an Act to enact the North Dakota Century Code together with chapter 13-03 in pocket part supplement form attached to Volume 3 of such code; to provide for the effective date of sections 4-01-14, 6-01-21.4, 6-09-17, chapters 10-24, 10-25, 10-26, 10-27, and 10-28, sections 11-03-08, 11-05-16, 11-08-06, 11-08-08, 11-08-13, 11-09-28, 11-10-02, 11-10-06, 11-11-10, 11-19-08, 11-19-13, 11-19-14, 11-19-15, 11-19-19, 11-30-16, 12-45-01, 12-49-06, 12-53-13, 15-21-02, 15-39-16, 15-39-21, 15-39-32, 15-40-07, 15-40-19, 15-40-20, 15-44-02, 15-44-03, 18-03-03, 18-03-04, 18-03-05, 18-03-07, 18-03-08, 18-04-02, 18-04-03, 18-04-05, 18-04-06, 18-05-12, 18-05-13, 19-01-08, 19-05-08, 19-05-09, 19-05-10, 20-13-07, 20-14-08, 24-02-12, 24-02-13, 24-02-37, 24-07-22, subsection 5 of section 25-01-01, subsection 12 of section 25-01-01, the last sentence of section 25-04-01; sections 25-04-12, 25-05-01, 25-08-10, 25-08-11, 25-08-13, 25-08-14, 25-08-15, 25-08-16, 25-08-17, 25-08-19, 25-08-20, 25-08-21, 26-22-09, 27-07-02, 27-08-20, 27-18-01, 27-18-02, 27-18-03, 27-18-04, 27-18-05, 29-01-14, 29-05-07, 29-05-29, 29-05-31, 29-07-06, 29-07-25, 29-08-18, 29-29-06, 32-12-03, 32-12-04, 32-14-09, 32-22-18, 33-01-00.1, 33-01-01, 33-01-03, 33-01-04, 33-01-08, 33-01-09, 33-01-11, 33-01-12, 33-01-15, 33-01-16, 33-01-17, 33-01-19, 33-01-20, 33-01-21, 33-01-22, 33-01-23, 33-01-24, 33-01-25, 33-02-12, 33-03-05, 33-03-12, 33-04-17, 33-05-03, 33-05-04, 33-05-08, 33-05-12, 33-08-17, 33-09-01, 33-09-09, 33-09-12, 33-10-01, 33-10-03, 33-11-03, 33-11-05, 33-11-07, 33-11-09, 33-11-10, 33-11-11, 33-11-12, 33-11-13, 33-11-14, 33-12-01, 33-12-06, 33-12-12, 33-12-34, 33-12-41, 36-01-17, 36-01-18, 36-11-10, 36-11-11, 36-16-04, 36-16-05, 36-16-06, 36-16-07, 36-16-08, 36-16-09, 36-16-10, 36-16-12, 36-22-09, 37-06-02, 37-06-03, 37-06-06, 37-15-13, 37-15-15, 38-06-59, 39-03-08, 39-06-16, 40-05-07, 40-07-08, 40-14-01, 40-15-01, 40-18-01, 40-18-03, 40-18-05, 40-18-06, 40-18-07, 40-18-08, 40-18-09, 40-18-10, 40-18-11, 40-18-13, 40-18-14, 40-18-15, 40-18-16, 40-18-17, 40-18-18, 40-18-19, 40-20-05, 40-49-17, 42-01-07, 42-03-01, 42-03-03, 44-05-01, 44-08-09, 44-09-01, 44-11-12, 47-19-14, 47-19-37, 49-01-09, 50-06-14, 54-06-06, 54-06-08, 54-10-01, 54-10-02, 54-10-03, 54-10-04, 54-11-01, 54-11-02, 54-11-03, 54-12-07, 54-14-01, 54-14-02, 54-15-04, 54-15-05, 54-15-06, 54-15-08, 54-15-09, 54-15-13, 54-16-08, 54-16-09, 54-18-14, 54-23-06, 54-23-41, 54-27-03, 54-27-04, 54-27-05, 54-27-06, 54-27-07, 54-27-08, 54-27-09, 54-27-11, 54-27-14, 54-27-15, 54-27-15.1, 54-27-15.4, 54-30-16, chapter 54-44, sections 55-01-04, 55-01-07, 57-37-24, 57-45-08, 58-04-02, 58-04-10, 58-05-02, 58-05-05, 58-05-07, 58-07-03, 58-11-01, and 61-02-13; to amend and reenact section 46-04-18 of the North Dakota Century Code relating to sales of the code; to provide for the repeal of sections 1-01-01.1, 1-01-01.2, 1-01-43, 1-02-33.1, chapters 4-03, and 4-04, sections 4-05-03.2, 4-05-08.2, 4-05-08.3, 5-01-24, 5-02-10, 5-03-18, 5-05-06, 5-05-18, 5-05-19,

6-03-29.1, 6-03-30, 6-03-75, 6-09-31, 10-04-20, 10-12-05, 10-13-09, 10-23-18, 10-23-19, 11-10-10.3, 11-10-10.4, 11-14-01, 12-21-08, 12-22-18, 15-03-14.1, 15-07-19, 15-08-18.2, 15-08-18.4, 15-08-18.5, subsection 14 of section 15-29-08, sections 15-36-03, 15-36-09, 15-36-14, 15-41-22, 15-56-01, 15-56-01.1, 15-56-02, 15-56-03, 15-56-04, 15-56-05, 15-56-06, 15-56-07, 15-56-08, 15-56-09, 16-17-18.2, 16-18-08, the first paragraph of section 19-02-14.1, sections 19-02-30, 19-02-31, 19-02-32, 19-02-33, 19-19-01, 20-01-04.2, 20-01-04.3, 20-05-02.2, 23-16-13, 23-20-01, chapter 24-A01, sections 24-01-24, 24-12-10, 24-13-11, 24-13-12, 24-13-13, 24-13-14, 25-05-12, 25-05-32, 26-22-40, 27-04-08.1, 28-02-02, 28-05-06, 28-06-11, 28-06-12, 28-06-13, 28-06-14, 28-06-15, 28-06-18, 28-07-21, 28-09-08, 28-12-11, 28-15-05, 28-15-06, 28-15-07, 28-15-08, 28-15-11, 28-28-04, 28-28-05, 28-28-08, 28-28-09, 29-26-22.3, 29-30-12, 29-30-17, 30-23-18, 30-23-19, 31-12-05, 32-15-03.1, 32-15-07, 32-15-08, 32-15-09, 32-15-10, 32-15-11, 32-15-12, 32-15-15, 33-04-05, 33-04-08, 33-04-09, 33-04-10, 33-04-12, 33-04-13, 33-08-03, 34-01-09.2, 34-01-09.3, 34-01-11, 34-06-21, 34-09-07, chapter 35-16, sections 35-24-23, 35-25-12, 36-01-20, 36-08-10, 36-09-21, 36-11-05, 36-11-05.1, 37-01-25.2, chapter 37-13, section 37-18-10, chapter 37-22, sections 38-04-05, 38-09-01.4, 39-06-41, 39-11-01.1, 39-16-33, 39-16-34, 39-16-35, 39-16-36, 39-16-37, 39-17-06.1, 40-05-01.2, 40-15-04, 40-22-41, 40-22-42, 40-23-07.1, 40-52-01, 41-02-24, 41-02-25, 41-17-15, 41-17-18, 43-09-24, 43-15-37, chapter 43-16, sections 43-19-17, 43-21-06, 44-01-15, 46-03-04, 47-04-13, 47-04-15, 47-04-16, 47-04-17, 47-04-18, 49-02-13, 49-02-19, 49-05-13, 49-15-05, 49-20-07, 50-01-11, 50-04-09, 50-07-40, chapter 51-03, sections 51-05-07, 51-05-12, 51-07-05, 51-07-06, 51-08-09, 51-08-10, 51-08-12, 52-01-05, chapter 52-07, sections 53-02-11, 53-02-14, 54-06-13, 54-15-15, 54-18-16, chapter 54-20, sections 54-23-44, 54-23-46, 54-23-47, 54-23-48, chapter 54-26, sections 54-27-09.1, 54-27-09.2, chapter 54-33, sections 57-15-06.1, 57-15-06.2, 57-15-25, 57-15-29, 57-15-29.1, 57-15-47, 57-40-15, 57-48-17, 58-05-17, 58-10-01, 58-10-02, 58-14-04, 61-21-59, 61-21-60, 61-21-61, 65-05-18, and 65-11-07; to provide for the delayed repeal of sections 6-01-21, chapters 10-08, 10-09, 10-10, and 10-11, sections 11-10-03, 40-18-02, 54-10-05, 54-10-06, 54-10-07, 54-10-08, 54-10-09, 54-10-11, chapter 54-13, sections 54-15-12, 54-15-14, 54-21-15, 54-21-16, 54-27-15.2, 58-10-01, 58-10-02, 58-14-04, and 65-02-10; to provide for the citation of sections in the North Dakota Century Code and pocket part supplements thereto; and declaring an emergency.

Was read the first time.

Senator Holand moved that the rules be suspended and that Senate Bill No. 1 be not referred to committee but referred to the Senate as a whole, which motion prevailed.

Senator Holand moved that the rules be suspended and that Senate Bill No. 1 be deemed properly engrossed, which motion prevailed.

MOTIONS

Senator Solberg moved that the Senate authorize the installation of a closed circuit TV in the Senate chambers for the purpose of taking care of the overflow expected for the inauguration, which motion prevailed.

Senator Holand moved that the Senate recess until 1:00 p.m., January 4, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FIRST DAY AFTER RECESS AND SECOND DAY

Bismarck, January 4, 1961

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

MOTIONS

Senator Holand moved that the President appoint a committee of three to serve as a Committee on Printing, which motion prevailed.

The President appointed as such committee Senators Baker, Erickson and Johnson.

Senator Hernettt moved that the President appoint a committee of three to meet with a like committee from the House to investigate the possibility of securing David Sarnoff, President of the National Broadcasting Company, to speak to a joint session of the legislature sometime in the next few weeks, which motion prevailed.

The President appointed as such committee Senators Becker, Gefreh and Kamrath.

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

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

HOWARD F. DOHERTY, Secretary.

SECOND DAY

Bismarck, January 4, 1961

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

Prayer by Chaplain Rev. F. J. Andrews, Little Flower, Minot.

Roll call: All Senators present except Senator Murphy.

The President declared a quorum present.

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

On page 3, delete all of line 33.

On page 3, line 50, delete the words "and not voting."

On page 5, line 5, delete the word "elected" and insert in lieu thereof the word "elect."

On page 9, line 51, strike out the word "adieu" and insert in lieu thereof the word "ado."

And when so corrected recommends that the same be approved.

C. G. KEE, Chairman.

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

REPORT OF SELECT COMMITTEE

Mr. President: Your Select Committee appointed to arrange for committee rooms submits the following:

Agriculture	Senate Conference Room
Appropriations	Quain & Ramstad Clinic
Education	G1
Finance and Taxation	G2
Judiciary	G1
State and Federal Government	Senate Conference Room
Industry, Business and Labor	G2
Natural Resources	G2
Political Subdivisions	Room 204
Social Welfare and Veterans Affairs	Senate Conference Room
Transportation	G1

A. F. GRONVOLD, Chairman.

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

SECOND READING OF SENATE BILL

Senate Bill No. 1. A Bill for an Act to enact the North Dakota Century Code together with chapter 13-03 in pocket part supplement form attached to Volume 3 of such code; to provide for the effective date of sections 4-01-14, 6-01-21.4, 6-09-17, chapters 10-24, 10-25, 10-26, 10-27, and 10-28, sections 11-03-08, 11-05-16, 11-08-06, 11-08-08, 11-08-13, 11-09-28, 11-10-02, 11-10-06, 11-11-10, 11-19-08, 11-19-13, 11-19-14, 11-19-15, 11-19-19, 11-30-16, 12-45-01, 12-49-06, 12-53-13, 15-21-02, 15-39-16, 15-39-21, 15-39-32, 15-40-07, 15-40-19, 15-40-20, 15-44-02, 15-44-03, 18-03-03, 18-03-04, 18-03-05, 18-03-07, 18-03-08, 18-04-02, 18-04-03, 18-04-05, 18-04-06, 18-05-12, 18-05-13, 19-01-08, 19-05-08, 19-05-09, 19-05-10, 20-13-07, 20-14-08, 24-02-12, 24-02-13, 24-02-37, 24-07-22, subsection 5 of section 25-01-01, subsection 12 of section 25-01-01, the last sentence of section 25-04-01, sections 25-04-12, 25-05-01, 25-08-10, 25-08-11, 25-08-13, 25-08-14, 25-08-15, 25-08-16, 25-08-17, 25-08-19, 25-08-20, 25-08-21, 26-22-09, 27-07-02, 27-08-20, 27-18-01, 27-18-02, 27-18-03, 27-18-04, 27-18-05, 29-01-14, 29-05-07, 29-05-29, 29-05-31, 29-07-06, 29-07-25, 29-08-18, 29-29-06, 32-12-03, 32-12-04, 32-14-09, 32-22-18, 33-01-00.1, 33-01-01, 33-01-03, 33-01-04, 33-01-08, 33-01-09, 33-01-11, 33-01-12, 33-01-15, 33-01-16, 33-01-17, 33-01-19, 33-01-20, 33-01-21, 33-01-22, 33-01-23, 33-01-24, 33-01-25, 33-02-12, 33-03-05, 33-03-12, 33-04-17, 33-05-03, 33-05-04, 33-05-08, 33-05-12, 33-08-17, 33-09-01, 33-09-09, 33-09-12, 33-10-01, 33-10-03, 33-11-03, 33-11-05, 33-11-07, 33-11-09, 33-11-10, 33-11-11, 33-11-12, 33-11-13, 33-11-14, 33-12-01, 33-12-06, 33-12-12, 33-12-34, 33-12-41, 36-01-17, 36-01-18, 36-11-10, 36-11-11, 36-16-04, 36-16-05, 36-16-06, 36-16-07, 36-16-08, 36-16-09, 36-16-10, 36-16-12, 36-22-09, 37-06-02, 37-06-03, 37-06-06, 37-15-13, 37-15-15, 38-06-59,

39-03-08, 39-06-16, 40-05-07, 40-07-08, 40-14-01, 40-15-01, 40-18-01, 40-18-03, 40-18-05, 40-18-06, 40-18-07, 40-18-08, 40-18-09, 40-18-10, 40-18-11, 40-18-13, 40-18-14, 40-18-15, 40-18-16, 40-18-17, 40-18-18, 40-18-19, 40-20-05, 40-49-17, 42-01-07, 42-03-01, 42-03-03, 44-05-01, 44-08-09, 44-09-01, 44-11-12, 47-19-14, 47-19-37, 49-01-09, 50-06-14, 54-06-06, 54-06-08, 54-10-01, 54-10-02, 54-10-03, 54-10-04, 54-11-01, 54-11-02, 54-11-03, 54-12-07, 54-14-01, 54-14-02, 54-15-04, 54-15-05, 54-15-06, 54-15-08, 54-15-09, 54-15-13, 54-16-08, 54-16-09, 54-18-14, 54-23-06, 54-23-41, 54-27-03, 54-27-04, 54-27-05, 54-27-06, 54-27-07, 54-27-08, 54-27-09, 54-27-11, 54-27-14, 54-27-15, 54-27-15.1, 54-27-15.4, 54-30-16, chapter 54-44, sections 55-01-04, 55-01-07, 57-37-24, 57-45-08, 58-04-02, 58-04-10, 58-05-02, 58-05-05, 58-05-07, 58-07-03, 58-11-01, and 61-02-13; to amend and reenact section 46-04-18 of the North Dakota Century Code relating to sales of the code; to provide for the repeal of sections 1-01-01.1, 1-01-01.2, 1-01-43, 1-02-33.1, chapters 4-03, and 4-04, sections 4-05-03.2, 4-05-08.2, 4-05-08.3, 5-01-24, 5-02-10, 5-03-18, 5-05-06, 5-05-18, 5-05-19, 6-03-29.1, 6-03-30, 6-03-75, 6-09-31, 10-04-20, 10-12-05, 10-13-09, 10-23-18, 10-23-19, 11-10-10.3, 11-10-10.4, 11-14-01, 12-21-08, 12-22-18, 15-03-14.1, 15-07-19, 15-08-18.2, 15-08-18.4, 15-08-18.5, subsection 14 of section 15-29-08, sections 15-36-03, 15-36-09, 15-36-14, 15-41-22, 15-56-01, 15-56-01.1, 15-56-02, 15-56-03, 15-56-04, 15-56-05, 15-56-06, 15-56-07, 15-56-08, 15-56-09, 16-17-18.2, 16-18-08, the first paragraph of section 19-02-14.1, sections 19-02-30, 19-02-31, 19-02-32, 19-02-33, 19-19-01, 20-01-04.2, 20-01-04.3, 20-05-02.2, 23-16-13, 23-20-01, chapter 24-A01, sections 24-01-24, 24-12-10, 24-13-11, 24-13-12, 24-13-13, 24-13-14, 25-05-12, 25-05-32, 26-22-40, 27-04-08.1, 28-02-02, 28-05-06, 28-06-11, 28-06-12, 28-06-13, 28-06-14, 28-06-15, 28-06-18, 28-07-21, 28-09-08, 28-12-11, 28-15-05, 28-15-06, 28-15-07, 28-15-08, 28-15-11, 28-28-04, 28-28-05, 28-28-08, 28-28-09, 29-26-22.3, 29-30-12, 29-30-17, 30-23-18, 30-23-19, 31-12-05, 32-15-03.1, 32-15-07, 32-15-08, 32-15-09, 32-15-10, 32-15-11, 32-15-12, 32-15-15, 33-04-05, 33-04-08, 33-04-09, 33-04-10, 33-04-12, 33-04-13, 33-08-03, 34-01-09.2, 34-01-09.3, 34-01-11, 34-06-21, 34-09-07, chapter 35-16, sections 35-24-23, 35-25-12, 36-01-20, 36-08-10, 36-09-21, 36-11-05, 36-11-05.1, 37-01-25.2, chapter 37-13, section 37-18-10, chapter 37-22, sections 38-04-05, 38-09-01.4, 39-06-41, 39-11-01.1, 39-16-33, 39-16-34, 39-16-35, 39-16-36, 39-16-37, 39-17-06.1, 40-05-01.2, 40-15-04, 40-22-41, 40-22-42, 40-23-07.1, 40-52-01, 41-02-24, 41-02-25, 41-17-15, 41-17-18, 43-09-24, 43-15-37, chapter 43-16, sections 43-19-17, 43-21-06, 44-01-15, 46-03-04, 47-04-13, 47-04-15, 47-04-16, 47-04-17, 47-04-18, 49-02-13, 49-02-19, 49-05-13, 49-15-05, 49-20-07, 50-01-11, 50-04-09, 50-07-40, chapter 51-03, sections 51-05-07, 51-05-12, 51-07-05, 51-07-06, 51-08-09, 51-08-10, 51-08-12, 52-01-05, chapter 52-07, sections 53-02-11, 53-02-14, 54-06-13, 54-15-15, 54-18-16, chapter 54-20, sections 54-23-44, 54-23-46, 54-23-47, 54-23-48, chapter 54-26, sections 54-27-09.1, 54-27-09.2, chapter 54-33, sections 57-15-06.1, 57-15-06.2, 57-15-25, 57-15-29, 57-15-29.1, 57-15-47, 57-40-15, 57-48-17, 58-05-17, 58-10-01, 58-10-02, 58-14-04, 61-21-59, 61-21-60, 61-21-61, 65-05-18, and 65-11-07; to provide for the delayed repeal of sections 6-01-21, chapters 10-08, 10-09, 10-10, and 10-11, sections 11-10-03, 40-18-02, 54-10-05, 54-10-06, 54-10-07, 54-10-08, 54-10-09, 54-10-11, chapter 54-13, sections 54-15-12, 54-15-14, 54-21-15, 54-21-16, 54-27-15.2, 58-10-01, 58-10-02,

58-14-04, and 65-02-10; to provide for the citation of sections in the North Dakota Century Code and pocket part supplements thereto; and declaring an emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47 nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Harris	Paulson
Baeverstad	Hernett	Redlin
Baker	Holand	Reichert
Becker	Hystad	Ringsak
Berube	Kamrath	Roen
Bopp	Kee	Saumur
Brooks	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Longmire	Trenbeath
Foss	Luick	Van Horn
Garaas	Meidinger	Wadeson
Gefreh	Miller	Wartner
George	Morgan	Witteman
Gilbertson	Mutch	Yunker
Gronvold	Nesvig	

Absent and not voting:

Johnson Murphy

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

Senator Holand 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.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 4, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 1

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

HOWARD F. DOHERTY, Secretary

MESSAGE FROM THE HOUSE

A committee from the House was announced by the Sergeant-at-arms and said committee informed the Senate that the House was ready to receive the Senate in joint session.

MOTIONS

Senator Holand moved that the Senate recess until 1:00 p.m., January 5, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary

SECOND DAY AFTER RECESS AND THIRD DAY

Bismarck, January 5, 1961

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

FIRST READING OF SENATE CONCURRENT
RESOLUTIONS

Senator Trenbeath introduced:

Senate Concurrent Resolution "A". A concurrent resolution requesting the national Congress to give immediate attention to amending the Sugar Act of 1948, and to give the American farmers their right to produce a larger share of the United States sugar market.

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

Senator Trenbeath introduced:

Senate Concurrent Resolution "B". A concurrent resolution urging the United States Secretary of Agriculture, Secretary of State, and National Congress to curtail seed wheat importations from Canada in excess of the allowable annual wheat import quota of eight hundred thousand (800,000) bushels.

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

FIRST READING OF SENATE RESOLUTIONS

Senators Erickstad and Fiedler introduced:

Senate Resolution No. 1. A resolution providing copies of the North Dakota Century Code and the 1955, 1957 and 1959 Session Laws for the use of the various committees of the Senate.

Was read the first time.

Senator Holand moved that the rules be suspended and that Senate Resolution No. 1 be not referred to a committee, that it be not printed as a bill, but that it be printed in the journal, which motion prevailed.

SENATE RESOLUTION NO. 1

Introduced by Senator Erickstad and Senator Fiedler

A resolution providing copies of the North Dakota Century Code and the 1955, 1957 and 1959 Session Laws for the use of the various committees of the Senate.

BE IT RESOLVED BY THE SENATE OF THE STATE OF
NORTH DAKOTA:

1 WHEREAS, the Senate in its deliberations and in its
 2 various committee meetings often finds it necessary to
 3 refer to the code and for that reason a code should be
 4 available for such use;

5 NOW, THEREFORE, BE IT RESOLVED BY THE
 5a SENATE OF
 6 THE THIRTY-SEVENTH LEGISLATIVE ASSEMBLY
 6a OF THE STATE OF
 7 NORTH DAKOTA:

8 That the secretary of the state be authorized and
 9 directed to furnish twenty copies of the North Dakota
 10 Century Code and twenty copies of the 1955, 1957 and
 10a 1959
 11 Session Laws to be distributed in the Senate chambers
 11a and
 12 to the various committee rooms of the Senate, each
 12a volume
 13 to be stamped or labeled "Property of the state of North
 14 Dakota," and under the custody of the secretary of the
 15 Senate and the various committee chairmen using the
 15a same,
 16 whose duty it shall be, at the close of the session, to
 17 deliver them to the Secretary of State to be kept by him
 18 for the use of succeeding sessions of the legislature,
 19 and that a copy of this resolution duly certified by the
 20 secretary of the Senate be delivered to the Secretary
 21 of State as his authority for furnishing same.

Senator Holand moved that the rules be suspended and that Senate Resolution No. 1 be placed on second reading and final passage, which motion prevailed.

SECOND READING OF SENATE RESOLUTIONS

Senate Resolution No. 1. A resolution providing copies of the North Dakota Century Code and the 1955, 1957 and 1959 Session Laws for the use of the various committees of the Senate.

Was read the second time.

The question being on the adoption of Senate Resolution No. 1, the same was submitted by the President and adopted by voice vote.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Employment recommends the following employees:

Arthur A. Herk, Fingal.....	Asst. Secretary of the Senate
Marjorie Daner, Bismarck.....	Bill Clerk
Edward Heer, Bismarck.....	Supervisor of Personnel
L. E. Bradley, Rock Lake.....	Asst. Sergeant at Arms
Carol Weller, Rock Lake.....	Secretary to President
Mrs. Lyle Limond, Bismarck.....	Calendar Clerk
Rebecca Quanrud, Bismarck.....	Chief Stenog. & Payroll Clerk
Agnes Ellwein, Bismarck.....	Stenographer
Blanche Bailey, Bismarck.....	Stenographer
Iva Slag, Bismarck.....	Stenographer
Lois Scherr, Bismarck.....	Stenographer
Marlis Gronberg, Bismarck.....	Typist
Edna Sand, Bismarck.....	Committee Clerk
J. Vernon Asheim, Mohall.....	Committee Clerk
Anne C. Ranes, Lisbon.....	Committee Clerk
Eugene O. Holen, Arnegard.....	Committee Clerk

Mildred Moore, Bismarck... Enrolling and Engrossing Clerk
 Vonny Mushik, Bismarck... Enrolling and Engrossing Clerk
 Anna Marie Ray, Bismarck... Proofreader
 Sonja McKinnon, Bismarck... Proofreader
 William A. Campbell, Fairmount... Page
 Edna Mae Bohe, Washburn... Page
 Verline D. Jensen, Bismarck... Page
 Larry Brenno, Harlow... Page
 Miss Effie Hamry, Bismarck... Postmistress
 Mrs. L. G. Fowler, Sr., Bismarck... Telephone Attendant
 Mrs. Anna Louise Krenz, Sherwood... Information Desk
 Robert G. Ellsworth, Maxbass... Messenger to the Governor
 and the House
 Frank J. Seavert, Forman... Supply Room
 Arvid Kjos, Wyndmere... Doorkeeper
 J. D. Gronna, Grand Forks... Doorkeeper
 Iver Kval, Lisbon... Parking Lot Attendant
 G. K. Ness, Fordville... Bill Book Attendant
 E. W. Willoughby, Grace City... Cloak Room Attendant

HARRY W. WADESON, Chairman.

Senator Wadeson moved that the report be adopted.

ROLL CALL

The question being on the motion of Senator Wadeson that the report of the Committee on Employment be adopted, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Berube	Kamrath	Roen
Bopp	Kee	Saumur
Brooks	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Longmire	Trenbeath
Foss	Luick	Van Horn
Garaas	Meidinger	Wadeson
Gefreh	Miller	Wartner
George	Morgan	Witteman
Gronyold	Mutch	Yunker
Harris		

Those voting in the negative were:

Gilbertson Paulson

Absent and not voting:

Murphy

So the report was declared adopted.

The Lt. Gov. then administered the oath of office to the above named employees.

Senator Gefreh moved that the absent Senators be excused.

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

HOWARD F. DOHERTY, Secretary

THIRD DAY

Bismarck, January 5, 1961

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

Prayer by Chaplain Rev. A. Benjamin Dove, 1st Presbyterian Church, Mandan.

Roll call: All Senators present except Senator Murphy. The President declared a quorum present.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the first day after recess and second day and find the same correct.

SENATOR KEE, Chairman.

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

MOTIONS

Senator Ringsak moved that the names of Senator Ringsak and Senator Kee be removed from the Committee on Correction and Revision of the Journal, which motion was declared lost.

Senator Ringsak requested a roll call vote, which request was granted.

ROLL CALL

The question being on the motion of Senator Ringsak the roll was called and there were ayes, 47; nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Berube	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Mutch	Yunker
Harris	Nesvig	

Those voting in the negative were:

Bopp

Absent and not voting:

Murphy

So the motion was declared carried.

Senator Ringsak moved that the names of Senator Harris and Senator Lips be placed on the Committee on Correction and Revision of the Journal, which motion prevailed.

Senator Garaas: Yesterday we had a joint meeting with the House for the inauguration and last night we had a Governor's Ball, and I think that this assembly should give a special thank you for the work that was done in making these two occasions a success. The National Guard,

headed by General Heber L. Edwards, done a good job in making it a success and also the inauguration committee chaired by Mrs. Charles Conrad should be given a special thank you for the success of these occasions. I believe also another committee that was instrumental in making this a success, chaired by Sen. Iver Solberg, and to the National Guard I believe that this assembly should, in the form of a motion, thank them for the wonderful job in making yesterday a success, and I move that the proper authorities handling the joint session and ball be given a special recognition of thanks from this assembly.

The question was on the motion of Senator Garaas, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 5, 1961

Mr. President: I have the honor to return herewith the following bill which the House has passed unchanged:
Senate Bill No. 1

GERALD L. STAIR, Chief Clerk.

MOTIONS

Senator Hystad moved that the remarks of Senator Van Horn in regard to the lighting in the Senate Chambers be printed in the journal, which motion prevailed.

Senator Van Horn: Mr. President, I would just like to remark on the new lighting system in the Senate Chambers. I believe that we now have as adequate a system as the chamber on the other side of the hall. Now it will make it possible for the minority to see what the majority is doing. I want to thank whoever is responsible.

Senator Holand moved that the Senate recess until 1:00 p.m., January 6, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

THIRD DAY AFTER RECESS AND FOURTH DAY

Bismarck, January 6, 1961

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

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

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

HOWARD F. DOHERTY, Secretary.

FOURTH DAY

Bismarck, January 6, 1961

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

Prayer by Chaplain Rev. E. Walter Erdman, 1st Evangelical United Brethren Church, Bismarck.

Roll call: All Senators present except Senators Baker, Brooks, Erickson, Foss, Kee, Murphy and Yunker.

A quorum was declared by the President.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the second day after recess and third day and find the same correct.

SENATOR HARRIS, Chairman.

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

COMMUNICATIONS

A communication was received from A. W. Wentz, Commissioner, North Dakota State Highway Department, dated January 3, 1961, enclosing a copy of a comparative study regarding usage of Portland Cement Concrete and Asphalt Concrete for Interstate Surfaces as directed by Senate Concurrent Resolution "MM", which communication was referred to the Committee on Transportation.

REPORT OF SELECT COMMITTEES

Mr. President: Your Committee on Employment recommends the following employees:

Wilhelm Urlacher, Dickinson.....	Mail Room
Sven Haugsjaa, Pekin.....	Doorkeeper
Philip Henry, St. John.....	Mail Room and
	Bill Book Attendant
Erik L. Christensen, Jamestown.....	Chartroom
Elmer M. Sundlie, Forman.....	Chartroom

Albert Strand, Ellendale.....	Bill Room Clerk
Edward C. Leonard, Dunseith.....	Mail Room
Hans P. Johnson, Werner.....	Mail Room
Ed Haag, Fredonia.....	Chief, Mail Room
Miles Nelson, Rugby.....	Bill Room Clerk
Fred Shipman, Watford City.....	Doorkeeper
Robert Dahl, Cooperstown.....	Mail Room
Edna Jones, Bismarck.....	Mail Room and Bill Book Attendant
Geo. Anderson, Wing.....	Mail Room
Victoria Stucke, Bismarck.....	Bill Book Attendant
Joan Nelson, Fargo.....	Stenographer
Jacob Albrecht, Steele.....	Mail Room and Bill Book Attendant
Carl Remmich, Streeter.....	Mail Room and Bill Book Attendant
Jacob Hoffart, Esmond.....	Mail Room and Bill Book Attendant

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted.

ROLL CALL

The question being on the motion of Senator Wadeson that the report of the Committee on Employment be adopted, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kisse	Roen
Erickstad	Lautenschlager	Saumur
Fiedler	Lips	Schrock
Garaas	Longmire	Solberg
Gefreh	Luick	Thompson
George	Meidinger	Trenbeath
Gilbertson	Miller	Van Horn
Gronvold	Morgan	Wadeson
Harris	Mutch	Wartner
Hernett	Nesvig	Witteman

Absent and not voting:

Baker	Foss	Murphy
Brooks	Kee	Yunker
Erickson		

So the report was declared adopted.

The Lt. Governor then administered the oaths of office to all of the above named employees with the exception of Hans P. Johnson, Jacob Hoffart, Miles Nelson and Albert Strand.

REPORT OF SELECT COMMITTEES

Mr. President: Your Select Committee appointed to arrange for Telephone Installations have had the same under consideration and recommend that the telephone installations be the same as in the Thirty-sixth Legislative Assembly.

SENATOR RINGSAK, Chairman.

Senator Ringsak moved that the report be adopted.

ROLL CALL

The question being on the motion of Senator Ringsak to adopt the report of the Committee on Telephone Installations, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Andre	Holand	Redlin
Baeverstad	Hystad	Reichert
Becker	Johnson	Ringsak
Berube	Kamrath	Roen
Bopp	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Garaas	Luick	Thompson
Gefreh	Meidinger	Trenbeath
George	Morgan	Van Horn
Gilbertson	Mutch	Wadeson
Gronvold	Nesvig	Wartner
Harris	Paulson	Witteaman
Hernett		

Absent and not voting:

Baker	Foss	Miller
Brooks	Kee	Murphy
Erickson	Longmire	Yunker

So the report was declared adopted.

MOTIONS

Senator Holand moved that the President appoint a committee of five to serve as a Committee on Enrolling and Engrossing, which motion prevailed.

The President appointed as such committee Senators Kisse, Gronvold, Miller, Reichert and Bopp.

FIRST READING OF SENATE RESOLUTION

Senators Luick, Longmire, Mutch, Wadeson, Redlin, Solberg and Berube introduced:

Senate Resolution No. 2. A resolution directing the secretary of the senate to provide identification tags for all members and employees of the senate.

MOTIONS

Senator Holand moved that the rules be suspended and that Senate Resolution No. 2 be not referred to a committee, not printed as a bill but printed in the journal, which motion prevailed.

SENATE RESOLUTION NO. 2

Introduced by Senators Luick, Longmire, Mutch, Wadeson, Redlin, Solberg and Berube

A resolution directing the secretary of the senate to provide identification tags for all members and employees of the senate.

- 1 WHEREAS, it is difficult for the members of the
- 1a senate
- 2 and the employees thereof to recognize one another
- 2a and
- 3 WHEREAS, it would be very helpful if identification
- 4 tags were provided each member and employee of the
- 4a senate
- 5 for identification purposes;

6 NOW, THEREFORE, BE IT RESOLVED BY THE
6a SENATE OF THE
7 STATE OF NORTH DAKOTA:

8 That the secretary of the senate is hereby directed
9 to procure as soon as possible blue identification tags
10 for all members and employees of the senate and all
10a em-
11 ployees shall wear such tags during all duty hours.

REPORT OF STANDING COMMITTEES

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

Senate Bill No. 1

And find the same correctly enrolled.

SENATOR KISSE, Chairman.

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

Mr. President: Your committee on Enrollment and En-
grossment respectfully report that they have examined
the following bill:

Senate Resolution No. 1

And find the same correctly enrolled.

SENATOR KISSE, Chairman.

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

SIGNING OF BILLS

The secretary announced that the President was about
to sign:

Senate Bill No. 1

Senate Resolution No. 1

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

MOTIONS

Senator Holand moved that the Senate recess until 1:30
p.m., January 7, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FOURTH DAY AFTER RECESS AND FIFTH DAY

Bismarck, January 7, 1961

The Senate convened at 1:30 p.m., the President presiding.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 7, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 1

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

HOWARD F. DOHERTY, Secretary.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 7, 1961

Mr. President: I have the honor to return:

Senate Bill No. 1

Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

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

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

HOWARD F. DOHERTY, Secretary.

FIFTH DAY

Bismarck, January 7, 1961

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

Prayer by Chaplain Rev. Fredrick K. Smyithe, Christ Episcopal, Mandan.

The roll was called and there were 20 present and 29 absent. Those present were: Andre, Baeverstad, Becker, Berube, Fiedler, Hernet, Hystad, Johnson, Kisse, Lautenschlager, Lips, Luick, Miller, Murphy, Nesvig, Redlin, Saumur, Trenbeath, Wadeson and Witteman.

Those absent were: Baker, Bopp, Brooks, Erickson, Erickstad, Foss, Garaas, Gefreh, George, Gilbertson, Gronvold, Harris, Holand, Kamrath, Kee, Longmire, Meidinger, Morgan, Mutch, Paulson, Reichert, Ringsak, Roen, Schrock, Solberg, Thompson, Van Horn, Wartner, and Yunker.

So the President declared that the Senate lacked a quorum and would stand adjourned until 1:30 p.m., January 9, 1961.

HOWARD F. DOHERTY, Secretary.

FIFTH DAY AND SEVENTH DAY

Bismarck, January 9, 1961

The Senate convened at 1:30 p.m., the President presiding.
Roll Call: All Senators present.

A quorum was declared by the President.

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the third day after recess and fourth day and find the same correct.

SENATOR HARRIS, Chairman.

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

REPORT OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 1

Was delivered to the Governor for his approval at the hour of 11:30 o'clock a.m., January 9, 1961.

SENATOR KISSE, Chairman.

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 11:30 o'clock a.m., January 9, 1961.

SENATOR KISSE, Chairman.

Mr. President: Your Committee on Employment recommends the following employees:

Walter Link, Alexander.....	Bill Book Attendant
Ed Huenink, Hettinger.....	Mail Room & Bill Book Attendant
Ed Fischer, Streeter.....	Bill Book Attendant
V. J. Melarvie, Larimore.....	Mail Room & Bill Book Attendant
Helen Eckman, Mercer.....	Bill Book Attendant
Myrtle Steen, Bismarck.....	Appropriations Committee Clerk
Martin Kilwein, Dickinson.....	Mail Room and Bill Book Attendant

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted.

ROLL CALL

The question being on the motion of Senator Wadeson that the report of the Committee on Employment be

adopted, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Saumur
Brooks	Kee	Schrock
Erickson	Kisse	Solberg
Erickstad	Lautenschlager	Thompson
Fiedler	Lips	Trenbeath
Foss	Luick	Van Horn
Garaas	Meidinger	Wadeson
Gefreh	Miller	Wartner
George	Morgan	Witteman
Gilbertson	Murphy	Yunker
Gronvold	Mutch	

Absent and not voting:

Longmire Roen

So the report was declared adopted.

The Lt. Gov. then administered the oath of office to all of the above named employees with the exception of Myrtle Steen.

The Lt. Gov. also administered the oath of office to Miles Nelson, Albert Strand, and Jacob Hoffart.

REPORT OF SELECT COMMITTEES

Mr. President: Your Select Committee appointed to arrange for Chaplaincy of the Senate during the Thirty-seventh Legislative Assembly submits the following list of Clergy and schedule of days to be served by each at a fee of \$6.00 per appearance:

DATE	
January	
3	Warren K. Johnson.....(CA 3-3310) First Lutheran, Bismarck
4	Lloyd C. Jorgenson.....(BL 5-0282) Assembly of God, Bismarck
5	A. Benjamin Dove.....(2329) First Presbyterian, Mandan
6	E. Walter Erdman.....(CA 3-4401) 1st Evangelical United Brethren, Bismarck
7	Frederick K. Smythe.....(4649) Episcopal, Mandan
9	S. Trienen.....(657) St. Joseph Catholic Church, Mandan
10	David E. Figg.....(CA 3-8895) Church of the Nazarene, Bismarck
11	A. E. Smith.....(CA 3-1136) St. George's Episcopal, Bismarck
12	H. A. Galowitsch.....(8842) Christ the King, Catholic, Mandan
13	Ira E. Herzberg.....(BL 5-0598) Calvary Evangelical United Brethren, Bismarck

January

14	Charles M. Hill.....	(CA 3-7266)
	1st Congregational Christian, Bismarck	
16	Robert Strutz.....	(3421)
	Church of the Good Shepard, Evangelical United Brethren, Mandan	
17	Allen Iseminger.....	(BL 5-1947)
	Seventh Day Adventist, Bismarck	
18	Paul Faulkinberry.....	(CA 3-7238)
	Wesleyan Methodist, Bismarck	
19	Alvin Keller.....	(CA 3-6434)
	State Training School, Mandan	
20	A. Reimnitz.....	(CA 3-8286)
	Zion Lutheran, Bismarck	
21	M. P. Lutness.....	(CA 3-3560)
	Trinity Lutheran, Bismarck	
23	Frank Rumer.....	(3031)
	District Supt. of the Methodist Church, Mandan	
24	Carsten E. Brien.....	(2683)
	First Lutheran, Mandan	
25	Glenn Field.....	(CA 3-4733)
	Capital Heights Baptist, Bismarck	
26	E. O. Grunstead.....	(8339)
	Charles Wesley Burns Methodist Church, Mandan	
27	A. Benjamin Dove.....	(2329)
	First Presbyterian, Mandan	
28	Fredrick K. Smyithe.....	(4649)
	Episcopal, Mandan	
30	William F. Garvin.....	(CA 3-1033)
	Cathedral of the Holy Spirit, Bismarck	
31	S. Trienen.....	(657)
	St. Joseph Catholic Church, Mandan	

February

1	David E. Figg.....	(CA 3-8895)
	Church of the Nazarene, Bismarck	
2	A. E. Smith.....	(CA3 -1136)
	St. George's Episcopal, Bismarck	
3	H. A. Gallowitsch.....	(8842)
	Christ the King Catholic, Mandan	
4	Ira E. Herzberg.....	(BL 5-0598)
	Calvary Evangelical United Brethren, Bismarck	
6	Charles M. Hill.....	(CA 3-7266)
	1st Congregational Christian, Bismarck	
7	Robert Strutz.....	(3421)
	Church of the Good Shepherd, Evangelical United Brethren, Mandan	
8	Allen Iseminger.....	(CA 3-1947)
	Seventh Day Adventist, Bismarck	
9	Paul Faulkinberry.....	(CA 3-7238)
	Wesleyan Methodist, Bismarck	

February

- 10 Alvin Keller..... (CA 3-6434)
State Training School, Chaplain
- 11 William R. Lindsay..... (CA 3-6091)
First Presbyterian, Bismarck
- 13 A. B. Meyer..... (CA 3-0364)
Reformed Church, Bismarck
- 14 Frank Rumer..... (3031)
District Supt., Methodist Church,
Mandan
- 15 Henry Hottmann..... (BL 5-1160)
First Methodist, Bismarck
- 16 Glenn Field..... (CA 3-4733)
Capital Heights Baptist, Bismarck
- 17 E. O. Grunstead..... (3350)
Charles Wesley Burns Memorial Methodist,
Mandan
- 18 Clifford Nuss..... (CA 3-2921)
First Baptist Church, Bismarck
- 20 Erwin Wieland..... (CA 3-4600)
American Lutheran, Bismarck
- 21 E. Walter Erdman..... (CA 3-4401)
1st Evangelical United Brethren, Bismarck
- 22 W. C. Thurman..... (CA 3-8541)
Church of God, Bismarck
- 23 Jud Whitefield..... (CA 3-5134)
Church of Christ, Bismarck
- 24 Virgil Jones..... (4232)
Baptist Temple, Mandan
- 25 Edward R. Kimball..... (CA 3-6271)
1st Evangelical Free, Bismarck
- 27 Robert D. Lynne..... (BL 5-1119)
Good Shepherd Lutheran, Bismarck
- 28 Herman Johnson..... (776)
Bethel Assembly of God, Mandan

March

- 1 Robert A. Feehan..... (CA 3-5562)
St. Mary's Catholic, Bismarck
- 2 Lloyd Jorgenson..... (BL 5-0282)
Assembly of God, Bismarck
- 3 A. P. Tidemann..... (CA 3-8099)
Lutheran Church of the Cross, Bismarck
- 4 Allen Lindberg..... (3545)
Peace Lutheran, Mandan
- 6 J. F. Vondracek..... (CA 3-1885)
Salvation Army, Bismarck
- 7 A. Reimnitz..... (CA 3-8286)
Zion Lutheran, Bismarck
- 8 John Holton..... (8466)
Christ Episcopal, Mandan
- 9 P. A. Spain..... (CA 3-1549)
St. Anne's Catholic, Bismarck

March

- 10 Henry Hottmann.....(BL 5-1160)
McCabe Methodist, Bismarck
- 11 George L. Van Bockern.....(CA 3-6091)
First Presbyterian, Bismarck

SENATOR GEFREH, Chairman.

MOTIONS

Senator Holand moved that the report of the Committee on Chaplaincy be printed in the journal and laid over one legislative day, which motion prevailed.

Senator Holand moved that the name of Hans P. Johnson, Mail Room Attendant, be stricken from the list of Senate employees, which motion prevailed.

Senator Holand moved that the President appoint a committee of two to escort the President pro tem to the rostrum for the purpose of having the Lieutenant Governor administer the oath of office, which motion prevailed.

The President appointed as such committee Senators Foss and Schrock and Senator Luick was escorted to the rostrum and the Lieutenant Governor administered the oath of office to the President pro tem.

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

HOWARD F. DOHERTY, Secretary.

SEVENTH DAY

Bismarck, January 9, 1961

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

Prayer by Chaplain Rev. Arnold Spain, Church of St. Anne, Bismarck.

Roll call: All Senators present.

A quorum was declared by the President.

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

On page 27, line 31, after the word "presiding" insert the words "pro tem".

And when so corrected recommends that the same be approved.

SENATOR HARRIS, Chairman.

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

FIRST READING OF SENATE BILLS

The Committee on Appropriations introduced:

Senate Bill No. 2. A Bill for an Act making an appropriation for the general maintenance, plant improvements, and new buildings 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.

The Committee on Appropriations introduced:

Senate Bill No. 3. A Bill for an Act relating to an appropriation for the purpose of administering the provisions of Chapter 52-10 of the North Dakota Century Code, pertaining to social security coverage of public employees.

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 to the Livestock Sanitary Board for its operating and maintenance expense, and for indemnifying owners of animals, to the Bangs Disease Fund and to the Bovine Tuberculosis Fund.

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

The Committee on Appropriations introduced:

Senate Bill No. 5. A Bill for an Act authorizing the State Livestock Sanitary Board to provide by regulation for the quarantine of livestock feedlots; providing for the licensing of quarantined feedlots; and making an appropriation.

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 to pay veterinary inspectors and expenses in connection with livestock sales rings as provided by law and by regulations promulgated by the Livestock Sanitary Board.

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 to the State Historical Society for salary, clerkhire and miscellaneous expenses and maintenance of state parks.

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

The Committee on Appropriations introduced:

Senate Bill No. 8. A Bill for an Act making an appropriation for the operating and maintenance expenses of the Public Health Department.

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 purpose of paying salary, clerkhire and general expenses of the Department of Coal Mine Inspector and coal mine safety work.

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

The Committee on Appropriations introduced:

Senate Bill No. 10. 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 Chapter 54-16 of the North Dakota Century Code, and for civil defense.

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 to pay the expenses of the State Board of Veterinary Medical Examiners as authorized under Chapter 36-02 of the North Dakota Century Code.

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 refunding money erroneously paid into or credited to the General Fund.

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

The Committee on Appropriations introduced:

Senate Bill No. 13. A Bill for an Act providing an appropriation for the paying of salary, clerkhire, travel and general expenses of the office of Commissioner of Veterans' Affairs.

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

The Committee on Appropriations introduced:

Senate Bill No. 14. A Bill for an Act making an appropriation for the administration expenses of the Veterans' Aid Commission.

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

The Committee on Appropriations introduced:

Senate Bill No. 15. 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.

The Committee on Appropriations introduced:

Senate Bill No. 16. A Bill for an Act making an appropriation to provide funds for the arrest and return of fugitives from justice.

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

The Committee on Appropriations introduced:

Senate Bill No. 17. 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 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 inquest and burial of penal inmates, and action to release insane.

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 salaries, operation, maintenance, general and miscellaneous expenses for the State Laboratories Department.

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

The Committee on Appropriations introduced:

Senate Bill No. 20. A Bill for an Act making an appropriation for the use of the North Dakota Economic Development Commission.

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 the financing of the operations of the State Soil Conservation Committee and the activities of the State Soil Conservation Districts.

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

The Committee on Appropriations introduced:

Senate Bill No. 22. A Bill for an Act making an appropriation into the "Administrative Fund" for the State Water Conservation Commission for general administration expenses, maintaining and construction of dams; planning and surveying projects; expenses of state Compacts; and for organizing water conservation and irrigation districts for construction and development.

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 an appropriation to the State Water Conservation Commission for continued participation in the investigation, planning, construction and maintenance of multiple-purpose projects for beneficial utilization, control and management of public waters and providing that moneys appropriated by this Act, and any unused balance of moneys remaining unexpended, appropriated for the purpose mentioned, shall be covered into a fund designated "multiple-purpose fund" and that such fund shall remain available to the Commission until expended.

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 salaries and expenses of the State Geological Survey and for cooperation of United States Geological Survey.

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

The Committee on Appropriations introduced:

Senate Bill No. 25. A Bill for an Act making an appropriation to the North Dakota Firemen's Association.

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

The Committee on Appropriations introduced:

Senate Bill No. 26. 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.

The Committee on Appropriations introduced:

Senate Bill No. 27. A Bill for an Act making an appropriation for the purpose of carrying out the provisions of Chapter 54-36 of the North Dakota Century Code.

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 to provide for the payment of the expenses of auditing and examining the affairs of the State Industrial institutions, and the special departments and its subdivisions, of the State of North Dakota, designating and appropriating the funds from which paid; providing for the payment of said collections into the Special Fund in the State Treasury; providing for repeal of acts.

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

The Committee on Appropriations introduced:

Senate Bill No. 29. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Department of the Registrar of Motor Vehicles.

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

The Committee on Appropriations introduced:

Senate Bill No. 30. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the State Highway Department.

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

The Committee on Appropriations introduced:

Senate Bill No. 31. A Bill for an Act making an appropriation for the construction of buildings by the State Highway Department.

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 out of the State Treasury for the operation, maintenance, equipment, supplies, outfitting of patrolmen, travel and miscellaneous expenses for the Highway Patrol.

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

The Committee on Appropriations introduced:

Senate Bill No. 33. A Bill for an Act making an appropriation for the purpose of paying salaries and miscellaneous expenses of the Workmen's Compensation Bureau.

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

The Committee on Appropriations introduced:

Senate Bill No. 34. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Game and Fish Department.

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

The Committee on Appropriations introduced:

Senate Bill No. 35. A Bill for an Act making an appropriation for the purpose of operating and maintaining the Teachers' Insurance and Retirement Fund.

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

The Committee on Appropriations introduced:

Senate Bill No. 36. A Bill for an Act making an appropriation to provide for nurse preparation scholarships for qualified residents of North Dakota who express an intent to prepare for nursing, as provided for in Chapter 43-12 of the North Dakota Century Code.

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

The Committee on Appropriations introduced:

Senate Bill No. 37. A Bill for an Act making an appropriation for the purpose of carrying out the provisions of Chapter 54-38 of the North Dakota Century Code.

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

The Committee on Appropriations introduced:

Senate Bill No. 38. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Public Safety Division.

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

The Legislative Research Committee introduced:

Senate Bill No. 39. A Bill for an Act relating to the rights of parties under oil and gas leases and remedies available to such parties, and to provide for a presumption of drainage of oil or gas under certain circumstances.

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

The Legislative Research Committee introduced:

Senate Bill No. 40. A Bill for an Act to amend and reenact subsection 2 of section 38-08-08 of the North Dakota Century Code relating to the payment of costs of oil and gas operations when fractional oil and gas interests are pooled by order of the industrial commission, and to the method of requiring that such costs be paid by all owners of fractional interests, and to repeal section 38-08-10 of the

North Dakota Century Code relating to the filing and foreclosure of liens upon the interests of parties not sharing costs of pooled operations.

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

The Legislative Research Committee introduced:

Senate Bill No. 41. A Bill for an Act to amend and reenact section 38-08-09 of the North Dakota Century Code relating to the approval by the industrial commission of voluntary agreements for the unit or cooperative development and operation of common sources of oil and gas.

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

The Legislative Research Committee introduced:

Senate Bill No. 42. A Bill for an Act to create and enact sections 38-08-09.1 through 38-08-09.16, inclusive, of the North Dakota Century Code, to provide for the unitized management, operation, and development of common sources of supply of oil and gas in order to encourage cycling, re-cycling, pressure maintenance, and secondary recovery operations in order that the greatest possible economic recovery of oil and gas be obtained within the state to the benefit of landowners, royalty owners, producers, and the general public, and for the protection of the correlative rights of all such persons; and to prescribe procedures for organizing such unit operations.

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

The Legislative Research Committee introduced:

Senate Bill No. 43. A Bill for an Act to create and enact subsection 17 of section 38-08-02 of the North Dakota Century Code relating to definition of the word "director" for oil and gas purposes and to amend and reenact sections 38-08-04, 38-08-05, 38-08-06, and subsection 3 of section 38-08-07 of the North Dakota Century Code relating to the authority of the industrial commission to appoint the state geologist or some other person to direct its operations regarding oil and gas conservation and to the authority of the commission to establish oil and gas marketing districts.

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

The Legislative Research Committee introduced:

Senate Bill No. 44. A Bill for an Act relating to the obligation to pay royalties under oil and gas leases and providing remedies for breach of such obligation.

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

The Legislative Research Committee introduced:

Senate Bill No. 45. A Bill for an Act to create and enact section 38-08-04.1 of the North Dakota Century Code, authorizing the industrial commission to appoint examiners to conduct hearings with respect to oil and gas conservation matters coming before the commission, and to make findings and recommendations with respect thereto to the commission.

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

Senators Fiedler, Hystad, Longmire and Yunker introduced:

Senate Bill No. 46. A Bill for an Act to create and enact sections 19-02-02.1 and 23-05-07.1 of the North Dakota Century Code and to amend and reenact subsection 1 of section 23-01-05 and subsection 9 of section 23-09-09 and sections 23-04-07, 23-09-02, 23-09-10, 23-09-11, 23-09-14, 23-09-16, 23-09-17, 23-09-18, 23-09-19, 23-09-22, 23-10-02, 23-10-03, 23-10-04, 23-10-06, 23-10-10, 23-10-11, 23-10-12, and 23-14-12 of the North Dakota Century Code relating to licensing and regulation of restaurants, hotels, boardinghouses, lodgings, motor courts, and trailer courts, and the enforcement of laws relating thereto.

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

Senators Fiedler, Hystad, Longmire and Yunker introduced:

Senate Bill No. 47. A Bill for an Act to authorize the establishment of community mental health service units, to provide for their administration and for state aid and assistance from the state health department, and to authorize a mill levy of not to exceed three-quarters of one mill for such purpose.

Was read the first time and referred to the committee on Social Welfare and Veterans Affairs.

Senators Fiedler, Hystad, Longmire and Yunker introduced:

Senate Bill No. 48. A Bill for an Act to provide for the transfer of the children's psychiatric clinic from the board of administration to the state health department and authorizing the health department to use the staff of the clinic to a limited extent in other mental health activities.

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

Senators Fiedler, Holand, Hystad, Longmire and Yunker introduced:

Senate Bill No. 49. A Bill for an Act to provide for the establishment of a mental health authority in the state health department and prescribing its powers and duties, and to provide for the establishment of a mental health coordinating committee and prescribing its functions.

Was read the first time and referred to the committee on Social Welfare and Veterans Affairs.

Senators Foss, Hernet, Holand, Lautenschlager and Trenbeath introduced:

Senate Bill No. 50. A Bill for an Act to create and enact chapter 21-09 of the North Dakota Century Code relating to the investment of public funds, creation of a state investment board, appointment of a director, types of legal investments, providing a penalty, and providing an appropriation for the operation of the board; and to amend and reenact sections 15-39-26, 26-23-03, 26-24-07, 54-27-16, and 65-04-31 of the North Dakota Century Code relating to the investment of public funds.

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

Senators Foss, Hernett, Lautenschlager and Trenbeath introduced:

Senate Bill No. 51. A Bill for an Act providing for a transfer of all funds in the charitable institutions revolving fund and the institutional support funds and providing that all collections from liquor taxes be deposited in the general fund and to relieve the counties of any share of costs of operation and administration of the state hospital, state school, and tuberculosis sanatorium, and further providing for the collection of expenses incurred by the state for care and treatment of patients at such institutions, to create and enact chapter 25-09 of the North Dakota Century Code, and to amend and reenact sections 5-03-09, 5-03-11, 25-03-15, 25-03-26, 25-04-04, and 25-05-34 of the North Dakota Century Code and to repeal sections 25-02-07, 25-02-08, 25-02-10, 25-03-03, 25-03-04, 25-04-09, 25-04-10, 25-05-08, 25-05-09, and 25-05-10, and chapter 25-08 of the North Dakota Century Code relating to institutional care and treatment and expenses thereof and the disposition of liquor taxes.

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

Senators Luick, Baeverstad, Gefreh, Johnson, Kee, Thompson and Yunker introduced:

Senate Bill No. 52. A Bill for an Act to create and enact chapter 57-02.1 and section 57-02-12.1, and to amend and reenact sections 40-07-08 and 40-14-04, subsection 4 of section 40-15-05, sections 57-02-11, 57-02-12, 57-02-14, 57-02-17, 57-02-18, 57-02-22, 57-02-31, 57-02-32, 57-02-33, 57-02-34, 57-02-37, 57-03-01, 57-03-02, 57-09-06, 57-12-07, 57-13-04, 57-13-05, 57-13-07, 57-13-08, 57-14-01, 57-14-02, 57-14-05, and 58-05-18 of the North Dakota Century Code, relating to an optional county assessor system and to the assessment, equalization, and taxation of real and personal property, to the powers and duties of assessors and boards of equalization and to limitations upon tax levies; providing for the appointment of county assessors and supervisors of assessment and their powers and duties; providing penalties; and repealing chapters 4-21 and 58-09, sections 4-01-01, 4-01-02, 4-01-03, 4-01-04, 4-01-05, 4-01-06, 4-01-07, 4-01-08, 4-01-09, 4-01-10, 4-01-11, 4-01-12, 4-01-13, 4-01-14, 15-08-02, 57-02-35, 57-02-36, 57-10-05, 57-14-08, and 61-20-05 of the North Dakota Century Code, relating to tree bounties, and the powers and duties of assessors and county boards of equalization, methods of assessment and taxation and agricultural statistics.

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

Senators Luick, Holand, Baeverstad, Gefreh, Johnson, Kee, Thompson and Yunker introduced:

Senate Bill No. 53. A Bill for an Act creating the office of state supervisor of assessments in the state tax commissioner's office and providing for his appointment and duties.

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

Senators Luick, Baeverstad, Gefreh, Johnson, Kee, Thompson and Yunker introduced:

Senate Bill No. 54. A Bill for an Act to amend and reenact section 57-38-37 of the North Dakota Century Code relating to the issuance of a receipt for the payment of income tax.

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

Senators Luick, Baeverstad, Gefreh, Johnson, Kee, Thompson and Yunker introduced:

Senate Bill No. 55. A Bill for an Act to create and enact subsection 10 of section 57-02-01 of the North Dakota Century Code relating to the definition of a farm for tax purposes.

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

Senators Nesvig, Fiedler, Garaas, Hystad, Kisse, Meidinger, Morgan, Redlin and Wartner introduced:

Senate Bill No. 56. A Bill for an Act to create and enact section 16-20-16.1 of the North Dakota Century Code, relating to the posting of campaign material on private property and the willful destruction thereof and providing a penalty.

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

Senators Nesvig, Van Horn and Hystad introduced:

Senate Bill No. 57. A Bill for an Act to amend and reenact sections 35-12-10, 35-12-11, 35-12-15, and 35-12-19 of the North Dakota Century Code, relating to time allowed in which to file mechanic's lien.

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

Senator Garaas introduced:

Senate Bill No. 58. A Bill for an Act to amend and reenact sections 38-09-17 and 38-09-18 of the North Dakota Century Code relating to leasing of public lands for the exploration and development of oil and gas.

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

Senators Van Horn and Ringsak introduced:

Senate Bill No. 59. A Bill for an Act to amend and reenact section 26-26-08 of the North Dakota Century Code, relating to the supervision by the commissioner of insurance over nonprofit hospital service corporations.

Was read the first time and referred to the committee on Industry, Business and Labor.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Foss, Hernet, Lautenschlager and Trenbeath introduced:

Senate Concurrent Resolution "C". A concurrent resolution for the amendment of sections 156 and 162 of the Constitution of the state of North Dakota relating to the

direction of the investment of and the types of permissible investments for the permanent funds of the common schools and institutions of the state.

Was read the first time and referred to the committee on Industry, Business and Labor.

Senators Johnson and Trenbeath introduced:

Senate Concurrent Resolution "D". A concurrent resolution favoring the early construction of the proposed Pembiler dam and reservoir project and urging the corps of engineers to expedite the completion of a favorable report thereon.

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

Senators Garaas, Holand, Fiedler, Erickstad, Van Horn, Wartner, Morgan, Kamrath, Nesvig, Andre, Meidinger and Redlin introduced:

Senate Concurrent Resolution "E". A concurrent resolution for the repeal of section 39 of the Constitution of the State of North Dakota prohibiting any member of the Legislative Assembly from being appointed or elected to civil office during the term for which he shall have been elected or any office for which the compensation was increased during his term.

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

FIRST READING OF A SENATE RESOLUTION

Senators Hystad and Gefreh introduced:

Senate Resolution No. 3. A resolution requiring all chaplains' invocations to be printed in the senate journal.

MOTIONS

Senator Holand moved that the rules be suspended and that Senate Resolution No. 3 be not referred to a committee, be not printed as a bill but printed in the Journal, which motion prevailed.

SENATE RESOLUTION NO. 3

Introduced by Senators Hystad and Gefreh

A resolution requiring all chaplains' invocations to be printed in the senate journal.

- 1 WHEREAS, the senate of the state of North Dakota
- 1a has
- 2 many distinguished members of the clergy acting as
- 2a senate
- 3 chaplains; and
- 4 WHEREAS, it is the desire of the members of the
- 4a senate
- 5 to permanently record in the senate journal the invo-
- 5a cations
- 6 given by such chaplains;
- 7 NOW, THEREFORE, BE IT RESOLVED BY THE
- 8 SENATE OF THE STATE OF NORTH DAKOTA:
- 9 That all invocations of the chaplains of the senate
- 10 of the state of North Dakota shall be printed in the
- 11 senate journal.

SECOND READING OF A SENATE RESOLUTION

Senate Resolution No. 2. A resolution directing the secretary of the senate to provide identification tags for all members and employees of the senate.

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, 38; nays, 9; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hystad	Reichert
Baeverstad	Johnson	Ringsak
Becker	Kamrath	Roen
Berube	Kee	Saumur
Bopp	Kisse	Solberg
Erickson	Lautenschlager	Thompson
Erickstad	Lips	Trenbeath
Fiedler	Longmire	Van Horn
Garaas	Luick	Wadeson
Gefreh	Miller	Wartner
Gilbertson	Mutch	Witteman
Harris	Paulson	Yunker
Holand	Redlin	

Those voting in the negative were:

Baker	Gronvold	Murphy
Brooks	Hernett	Nesvig
George	Meidinger	Schrock

Absent and not voting:

Foss	Morgan
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So the resolution was declared adopted.

MOTIONS

Senator Luick moved that the President appoint a committee of three to meet with a like committee from the House to arrange for identification badges in accordance with Senate Resolution No. 2, which motion prevailed.

The President appointed as such committee Senators Becker, Gronvold and Bopp.

REPORT OF SELECT COMMITTEES

Mr. President: Your Select Committee on 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 3,000 copies of the Journal of each day's proceedings, except on the days standing committee assignments are made there shall be printed 3,500; 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; that there also be placed on the daily mailing list our Congressional delegation, State Farm Bureau, State Farmers Union, North Dakota Taxpayers Association, two copies to be sent to the University Law School. There shall also be mailed copies of the Journal to all state institutions,

public libraries, the State Historical Society; all State's attorneys, county auditors, county and district judges, and by request in writing to any Chamber of Commerce, newspaper published in the state, and secretary of a county taxpayer's association, any auditor of an incorporated city, and president of the village board of an incorporated village, township clerk, high schools, both public and parochial, consolidated rural school, secretary of labor club, commercial club, or women's club within the state may be placed on the mailing list; that such request may be made through the Senator in whose district such officer or organization is located without diminishing the Senators ten copies referred to above; that all bills and journals authorized by this resolution to be printed shall be delivered by the printer to the Secretary of the Publications and Printing Commission who shall receipt therefor to the printer; that there shall be printed 700 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 1959 session.

SENATOR BAKER, Chairman.

Senator Holand moved that the rules be suspended and that the report of the Committee on Printing be printed in the Journal and laid over one day, which motion prevailed.

Senator Holand moved that the Senate do now recess until 1:30 p.m., January 10, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

SEVENTH DAY AFTER RECESS AND EIGHTH DAY

Bismarck, January 10, 1961

The Senate convened at 1:30 p.m., the President presiding.

REPORT OF STANDING COMMITTEE

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

Senate Resolution No. 2

And find the same correctly enrolled.

SENATOR KISSE, Chairman.

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

REPORT OF SELECT COMMITTEE

Mr. President: Your Committee on Committees recommends that the following committees be appointed to serve in the Thirty-seventh Legislative Assembly:

SENATE COMMITTEES

AGRICULTURE COMMITTEE

Wadeson, Chairman
Erickson, Vice Chairman
Luick
Morgan
Kisse
Miller
Trenbeath
Berube
Gilbertson
Paulson
Redlin
Van Horn
Andre

APPROPRIATIONS COMMITTEE

Foss, Chairman
Saumur, Vice Chairman
Luick
Erickstad
Kee
Wadeson
Hernett
Baker
Gronvold

Ringsak
 Roen
 Johnson
 Fiedler
 Bopp
 Hystad
 Nesvig
 Van Horn

EDUCATION COMMITTEE

Meidinger, Chairman
 Roen, Vice Chairman
 Trenbeath
 Gefreh
 Miller
 Saumur
 Harris
 Schrock
 Berube
 Lautenschlager
 Redlin
 Thompson
 Yunker

FINANCE AND TAXATION COMMITTEE

Baeverstad, Chairman
 Mutch, Vice Chairman
 George
 Becker
 Erickson
 Kisse
 Lips
 Johnson
 Solberg
 Andre
 Kamrath
 Murphy
 Witteman

JUDICIARY COMMITTEE

Wartner, Chairman
 Gefreh, Vice Chairman
 Erickstad
 Longmire
 Baker
 Harris
 Lips
 Solberg
 Garaas
 Murphy
 Bopp
 Reichert
 Schrock

STATE AND FEDERAL GOVERNMENT COMMITTEE

Longmire, Chairman
 Gronvold, Vice Chairman
 Foss
 Brooks

Wartner
Morgan
Ringsak
Gilbertson
Garaas
Nesvig
Paulson
Fiedler
Reichert

INDUSTRY, BUSINESS AND LABOR COMMITTEE

Hernett, Chairman
Brooks, Vice Chairman
Meidinger
George
Kee
Mutch
Becker
Hystad
Lautenschlager
Thompson
Kamrath
Witteman
Yunker

NATURAL RESOURCES COMMITTEE

Trenbeath, Chairman
Morgan, Vice Chairman
Erickson
Gronvold
Becker
Saumur
Solberg
Redlin
Reichert
Van Horn
Witteman

POLITICAL SUBDIVISIONS COMMITTEE

George, Chairman
Ringsak, Vice Chairman
Baker
Harris
Hernett
Lips
Andre
Paulson
Murphy
Nesvig
Yunker

**SOCIAL WELFARE AND VETERANS AFFAIRS
COMMITTEE**

Miller, Chairman
Kisse, Vice Chairman
Meidinger
Wartner
Gefreh
Longmire

Schrock
Fiedler
Berube
Gilbertson
Kamrath

TRANSPORTATION COMMITTEE

Kee, Chairman
Luick, Vice Chairman
Baeverstad
Wadeson
Brooks
Roen
Mutch
Johnson
Hystad
Lautenschlager
Thompson
Bopp

SENATOR HOLAND, Vice Chairman.

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

MOTIONS

Senator Holand moved that the President appoint two additional members to the Committee on Rules making a total membership of nine on such committee, which motion prevailed.

The President appointed as such additional members of the Committee on Rules Senators Gefreh and Fiedler.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 10, 1961

Mr. President: I have the honor to transmit:

House Concurrent Resolution "C"

House Concurrent Resolution "D"

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

GERALD L. STAIR, Chief Clerk.

REPORT OF SELECT COMMITTEE

Senator Holand moved that the report of the Select Committee appointed to arrange for Chaplaincy of the Senate during the Thirty-seventh Legislative Assembly, printed on pages 30, 31, 32 and 33 of the Senate Journal, be adopted.

ROLL CALL

The question being on the motion of Senator Holand that the report of the Select Committee appointed to arrange for Chaplaincy be adopted, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson

Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	

Absent and not voting:

Van Horn Yunker

So the motion was declared carried.

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

EIGHTH DAY

Bismarck, January 10, 1961

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

Prayer by Chaplain Rev. David E. Figg, Church of Nazarene, Bismarck.

Roll call: All Senators present.

A quorum was declared by the President.

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

On page 33, delete line 8.

On page 45, delete line 30.

And when so corrected recommends that the same be approved.

SENATOR HARRIS, Chairman.

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

COMMUNICATIONS

A communication was presented from Milo W. Hoisveen, Engineer-Secretary of the North Dakota State Water Conservation Commission, enclosing a resolution requesting the 1961 North Dakota Legislative Assembly to have the Legislative Research Committee study and make recommendations concerning North Dakota water laws, which communication was referred to the Committee on Natural Resources.

A communication was presented from the Secretary of State of the State of New Hampshire, the same being a Concurrent Resolution memorializing Congress to call a convention to propose a constitutional amendment to prohibit the states from levying taxes upon the income of non-residents, which communication was referred to the Committee on Finance and Taxation.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Employment recommends the following employees:

Solomon C. Drath, Hazen.....Bill Book Attendant
Math J. Kraker, Valley City.....Bill Room Clerk

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted.

ROLL CALL

The question being on the motion of Senator Wadeson that the report of the Committee on Employment be adopted, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeyerstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteaman
Gronvold	Mutch	Yunker
Harris		

So the report was declared adopted.

The Lt. Gov. then administered the oaths of office to Myrtle Steen, Solomon C. Drath and Math J. Kraker.

REPORT OF SELECT COMMITTEE

Senator Saumur: Mr. President, your Committee on Stationery and Supplies, has contacted the Supply Department and the State Printer and have been assured that the supplies will be forthcoming as long as the desk force signs the vouchers. One of the pages will contact each Senator at his desk and it is requested that you give your name, your district, committee assignments and the number of sheets that you would like to have.

Senator Saumur moved that the report of the Committee on Stationery and Supplies be adopted, which motion prevailed.

Senator Baker moved that the report of the Select Committee on Printing, printed on pages 44 and 45 of the Senate Journal, be adopted.

ROLL CALL

The question being on the motion of Senator Baker that the report of the Select Committee on Printing be adopted, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson

Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker

Absent and not voting:
Fiedler

So the motion was declared carried.

FIRST READING OF SENATE BILLS

Senator Gefreh introduced:

Senate Bill No. 60. A Bill for an Act to amend and reenact subsection 1 of section 21-03-06 of the North Dakota Century Code, relating to the borrowing of money and the issuance of bonds by a county.

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

Senators Roen, Reichert, Longmire, Mutch, Trenbeath, Miller, Ringsak, Foss and Saumur introduced:

Senate Bill No. 61. A Bill for an Act to authorize the state board of higher education to sell tax exempt bonds for the purpose of constructing revenue-producing buildings at institutions of higher learning in this state, and providing an appropriation.

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

Senators Trenbeath, Harris and Nesvig introduced:

Senate Bill No. 62. A Bill for an Act to amend and reenact subsection (a) of section 4-10A-06 and subsection (a) of section 4-10A-09 of the North Dakota Century Code, relating to fee collected by the potato development commission to promote sale and use of potatoes grown in this state.

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

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Lips, Murphy, Baker, Kisse, Becker, Erickstad, Saumur and Fiedler introduced:

Senate Concurrent Resolution "F". A concurrent resolution urging early completion of studies and commencement of construction for erosion control and Missouri River bank stabilization.

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

Senators Baker, Becker, Kee, Longmire, Roen, Hernet, Trenbeath, Baeverstad, George and Brooks introduced:

Senate Concurrent Resolution "G". A concurrent resolution for the amendment of section 39 of the Constitution

of the state of North Dakota prohibiting any member of the legislative assembly from being appointed or elected to civil office during the term for which he shall have been elected or any office for which the compensation was increased during his term.

- Was read the first time and referred to the committee on Judiciary.

Senators Nesvig, Bopp, Wadeson, Roen, Reichert, Fiedler, Brooks, Solberg, Hernet, Johnson, Garaas, Harris, Lips and Witteman introduced:

Senate Concurrent Resolution "H". A concurrent resolution providing for the amendment of section 121 of the Constitution of the state of North Dakota, relating to the elective franchise.

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

SECOND READING OF A SENATE RESOLUTION

Senate Resolution No. 3. A resolution requiring all chaplains' invocations to be printed in the senate journal.

The question being on the adoption of Senate Resolution No. 3, the same was submitted to the Senate by the Lt. Gov., and the same was declared adopted.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Resolution No. 2

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

MOTIONS

At the request of Senator Wadeson the junior and senior classes of the Wheatland High School and their principal, Albert Olson, and chaperon, Melvin Morris, were recognized by the Senate.

At the request of Senator Wadeson the junior and senior class of the Chaffee High School and their instructors, Marion Wickman and Dexter Trom, were recognized by the Senate.

Senator Halond moved that the Senate do now recess until 1:00 p.m., January 11, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary

EIGHTH DAY AFTER RECESS AND NINTH DAY

Bismarck, January 11, 1961

The Senate convened at 1:00 p.m., the President presiding.

MOTIONS

Senator Holand moved that the Senate resolve itself into an Executive Session for the purpose of receiving a message from former Governor Davis, which motion prevailed.

The President of the Senate announced that the Senate sitting in Executive Session resolved itself into a committee of the whole and that they advised, consented and confirmed the nominations presented to the Executive Session by Governor Davis.

Senator Erickstad moved that the President appoint a committee of three to meet with a like committee from the House for the purpose of making arrangements for the Joint Memorial Service to be held on February 22, 1961, which motion prevailed.

The President appointed as such committee Senators Roen, Harris and Redlin.

Senator Baker moved that 200 additional copies of Senate Bill No. 44, and 200 additional copies of Senate Bill No. 45, be printed, which motion prevailed.

At the request of Senator Holand the courtesy of the floor was extended to former Senator John Leier of Benson County.

At the request of Senator Roen the courtesy of the floor was extended to former Senator Emil Strand of Billings, Bowman, Golden Valley and Slope counties.

REPORT OF STANDING COMMITTEES

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

Senate Resolution No. 3

And find the same correctly enrolled.

SENATOR KISSE, Chairman.

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

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Resolution No. 2

Was delivered to the Secretary of State for his approval at the hour of 2:35 o'clock p.m., January 10, 1961.

SENATOR KISSE, Chairman.

Senator Fiedler moved that the chairman of the Committee on Employment furnish each Senator with a list of employees and Senators who sponsored them, which motion prevailed.

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

HOWARD F. DOHERTY, Secretary.

NINTH DAY

Bismarck, January 11, 1961

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

Prayers by Chaplain Rev. Judd H. Blain, St. George's Episcopal, Bismarck.

Almighty God, who hast given us this good land for our heritage; We humbly beseech Thee that we may always prove ourselves a people mindful of Thy favour and glad to do Thy will. Bless our land with honourable industry, sound learning, and pure manners. Save us from violence, discord, and confusion from pride and arrogancy, and from every evil way. Defend our liberties, and fashion into one united people the multitudes brought hither out of many kindreds and tongues. Endue with the spirit of wisdom those to whom in Thy Name we entrust the authority of government, that there may be justice and peace at home, and that, through obedience to Thy law, we may show forth Thy praise among the nations of the earth. In the time of prosperity, fill our hearts with thankfulness, and in the day of trouble suffer not our trust in Thee to fail; all which we ask through Jesus Christ our Lord. Amen.

Roll Call: All Senators present.

A quorum was declared by the President.

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

On page 50, line 31, correct the spelling of the word "chamber".

And when so corrected recommends that the same be approved.

SENATOR HARRIS, Chairman.

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

MESSAGE FROM THE GOVERNOR

State of North Dakota
Office of the Governor
Bismarck

January 10, 1961

Members of the Senate
Thirty-seventh Legislative Assembly
Bismarck, North Dakota
Greetings:

Yesterday, January 9, I approved Senate Bill No. 1. This bill has been filed with the Secretary of State.

Sincerely yours,
WILLIAM L. GUY
Governor

FIRST READING OF SENATE BILLS

Senator Reichert introduced:

Senate Bill No. 63. A Bill for an Act to authorize the transfer of certain state-owned land under the control of the North Dakota State University of Agriculture and Applied Science to the city of Dickinson.

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

Senators Morgan, Ringsak, Van Horn, Hernet, Wadson and Witteman introduced:

Senate Bill No. 64. A Bill for an Act to amend and reenact sections 19-03-02 and 19-03-31 of the North Dakota Century Code relating to the violation of narcotics laws and to repeal section 19-03-28 of the North Dakota Century Code relating to sale and possession of marijuana and providing a penalty.

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

Senators Nesvig, Ringsak, Yunker, Andre, Van Horn, Lautenschlager and Thompson introduced:

Senate Bill No. 65. A Bill for an Act to create and enact subsection 3 of section 26-07-11 of the North Dakota Century Code, relating to the power of the insurance commissioner to revoke an insurance company's certificate of authority.

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

Senators Morgan, Wadson, Becker, Luick, Paulson, Berube and Lautenschlager introduced:

Senate Bill No. 66. A Bill for an Act to amend and reenact section 57-50-11 of the North Dakota Century Code, relating to the assignment of motor vehicle fuel refund claims.

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

The Committee on Education introduced:

Senate Bill No. 67. A Bill for an Act to amend and reenact section 21-03-07 of the North Dakota Century Code relating to election requirements of municipalities and school districts for the issuance of bonds.

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

MOTIONS

Senator Holand moved that on page 11 of the Senate Journal, in the tenth line from the bottom of the page after the numeral 1, insert the following: "be deemed properly engrossed and", which motion prevailed.

FIRST READING OF HOUSE RESOLUTION

House Concurrent Resolution "C". A concurrent resolution expressing the appreciation of the legislative assembly to the adjutant general for furnishing miniature flags to the legislative assembly.

Was read the first time.

MOTIONS

Senator Holand moved that the rules be suspended and that House Concurrent Resolution "C" be adopted, which motion prevailed, and the resolution was declared adopted.

FIRST READING OF HOUSE RESOLUTION

House Concurrent Resolution "D". A concurrent resolution to extend an invitation to the Executive Committee of the North American Association of Alcoholism Programs urging them to hold their annual meeting in Bismarck, North Dakota, in 1962.

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

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Resolution No. 3

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

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, N. D., January 11, 1961

Mr. Speaker: I have the honor to inform you that the President has appointed as a committee of three to meet with a like committee from the House to arrange for the Joint Memorial Services to be held February 22, 1961:

Senators:

Roen
Harris
Redlin

HOWARD F. DOHERTY, Secretary.

MOTIONS

Senator Holand moved that the Senate do now recess until 1:30 p.m., January 12, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

NINTH DAY AFTER RECESS AND TENTH DAY

Bismarck, January 12, 1961

The Senate convened at 1:30 p.m., the President presiding.

MOTIONS

Senator Holand moved that House Concurrent Resolution "D" be returned to the Senate from the Committee on Social Welfare and Veterans Affairs, which motion prevailed.

Senator Holand moved that the rules be suspended and that House Concurrent Resolution "D" be placed on the calendar, which motion prevailed.

SECOND READING OF HOUSE
CONCURRENT RESOLUTIONS

House Concurrent Resolution "D". A concurrent resolution to extend an invitation to the Executive Committee of the North American Association of Alcoholism Programs urging them to hold their annual meeting in Bismarck, North Dakota, in 1962.

Was read the second time.

Senator Holand moved that House Concurrent Resolution "D" be amended as follows:

In the fourth line of the title of the original resolution after the word "in", delete the word "Bismarck,"

In line 11 after the word "the", delete the words "city of Bismarck has" and insert in lieu thereof the words "cities of North Dakota have"

In line 20 after the words "in 1962, in" delete the words "the city of Bismarck,"

Renumber the lines accordingly.

Which motion prevailed.

Senator Holand moved that House Concurrent Resolution "D" be adopted, as amended.

ROLL CALL

The question being on the motion of Senator Holand that House Concurrent Resolution "D", as amended, be adopted, the roll was called and there were ayes, 31; nays, 2; absent and not voting, 16.

Those voting in the affirmative were:

Andre
Baeverstad
Becker

Kamrath
Kee
Kisse

Paulson
Redlin
Reichert

Berube	Lautenschlager	Schrock
Erickson	Lips	Solberg
Garaas	Longmire	Thompson
George	Meidinger	Trenbeath
Gilbertson	Miller	Wartner
Harris	Morgan	Wittman
Hernett	Mutch	Yunker
Holand		

Those voting in the negative were:

Brooks Murphy

Absent and not voting:

Baker	Gronvold	Ringsak
Bopp	Hystad	Roen
Erickstad	Johnson	Saumur
Fiedler	Luick	Van Horn
Foss	Nesvig	Wadeson
Gefreh		

So the resolution was declared adopted.

MESSAGE FROM THE HOUSE

Senate Chamber

Bismarck, N. D., January 12, 1961

Mr. President: I have the honor to inform you that the Speaker has appointed as a committee to act with a like committee from the Senate on Memorial Service to be held Feb. 22, 1961. They are Representatives:

Bratcher
Leet
Solberg

GERALD L. STAIR, Chief Clerk.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 12, 1961

Mr. President I have the honor to transmit:

House Concurrent Resolution "E"

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

GERALD L. STAIR, Chief Clerk.

MESSAGE TO THE GOVERNOR

January 12, 1961

Governor William L. Guy
State Capitol Building
Bismarck, North Dakota

Dear Governor Guy:

I have the pleasure to inform you that the Senate sitting in executive session has advised and consented to the appointments by Governor Davis as follows:

Dr. George H. Haynes, of Lisbon, as a Trustee of the Soldiers' Home for a period of five years, commencing July 1, 1959, and ending July 1, 1964. Such appointment having been made on July 1, 1959.

Ralph A. Christensen, of Minot, to succeed Mr. Carroll William Baker of Minot, as a member of the State Board of Higher Education, for a period from May 17, 1960, to July 1, 1962. Such appointment having been made on May 17, 1960.

F. C. Mullen, of Grand Forks, as a Trustee of the Soldiers' Home for a period July 20, 1960, to July 1, 1965. Such appointment having been made on July 20, 1960.

Martin G. Kruse, of Kindred, as a member of the State Board of Higher Education, for a period from September 13, 1960, to July 1, 1967. Such appointment having been made on September 13, 1960.

Ray Schnell, Sr., of Dickinson, to succeed Mr. M. S. Byrne of Bowman, as a member of the State Board of Higher Education, for a period from December 5, 1960, to July 1, 1961.

Very truly yours,
Orville W. Hagen
Lieutenant Governor

cc Mr. John E. Davis
206 Cheyenne
Bismarck, North Dakota

REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Resolution No. 3

Was delivered to the Secretary of State for his approval at the hour of 2:40 o'clock p.m., January 11, 1961.

SENATOR KISSE, Chairman.

FIRST READING OF SENATE BILLS

The Committee on Education introduced:

Senate Bill No. 68. A Bill for an Act to amend and reenact Section 15-2206 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the deputies of the county superintendent, their appointment and salary.

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

The Committee on Education introduced:

Senate Bill No. 69. A bill for an Act to amend and reenact Section 15-5305 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to selection, qualifications, term, salary of members of the County Committee on school district reorganization.

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

Senators Schrock, Paulson, Trenbeath and Andre introduced:

Senate Bill No. 70. A Bill for an Act to create and enact sections 10-28-23 and 10-28-24 of the North Dakota Century Code, relating to annual reports which shall be filed by nonprofit corporations with the secretary of state and providing a penalty.

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

Senators Miller, Harris and Kisse introduced:

Senate Bill No. 71. A Bill for an Act to create and enact section 15-53-09.1 of the North Dakota Century Code, relating to the exclusion of property from school district reorganization proceedings.

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

Senator Berube, Kamrath and Thompson introduced:

Senate Bill No. 72. A Bill for an Act making an appropriation to meet extraordinary expenses of law enforcement arising by reason of the location of Indian reservations, and declaring an emergency.

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

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

The Committee on Education introduced:

Senate Concurrent Resolution "I". A concurrent resolution authorizing and directing the Research Committee to study the organization, administration, scope and financing of the office of county superintendent.

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

Senators Schrock, Paulson and Andre introduced:

Senate Concurrent Resolution "J". A concurrent resolution requesting the Congress of the United States to enact legislation to permit full agricultural production with a guaranteed price.

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

At the request of Senator Holand the sixth grade from Roosevelt School at Bismarck was recognized by the Senate and Senator Holand expressed appreciation to the schools of Bismarck for the courtesy and cooperation extended to the legislators who have children attending the Bismarck Schools.

Senator Redlin rose to second the remarks of Senator Holand in regard to the splendid attitude of the people of Bismarck and the school systems of Bismarck in accepting the children of legislators during the session, stating that he personally appreciated this as he has three youngsters in attendance at the Bismarck Schools.

At the request of Senator Murphy a class from the St. Anthony school was recognized by the Senate.

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

HOWARD F. DOHERTY, Secretary.

TENTH DAY

Bismarck, January 12, 1961

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

Prayers by Chaplain Rev. Kasper Benson, Bismarck.

Roll call: All Senators present except Senators Baker, Bopp, Erickstad, Fiedler, Foss, Gronvold, Hystad, Johnson, Luick, Nesvig, Ringsak, Roen, Saumur, Van Horn, and Wadeson.

A quorum was declared by the President.

Senator Garaas: I rise to a point of personal privilege and want to have my remarks recorded in the Journal.

Today there is quite a large number of absences in the Senate and I think it should show in the record their reason for being absent. The Appropriations Committee

for the Senate and House are in Fargo today in their duties as members of such committee, and that is the reason why there are so many absences.

Senator Brooks moved that the members of the Appropriations Committee who are absent be excused, which motion prevailed.

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

On page 55, in line 26, delete the name "Becker" and insert in lieu thereof the name of "Baker".

And when so corrected recommends that the same be approved.

SENATOR HARRIS, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 12, 1961.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "C"

Which the Senate has passed unchanged.

HOWARD F. DOHERTY, Secretary.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 12, 1961.

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "D"

Which the Senate has amended.

HOWARD F. DOHERTY, Secretary.

FIRST READING OF SENATE BILLS

Senators Gefreh and Holand introduced:

Senate Bill No. 73. A Bill for an Act to amend and reenact section 57-37-24 of the North Dakota Century Code, relating to the collection and distribution of estate taxes.

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

MOTIONS

Senator Hernettt moved that Senate Concurrent Resolution "C" be returned to the Senate from the Committee on Industry, Business and Labor, which motion prevailed.

Senator Hernettt moved that Senate Concurrent Resolution "C" be re-referred to the Committee on State and Federal Government, which motion prevailed.

Senator Holand moved that the Senate do now recess until 1:30 p.m., January 13, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

TENTH DAY AFTER RECESS AND ELEVENTH DAY

Bismarck, January 13, 1961

The Senate convened at 1:30 p.m., the President presiding.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, N. D., January 13, 1961

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Concurrent Resolution "D".

GERALD L. STAIR, Chief Clerk.

House Chamber

Mr. President: I have the honor to transmit:

House Concurrent Resolution "C"

House Concurrent Resolution "D"

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

GERALD L. STAIR, Chief Clerk.

FIRST READING OF SENATE BILLS

Senators Becker, Kisse, Miller, Kee, Lips and Lautenschlager introduced:

Senate Bill No. 74. A Bill for an Act to amend and reenact section 57-22-02 of the North Dakota Century Code relating to the county treasurer making out a list of delinquent personal property taxpayers.

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

Senators Garaas and Longmire introduced:

Senate Bill No. 75. A Bill for an act to create and enact section 30-13-05.1, and to amend and reenact sections 30-21-01 and 30-21-03, and subdivisions (c) and (d) of subsection 2 of section 56-01-04 of the North Dakota Century Code, relating to the administration and distribution of decedent's estate.

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

Senators Garaas and Kee introduced:

Senate Bill No. 76. A Bill for an Act to amend and reenact sections 24-01-15 and 39-07-03 of the North Dakota Century Code relating to the designation of through highways.

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

Senators Garaas and Kee introduced:

Senate Bill No. 77. A Bill for an Act to amend and reenact section 54-01-17 of the North Dakota Century Code relating to right-of-way over state lands.

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

Senators Kee, Erickson, Holand, Lips, Redlin, Hernet and Garaas introduced:

Senate Bill No. 78. A Bill for an Act to amend and reenact section 39-09-02 of the North Dakota Century Code relating to speed limitations.

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

Senators Redlin, Trenbeath, Hernet and Reichert introduced:

Senate Bill No. 79. A Bill for an Act providing for a perpetual physical property audit of the State highway department under the direction of the state auditor and designing that cost thereof be paid from state highway funds.

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

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

HOWARD F. DOHERTY, Secretary.

ELEVENTH DAY

Bismarck, January 13, 1961

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

Prayer by Chaplain Rev. Paul Faulkenberry, Wesleyan Methodist, Bismarck.

O Lord Our God:

We pray with the writer of the Proverbs as he said, "In all thy ways acknowledge Him, and He shall direct thy paths." May at this time our paths of leadership be guided by Thee. Ere we become involved in the routine of this day's work, we pause to seek Thy help. Thou knowest us each one, our names, our lives, our deeds, our needs.

Bless these men we of this great state have chosen. Thou knowest them, their needs, their motives, their intentions, their hopes, and their fears.

May public and moral issues command our greater attention with perhaps less emphasis on political expediency.

Create O God, a desire for righteousness in the lives of men and government. Help us to speak, think, and act with courage motivated by deepest human understanding.

Grant unto us now a portion of Thy Holy Spirit to guide us in the pressing business, and may we have Divine direction in the affairs of men so that when this day is come to a close and the work is laid aside, we may hear Thy voice and merit Thy words, "Well done; Thou hast been faithful."

In the name of Christ, Our Lord, we pray, Amen.

Roll call: All Senators present except Senators Baeverstad, Baker, Berube, Bopp, Brooks, Erickstad, Fiedler, Foss, Gronvold, Hystad, Johnson, Kamrath, Luick, Nesvig, Ringsak, Roen, Saumur, Vari Horn, Wadeson, and Yunker.

A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the ninth day after recess and tenth day and find the same correct.

SENATOR HARRIS, Chairman.

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

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Natural Resources to whom was referred Senate Concurrent Resolution "D" has had the same under consideration and recommends that the same be amended as follows:

At the beginning of line 29 insert the words "THE SENATE"

At the beginning of line 30 insert the words "HOUSE OF REPRESENTATIVES"

Re-number the lines accordingly.

And when so amended recommends the same do pass.

SENATOR TRENBEATH, Chairman.

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

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "E". A concurrent resolution directing the chief clerk of the house of representatives to provide identification tags for all persons registered as lobbyists.

Was read the first time.

MOTIONS

Senator Holand moved that the rules be suspended and that House Concurrent Resolution "E" be not referred to a committee and laid over one legislative day, which motion prevailed.

Senator Holand moved that the Senate do now recess until 1:30 p.m., January 14, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

ELEVENTH DAY AFTER RECESS AND TWELFTH DAY

Bismarck, January 14, 1961

The Senate convened at 1:30 p.m., the President presiding.

FIRST READING OF SENATE BILLS

Senator Longmire introduced:

Senate Bill No. 80. A Bill for an Act to amend and reenact subsection 8 of section 28-22-02 of the North Dakota Century Code, relating to exemptions of property from process, levy, or sale.

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

Senators Longmire and Redlin introduced:

Senate Bill No. 81. A Bill for an Act to amend and reenact section 39-09-01 of the North Dakota Century Code relating to care required in operating motor vehicles on the highways of this state.

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

Senator Longmire introduced:

Senate Bill No. 82. A Bill for an Act to amend and reenact sections 40-38-03 and 40-41-01 of the North Dakota Century Code, relating to the terms and membership of municipal library and budget review boards.

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

Senator Longmire introduced:

Senate Bill No. 83. A Bill for an Act to appropriate money to pay the special assessments levied by the city of Grand Forks concerning property occupied by the state school for the blind, and declaring an emergency.

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

Senators Holand and Morgan introduced:

Senate Bill No. 84. A Bill for an Act to authorize the board of county commissioners to determine the need for grasshopper infestation control on any grassland that is retired from farming and to provide that the landowner pay for the cost of such control.

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

Senators Holand, Morgan and Nesvig introduced:

Senate Bill No. 85. A Bill for an Act to amend and re-

enact sections 63-03-01, 63-03-05, and 63-03-06 of the North Dakota Century Code, relating to weeds and grasses on highways, streets and alleys, and to repeal sections 63-03-02, 63-03-03, and 63-03-04 of the North Dakota Century Code.

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

Senator Holand introduced:

Senate Bill No. 86. A Bill for an Act to amend and re-enact sections 24-09-14 and 39-10-43 of the North Dakota Century Code and to repeal section 24-09-07 of the North Dakota Century Code, relating to motor vehicles approaching, stopping, and proceeding through railroad crossings.

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

Senators Holand, Garaas and Erickstad introduced:

Senate Bill No. 87. A Bill for an Act providing for meetings of legislators and legislators-elect in advance of legislative sessions.

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

Senator Garaas introduced:

Senate Bill No. 88. A Bill for an Act to amend and re-enact section 32-15-29 of the North Dakota Century Code, relating to taking possession of property acquired by eminent domain after entry of judgment and to provide for taking possession in certain instances prior to entry of judgment.

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

Senators Garaas and Erickstad introduced:

Senate Bill No. 89. A Bill for an Act to amend and re-enact sections 39-20-01, 39-20-03, and 39-20-07 of the North Dakota Century Code relating to the alcoholic content in the blood for purposes of determining intoxication and relating to the test to be given for such purpose and the consent of a person incapable of refusal to give consent to a chemical test.

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

Senator Garaas introduced:

Senate Bill No. 90. A Bill for an Act to amend and re-enact section 28-22-02 of the North Dakota Century Code, relating to exemptions from process, levy, or sale.

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

MOTIONS

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

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

HOWARD F. DOHERTY, Secretary.

TWELFTH DAY

Bismarck, January 14, 1961

The Senate convened at 2:00 p.m., the President presiding.
Prayer by Chaplain Rev. Charles M. Hill, First Congregational Christian, Bismarck.

Father we are met to consider the need, the program, the future of our state. We acknowledge Thee the ruler of all and pray that we might be faithful to the stewardship that Thou and these good people have entrusted to us.

Grant us vision, courage, and faith that confident in Thy continued sustaining care we might fulfill Thy will for us and our fellows.

Grant unto us to differ in thought and in deed, as our hearts and minds lead us, without losing the sense of the common purpose that calls us together. In Christ's name we pray. Amen.

Roll Call: All Senators present except Senators Baeverstad, Baker, Berube, Bopp, Brooks, Erickson, Fiedler, Foss, Gefreh, George, Gronvold, Hernet, Kee, Longmire, Luick, Meidinger, Mutch, Paulson, Reichert, Schrock, Thompson, Wadeson, Wartner and Yunker.

A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

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

SENATOR HARRIS, Chairman.

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

CONSIDERATION OF AMENDMENTS

Senator Trenbeath moved that the amendments to Senate Concurrent Resolution "D" be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Concurrent Resolution "C"

House Concurrent Resolution "D"

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

MOTIONS

Senator Holand moved that the Senate do now recess until 1:30 p.m., January 16, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

TWELFTH DAY AFTER RECESS AND
FOURTEENTH DAY

Bismarck, January 16, 1961

The Senate convened at 1:30 p.m., the President presiding.

REPORT OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 10

Has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 12

Has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 16

Has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 17

Has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 18

Has had the same under consideration and recommends that the same be amended as follows:

In the title of the bill in the second line, strike out the last word "insane" and insert the words "mentally ill" in lieu thereof.

In line 5 strike out the word "insane" and insert the words "mentally ill" in lieu thereof.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred:

Senate Bill No. 54

Has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred:

Senate Bill No. 56

Has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

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

Mr. President: Your Committee on Education to whom was referred:

Senate Bill No. 61

Has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 66 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BAEVERSTAD, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 68 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MEIDINGER, Chairman.

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

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 engrossed.

SENATOR KISSE, Chairman.

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

MOTIONS

Senator Holand moved that the rules be suspended and that House Concurrent Resolution "E", printed on pages 85 and 86 of the House Journal, be placed on the calendar, which motion was declared lost.

Senator Schrock requested a division, which request was granted.

ROLL CALL

The question being on the motion of Senator Holand, the roll was called and there were ayes, 35; nays, 11; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baeverstad	Holand	Reichert
Becker	Hystad	Roen
Bopp	Johnson	Saumur
Erickson	Kamrath	Schrock
Erickstad	Kee	Solberg
Fiedler	Kisse	Thompson
Foss	Lautenschlager	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Witteman
George	Miller	Yunker
Gilbertson	Nesvig	

Those voting in the negative were:

Baker	Meidinger	Ringsak
Brooks	Morgan	Wadeson
Gronvold	Murphy	Wartner
Harris	Mutch	

Absent and not voting:

Berube	Lips	Redlin
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So the motion to place House Concurrent Resolution "E" on the calendar, was declared carried.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "E". A concurrent resolution directing the chief clerk of the house of representatives to provide identification tags for all persons registered as lobbyists.

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, 33; nays, 14; absent and not voting, 2.

Those voting in the affirmative were:

Baeverstad	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Saumur
Bopp	Kee	Schrock
Erickson	Kisse	Solberg
Erickstad	Lautenschlager	Thompson
Fiedler	Longmire	Trenbeath

Garaas	Luick	Van Horn
Gefreh	Miller	Wadeson
Gilbertson	Nesvig	Wartner
Holand	Paulson	Yunker

Those voting in the negative were:

Andre	Gronvold	Murphy
Baker	Harris	Mutch
Brooks	Hernett	Ringsak
Foss	Meidinger	Roen
George	Morgan	

Absent and not voting:

Lips	Witteman
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So the resolution was declared adopted.

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

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

HOWARD F. DOHERTY, Secretary.

FOURTEENTH DAY

Bismarck, January 16, 1961

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

Prayer by Chaplain Rev. Ira E. Herzberg, Calvary Evangelical United Brethren, Bismarck.

Dear Lord, we thank Thee for this new day that Thou hath given us, in which we can work for Thee. May we appreciate Thy kindness and goodness by doing our best to serve Thee in such a way, that as we come to the end of the day we may have the assurance that all of our actions, words, and deeds shall have been in harmony with Thy will.

Bless those who have gathered here to transact very important business for the people of our state. Grant them wisdom in all of their decisions, that they shall be in the best interest of all concerned.

In Thy precious name we pray. Amen.

Roll call: All Senators present except Senator Lips.

A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the eleventh day after recess and twelfth day and find the same correct.

SENATOR HARRIS, Chairman.

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

FIRST READING OF SENATE BILLS

Senators Trenbeath, Mutch, Miller and Johnson introduced:

Senate Bill No. 91. A Bill for an Act to create and enact subsection 7 of section 57-53-01 of the North Dakota Century Code, and to create and enact section 57-53-10 of the North Dakota Century Code, relating to the special fuel tax on special fuel sold for heating, agricultural or

railroad purposes and providing for the licensing of special fuel wholesale dealers in liquefied petroleum gas, and the issuance of permits to retail dealers in liquefied petroleum gas, and providing for the administration thereof.

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

Senators Mutch, Miller, Trenbeath and Johnson introduced:

Senate Bill No. 92. A Bill for an Act to create and enact section 57-54 of the North Dakota Century Code imposing a tax on motor vehicle fuels, providing for the administration and enforcement thereof, providing a penalty, and repealing chapters 57-41, 57-43 and 57-48 of the North Dakota Century Code.

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

Senators Trenbeath, Mutch, Miller and Johnson introduced:

Senate Bill No. 93. A Bill for an Act to amend and reenact sections 57-50-03 and 57-50-05 of the North Dakota Century Code, relating to motor vehicle fuel tax refunds.

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

Senators Meidinger, Nesvig, Wartner and Van Horn introduced:

Senate Bill No. 94. A Bill for an Act to amend and reenact section 5-02-01 of the North Dakota Century Code relating to the manufacturing and sale of beer.

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

Senator Foss introduced:

Senate Bill No. 95. A Bill for an Act to amend and reenact sections 5-02-22 and 5-03-22 of the North Dakota Century Code, relating to the imposition of taxes on the sale of beer and liquor.

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

Senators Foss, Saumur, Becker, Fiedler, Gefreh and Hystad introduced:

Senate Bill No. 96. A Bill for an Act making an appropriation for the construction of a state public health laboratory at Bismarck, North Dakota.

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

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Thompson, Becker and Van Horn introduced:

Senate Concurrent Resolution "K". A concurrent resolution memorializing the secretary of agriculture to re-establish a local testing program for grains that are subject to an application for a federal loan.

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

Senator Foss introduced:

Senate Concurrent Resolution "L". A concurrent resolution designating the month of February as "American History Month".

Was read the first time.

MOTIONS

Senator Holand moved that the rules be suspended and that Senate Concurrent Resolution "L" be not referred to a committee, not printed as a bill but printed in the Journal, placed on the calendar and laid over one legislative day, which motion prevailed.

SENATE CONCURRENT RESOLUTION "L"

Introduced by Senator Foss

A concurrent resolution designating the month of February as "American History Month".

1 WHEREAS, the national society of the Daughters
2 of the American Revolution has urged that the month
3 of February be designated as "American History
4 Month"; and

5 WHEREAS, the Thirty-seventh Legislative
6 Assembly deems it appropriate to set aside the
7 month of February which has a number of significant
8 historical dates to recall to every one the tremendous
9 heritage we have as Americans;

10 NOW, THEREFORE, BE IT RESOLVED BY
11 THE SENATE OF THE STATE OF NORTH DAKOTA,
12 THE HOUSE OF REPRESENTATIVES CONCURRING
13 THEREIN:

14 That the month of February in each year is
15 hereby designated as "American History Month" and
16 all patriotic, veterans, service, and educational
17 organizations are urged to devote extraordinary
18 efforts towards programs giving recognition to the
19 heritage of Americans.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution "D". A concurrent resolution favoring the early construction of the proposed Pembilier dam and reservoir project and urging the corps of engineers to expedite the completion of a favorable report thereon.

Was read the second time.

Senator Trenbeath moved that Senate Concurrent Resolution "D", as amended, be adopted, which motion prevailed.

MOTIONS

Senator Holand moved that the name of L. E. Bradley, Assistant Sergeant-at-Arms, on page 18 of the Journal in the report of the Committee on Employment be corrected to read "Albert Edward Bradley"; and that the designation of Lois Scherr, on the same page and in the same report, be changed from "Stenographer" to "Committee Clerk"; and that the name of Helen Eckman, Bill Book Attendant, on page 29 of the Journal in the report of the Committee on Employment be corrected to read "Helen Eckmann" and her designation changed to "Bill Book Attendant and Assistant Telephone Attendant".

Which motion prevailed.

PERSONAL PRIVILEGE

Senator Becker: Mr. President. I would like to have my remarks recorded in the Journal.

On Saturday there were in the neighborhood of thirty men from my home town of Willow City that motored to Bismarck to take care of some of the projects and programs of our small town that it has been working on for some time. Among the projects were getting a doctor into our town of about 555 people, the possibility of some extensive road improvement in the area and the finally arranging for the starting of a hometown newspaper. While here the chairman of the Commercial Club, Edgar Biberdorf, supplied me with some 200 copies of a brochure entitled "Willow City Welcomes You". This brochure has been placed on the desks of the Senators and I hope that you people will read the brochure and see what Willow City actually has there and if you decide to move from your present location we certainly welcome you to our town.

This morning I received a copy of an article which will appear in the Bottineau Courant edited by O. A. Parks, who has been tremendously active, not only in Bottineau County but in the State of North Dakota, in enticing tourists to travel in our State. As you know the tourist industry is one of the greatest industries, not only in North Dakota but in the nation, and I would like to read a portion of this article as it gives a very colorful picture of the country in which I live, and I invite all of you to travel to Willow City this spring or next summer.

"Let's dust off our hilltops; shine up our lakes; fluff up the clouds; slick up our accommodations; polish up our hospitality.

Why?

Because recreation has become a national habit; travel is one of the country's, and the world's, greatest industries and, as citizens of North Dakota and the area that enjoys that state's greatest natural playground, we have an inventory of assets to be fashioned into an exclusive line of travel attractions. Attractions that are at once inexhaustible and perpetually new and which can be advertised and promoted to bring a valuable share of wealth to our communities.

"What do we have in this area?" Is a question often asked by the skeptic.

We are at the crossroads of Mainline, U. S. A. — the Pacific Northwest in one direction, industrial America in the other — the Canadian lake country to the north and the winter vacation land to the south.

We have golden fields; there are lakes and rivers, romance of history, and the marvels of geology. We have beautiful wooded hills, and valleys adjacent to verdant plains with interlocking forest roads and wide, easy-to-drive highways. We have wild primitive areas where big game comes to drink at forest lakes of clear unpolluted waters, while numerous wildlife abounds on the green-mantled shores. We have forest campgrounds, but also cosmopolitan centers with every comfort of travel. We have the greatest Peace Park in the world; with unlimited potential for improvement. We have abundant water

surface for America's newest all-family recreation — water activity. In our wealth, we can count the nation's greatest incubator for waterfowl with the enviable hunting which it provides.

We have beauty, balmy summer temperatures, health-giving fresh air; we have everything for which a tourist yearns."

Gentlemen, you are invited to the garden spot of the State of North Dakota. Thank you.

PERSONAL PRIVILEGE

Senator Foss: Mr. President, I would like to have my remarks printed in the Journal.

Last Friday and Saturday the members of the Appropriations Committee from the Senate, together with the Appropriations Committee from the House, journeyed to Fargo and visited the North Dakota State University. We had a terrific visitation and I am sure it will prove very profitable to all you men who participated in going down there. I am grateful to the folks down there for the great deal of work which they did in showing us such a fine time. This was also true of the visit to the State Hospital on Friday. I would like at this time to offer my thanks to the Civic and Commerce Association of Fargo and the Civic and Commerce Association of Jamestown, who together as hosts, gave such splendid treatment to the members of the Appropriations Committee.

MOTIONS

Senator Holand moved that the Senate do now recess until 1:30 p.m., January 17, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FOURTEENTH DAY AFTER RECESS
AND FIFTEENTH DAY

Bismarck, January 17, 1961

The Senate convened at 1:30 p.m., the President presiding.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 17, 1961

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "C"

House Concurrent Resolution "D"

Which the President has signed.

HOWARD F. DOHERTY, Secretary.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Mileage and Per Diem has completed the accounting for the mileage and per diem of the members of the Senate and recommend the following:

Dist. No.		Mileage
1	Grant Trenbeath	630
2	Lester N. Lautenschlager	278
3	C. F. Harris	578
4	Elton W. Ringsak	612
5	Duane Mutch	500
6	George Saumur	574
7	George Longmire	530
8	Jerome Nesvig	504
9	Lee F. Brooks	400
10	John Yunker	374
11	Harry W. Wadeson	360
12	A. W. Luick	530
13	Leonard A. Bopp	434
14	Donald C. Holand	380
15	P. L. Foss	270
16	Raymond Andre	344
17	Alex Miller	502
18	O. S. Johnson	530
19	Philip Berube	510
20	Bronald Thompson	320
21	Ralph J. Erickstad	380
22	H. B. Baeverstad	420
23	R. E. Meidinger	202

Dist. No.		Mileage
24	Clayton Paulson	300
25	C. G. Kee	340
26	Adam Gefreh	130
27	Evan E. Lips	0
28	Edwin C. Becker, Jr.	384
29	C. W. Baker	230
30	Charles L. Murphy	0
31	William R. Reichert	220
32	C. W. Schrock	290
33	Aloys Wartner, Jr.	230
34	Isak Hystad	230
35	H. W. George	95
36	Gail H. Hernett	240
37	Kenneth L. Morgan	430
38	Selmer Gilbertson	340
39	Leland Roen	372
40	Rolland Redlin	520
41	John O. Garaas	400
42	A. F. Gronvold	380
43	Orville P. Witteman	330
44	Clark Van Horn	280
45	Iver Solberg	432
46	Walter R. Fiedler	210
47	Dwight C. Kamrath	170
48	Dan Kisse	242
49	Lloyd M. Erickson	310

SENATOR GEORGE, Chairman.

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

REPORT OF STANDING COMMITTEES

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 63 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Concurrent Resolution "I" has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

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

CONSIDERATION OF AMENDMENTS

Senator Foss moved that the amendments to Senate Bill No. 18 be adopted, which motion prevailed.

MOTIONS

Senator Becker moved that the Senate reconsider the action by which House Concurrent Resolution "E" was adopted.

ROLL CALL

The question being on the motion of Senator Becker that the Senate reconsider the action by which House Con-

current Resolution "E" was adopted, the roll was called and there were ayes, 38; nays, 8; absent and not voting, 3.

Those voting in the affirmative were:

Baeverstad	Holand	Murphy
Baker	Hystad	Paulson
Becker	Johnson	Redlin
Bopp	Kamrath	Reichert
Brooks	Kee	Ringsak
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Solberg
Foss	Lips	Trenbeath
George	Longmire	Wadeson
Gilbertson	Luick	Wartner
Gronvold	Meidinger	Witterman
Harris	Miller	Yunker
Hernett	Morgan	

Those voting in the negative were:

Andre	Garaas	Schrock
Berube	Mutch	Thompson
Fiedler	Nesvig	

Absent and not voting:

Gefreh	Roen	Van Horn
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So the motion was declared carried.

Senator Baker moved that House Concurrent Resolution "E" be placed on the sixth order of business the next time that order of business comes up.

ROLL CALL

The question being on the motion of Senator Baker, the roll was called and there were ayes, 3; nays, 44; absent and not voting, 2.

Those voting in the affirmative were,:

Baker	Gronvold	Morgan
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Those voting in the negative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Wadeson
Gefreh	Meidinger	Wartner
George	Miller	Witterman
Gilbertson	Murphy	Yunker
Harris	Mutch	

Absent and not voting:

Roen	Van Horn
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So the motion was declared lost.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "E". A concurrent resolution directing the chief clerk of the house of repre-

sentatives to provide identification tags for all persons registered as lobbyists.

Which has been read.

Senator Baker moved that House Concurrent Resolution "E" be amended as follows:

In line 12, delete the word "red" and insert in lieu thereof the word "green".

ROLL CALL

The question being on the motion of Senator Baker to amend House Concurrent Resolution "E", the roll was called and there were ayes, 31; nays, 16; absent and not voting, 2.

Those voting in the affirmative were:

Baeverstad	Hernett	Meidinger
Baker	Holand	Miller
Becker	Johnson	Morgan
Brooks	Kamrath	Murphy
Erickson	Kee	Redlin
Erickstad	Kisse	Ringsak
Foss	Lautenschlager	Solberg
Gefreh	Lips	Trenbeath
George	Longmire	Wadeson
Gronvold	Luick	Wartner
Harris		

Those voting in the negative were:

Andre	Mutch	Schrock
Berube	Nesvig	Thompson
Fiedler	Paulson	Van Horn
Garaas	Reichert	Witteman
Gilbertson	Saumur	Yunker
Hystad		

Absent and not voting:

Bopp Roen

So the motion was declared carried.

ROLL CALL

The question being on the final passage of House Concurrent Resolution "E", as amended, the roll was called and there were ayes, 38; nays, 9; absent and not voting, 2.

Those voting in the affirmative were:

Baeverstad	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Saumur
Bopp	Kee	Schrock
Erickson	Kisse	Solberg
Erickstad	Lautenschlager	Thompson
Fiedler	Lips	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gilbertson	Miller	Witteman
Harris	Nesvig	Yunker
Holand	Paulson	

Those voting in the negative were:

Andre	Foss	Morgan
Baker	Gronvold	Murphy
Brooks	Hernett	Mutch

Absent and not voting:

Ringsak Roen

So the resolution was declared adopted.

Senator Garaas moved that the vote by which House Concurrent Resolution "E" was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTIONS

Senator Miller moved that Senate Bill No. 71 be returned to the Senate from the Committee on Education, which motion prevailed.

Senator Miller requested the unanimous consent of the Senate to withdraw Senate Bill No. 71, which consent was granted.

FIRST READING OF SENATE BILLS

Senators Hystad, Kisse and Nesvig introduced:

Senate Bill No. 97. A Bill for an Act authorizing the establishment of maximum speeds for passenger motor vehicles on the interstate and defense highways in North Dakota.

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

Senators Van Horn, Andre, Garaas, Mutch and Gefreh introduced:

Senate Bill No. 98. A Bill for an Act to amend and reenact sections 24-02-17 and 24-02-19 of the North Dakota Century Code relating to the amount for which the highway commissioner may contract without advertising for bids.

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

Senators Ringsak and Mutch introduced:

Senate Bill No. 99. A Bill for an Act to amend and reenact section 12-48-14 of the North Dakota Century Code relating to compensation of inmates at the penitentiary.

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

Senators Ringsak, Mutch and Kee introduced:

Senate Bill No. 100. A Bill for an Act to amend and reenact section 13-03-16 of the North Dakota Century Code relating to loans made by small loans companies in excess of one thousand dollars and providing for the interest rate thereon.

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

Senators Longmire, Lips and Saumur introduced:

Senate Bill No. 101. A Bill for an Act to amend and reenact section 57-15-14 of the North Dakota Century Code establishing tax levy limitations in school districts and making an exception in the case of school districts with a population in excess of five thousand.

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

Senators Morgan, Becker, Yunker and Bopp introduced:

Senate Bill No. 102. A Bill for an Act to amend and reenact section 39-04-15 of the North Dakota Century Code

relating to the date registration fees become due and delinquent for certain farm trucks.

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

Senator Baker introduced:

Senate Bill No. 103. A Bill for an Act to amend and reenact sections 57-34-03 and 57-34-11 of the North Dakota Century Code, relating to the taxation of mutual or cooperative telephone companies.

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

Senators Nesvig and Foss introduced:

Senate Bill No. 104. A Bill for an Act to amend and reenact sections 46-04-02 and 46-04-11 of the North Dakota Century Code, relating to the distribution of laws and executive documents.

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

MOTIONS

Senator Holand moved that the President appoint a select Committee on Photography, which motion prevailed.

The President appointed as such committee Senators Morgan, Becker and Hystad.

Senator Trenbeath moved that a committee be appointed to escort former Senator Franklin Page to the rostrum, which motion prevailed.

The President appointed as such committee Senator Luick and former Senator Page was escorted to the rostrum and invited to address the Senate.

Senator Page: I did not come here to make a speech. I came here to listen. Since I have been asked to come up here I will tell you of an experience I had a year ago that was very interesting to me. My wife and I are something like the mail man, we go on walks and eventually end up visiting the state capitol. I don't know how many of you know it but this capitol is the best capitol in the United States without any question whatever. This Senate chamber has been voted the most beautiful Senate chamber in the United States by the Architects Association. I have visited many capitols and haven't found any one which compares. Many have spent much more money, put in more falderal, but aren't as good as this one. I had a very interesting experience when in Boston when visiting the State Capitol. This capitol is a very old building. It has a dome like the capitol of the United States which you have all seen. This dome is covered with gold leaves, have no idea what it cost, but it is just as bright on a cloudy day as on a sunshiny day. There were uniformed guides all over the place, very sedate. We asked where the House chambers were. We weren't allowed to go in, we could look in the door but we must not go in. The guide started to explain to me what they were doing. I told him I thought I knew what they were doing because I had served in the North Dakota legislature for 22 years. Then he allowed me to go in and I was introduced and they recessed and came over and shook hands with us. One of them was a man that had traveled in North Dakota, traveled for the Good-

rich Rubber Company, asked me about all the hotels that had burned down. An interesting point about that legislature is that it had four women and two negroes. The Senate had a very peculiar arrangement. The Lieutenant Governor sat on a dias and the senators sat in a big circle around him. I visited the office of the Speaker of the House and he has a bigger office and a bigger staff than the Governor. The Massachusetts legislature meets perpetually and they have to as anyone can bring up a bill and have it considered. This is one of the interesting experiences we have had in visiting legislatures from other states. Thank you.

Senator Trenbeath moved that the remarks of former Senator Page be printed in the Journal, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 17, 1961

Mr. President: I have the honor to transmit:

House Bill No. 558

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

GERALD L. STAIR, Chief Clerk.

MOTIONS

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

Senator Holand moved that after the reading of Senate Bills No. 10, 12, 16, 17, 54, 56 and 61, that the Senate adjourn, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FIFTEENTH DAY

Bismarck, January 17, 1961

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

Prayer by Chaplain Rev. Allen Iseminger, Seventh Day Adventist, Bismarck.

Our Father who are in heaven, we thank Thee for Thy love and mercy toward us. Wilt Thou hear our prayer; cleanse us of sin, and forgive us when we have transgressed against Thee and trampled upon Thy divine law.

I pray that Thou wilt come very near to those assembled here today. Send Thy sweet Spirit to guide each Senator. Thou hast told us that without Thee we can do nothing, so we pray earnestly for strength, wisdom, and understanding from Thee given without measure to those who today will consider legislation for the state of North Dakota.

May all deliberations and decisions be in accord with Thy plan and the need of each child of Thine in this great state.

May our trust and hope in Thee grow, for we pray in Jesus name, Amen.

Roll call: All Senators present except Senator Roen.

A quorum was declared by the President.

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

of the twelfth day after recess and fourteenth day and find the same correct.

SENATOR HARRIS, Chairman.

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

MOTIONS

Senator Ringsak moved that Senate Bill No. 59 be returned to the Senate from the Committee on Industry, Business and Labor, which motion prevailed.

Senator Ringsak requested the unanimous consent of the Senate to withdraw Senate Bill No. 59, which request was granted.

SECOND READING OF SENATE BILLS

Senate Bill No. 10. 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 Chapter 54-16 of the North Dakota Century Code, 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, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meldinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker

Absent and not voting:

Roen

So the bill passed and the title was agreed to.

Senate Bill No. 12. A Bill for an Act making an appropriation for the purpose of refunding money erroneously paid into or credited to the General Fund.

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:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig

Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker

Absent and not voting:

Roen

So the bill passed and the title was agreed to.

Senate Bill No. 16. 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, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker

Absent and not voting:

Roen

So the bill passed and the title was agreed to.

Senate Bill No. 17. 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.

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:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker

Absent and not voting:

Roen

So the bill passed and the title was agreed to.

Senate Bill No. 54. A Bill for an Act to amend and re-enact section 57-38-37 of the North Dakota Century Code relating to the issuance of a receipt for the payment of income tax.

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:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker

Absent and not voting:

Roen

So the bill passed and the title was agreed to.

Senate Bill No. 56. A Bill for an Act to create and enact section 16-20-16.1 of the North Dakota Century Code, relating to the posting of campaign material on private property and the willful destruction 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, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlagér	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker

Absent and not voting:

Roen

So the bill passed and the title was agreed to.

Senate Bill No. 61. A Bill for an Act to authorize the state board of higher education to sell tax exempt bonds for the purpose of constructing revenue-producing buildings at institutions of higher learning in this state, and providing an appropriation.

Which has been read.

Senator Meidinger moved that Senate Bill No. 61 be referred to the Committee on Appropriations, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution "L". A concurrent resolution designating the month of February as "American History Month".

Was read the second time.

Senator Foss moved that Senate Concurrent Resolution "L" be adopted, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 558. A Bill for an Act to amend and reenact section 52-04-05 of the North Dakota Century Code relating to Standard Rate of Contributions; Reduction of Rates, and declaring an emergency.

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

MOTIONS

At the request of Senator Wadeson the junior and senior classes of Arthur, North Dakota, were recognized by the Senate.

Senator Holand moved that the Senate do now recess until 1:00 p.m., January 18, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FIFTEENTH DAY AFTER RECESS AND
SIXTEENTH DAY

Bismarck, January 18, 1961

The Senate convened at 1:00 p.m., the President pro tem presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and En-grossment respectfully reports that they have examined the following bill: Senate Bill No. 18 and find the same correctly engrossed.

SENATOR BOPP, Acting for the Chairman.

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 558 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

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

MOTIONS

Senator Hernettt moved that the rules be suspended and that House Bill No. 558 be placed on the calendar, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, January 18, 1961

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "D"

Which the Senate has passed and your favorable con-sideration is requested.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, January 18, 1961

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "E"

Which the Senate has amended.

HOWARD F. DOHERTY, Secretary.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 18, 1961

Mr. President: I have the honor to transmit:

House Bill No. 548

House Bill No. 566

House Bill No. 567

House Bill No. 570

House Concurrent Resolution "A"

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

GERALD L. STAIR, Chief Clerk.

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

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

HOWARD F. DOHERTY, Secretary.

SIXTEENTH DAY

Bismarck, January 18, 1961

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

Prayer by Chaplain Rev. Ira E. Herzberg, Calvary Evangelical United Brethren, Bismarck.

Our Heavenly Father, as we again come to Thee for help and guidance for today, may we all be conscious of Thy presence, that as we go about our various duties we shall do only Thy will. Ever remembering that we are to render helpful service to all men, and that some day we must give an account of all our deeds.

May we seek Divine wisdom from Thee who art all wise to assist in solving the problems that are so great.

Bless the leaders of our beloved nation and state in these perplexing times. Endow them with humility, brotherly love and a sympathetic spirit so that the very best shall be done for all concerned.

Help us all as we see our privileges, to see also our responsibilities. Grant O Lord, that we may be bound together as a nation and as a state in bonds of peace, sobriety, justice and fraternity; knowing and doing our duty before God, who is our Lord.

In Thy precious name we pray. Amen

Roll Call: All Senators present except Senators Garaas and Kisse.

A quorum was declared by the President pro tem.

REPORT OF STANDING COMMITTEE

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

On page 85, in line 38, delete the word "Military" and insert in lieu thereof the word "Veterans".

And when so corrected recommends that the same be approved.

SENATOR HARRIS, Chairman.

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

SECOND READING OF HOUSE BILL

House Bill No. 558. A Bill for an Act to amend and reenact section 52-04-05 of the North Dakota Century Code relating to Standard Rate of Contributions; Reduction of Rates, and declaring an emergency.

Was read the second time.

After the explanation of House Bill No. 558 Senator Hernettt requested that the telegram addressed to the Director Unemployment Compensation Division be printed in the Journal, which request was granted.

Director Unemployment Compensation Division
Bismarck, North Dakota

Please refer our letter December 21, 1960, concerning unemployment insurance experience rating legislation. Essential that legislation contained in House Bill 558 be passed as soon as possible and certified copies received in Washington not later than January 20, 1961, to permit sufficient time for Secretary of Labor to certify to United States Treasury Department that North Dakota Act is in accord with the federal Act. Lacking such certification the Treasury Department would find it necessary to take action directed toward collecting taxes from employers without offset of contributions paid to state.

Alden

ROLL CALL

The question being on the final passage of House Bill No. 558, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hernettt	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Roen
Bopp	Kee	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Erickstad	Longmire	Thompson
Fiedler	Luick	Trenbeath
Foss	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

Absent and not voting:

Garaas	Kisse	Ringsak
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So the bill passed and the title was agreed to and the emergency clause carried.

Senator Hernettt 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.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 8 has had the same

under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

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

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

SENATOR FOSS, Chairman.

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

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

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 51 has had the same under consideration and recommends that the same be amended as follows:

In line 14 of the title, after the word "sections", insert the numeral "25-01-14,"

In line 22, after the word "patient", insert the words "is receiving social security or"

In line 37, after the word "court", insert the words "together with the legatees, devisees, and heirs at law of such estates"

After line 38, insert the following words: "The board of administration shall provide all county judges with forms for the purpose of carrying out the provisions of this section."

In line 148, after the word "patient" delete the comma and insert in lieu thereof the word "or"

In lines 148 and 149 delete the words "or from responsible relatives, or their estates,"

In line 301, after the word "Sections", insert the numeral "25-01-14,"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 55 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

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

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

SENATOR WADESON, Chairman.

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

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

SENATOR WADESON, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 18, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 558

Which the Senate has passed unchanged.

HOWARD F. DOHERTY, Secretary.

REPORT OF SELECT COMMITTEE

Senator George moved that the report of the Committee on Mileage and Per Diem printed on pages 81 and 82 of the Senate Journal be adopted.

ROLL CALL

The question being on the motion of Senator George to adopt the report of the Committee on Mileage and Per Diem, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Berube	Kamrath	Roen
Bopp	Kee	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Erickstad	Longmire	Thompson
Fiedler	Luick	Trenbeath
Foss	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris	Nesvig	

Absent and not voting:

Garaas Kisse

So the motion was declared carried.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 18, 1961

Mr. President: I have the honor to transmit:

House Concurrent Resolution "K"

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

GERALD L. STAIR, Chief Clerk.

REPORT OF STANDING COMMITTEES

Mr. President: Your Standing Committee appointed to the Committee on Rules recommends the following:

That the Rules of the Senate of the 36th Legislative Assembly be adopted as the permanent Rules of the 37th Legislative Assembly after the adoption of the proposed amendments to said Rules, which amendments will be read from the desk:

In line 2 of Rule 39, delete the word "seven" and insert in lieu thereof the word "eight".

Section 18 of Rule 39 is hereby amended to read as follows:

"18. Legislative Research Resolutions Committee, to consist of five members, one of whom may be a member of the Legislative Research Committee."

After Rule 53 insert the following new rule:

"54. CONFERENCE COMMITTEE REPORTS, EXCEPTION TO SENATE RULES 46 AND 53

The provisions of Senate Rules 46 and 53 shall not prohibit the adoption of a conference committee report together with any amendments therein recommended nor the placing of any bill or resolution affected by such conference committee report on the calendar for final action on the same day the conference committee report is received, nor shall the requirement of placing a full mimeographed or printed copy of a committee report in the hands of all members apply to conference committee reports, or amendments, bills, or resolutions affected by the conference committee report."

Renumber the Rules accordingly.

SENATOR HOLLAND, Chairman.

Senator Holand moved that the report of the Committee on Rules be printed in the Journal and laid over one legislative day, which motion prevailed.

FIRST READING OF SENATE BILLS

Senators Brooks, Longmire, Lips and Baker introduced: **Senate Bill No. 105.** A Bill for an Act to amend and reenact sections 57-17-01, 57-17-02, and 57-17-05 of the North Dakota Century Code, relating to excess levies.

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

Senator Gefreh introduced:

Senate Bill No. 106. A Bill for an Act to provide that failure of a business corporation to file annual reports for a period of ten consecutive years shall be deemed a forfeiture of its reserved name and shall authorize the secretary of state to cease keeping records of any kind regarding such corporation.

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

Senator Gefreh introduced:

Senate Bill No. 107. A Bill for an Act to amend and reenact the first paragraph of section 16 of chapter 91 of the 1959 Session Laws appearing as section 2-06-15 of the North

Dakota Century Code relating to renumbering such section to appear as section 2-06-16 of the North Dakota Century Code and to correct a printing error.

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

Senators Andre and Baeverstad (by request of the Tax Commissioner) introduced:

Senate Bill No. 108. A Bill for an Act to amend and reenact subsections 2 and 6 of section 57-39-01, section 57-39-02, and subsections 6 and 10 of section 57-40-01 of the North Dakota Century Code relating to retail sales taxes and use taxes on subscriptions to magazines and other periodicals.

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

Senators Andre and Baeverstad (by request of the Tax Commissioner) introduced:

Senate Bill No. 109. A Bill for an Act to amend and reenact subsection 3 of section 57-39-01 and subsection 3 of section 57-40-01 and to repeal subsections 6 and 7 of section 57-40-03 of the North Dakota Century Code, relating to exclusions and exemptions from retail sales taxes and use taxes.

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

Senator Fiedler introduced:

Senate Bill No. 110. A Bill for an Act to amend and reenact section 4-02-30 of the North Dakota Century Code, relating to the submission to a vote of the people of the county the question of levying a tax in aid of an agricultural fair.

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

Senators Becker, Brooks, Kamrath, Mutch, Baker and Morgan introduced:

Senate Bill No. 111. A Bill for an Act to create and enact subsection 18 of section 20-01-01, and to amend and reenact sections 20-01-04 and 20-04-07 of the North Dakota Century Code, relating to use of artificial blinds in the taking of game birds.

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

Senators Foss, Lips and Reichert introduced:

Senate Bill No. 112. A Bill for an Act providing for the licensing of life, or accident and health, and hospitalization insurance agents and appropriating funds for the administration thereof, and providing a penalty.

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

Senators Van Horn and Ringsak introduced:

Senate Bill No. 113. A Bill for an Act to amend and reenact section 26-26-04 of the North Dakota Century Code, relating to qualifications of directors of nonprofit hospital service corporations, and section 26-26-08 of the North Dakota Century Code, relating to the supervision by the commissioner of insurance over nonprofit hospital service

corporations, and section 26-26-14 of the North Dakota Century Code relating to the licensing of sales representatives of nonprofit hospital service corporations.

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

Senators Trenbeath, Yunker, Johnson, Luick, Erickson and Gefreh introduced:

Senate Bill No. 114. A Bill for an Act to create and enact section 10-06-07 of the North Dakota Century Code, authorizing small corporations to engage in farming and ranching operations, and providing limitations thereon.

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

Senators Kee, George and Meidinger introduced:

Senate Bill No. 115. A Bill for an Act to amend and reenact section 15-14-01 of the North Dakota Century Code, relating to the name of the state normal and industrial school at Ellendale.

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

Senators Nesvig, Longmire, Saumur, Solberg, Kamrath, Gefreh, Wartner and Murphy introduced:

Senate Bill No. 116. A Bill for an Act to amend and reenact chapter 50-15 of the North Dakota Century Code, relating to licensing and regulation of charitable organizations which solicit funds, and providing a penalty.

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

Senators Solberg, Trenbeath, Garaas, Roen, Redlin, Van Horn and Thompson introduced:

Senate Bill No. 117. A Bill for an Act to create and enact sections 15-18-04.1 and 15-18-04.2 of the North Dakota Century Code, authorizing certain cities to establish and maintain off-campus educational centers and levy a tax for their support.

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

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Gefreh and Holand introduced:

Senate Concurrent Resolution "M". A joint resolution authorizing the secretary of state to dispose of volumes of the North Dakota Revised Code of 1943, and supplements thereto.

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

Senators Holand and Garaas introduced:

Senate Concurrent Resolution "N". A concurrent resolution for the purpose of designating February 10, 1961 as Newspaperman's Day at the state legislative assembly.

Was read the first time.

Senator Holand moved that the rules be suspended, that Senate Concurrent Resolution "N" be not printed as a bill, printed in the Journal and laid over one legislative day, which motion prevailed.

SENATE CONCURRENT RESOLUTION "N"

Introduced by Senators Holand and Garaas

A concurrent resolution for the purpose of designating February 10, 1961 as Newspaperman's Day at the state legislative assembly.

- 1 WHEREAS, the editors and reporters of North
 2 Dakota daily and weekly newspapers are in active
 3 partnership with the senators and representatives
 4 of this state in the task of keeping the citizens
 5 informed about their government;
 6 NOW, THEREFORE, BE IT RESOLVED BY
 7 THE SENATE OF THE STATE OF NORTH DAKOTA,
 7a THE
 8 HOUSE OF REPRESENTATIVES CONCURRING
 8a THEREIN:
 9 That the Senate of the state of North Dakota, and
 10 the House of Representatives, individually and col-
 10a lectively,
 11 invite the newspapermen of their respective districts
 11a to
 12 spend the day of February 10, 1961 at the state capitol
 13 as our guests, to witness at first hand, legislative
 14 process.
 15 BE IT FURTHER RESOLVED, that we
 16 participate in the meeting sponsored by the North
 17 Dakota Sigma Delta Chi chapter of professional
 18 journalists in the House Chambers at 3 p.m. that day
 19 for a discussion of the duties and responsibilities of
 20 both the press and public officials under the constitu-
 21 tional guarantee of freedom of the press.
 22 BE IT FURTHER RESOLVED, that the Senate of
 22a the state
 23 of North Dakota, and the House of Representatives,
 23a join in
 24 the invitation to Sidney Goldish, Research Director of
 24a the
 25 Minneapolis Star and Tribune, to address the joint
 25a meeting
 26 of newspapermen and legislators.

**FIRST READING OF SENATE
 CONCURRENT RESOLUTIONS**

Senators Nesvig, Becker, Morgan, Yunker, Johnson and Baeverstad introduced:

Senate Concurrent Resolution "O". A concurrent resolution memorializing the Congress to make such changes in the law as may be necessary to prohibit the placement of entire farming units in the soil bank program.

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

Senators Redlin and Baker introduced:

Senate Concurrent Resolution "P". A concurrent resolution memorializing the Congress to provide full state control over federal aid funds for education.

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

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 18, 1961

Mr. President: I have the honor to transmit:

House Bill No. 558

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

GERALD L. STAIR, Chief Clerk.

SIGNING OF BILLS

The Secretary announced that the President pro tem was about to sign:

House Bill No. 558

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

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, January 18, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 558

Which the President pro tem has signed.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, January 18, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 10

Senate Bill No. 12

Senate Bill No. 16

Senate Bill No. 17

Senate Bill No. 54

Senate Bill No. 56

Senate Concurrent Resolution "L"

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

HOWARD F. DOHERTY, Secretary.

FIRST READING OF HOUSE BILLS

House Bill No. 548. A Bill for an Act to provide, in the event of attack upon the United States, for the continuity of the executive and judicial functions of the government of the state and the governments of the political subdivisions of the state by providing for additional officers who can act as governor; by providing for emergency interim succession to other executives offices of the state and its political subdivisions; by providing for special emergency judges; by authorizing political subdivisions to enact resolutions and ordinances relating to the subject; by providing for alternate emergency locations at which state and local governmental business may be transacted, and declaring an emergency.

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

House Bill No. 566. A Bill for an Act authorizing the board of university and school lands with the approval of the North Dakota state board of higher education to donate and convey certain property now owned by the state of North Dakota for the use and benefit of the North Dakota State University of Agriculture and Applied Science to the

United States of America and its assigns, for the purpose of establishing and conducting a field laboratory studying various problems related to agriculture, and declaring an emergency.

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

House Bill No. 567. A Bill for an Act to make an appropriation to the Dakota Territory Centennial Committee for the purpose of carrying out the directives of Senate Concurrent Resolution "K-K" of the 1959 Session Laws and, to pay mileage and expenses of members and to pay the salary and expenses of a full-time director and for such other clerical assistance as may be needed, and declaring an emergency.

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

House Bill No. 570. A Bill for an Act making an appropriation to the Superintendent of Public Instruction out of the State Equalization Fund to meet deficiencies in the foundation program per pupil and transportation payments, for the biennium ending June 30, 1961 and declaring an emergency.

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

House Concurrent Resolution "A". A concurrent resolution for an amendment to the Constitution of the state of North Dakota granting power to the legislative assembly to insure continuity of state and local governmental operations in periods of emergency resulting from disaster caused by enemy attack.

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

MOTIONS

Senator Longmire moved that the President pro tem appoint a committee of two to escort former Senator Milton Rue to the rostrum, which motion prevailed.

The President pro tem appointed as such committee Senators Longmire and Foss, and former Senator Rue was escorted to the rostrum and invited to address the Senate.

Mr. Rue: Mr. President, members of the Senate, it is good to be back here in the Senate chamber. It is good to meet with members I had served with in the past and meet some of the new members that have come in since I served in the Senate. I think it has been one of the greatest experiences in my life to have served sixteen years here in the Senate and two years in the House. I know you all agree with me that this is an education in government that cannot be learned in school. This is a cross cut of opinion from throughout the State and we come to realize the vast knowledge and experience that we have scattered through these prairies of North Dakota, and we fully realize that when we become members of a legislative body. No doubt, many of you feel the same as I, I would sometimes think that I was for a certain bill that was presented to the legislature but after attending committee meetings and hearing both sides of the story a good many times I changed my mind. I might say that

when I sat back in the Senate many times I wondered when a speaker was up here and addressing the Senate and I was hoping that he would not be too long winded, so just relax, but I generally know the problem that confronts a legislature. First of all we have about the same population as we have had for the last eighteen and twenty years, roughly 650,000, and we know, and as members of the appropriation committee know, the pressure is always great for appropriations. It is true that many causes are worthwhile in what they are asking for, but the money will only go so far. It is tough to say "no" to many proposals but "no" has to be said in many cases and we know that the people of North Dakota are fortunate in having a good sound legislature. We know our money will be well spent, we know the problems will be given due consideration and with a legislative body like this one you will have the pros and cons, and I know you will come out with what is best for North Dakota. Thank you very much.

Senator Gronvold moved that the remarks of former Senator Rue be printed in the Journal, which motion prevailed.

The Senate was at ease, subject to the call of the chair.

Senator Brooks moved that since we have a new Governor that a committee of three be appointed to act with a like committee from the House as a transition committee to assist our new Governor, said committee to serve without an appropriation, which motion prevailed.

Senator Holand moved that the Senate do now recess until 1:00 p.m., January 19, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

SIXTEENTH DAY AFTER RECESS AND
SEVENTEENTH DAY

Bismarck, January 19, 1961

The Senate convened at 1:00 p.m., the President pro tem presiding.

FIRST READING OF SENATE BILLS

Senators Miller, Trenbeath, Erickstad, Wartner, Kee, Wadeson, Mutch, Lips, Longmire, Becker and Saumur introduced:

Senate Bill No. 118. A Bill for an Act to amend and reenact subsections 1, 8, and 9 and to create and enact subsection 10 of section 10-13-03 of the North Dakota Century Code, and to amend and reenact section 10-15-18 of the North Dakota Century Code relating to electric cooperatives and their authority to own and operate electric generation or transmission cooperatives.

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

Senators Ringsak and Van Horn introduced:

Senate Bill No. 119. A Bill for an Act to create and enact section 26-27-14 of the North Dakota Century Code, relating to the licensing of sales representatives of non-profit medical service corporations.

Was read the first time and referred to the committee on Industry, Business and Labor.

Senators Erickson, Kisse, Luick, Wadeson and Trenbeath introduced:

Senate Bill No. 120. A Bill for an Act to amend and reenact sections 57-20-08 and 57-38-31 and to create and enact sections 15-40-33 and 57-38-58 of the North Dakota Century Code relating to the imposition of an additional tax on the net income of certain taxpayers and providing for credits therefrom and also providing for the proceeds therefrom to be deposited into the state equalization fund, providing for the distribution thereof, and providing further that this Act shall apply to income accruing after December 31, 1960.

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

Senator Holand introduced:

Senate Bill No. 121. A Bill for an Act to amend and reenact sections 37-15-06, 37-15-07, and 37-15-17 of the North

Dakota Century Code, relating to members of the board of trustees of the soldiers' home, the commandant of the soldiers' home, and estates of resident members of the soldiers' home.

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

Senators Lips, Becker, George, Wartner and Reichert introduced:

Senate Bill No. 122. A Bill for an Act to amend and reenact Section 39-04-39 of the North Dakota Century Code relating to the distribution of registration fees collected from the licensing of motor vehicles, and to the crediting of the application of the certificate of title to the county wherein the buyer of the motor vehicle resides.

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

Senators Bopp, Kamrath, Yunker and Reichert introduced:

Senate Bill No. 123. A Bill for an Act to create and enact section 27-18-06 and to amend and reenact section 11-10-02 of the North Dakota Century Code, relating to the office of county justice.

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

Senators Longmire, Saumur, Baker and Brooks introduced:

Senate Bill No. 124. A Bill for an Act to amend and reenact section 40-35-02 of the North Dakota Century Code to permit the issuance of revenue bonds by municipalities for airports and related facilities, and declaring an emergency.

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

Senators Wartner and Gefreh introduced:

Senate Bill No. 125. A Bill for an Act to amend and reenact subsection 1 of section 57-39-10 of the North Dakota Century Code, relating to the time retail sales taxes become due and payable, and to amend and reenact section 57-39-11 of the North Dakota Century Code, relating to liens for retail sales taxes.

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

Senator Longmire introduced:

Senate Bill No. 126. A Bill for an Act to create and enact section 40-58-20 of the North Dakota Century Code, allowing municipalities to accept as credits against federal matching funds for urban renewal projects, the aggregate amounts expended by institutions of higher education on approved urban renewal projects.

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

Senators Van Horn and Longmire introduced:

Senate Bill No. 127. A Bill for an Act to amend and reenact section 50-21-03 of the North Dakota Century Code, relating to terms and conditions for state loans made to

nursing homes and homes for the aged, and making an appropriation.

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

Senators Foss, Trenbeath, Luick and Erickstad introduced:

Senate Bill No. 128. A Bill for an Act to transfer certain moneys from the accumulated profits and surplus of the Bank of North Dakota, from the collection and land department of the Bank of North Dakota, and the state mill and elevator association to the general fund of this state and to transfer money from the general fund to the state equalization fund to be appropriated by the legislative assembly for educational purposes.

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

Senators Kisse and Trenbeath introduced:

Senate Bill No. 129. A Bill for an Act to amend and reenact section 48-02-02 of the North Dakota Century Code relating to the procurement of plans, drawings, and specifications when a public building is altered, repaired, or constructed.

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

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Redlin, Schrock, Nesvig, Thompson and Murphy introduced:

Senate Concurrent Resolution "Q". A concurrent resolution memorializing the Congress to authorize the Garrison Diversion Project and to appropriate funds therefor.

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

Senators Roen, Erickson and Kamrath introduced:

Senate Concurrent Resolution "R". A concurrent resolution requesting the Chicago, Milwaukee, St. Paul and Pacific Railroad to continue its passenger service to the southwestern part of this state.

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

FIRST READING OF HOUSE BILLS

House Concurrent Resolution "K". A concurrent resolution providing and designating house and senate employees and naming and fixing their salaries.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 18. A Bill for an Act making an appropriation for inquest and burial for penal inmates, and action to release mentally ill.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as

amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker

Absent and not voting:

Garaas

So the bill passed and the title was agreed to.

Senate Bill No. 63. A Bill for an Act to authorize the transfer of certain state-owned land under the control of the North Dakota State University of Agriculture and Applied Science to the city of Dickinson.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker

Absent and not voting:

Garaas

So the bill passed and the title was agreed to.

MOTIONS

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

Senator Nesvig moved that Senate Bill No. 116 be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Nesvig requested unanimous consent of the Senate to withdraw Senate Bill No. 116, which request was granted.

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

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

SEVENTEENTH DAY

Bismarck, January 19, 1961

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

Prayer by Chaplain Rev. Irwin Wieland, American Lutheran, Bismarck.

O God, Whose alone is the Kingdom, and the Power and the Glory, yet Who hast ordained human government for the temporal welfare of mankind: Grant and continue unto us a succession of legislators and executives who have been taught the wisdom of the Kingdom of Christ. Endow, we beseech Thee, these men gathered here who have been elected by their fellow citizens to responsible positions in our State government — and all members of Government with a right understanding, a pure purpose and sound speech; enable them to rise above all self seeking and party zeal into the larger sentiments of public good and human brotherhood. Purge our political life of every evil; and make us to love peace and fair dealing and help us to work in the best interests of our fellow men. Inspire us with calmness and self restraint and the endeavor to further the doing of Thy will everywhere upon the earth; through Jesus Christ, our Lord — in whose Name we make this prayer. Amen.

Roll call: All Senators present except Senator Garaas.

A quorum was declared by the President pro tem.

REPORT OF STANDING COMMITTEE

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

SENATOR HARRIS, Chairman.

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

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, January 19, 1961

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Concurrent Resolution "E".

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, January 19, 1961

Mr. President: I have the honor to transmit:

House Concurrent Resolution "E"

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

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, January 19, 1961

Mr. President: I have the honor to transmit:

House Bill No. 536

House Bill No. 549

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

GERALD L. STAIR, Chief Clerk.

MOTIONS

Senator Holand moved that after the reading of Senate Bills Nos. 8, 29, 35, 55, Senate Concurrent Resolutions "A" and "B", that the Senate do now recess until 1:00 p.m., January 19, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

SEVENTEENTH DAY AFTER RECESS
AND EIGHTEENTH DAY

Bismarck, January 20, 1961

The Senate convened at 1:00 p.m., the President presiding.

At the request of Senator Foss the basketball team from Valley State Teachers College was recognized by the Senate.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, January 20, 1961

Mr. President: I have the honor to inform you that the Speaker has appointed as a Committee Reps. Einarson, Wolf, Bratcher, Link and Meyer, to meet with a like Committee from the Senate on Joint Rule 10.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, January 20, 1961

Mr. President: I have the honor to transmit:
House Concurrent Resolution "O"
Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 20, 1961

Mr. Speaker: I have the honor to transmit:
Senate Bill No. 18
Senate Bill No. 63
Which the Senate has passed and your favorable consideration is requested.

HOWARD F. DOHERTY, Secretary.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 5, has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 6, has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

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

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

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 13, has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

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

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

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 57, has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WARTNER, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 60 has had the same under consideration and recommends that the same do pass.

SENATOR GEORGE, Chairman.

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 65 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman.

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 76 has had the same under consideration and recommends that the same do pass.

SENATOR KEE, Chairman.

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 77 has had the same under consideration and recommends that the same be amended as follows:

Delete everything after line 3 and insert in lieu thereof the following:

"SECTION 54-01-17. RIGHT OF WAY OVER STATE LANDS.) There is granted, over all the lands belonging to the state, except that land owned or acquired for highway right of way purposes, a right of way for ditches or canals and for tunnels, tramways, and telephone and electrical transmission lines, constructed by authority of the United States. All conveyances of state lands shall contain a reservation of such right of way, but shall specifically state that lands owned or acquired by the state for highway purposes shall be excluded from this provision."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR KEE, Chairman.

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 81 has had the same under consideration and recommends that the same do pass.

SENATOR KEE, Chairman.

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 86 has had the same under consideration and recommends that the same do pass.

And further recommends that the same be re-referred to the Committee on Judiciary.

SENATOR KEE, Chairman.

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

Mr. President: Your Committee on Agriculture to whom was referred Senate Concurrent Resolution "K", has had the same under consideration and recommends that the same be amended as follows:

In line 26, delete the word "farmers" and insert in lieu thereof the words "Agricultural Stabilization Committee".

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WADESON, Chairman.

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

Mr. President: Your Committee on Employment to whom was referred House Concurrent Resolution "K", has had the same under consideration and recommends that the same do pass.

SENATOR WADESON, Chairman.

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

MOTIONS

Senator Holand moved that the rules be suspended and that House Concurrent Resolution "K" be placed on the calendar, which motion prevailed.

Senator Holand moved that after the reading of House Concurrent Resolution "K" that the Senate be at ease subject to the call of the chair, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "K". A concurrent resolution providing and designating house and senate employees and naming and fixing their salaries.

Which has been read.

Senator Holand moved that House Concurrent Resolution "K" be amended as follows:

In line 10, delete the figure "15.00" and insert in lieu thereof the figure "17.00".

In line 45, delete the figure "10.00" and insert in lieu thereof the figure "12.00".

In line 46, delete the figure "10.00" and insert in lieu thereof the figure "12.00".

In line 62, delete the figure "10.00" and insert in lieu thereof the figure "12.00".

In line 89, delete the figure "15.00" and insert in lieu thereof the figure "17.00".

In line 113, delete the figure "10.00" and insert in lieu thereof the figure "12.00".

ROLL CALL

The question being on the motion of Senator Holand to amend House Concurrent Resolution "K", the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Baker	Johnson	Reichert
Becker	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadson
Gilbertson	Morgan	Wartner
Gronvold	Mutch	Witteman
Harris	Nesvig	Yunker
Hernett		

Those voting in the negative were:

Murphy

Absent and not voting:

Berube Garaas

So the motion to amend was declared carried.

ROLL CALL

The question being on the final passage of House Concurrent Resolution "K", the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Baker	Johnson	Reichert
Becker	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Mutch	Witteman
Harris	Nesvig	Yunker
Hernett		

Those voting in the negative were:

Murphy

Absent and not voting:

Berube Garaas

So the resolution was declared adopted.

Senator Holand moved that the vote by which House Concurrent Resolution "K" was adopted be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTIONS

Senator Longmire moved that Senate Bill No. 48 be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Longmire moved that Senate Bill No. 48 be referred to the Committee on Social Welfare and Veterans Affairs, which motion prevailed.

Senator Baker moved that Senate Bill No. 103 be returned to the Senate from the Committee on Finance and Taxation, which motion prevailed.

Senator Baker moved that Senate Bill No. 103 be referred to the Committee on Industry, Business and Labor, which motion prevailed.

Senator Redlin moved that Senate Concurrent Resolution "Q" be returned to the Senate from the Committee on Natural Resources, which motion prevailed.

Senator Redlin requested the unanimous consent of the Senate to withdraw Senate Concurrent Resolution "Q", which request was granted.

Senator Holand moved that the President appoint a committee of five to serve as a Committee on Delayed Bills, which motion prevailed.

The President appointed as such committee Senators Erickson, Meidinger, Brooks, Redlin and Murphy.

Senator Holand moved that the President appoint a committee of five to serve as a Committee on Legislative Research Resolutions, which motion prevailed.

The President appointed as such committee Senators Trenbeath, Saumur, Baker, Fiedler and Redlin.

Senator Holand moved that the President appoint a committee of five to serve with a like committee from the House to arrange for distribution of Journals and other documents in accordance with rule 10 of the Joint Rules, which motion prevailed.

The President appointed as such committee Senators Baker, Erickson, Ringsak, Johnson and Murphy.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 20, 1961

Mr. President: I have the honor to transmit:

House Bill No. 540
House Bill No. 541
House Bill No. 552
House Bill No. 554
House Bill No. 568
House Bill No. 571

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

GERALD L. STAIR, Chief Clerk.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "O". A concurrent resolution expressing the best wishes of the Thirty-seventh Legislative Assembly to John F. Kennedy, President of the United States, on his Inauguration Day.

Was read the first time.

MOTIONS

Senator Holand moved that the rules be suspended and that House Concurrent Resolution "O" be placed upon second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "O". A concurrent resolution expressing the best wishes of the Thirty-seventh Legislative Assembly to John F. Kennedy, President of the United States, on his Inauguration Day.

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:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Baker	Johnson	Reichert
Becker	Kamrath	Ringsak

Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker
Hernett	Nesvig	

Absent and not voting:

Berube	Garaas
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So the resolution was declared adopted.

REPORTS OF STANDING COMMITTEES

Senator Holand moved that the report of the Committee on Rules printed on page 98 of the Senate Journal be adopted, which motion prevailed.

Senator Holand moved that the amendments to the rules as printed on page 98 of the Senate Journal be adopted, which motion prevailed.

Senator Holand moved that the rules of the Thirty-sixth Legislative Assembly, as amended, be adopted as the rules of the Thirty-seventh Legislative Assembly, which motion prevailed.

Senator Holand moved that the Senate adopt the Joint Rules of the Thirty-sixth Legislative Assembly as the Joint Rules of the Thirty-seventh Legislative Assembly, which motion prevailed.

Senator Holand moved that the rules be suspended and that Senate Rule 54, just adopted by the Senate, be amended as follows:

In line 7, after the comma insert the words "by majority vote,".

ROLL CALL

The question being on the motion of Senator Holand to amend Rule 54, the roll was called and there were ayes, 40; nays, 4; absent and not voting, 5.

Those voting in the affirmative were:

Andre	Holand	Redlin
Baeverstad	Johnson	Reichert
Baker	Kamrath	Roen
Becker	Kee	Saumur
Brooks	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Longmire	Trenbeath
Foss	Luick	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Mutch	Witteman
Harris	Paulson	Yunker
Hernett		

Those voting in the negative were:

Bopp	Murphy	Nesvig
Hystad		

Absent and not voting:

Berube	Gronvold	Ringsak
Garaas	Meidinger	

So the motion was declared carried.

MOTIONS

Senator Holand moved that all of the temporary procedural committees that were heretofore appointed by the President, and which have not been discharged, be made into permanent committees of the Senate, which motion prevailed.

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

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

EIGHTEENTH DAY

Bismarck, January 20, 1961

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

Prayer by Chaplain Rev. A. Reimnitz, Zion Lutheran Church, Bismarck.

Heavenly Father, Thou Ruler of all nations and Master of the destinies of men, there is no earthly power but of Thee. Thou hast established rulers among men for the punishment of evildoers and the praise of them that do well.

I come to Thee in behalf of this law-making body which is dedicated to uphold order and liberty. Grant that they may ever be mindful of the welfare of all their constituents. Grant that they may be guided to serve unselfishly the common good of the people of this beloved state. Preserve them from all double-dealing, pettiness, and self-seeking. Endow them with wisdom for their several duties, with a spirit of sacrifice, with mercy and justice, uprightness and kindness.

We pray also for President Kennedy and his administration, on this his day of inauguration. Guide him by Thy Holy Spirit in these trying times. Grant him wisdom in counsel, unwavering in duty, so that he may obey Thy holy will, uphold the honor of our nation, secure the protection of our people, and fulfill Thy divine purpose, through Jesus Christ our Lord. Amen.

Roll Call: All Senators present except Senators Berube and Garaas.

A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

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

SENATOR HARRIS, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 20, 1961

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "K"

Which the Senate has amended.

HOWARD F. DOHERTY, Secretary.

CONSIDERATION OF AMENDMENTS

Senator Longmire moved that the amendments to Senate Bill No. 51 be adopted, which motion prevailed.

FIRST READING OF SENATE BILLS

Senator Trenbeath introduced:

Senate Bill No. 130. A Bill for an Act relating to moneys paid to the state water conservation commission by a municipality or political subdivision of the state to cover its part of the cost of a water survey or water project shared with the commission on a matching basis.

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

Senators Luick, Trenbeath, Ringsak, Yunker, Johnson, Nesvig and Wadeson introduced:

Senate Bill No. 131. A Bill for an Act to amend and reenact sections 61-21-13, 61-21-14 and 61-21-15 of the North Dakota Century Code relating to the establishment of drainage projects.

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

Senator Schrock introduced:

Senate Bill No. 132. A Bill for an Act requiring a course of study in junior and senior high schools on the subject of money and its relationship to economic and political affairs, and prescribing the duties of the state superintendent of public instruction and state board of public school education in relation thereto.

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

Senators Brooks and Wartner introduced:

Senate Bill No. 133. A Bill for an Act relating to the recording of a petition for bankruptcy, or a decree of adjudication, or an order approving the trustee's bond in order to provide constructive notice of commencement of bankruptcy proceeding.

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

Senators Brooks, Meidinger, Longmire, Saumur, Baker and Lips introduced:

Senate Bill No. 134. A Bill for an Act relating to municipal police officers' witness fees in criminal actions.

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

Senators Erickson and Gronvold introduced:

Senate Bill No. 135. A Bill for an Act to amend and reenact section 2-05-10 of the North Dakota Century Code, relating to registration of airmen.

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

Senators Kee and Hernettt introduced:

Senate Bill No. 136. A Bill for an Act to create and enact section 4-18-02.1 of the North Dakota Century Code relating to the licensing and bonding of purchasers and processors of dairy products.

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

Senators Luick, Solberg, Saumur and Nesvig introduced:

Senate Bill No. 137. A Bill for an Act to create and enact subsection 11 of section 57-39-03 of the North Dakota Century Code relating to sales tax exemptions of certain nonresidents.

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

FIRST READING OF HOUSE BILLS

House Bill No. 536. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Civil Air Patrol.

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

House Bill No. 549. A Bill for an Act to provide for continuity of membership in the legislative assembly in the event of an attack by an enemy of the United States.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 8. A Bill for an Act making an appropriation for the operating and maintenance expenses of the Public Health 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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Baker	Johnson	Reichert
Becker	Kamrath	Roen
Bopp	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner

Gronvold	Murphy	Witteaman
Harris	Mutch	Yunker
Hernett	Nesvig	

Absent and not voting:

Berube	Garaas	Ringsak
Brooks	Meidinger	

So the bill passed and the title was agreed to.

Senate Bill No. 29. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Department of the Registrar of Motor Vehicles.

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:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteaman
Harris	Mutch	Yunker

Absent and not voting:

Berube	Meidinger	Ringsak
Garaas		

So the bill passed and the title was agreed to.

Senate Bill No. 35. 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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson

Foss	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker

Absent and not voting:

Berube	Meidinger	Ringsak
Garaas		

So the bill passed and the title was agreed to.

Senate Bill No. 55. A Bill for an Act to create and enact subsection 10 of section 57-02-01 of the North Dakota Century Code relating to the definition of a farm for tax 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, 44; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Gefreh	Luick	Trenbeath
George	Miller	Van Horn
Gilbertson	Morgan	Wadeson
Gronvold	Mutch	Wartner
Harris		Yunker

Those voting in the negative were:

Murphy	Witteman
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Absent and not voting:

Berube	Garaas	Meidinger
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So the bill passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution "A". A concurrent resolution requesting the national Congress to give immediate attention to amending the Sugar Act of 1948, and to give the American farmers their right to produce a larger share of the United States sugar market.

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

Senate Concurrent Resolution "B". A concurrent resolution urging the United States Secretary of Agriculture, Secretary of State, and National Congress to curtail seed

wheat importations from Canada in excess of the allowable annual wheat import quota of eight hundred thousand (800,000) bushels.

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, 1; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Roen
Bopp	Kamrath	Saumur
Brooks	Kee	Schrock
Erickson	Kisse	Solberg
Erickstad	Lautenschlager	Thompson
Fiedler	Lips	Trenbeath
Foss	Longmire	Van Horn
Gefreh	Luick	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Mutch	Yunker
Harris	Nesvig	

Those voting in the negative were:

Murphy

Absent and not voting:

Berube	Meidinger	Ringsak
Garaas		

So the resolution was declared adopted.

MOTIONS

Senator Holand moved that Senate Concurrent Resolution "I" be re-referred to the Legislative Research Resolutions Committee, which motion prevailed.

Senator Holand moved that Senate Concurrent Resolution "N" be placed on the calendar, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution "N". A concurrent resolution for the purpose of designating February 10, 1961 as Newspaperman's Day at the state legislative assembly.

Was 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:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg

Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker

Absent and not voting:

Berube	Meidinger	Ringsak
Garaas		

So the resolution was declared adopted.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 20, 1961

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "O"

Which the Senate has passed unchanged.

HOWARD F. DOHERTY, Secretary.

MOTIONS

Senator Holand moved that the Senate recess until 1:30 p.m., January 21, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

**EIGHTEENTH DAY AFTER RECESS AND
NINETEENTH DAY**

Bismarck, January 21, 1961

The Senate convened at 1:30 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. 51

And find the same correctly engrossed.

SENATOR KISSE, Chairman.

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

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 21, 1961

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Concurrent Resolution "K".

GERALD L. STAIR, Chief Clerk.

MOTIONS

Senator Holand moved that after the reading of Senate Bills No. 5, 6, 11, 13, 14, 60, 76 and 81, that the Senate recess subject to the call of the chair, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 5. A Bill for an Act authorizing the State Livestock Sanitary Board to provide by regulation for the quarantine of livestock feedlots; providing for the licensing of quarantined feedlots; 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, 31; nays, 0; absent and not voting, 18.

Those voting in the affirmative were:

Andre	Johnson	Nesvig
Baeverstad	Kamrath	Redlin
Baker	Kisse	Saumur
Becker	Lautenschlager	Solberg

Erickson	Lips	Thompson
Erickstad	Longmire	Trenbeath
Fiedler	Luick	Van Horn
Harris	Miller	Wadeson
Hernett	Morgan	Wartner
Holand	Murphy	Witteinan
Hystad		

Absent and not voting:

Berube	George	Paulson
Bopp	Gilbertson	Reichert
Brooks	Gronvold	Ringsak
Foss	Kee	Roen
Garaas	Meidinger	Schrock
Gefreh	Mutch	Yunker

So the bill passed and the title was agreed to.

Senate Bill No. 6. A Bill for an Act making an appropriation to pay veterinary inspectors and expenses in connection with livestock sales rings as provided by law and by regulations promulgated 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, 32; nays, 0; absent and not voting, 17.

Those voting in the affirmative were:

Andre	Johnson	Redlin
Baeverstad	Kamrath	Saumur
Baker	Kisse	Schrock
Becker	Lautenschlager	Solberg
Erickson	Lips	Thompson
Erickstad	Longmire	Trenbeath
Fiedler	Luick	Van Horn
Harris	Miller	Wadeson
Hernett	Morgan	Wartner
Holand	Murphy	Witteinan
Hystad	Nesvig	

Absent and not voting:

Berube	George	Paulson
Bopp	Gilbertson	Reichert
Brooks	Gronvold	Ringsak
Foss	Kee	Roen
Garaas	Meidinger	Yunker
Gefreh	Mutch	

So the bill passed and the title was agreed to.

Senate Bill No. 11. A Bill for an Act making an appropriation to pay the expenses of the State Board of Veterinary Medical Examiners as authorized under Chapter 36-02 of the North Dakota Century Code.

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, 17.

Those voting in the affirmative were:

Andre	Johnson	Redlin
Baeverstad	Kamrath	Saumur
Baker	Kisse	Schrock
Becker	Lautenschlager	Solberg
Erickson	Lips	Thompson
Erickstad	Longmire	Trenbeath
Fiedler	Luick	Van Horn
Harris	Miller	Wadeson
Hernett	Morgan	Wartner
Holand	Murphy	Witteaman
Hystad	Nesvig	

Absent and not voting:

Berube	George	Paulson
Bopp	Gilbertson	Reichert
Brooks	Gronvold	Ringsak
Foss	Kee	Roen
Garaas	Meidinger	Yunker
Gefreh	Mutch	

So the bill passed and the title was agreed to.

Senate Bill No. 13. A Bill for an Act providing an appropriation for the paying of salary, clerkhire, travel and general expenses of the office of 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, 32; nays, 0; absent and not voting, 17.

Those voting in the affirmative were:

Andre	Johnson	Redlin
Baeverstad	Kamrath	Saumur
Baker	Kisse	Schrock
Becker	Lautenschlager	Solberg
Erickson	Lips	Thompson
Erickstad	Longmire	Trenbeath
Fiedler	Luick	Van Horn
Harris	Miller	Wadeson
Hernett	Morgan	Wartner
Holand	Murphy	Witteaman
Hystad	Nesvig	

Absent and not voting:

Berube	George	Paulson
Bopp	Gilbertson	Reichert
Brooks	Gronvold	Ringsak
Foss	Kee	Roen
Garaas	Meidinger	Yunker
Gefreh	Mutch	

So the bill passed and the title was agreed.

Senate Bill No. 14. 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, 33; nays, 0; absent and not voting, 16.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	Redlin
Baker	Kamrath	Saumur
Becker	Kisse	Schrock
Brooks	Lautenschlager	Solberg
Erickson	Lips	Thompson
Erickstad	Longmire	Trenbeath
Fiedler	Luick	Van Horn
Harris	Miller	Wadeson
Hernett	Morgan	Wartner
Holand	Murphy	Witteman

Absent and not voting:

Berube	Gilbertson	Paulson
Bopp	Gronvold	Reichert
Foss	Kee	Ringsak
Garaas	Meidinger	Roen
Gefreh	Mutch	Yunker
George		

So the bill passed and the title was agreed to.

Senate Bill No. 60. A Bill for an Act to amend and reenact subsection 1 of section 21-03-06 of the North Dakota Century Code, relating to the borrowing of money and the issuance of bonds by a county.

Which has been read .

Senator Holand moved that Senate Bill No. 60 be laid over one legislative day, which motion prevailed.

Senate Bill No. 76. A Bill for an Act to amend and reenact sections 24-01-15 and 39-07-03 of the North Dakota Century Code relating to the designation of through highways.

Which has been read.

Senator Holand moved that Senate Bill No. 76 be laid over one legislative day, which motion prevailed.

Senate Bill No. 81. A Bill for an Act to amend and reenact section 39-09-01 of the North Dakota Century Code relating to care required in operating motor vehicles on the highways of this state.

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, 16.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	Redlin
Baker	Kamrath	Saumur
Becker	Kisse	Schrock
Brooks	Lautenschlager	Solberg
Erickson	Lips	Thompson
Erickstad	Longmire	Trenbeath
Fiedler	Luick	Van Horn
Harris	Miller	Wadeson
Hernett	Morgan	Wartner
Holand	Murphy	Witteman

Absent and not voting:

Berube	Gilbertson	Paulson
Bopp	Gronvold	Reichert
Foss	Kee	Ringsak
Garaas	Meidinger	Roen
Gefreh	Mutch	Yunker
George		

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 21, 1961

Mr. Speaker: I have the honor to inform you that the President has appointed as a committee to meet with a like committee from the House on Joint Rule 10:

Senators:

Baker
Erickson
Ringsak
Johnson
Murphy

HOWARD F. DOHERTY, Secretary.

MOTIONS

Senator Trenbeath moved that Senate Bill No. 130 be returned to the Senate from the Committee on Natural Resources, which motion prevailed.

Senator Trenbeath moved that Senate Bill No. 130 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 "E"

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

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

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

HOWARD F. DOHERTY, Secretary.

NINETEENTH DAY

Bismarck, January 21, 1961

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

Prayer by Chaplain Rev. M. P. Lutness, Trinity Lutheran, Bismarck.

Eternal God, Father, Son and Holy Spirit, we ask Thy blessing upon the members of the Senate this day. Grant unto each of them the strength to continue in their arduous schedule of work, and to find rest in the midst of the strain of the continuous demand for decisions. We pray for enlightenment to guide our convictions, and for courage to live with decisions made. May the nations of all the earth, and the peoples of our land, understand in fuller measure that the only true and lasting peace is centered in Jesus Christ. In His Name we pray. Amen.

Roll call: All Senators present except Senators Berube, Bopp, Foss, Garaas, Gefreh, George, Gilbertson, Gronvold, Kee, Meidinger, Mutch, Paulson, Ringsak and Yunker.

A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

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

On page 118, in line 42, delete the word "be" and insert in lieu thereof the word "he".

And when so corrected recommends that the same be approved.

SENATOR HARRIS, Chairman.

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

CONSIDERATION OF AMENDMENTS

Senator Luick moved that the amendments to Senate Bill No. 77 be adopted, which motion prevailed.

Senator Wadeson moved that the amendments to Senate Concurrent Resolution "K" be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, January 21, 1961

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "E"

Which the President has signed.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, January 21, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 8

Senate Bill No. 29

Senate Bill No. 35

Senate Bill No. 55

Senate Concurrent Resolution "B"

Senate Concurrent Resolution "N"

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

HOWARD F. DOHERTY, Secretary.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 21, 1961

Mr. President: I have the honor to transmit:

House Bill No. 530

House Bill No. 544

House Bill No. 561

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

GERALD L. STAIR, Chief Clerk.

FIRST READING OF SENATE BILLS

Senators Trenbeath and Lautenschlager introduced:

Senate Bill No. 138. A Bill for an Act to create and enact section 15-34-18.1 of the North Dakota Century Code,

relating to the authority of school boards to lease, purchase, or construct storage facilities for school buses.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 51. A Bill for an Act providing for a transfer of all funds in the charitable institutions revolving fund and the institutional support funds and providing that all collections from liquor taxes be deposited in the general fund and to relieve the counties of any share of costs of operation and administration of the state hospital, state school, and tuberculosis sanatorium, and further providing for the collection of expenses incurred by the state for care and treatment of patients at such institutions to create and enact chapter 25-09 of the North Dakota Century Code, and to amend and reenact sections 5-03-09, 5-03-11, 25-03-15, 25-03-26, 25-04-04, and 25-05-34 of the North Dakota Century Code and to repeal sections 25-01-14, 25-02-07, 25-02-08, 25-02-10, 25-03-03, 25-03-04, 25-04-09, 25-04-10, 25-05-08, 25-05-09, and 25-05-10, and chapter 25-08 of the North Dakota Century Code relating to institutional care and treatment and expenses thereof and the disposition of liquor taxes.

Senator Holand moved that Senate Bill No. 51 be laid over one legislative day, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution "A". A concurrent resolution requesting the national Congress to give immediate attention to amending the Sugar Act of 1948, and to give the American farmers their right to produce a larger share of the United States sugar market.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 31; nays, 3; absent and not voting, 15.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	Redlin
Baker	Kamrath	Reichert
Becker	Kisse	Roen
Brooks	Lautenschlager	Saumur
Erickson	Lips	Schrock
Erickstad	Longmire	Solberg
Fiedler	Luick	Trenbeath
Harris	Miller	Wadeson
Hernett	Morgan	Wartner
Holand		

Those voting in the negative were:

Murphy	Thompson	Witteman
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Absent and not voting:

Berube	George	Mutch
Bopp	Gilbertson	Paulson
Foss	Gronvold	Ringsak

Garaas
Gefreh

Kee
Meidinger

Van Horn
Yunker

So the resolution was declared adopted.

FIRST READING OF HOUSE BILLS

House Bill No. 540. A Bill for an Act to amend and reenact sections 53-06-01, 53-06-08, 57-36-02, 57-36-03, 57-36-04, and 57-36-05 of the North Dakota Century Code relating to the licensing of taxicabs and establishments selling soft drinks, cigarettes, and snuff.

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

House Bill No. 541. A Bill for an Act relating to the filing of examinations required for admission to pursue any profession, trade, occupation, vocation, or art after such examinations have been completed, and to provide a method by which persons failing such examinations may appeal to a board of review.

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

House Bill No. 552. A Bill for an Act to amend and reenact sections 4-02-20, 4-02-21, 4-22-03, 12-57-01, 16-13-33, 16-13-36, 16-13-39, 16-13-47, 23-01-02, 23-13-09, 26-20-04, 26-20-05, 26-20-06, 26-20-07, 26-20-08, 34-10-02, 34-10-03, 34-10-06, 46-04-01, 48-04-10, 54-04-01, 54-04-03, 54-04-04, 54-36-01, 55-01-01, and 61-02-04 of the North Dakota Century Code relating to the membership and duties of various boards and commissions upon which the governor or the superintendent of public instruction serve; and to repeal sections 4-02-13, 4-02-14, 16-13-34, and 16-13-37 of the North Dakota Century Code relating to the boards of directors of the state fair associations, and the state board of canvassers for general and special elections.

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

House Bill No. 554. A Bill for an Act to amend and reenact section 4-08-10 of the North Dakota Century Code, relating to transportation expenses of county agents, and declaring an emergency.

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

House Bill No. 568. A Bill for an Act to provide for the printing and distribution of the North Dakota Blue Book, and making an appropriation therefor.

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

House Bill No. 571. A Bill for an Act to amend and reenact sections 49-09-13 and 62-01-08 of the North Dakota Century Code, relating to the filing of conditional sales contracts and pistol licenses.

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

MOTIONS

Senator Holand moved that the Senate recess until 1:30 p.m., January 23, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

NINETEENTH DAY AFTER RECESS AND
TWENTY-FIRST DAY

Bismarck, January 23, 1961
The Senate convened at 1:30 p.m., the President presiding.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, January 23, 1961

Mr. President: I have the honor to transmit:
House Concurrent Resolution "K"
Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Concurrent Resolution "K"

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

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, January 23, 1961

Mr. Speaker: I have the honor to return:
House Concurrent Resolution "K"
Which the President has signed.

HOWARD F. DOHERTY, Secretary.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill: Senate Bill No. 77, and find the same correctly engrossed.

SENATOR KISSE, Chairman.

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

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following resolution: Senate Concurrent Resolution "K", and find the same correctly engrossed.

SENATOR KISSE, Chairman.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 60. A Bill for an Act to amend and reenact subsection 1 of section 21-03-06 of the North Dakota Century Code, relating to the borrowing of money and the issuance of bonds by 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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker
Harris	Mutch	

Absent and not voting:

Baeverstad Roen

So the bill passed and the title was agreed to.

Senate Bill No. 76. A Bill for an Act to amend and reenact sections 24-01-15 and 39-07-03 of the North Dakota Century Code relating to the designation of through highways.

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:

Andre	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker
Harris	Mutch	

Absent and not voting:

Baeverstad Roen

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 23, 1961

Mr. President: I have the honor to transmit:

House Concurrent Resolution "O"

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

GERALD L. STAIR, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 23, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 5

Senate Bill No. 6

Senate Bill No. 11

Senate Bill No. 13

Senate Bill No. 14

Senate Bill No. 81

Senate Concurrent Resolution "A"

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

HOWARD F. DOHERTY, Secretary.

COURTESY OF THE FLOOR

At the request of Senator Gefreh a group of high school students from Hazelton was recognized by the Senate.

At the request of Senator Erickstad former Senator Krause was recognized by the Senate and extended the courtesy of the floor.

Senator Gronvold moved that the courtesy of the floor be extended to Miss Karla Schwarz, an exchange student from Germany, who is staying with Mr. and Mrs. Arne Bjorke of Rugby, North Dakota, which motion prevailed.

Senator Longmire moved that a committee be appointed to escort Miss Karla Schwarz, from Bremen, Forge, Germany, who is an exchange student staying at Rugby, North Dakota, to the rostrum, which motion prevailed.

The President appointed as such committee Senators Longmire and Gronvold and Miss Schwarz was escorted to the rostrum and invited to address the Senate.

Miss Schwarz: Gutt Morgan, as they say in my home country, Germany.

Here I am really in front of the legislature of North Dakota. I just can't imagine it. I am just a little girl from Germany and I am in front of many important people in North Dakota now and in my homeland in Germany I have never addressed the Senate or anything of the government so I feel very privileged that you gave me the opportunity to speak to you.

When I came on the ship with different students who were very excited on coming to America, they wanted to know where everybody would live, wanted to know where they were going. "Well, I am going to live in California." "Oh, how nice!" "I am going to live in Texas!" That must be fun they said. They asked: "Where are you going to go?" I said: "To North Dakota." "North Dakota?" Well, they just looked at me and did not say anything. Maybe some of the people did not know where it was and asked, I said, "It is near the border of Canada." They did not say anything. I was only one on the ship going to North

Dakota and what do you think—I first want to know what it is like before make up my mind and when I go back I am very sure that many of those who were proud to spend time in California, spend time in Texas, they did not have a chance to go to the Senate of their states, and this makes me very, very proud to have this privilege and I like my home in America and North Dakota twice as much now since I have been with you in this Senate.

I came here under the organization of AFS, American Field Service. What has this to do with service field? This goes back to an organization founded by some American troops, the soldiers in France got to know what a big experience it is to get to know the ways of life of other people, even if in war get to like each other and understand way of life. After the war was over they tried to find new task, task with which they could teach understanding of other nations, so they started to bring young students to the United States, started out with very few and this year I am one of 1,850 young students to live in the United States and they are from 50 different countries and I really have to say it is a wonderful program. I really learned much since I have been here and learn how people really are and know it isn't always true what some people think, that maybe they had wrong impression and I am here to tell all Americans in Germany did not know very much about our life, so want all of you to have opportunity to work with this program, to work with the people of AFS, which can tell you much and I will be very glad if you would get to know something more about this program if you would participate in it. Thank you.

Senator Gronvold moved that the remarks of Miss Schwarz be printed in the Journal, which motion prevailed.

SIGNING OF BILLS

The secretary announced that the President was about to sign:

House Concurrent Resolution "O"

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

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

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

HOWARD F. DOHERTY, Secretary.

TWENTY-FIRST DAY

Bismarck, January 23, 1961

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

Prayer by Chaplain Rev. Frank Rumer, District Supt. of the Methodist Church, Mandan.

Let us pray: Our Heavenly Father, we thank Thee for the privilege of speaking in behalf of these Senators of North Dakota. Wilt Thou look into our hearts as we humble ourselves before Thee. May we be worthy of Thy continued guidance. Thy Word speaks to us thru an ancient prophet. (Isaiah 1: 18; 19; 20) "Come now let us reason together, saith the Lord." "... if you be

willing and obedient, you shall eat the good of the land. But if you refuse and rebel, you shall be devoured with the sword." We need Thy guidance.

We need men who think together, plan together, work together; solve their differences together in behalf of the welfare of the people of North Dakota. May our thinking be toward some good. May Thy righteousness be the goal of our obligations. No man builds anything lasting, only as he builds the Kingdom of God. We examine ourselves in this light, lest we here these days build what future leaders may have to undo. Let us not bury our light and strength in the present. Help us to remember that we go this way but once. Tomorrow is only for the man who builds well today. Cause us to see that every decision, every vote, each deliberation must meet this test. No task is more sobering, and none other ought to unite more than this hope of the Kingdom of God among us. Grant us the wisdom of Isaiah (40:31) "They that wait for the Lord shall renew their strength, they shall mount up with wings like eagles, they shall run and not be weary, they shall walk and not faint." We pray for Jesus sake. Amen.

Roll Call: All Senators present.

A quorum was declared by the President.

REPORTS OF STANDING COMMITTEES

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

On page 130, in line 10, delete the first "the" and insert in lieu thereof the word "that".

On page 131, delete line 25.

And when so corrected recommends that the same be approved.

SENATOR HARRIS, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 67 has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 69 has had the same under consideration and recommends that the same be amended as follows:

Delete everything after "A BILL" and insert in lieu thereof the following:

For an Act to amend and reenact Section 15-53-05 of the North Dakota Century Code relating to selection, qualifications, term, salary of members of the County Committee on school district reorganization.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. AMENDMENT.) Section 15-53-05 of
1a the

2 North Dakota Century Code is hereby amended and
 2a reenacted
 3 to read as follows:
 4 15-53-05. COUNTY COMMITTEE — SIZE, COM-
 4a PENSATION,
 5 VACANCIES, TERM. — In each county in this state
 5a there shall
 6 be a county committee. The size of the county com-
 6a mittee
 7 shall be dependent upon and shall have the same num-
 7a ber
 8 of members as there are county commissioner districts
 9 in the county. At least one member of such county
 10 committee shall be chosen from each commissioner
 11 district of the county. The county committee that has
 12 been duly selected and is serving at the time that
 13 this code takes effect shall continue to serve in
 14 like capacity unless such committee seeks and secures
 15 from the state committee a discharge showing that the
 16 duties imposed upon it by this chapter have been fully
 17 performed, or, in case a county committee shall fail
 18 or refuse to submit plans, records, reports and other
 19 data as provided for in this chapter, until (((a new
 20 committee is appointed by the state committee.)))
 21 their successors have been duly elected, or appointed,
 22 and have qualified. Each member shall receive ten
 23 dollars per diem and his actual and necessary expenses
 24 incurred by him in attending scheduled meetings and
 25 in the performance of his official duties. (((The
 26 term of each county committee member shall be three
 27 years, staggered so that the term of one committee
 28 member shall expire each year. Vacancies in any
 28a county
 29 committee shall be filled by appointment by the county
 30 superintendent of schools.)))
 31 Each county committee member shall be chosen by
 32 the qualified electors of the county commissioner
 33 district of which he is a member. No elector may
 34 serve as county commissioner and county reorganiza-
 34a tion
 35 committee member at the same time. Each county
 36 committee member shall hold his office for four years
 37 or until his successor qualifies. The regular term
 38 of each county committee member when he is elected
 38a for
 39 a full term shall commence on the first Monday in
 40 January next succeeding his election and each such
 40a officer
 41 shall qualify and enter upon the discharge of his duties
 42 on or before ten days thereafter. If the office to
 43 which an officer is elected was vacant at the time of his
 44 election or becomes vacant prior to the date for
 45 the commencement of his term, he may qualify and
 46 enter upon the duties of his office forthwith even
 47 though he was not elected to fill such a vacancy.
 48 Every candidate for the county reorganization
 49 committee shall, not more than sixty days nor less
 50 than forty days and before four o'clock p.m. of the
 51 fortieth day prior to any primary election, present
 52 to the county auditor a petition giving his name,
 53 post office address and the title of the office to

54 which he aspires. Such petition shall contain the
 55 names of not less than two percent and not more than
 56 five percent of the total vote cast for said office
 57 at the general election. If no candidate was elected
 58 or votes cast for an office at the last general
 59 election, a petition shall be deemed sufficient if
 60 it has the number of signers equal to the number of
 61 the foregoing percentage requirements applied to
 62 the total average vote cast for the offices of sheriff,
 63 county superintendent of schools and county auditor at
 64 the last general election in such district, such average
 65 to be arrived at by dividing the total vote cast for
 66 said office in such district by three. Each name on
 67 the petition shall be that of a qualified voter. Each
 68 signer of a nomination paper shall sign but one such
 69 paper for the same office; he shall add his residence
 70 with the street number, if any, and the date of
 71 signing.

72 When a vacancy occurs in the county reorganization
 73 committee the remaining members of the committee,
 73a with
 74 the county judge and county auditor acting immedi-
 74a ately
 75 shall appoint some suitable person to fill such vacancy
 76 from the district in which such vacancy occurs. If
 77 a majority of such officers fail to agree upon a
 78 person to fill such vacancy, the county treasurer
 79 shall be called in and shall act as an additional
 80 member of such board to fill the vacancy. The
 81 appointee shall hold office until his successor is
 82 elected at the next general election and qualifies.
 83 In the first election in counties having five
 84 commissioner districts the members from districts
 85 one, three, and five shall be elected for a four-year
 86 term and members from districts two and four shall
 87 be elected for a two-year term. In counties having
 88 three commissioner districts the members from
 88a districts
 89 one and three shall be elected for a four-year term
 90 and the members from district two shall be elected for
 91 a two-year term.

And when so amended recommends the same do pass.

SENATOR MEIDINGER, Chairman.

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

MOTIONS

Senator Holand moved that after the reading of Senate
 Bills No. 51, 77, and Senate Concurrent Resolution "K" that
 the Senate recess subject to the call of the chair, which
 motion prevailed.

The Senate reconvened pursuant to recess taken, the
 President presiding.

SECOND READING OF SENATE BILLS

Senate Bill No. 51. A Bill for an Act providing for a
 transfer of all funds in the charitable institutions revolving
 fund and the institutional support funds and providing
 that all collections from liquor taxes be deposited in the
 general fund and to relieve the counties of any share of

costs of operation and administration of the state hospital, state school, and tuberculosis sanatorium, and further providing for the collection of expenses incurred by the state for care and treatment of patients at such institutions to create and enact chapter 25-09 of the North Dakota Century Code, and to amend and reenact sections 5-03-09, 5-03-11, 25-03-15, 25-03-26, 25-04-04, and 25-05-34 of the North Dakota Century Code and to repeal sections 25-01-14, 25-02-07, 25-02-08, 25-02-10, 25-03-03, 25-03-04, 25-04-09, 25-04-10, 25-05-08, 25-05-09, and 25-05-10, and chapter 25-08 of the North Dakota Century Code relating to institutional care and treatment and expenses thereof and the disposition of liquor taxes.

Which has been read.

Senator Longmire moved that Senate Bill No. 51 be amended as follows:

In line 18, delete the word "monthly" and insert in lieu thereof the word "quarterly".

In line 27 after the word "administration" insert the words "except that the amount of seven dollars and fifty cents shall be credited to the patient's personal account from any social security money received".

In line 84 delete the words "monthly, or otherwise".

At the beginning of line 85 delete the words "as the board may determine" and insert in lieu thereof the word "quarterly".

Renumber the lines accordingly.

Which motion prevailed.

Senator Holand moved that the rules be suspended and that Senate Bill No. 51 be deemed properly re-engrossed and placed on the calendar for final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 51. A Bill for an Act providing for a transfer of all funds in the charitable institutions revolving fund and the institutional support funds and providing that all collections from liquor taxes be deposited in the general fund and to relieve the counties of any share of costs of operation and administration of the state hospital, state school, and tuberculosis sanatorium, and further providing for the collection of expenses incurred by the state for care and treatment of patients at such institutions to create and enact chapter 25-09 of the North Dakota Century Code, and to amend and reenact sections 5-03-09, 5-03-11, 25-03-15, 25-03-26, 25-04-04, and 25-05-34 of the North Dakota Century Code and to repeal sections 25-01-14, 25-02-07, 25-02-08, 25-02-10, 25-03-03, 25-03-04, 25-04-09, 25-04-10, 25-05-08, 25-05-09, and 25-05-10, and chapter 25-08 of the North Dakota Century Code relating to institutional care and treatment and expenses thereof and the disposition of liquor taxes.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

Senate Bill No. 77. A Bill for an Act to amend and re-enact section 54-01-17 of the North Dakota Century Code relating to right-of-way over state 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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

**SECOND READING OF A SENATE
CONCURRENT RESOLUTION**

Senate Concurrent Resolution "K". A concurrent resolution memorializing the secretary of agriculture to re-establish a local testing program for grains that are subject to an application for a federal loan.

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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the resolution was declared adopted.

FIRST READING OF SENATE BILLS

Senators Miller, Kisse and Harris introduced:

Senate Bill No. 139. A Bill for an Act to amend and reenact section 15-53-23 of the North Dakota Century Code, relating to the exclusion of property from school districts.

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

Senators Redlin and Erickstad (By request) introduced:

Senate Bill No. 140. A Bill for an Act to regulate the labeling of certain hazardous substances for nonmanufacturing purposes which are intended or suitable for household use, and to provide a penalty.

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

Senator Hystad, Miller, Berube and Witteman introduced:

Senate Bill No. 141. A Bill for an Act to amend and reenact sections 6-06-14 and 6-06-29 of the North Dakota Century Code relating to loans and taxation, and to provide for conversions of credit unions

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

Senators Lips, Gefreh and Mutch introduced:

Senate Bill No. 142. A Bill for an Act to amend and reenact Section 10-28-22 of the North Dakota Century Code relating to special provisions regarding fraternal corporations.

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

Senator Foss introduced:

Senate Bill No. 143. A Bill for an Act to provide for the final payment of North Dakota Real Estate Series Bonds heretofore issued, and interest thereon, and to authorize delivery of properties and assets of the Real Estate Bond

Trust to the custody and control of the manager of the Bank of North Dakota for the ultimate benefit of the state general fund.

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

Senator Foss introduced:

Senate Bill No. 144. A Bill for an Act authorizing the state board of administration to transfer and convey to the state water conservation commission a tract of land to enable the commission to construct thereon a building for use in storing, servicing, repairing and maintaining machinery, motor vehicles, equipment and materials, and making an appropriation to cover the cost of constructing such building.

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

Senators Fiedler and Hernet introduced:

Senate Bill No. 145. A Bill for an Act to amend and reenact sections 24-03-09 and 24-12-04 of the North Dakota Century Code relating to warning signs of road construction, injury to highway signs and markings and to provide for a reward for information leading to conviction of persons injuring highway signs and to provide for a civil remedy for persons injured by reason of the removal, injury or destruction of highway markings, including exemplary damages therefore.

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

Senators Nesvig, Longmire, Saumur, Solberg, Kamrath, Gefreh, Wartner and Murphy introduced:

Senate Bill No. 146. A Bill for an Act relating to solicitation by charitable organizations; describing charitable organizations; designating secretary of state as the department for licensing, registration, filing, and reporting by such charitable organizations; enforcement provisions by the attorney general, and/or state's attorneys; providing for injunction and the restraint of unlawful solicitation; and providing for a penalty.

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

Senators Wartner, Gefreh and Garaas introduced:

Senate Bill No. 147. A Bill for an Act to amend and reenact section 35-22-01 of the North Dakota Century Code relating to foreclosure of mortgages of real property.

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

Senators Hernet, Luick, Brooks, Thompson, Fiedler and Garaas introduced:

Senate Bill No. 148. A Bill for an Act to amend and reenact section 24-03-21 of the North Dakota Century Code relating to the preparation and distribution of road maps and to authorize the highway commissioner to provide for the publication of tourist information, and declaring an emergency.

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

Senators Gronvold, Baker and Ringsak introduced:

Senate Bill No. 149. A Bill for an Act to create and enact chapter 57-51.1 of the North Dakota Century Code, relating to establishment of a use tax on oil, gas, and petroleum products to be supplementary to the North Dakota gross production tax and upon which no gross production tax has been paid, providing for its administration, and providing a penalty.

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

Senators Thompson, Reichert and Longmire introduced:

Senate Bill No. 150. A bill for an Act to provide for employee temporary disability insurance and to provide that the administration and operation of such insurance shall be a duty of the Division of Unemployment Compensation of the North Dakota Workmen's Compensation Bureau; to provide for the establishment of a temporary disability insurance fund; to provide for contributions by the employee; and to provide for benefits to be paid to employees in the case of a disability or sickness; and to provide penalties, and making an appropriation.

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

Senators Morgan, Gronvold, Garaas, Bopp and Trenbeath introduced:

Senate Bill No. 151. A Bill for an Act to amend and reenact sections 61-04-02, 61-04-04, 61-04-06, 61-04-09, 61-04-11 and 61-04-14 of the North Dakota Century Code relating to acquisition of right to appropriate water for beneficial use.

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

Senators Wartner, Garaas, Gefreh introduced:

Senate Bill No. 152. A Bill for an Act to amend and reenact subsection 2 of section 57-22-21 of the North Dakota Century Code, relating to collection of personal property taxes made liens on real estate.

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

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Redlin, Trenbeath, Erickstad, Thompson, Fiedler, Gronvold, Murphy, Nesvig, Holand, Lips, Schrock and Baker introduced:

Senate Concurrent Resolution "S". A concurrent resolution memorializing the Congress to authorize the Garrison Diversion Project and to appropriate funds therefor.

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

Senators Meidinger, Gefreh, Nesvig, Thompson and Schrock introduced:

Senate Concurrent Resolution "T". A concurrent resolution providing for the amendment of sections 71 and 82 of the Constitution of the state of North Dakota relating to the terms of office of certain elected state officials.

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

FIRST READING OF HOUSE BILLS

House Bill No. 530. A Bill for an Act making an appropriation to pay the costs of the administration of the Old Age and Survivor Insurance System.

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

House Bill No. 544. A Bill for an Act to provide for the appointment of county or multiple county boards of special education, the formulation and approval of programs and budgets, the authorization of excess mill levies to finance such programs, and the distribution of state funds to counties conducting such programs.

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

House Bill No. 561. A Bill for a Act to amend and reenact subdivision d of subsection 9 of section 65-01-02 of the North Dakota Century Code, relating to firemen's compensation and death payments under workmen's compensation.

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

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 23, 1961

Mr. Speaker: I have the honor to return:
House Concurrent Resolution "O"
Which the President has signed.

HOWARD F. DOHERTY, Secretary.

MOTIONS

Senator Baker moved that the Senate reconsider the action by which the motion of Senator Fiedler that the Employment Committee furnish a list of employees and their sponsors to each member of the Senate was carried, which motion was declared lost for lack of a second.

Senator Holand moved that the Senate recess until 1:30 p.m., January 24, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

TWENTY-FIRST DAY AFTER RECESS AND
TWENTY-SECOND DAY

Bismarck, January 24, 1961

The Senate convened at 1:30 p.m., the President presiding.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill: Senate Bill No. 51, and find the same correctly re-engrossed.

SENATOR KISSE, Chairman.

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

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 79 has had the same under consideration and recommends that the same be amended as follows:

In line 1 of the title delete the word "perpetual" and insert in lieu thereof "spot check of the"

In line 1 of the title delete the word "audit"

In line 2 of the bill delete the word "perpetual" and insert in lieu thereof "spot check" and delete the word "audit"

In line 4 of the bill following the word "fund" insert the following language: ", such costs not to exceed five thousand dollars annually"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 87 has had the same under consideration and recommends that the same do pass and further recommends that the same be referred to the Committee on Appropriations.

SENATOR LONGMIRE, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 104 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 115 has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 548 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 549 has had the same under consideration and recommends that the same be amended as follows:

In line 230 delete the blank preceding the word "election" and insert in lieu thereof "primary", delete the blank and comma following the word "in" and delete the blank following the figure "19" and insert in lieu thereof "62"

In line 231 delete the blank and insert in lieu thereof "House"

In line 232 delete the blank and insert in lieu thereof "A"

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 554 has had the same under consideration and recommends that the same be amended as follows:

In line 9 delete the words "state university" and insert in lieu thereof "North Dakota State University of Agriculture and Applied Science"

In line 25 delete the words "state university" and insert in lieu thereof "North Dakota State University of Agriculture and Applied Science"

In line 28 delete the words "state university" and insert in lieu thereof "North Dakota State University of Agriculture and Applied Science"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 566 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution "A" has had the same under consideration and recommends that the same be amended as follows:

In line 5 delete the word "June"

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

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

CONSIDERATION OF AMENDMENTS

Senator Gefreh moved that the rules be suspended and that the reading of the amendments to Senate Bill No. 69 be dispensed with, which motion prevailed.

Senator Gefreh moved that the amendments to Senate Bill No. 69 be adopted, which motion prevailed.

Senator Gefreh moved that Senate Bill No. 69 be re-referred to the Committee on Education, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, January 24, 1961

Mr. President: I have the honor to transmit:

House Bill No. 579

House Bill No. 596

House Concurrent Resolution "P"

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

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, January 24, 1961

Mr. President: I have the honor to return:

Senate Concurrent Resolution "N"

Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, January 24, 1961

Mr. President: I have the honor to transmit:

House Concurrent Resolution "S"

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

GERALD L. STAIR, Chief Clerk.

FIRST READING OF SENATE BILLS

Senators Redlin and Reichert introduced:

Senate Bill No. 153. A Bill for an Act to amend and reenact Section 52-09-09 of the North Dakota Century Code relating to Rate of Contribution; and subsection B of Section 52-09-20 of the North Dakota Century Code relating to Definitions.

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

Senator Baker introduced:

Senate Bill No. 154. A Bill for an Act authorizing the state board of higher education to transfer certain state-owned land to the city of Minot for street purposes.

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

Senator Holand introduced:

Senate Bill No. 155. A Bill for an Act to authorize the board of trustees of the soldiers' home to sell certain lands.

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

Senators Murphy and Baker introduced:

Senate Bill No. 156. A Bill for an Act to provide that all employers must grant time for all employees to vote at any special, primary, or general election.

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

Senators Lautenschlager, Becker, Erickson, Hystad, Wadeson and Nesvig introduced:

Senate Bill No. 157. A Bill for an Act to amend and reenact section 63-01-09 of the North Dakota Century Code, relating to the cleaning of harvesting machines.

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

Senator Baker introduced:

Senate Bill No. 158. A Bill for an Act to amend and reenact section 15-59-01 of the North Dakota Century Code relating to special education of exceptional children.

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

Senators Longmire and Wartner introduced:

Senate Bill No. 159. A Bill for an Act to amend and reenact section 12-06-06 of the North Dakota Century Code, relating to the determination of the degree of crime by a jury and the determination of punishment by a judge.

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

Senators Gefreh, Holand and Wartner introduced:

Senate Bill No. 160. A Bill for an Act to amend and reenact section 10-24-23 of the North Dakota Century Code, relating to officers of a nonprofit corporation.

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

Senators Wadeson, Redlin and Luick introduced:

Senate Bill No. 161. A Bill for an Act authorizing the state board of higher education to sell certain land now owned by the state for the benefit and use of the North Dakota Agricultural Experiment Station of the North Dakota State University of Agriculture and Applied Science.

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

Senators Erickson and Roen introduced:

Senate Bill No. 162. A Bill for an Act to amend and reenact section 20-08-03 of the North Dakota Century Code relating to the contents of the governor's proclamation for the taking of game birds, fish, and game animals.

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

Senators Wadeson, Redlin and Luick introduced:

Senate Bill No. 163. A Bill for an Act to authorize the state board of higher education to sell or exchange certain land owned by the state of North Dakota for the benefit and use of the North Dakota Agricultural Experiment Station of the North Dakota State University of Agriculture and Applied Science for other land of equal or greater value and appropriating the proceeds of any sale to the state board of higher education for the purpose of acquiring other land.

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

Senator Hernettt introduced:

Senate Bill No. 164. A Bill for an Act to amend and reenact section 52-06-30 of the North Dakota Century Code relating to Assignment of Benefits Prohibited; Benefits Exempt From Remedies for Collection of Debt; Exception.

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

Senators Gefreh, Ringsak, Brooks, Saumur, Longmire, Wartner and Murphy introduced:

Senate Bill No. 165. A Bill for an Act to amend and reenact section 39-06-30 and subsection 10 of section 39-16-01 of the North Dakota Century Code, relating to definitions and meanings of the words "conviction" and "state" for the purposes of certain chapters in title 39.

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

FIRST READING OF A SENATE CONCURRENT RESOLUTION

Senators Baker, Ringsak, Johnson, Erickson and Murphy introduced:

Senate Concurrent Resolution "U". A concurrent resolution directing the secretary of state to charge a fee for mailing copies of bills introduced during the session to persons requesting such service and directing the chief mailing room clerk to mail the same, and providing that such fees collected by the secretary of state be deposited in the general fund.

Was read the first time.

Senator Baker moved that the rules be suspended and that Senate Concurrent Resolution "U" be not referred to a committee, not printed as a resolution but printed in the Journal, placed on the calendar and laid over one legislative day, which motion prevailed.

SENATE CONCURRENT RESOLUTION "U"

Introduced by Senators Baker, Ringsak, Johnson, Erickson and Murphy

A concurrent resolution directing the secretary of state to charge a fee for mailing copies of bills introduced during the session to persons requesting such service and directing the chief mailing room clerk to mail the same, and providing that such fees collected by the secretary of state be deposited in the general fund.

1 WHEREAS, many persons have requested the

2 secretary of state and other officials to mail to them
3 copies of all bills introduced in the Thirty-seventh
4 Legislative Assembly; and

5 WHEREAS, this service is time-consuming and costly
6 to the state of North Dakota since the number of
6a persons
7 requesting this service is increasing every session;
8 and

9 WHEREAS, bills introduced at any legislative session
10 should be made available to interested persons;

11 NOW, THEREFORE, BE IT RESOLVED BY THE
12 SENATE OF THE STATE OF NORTH DAKOTA, THE
13 HOUSE OF REPRESENTATIVES CONCURRING
14 THEREIN:

15 That the secretary of state is hereby authorized
16 and directed to charge a fee of fifty dollars to
17 every person requesting copies of all bills intro-
18 duced during the Thirty-seventh Legislative Assembly
19 and deposit all fees collected with the state treas-
20 urer to be credited to the general fund; and

21 BE IT FURTHER RESOLVED, that all requests
22 approved by the secretary of state for such mailing
23 service shall be forwarded to the chief mailing room
24 clerk, together with the name and address of the person
25 requesting the same and such clerk is hereby directed
26 to mail a copy of all bills to such persons as they
27 are printed; and

28 BE IT FURTHER RESOLVED, that the provisions
29 of this resolution shall not apply to any member
30 of the legislative assembly or its committees or to
31 any state department or agency procuring bills in such
32 number as may be needed, nor to any other person
33 personally procuring single copies of bills from
34 the senate or house bill rooms.

SECOND READING OF SENATE BILLS

Senate Bill No. 67. A Bill for an Act to amend and re-
enact section 21-03-07 of the North Dakota Century Code
relating to election requirements of municipalities and
school districts for the issuance of 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, 39; nays, 8; absent
and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	Redlin
Baeverstad	Johnson	Reichert
Baker	Kamrath	Ringsak
Becker	Kee	Roen
Berube	Kisse	Saumur
Brooks	Lautenschlager	Solberg
Erickson	Lips	Thompson
Erickstad	Longmire	Trenbeath
Fiedler	Meidinger	Van Horn
Foss	Morgan	Wadeson
Gefreh	Murphy	Wartner
George	Mutch	Witteman
Harris	Paulson	Yunker

Those voting in the negative were:

Bopp	Hernett	Miller
Gilbertson	Hystad	Nesvig
Gronvold	Luick	

Absent and not voting:

Garaas	Schrock
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So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 24, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 51

Senate Bill No. 60

Senate Bill No. 76

Senate Bill No. 77

Senate Concurrent Resolution "K"

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

HOWARD F. DOHERTY, Secretary.

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

HOWARD F. DOHERTY, Secretary.

TWENTY-SECOND DAY

Bismarck, January 24, 1961

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

Prayer by Chaplain Rev. Carston E. Brien, First Lutheran, Mandan.

Lord Jesus Christ, we rejoice in the promise of Thy continued presence and power! Help us, therefore, to have the wisdom and the foresight to claim it, as we seek to press forward properly in all respects on earth. And, as we press forward, help us likewise to have open eyes and hearts to the fact that the true pressing on is related above all to our eternities. We praise Thee for the true security that prevails in Thee and in Thy finished work. So help us according to Thy will to repent of our sins that necessitated the fearsome thing of Calvary, but then to glory in the wonder of the resurrection and the prepared place that Thou hast promised us. Keep us steadfast in that faith, rooted and grounded and never moved away from the hope of the gospel, the good news in and through Thee alone! In Thy Name we pray, Amen.

Roll call: All Senators present except Senators Garaas and Schrock.

A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

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

On page 133, after line 16, insert the following:

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Concurrent Resolution "K"

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

On page 135, after line 29, insert the following:

"Senator Gronvold moved that the courtesy of the floor be extended to Miss Karla Schwarz, an exchange student from Germany, who is staying with Mr. and Mrs. Arne BJORKE of Rugby, North Dakota, which motion prevailed."

On page 135, in line 26, delete the name "Hazen" and insert in lieu thereof the name "Hazelton".

And when so corrected recommends that the same be approved.

SENATOR HARRIS, Chairman.

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

Senator Holand moved that the Senate recess until 1:30 p.m., January 25, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

TWENTY-SECOND DAY AFTER RECESS AND
TWENTY-THIRD DAY

Bismarck, January 25, 1961

The Senate convened at 1:30 p.m., the President presiding.

REPORTS OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bill: Senate Bill No. 69, and find the same correctly engrossed.

SENATOR KISSE, Chairman.

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

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following resolution: Senate Concurrent Resolution "N", and find the same correctly enrolled.

SENATOR KISSE, Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 25, 1961

Mr. Speaker: I have the honor to transmit:
Senate Bill No. 67

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

HOWARD F. DOHERTY, Secretary.

REPORTS OF STANDING COMMITTEES

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

In line 10 delete the figure "\$22,000.00" and insert the figure "\$26,000.00" in lieu thereof.

In line 12 delete the figure "\$7,500.00" and insert the figure "\$7,000.00" in lieu thereof.

In line 18 delete the figure "\$6,000.00" and insert the figure "\$2,500.00" in lieu thereof.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 24 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 25 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

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

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

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 88 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WARTNER, Chairman.

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 94 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 100 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution "E" has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted.

Senator Baker made the substitute motion that Senate Concurrent Resolution "E" be indefinitely postponed, which motion was declared lost.

The question was on the motion of Senator Wartner that the committee report on Senate Concurrent Resolution "E" be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution "G" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WARTNER, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent resolution "M" has had the same under consideration and recommends that the same be amended as follows:

In line 16 after the word "purposes" delete the comma and insert the words "and one hundred volumes for sale to lawyers requesting them in the future,"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 540 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

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

CONSIDERATION OF AMENDMENTS

Senator Longmire moved that the amendments to Senate Bill No. 79 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to House Bill No. 549 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to House Bill No. 554 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to House Concurrent Resolution "A" be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 25, 1961

Mr. President: I have the honor to transmit:

House Bill No. 542

House Bill No. 562

House Bill No. 597

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

GERALD L. STAIR, Chief Clerk.

MOTIONS

Senator Wadeson moved that Senate Bills No. 161 and 163 be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Wadeson moved that Senate Bills No. 161 and 163 be re-referred to the Committee on Agriculture, which motion prevailed.

**FIRST READING OF SENATE BILLS
AND CONCURRENT RESOLUTIONS**

Senators Lips, Longmire and Brooks introduced:

Senate Bill No. 166. A Bill for an Act to amend and reenact subsection 3 of Section 26-08-11 of the North Dakota Century Code relating to investments authorized for domestic insurance companies and providing for an increase in the amount of secured amortized loans from sixty-six and two-thirds per cent of the value of the property mortgaged to seventy-five per cent.

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

Senator Baker introduced:

Senate Bill No. 167. A Bill for an Act to amend and reenact sections 40-46-02, 40-46-04, 40-46-09, 40-46-13 and 40-46-20 of the North Dakota Century Code, relating to employees' pension plan in cities.

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

Senators Andre and Morgan introduced:

Senate Bill No. 168. A Bill for an Act to amend and reenact subsection 8 of section 57-38-22 of the North Dakota Century Code, relating to deductions allowed for contributions in computing net income.

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

Senators Garaas, Andre, Ringsak and Baeverstad introduced:

Senate Bill No. 169. A Bill for an Act to amend and reenact sections 16-04-15 and 16-04-26 of the North Dakota Century Code relating to primary election ballots.

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

Senator Meidinger introduced:

Senate Bill No. 170. A Bill for an Act to amend and reenact Section 15-53-09 of the North Dakota Century Code relating to proposals for reorganization of school districts and for adjustment of assets and liabilities thereof.

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

Senator Meidinger introduced:

Senate Bill No. 171. A Bill for an Act to amend and reenact Section 21-03-15 of the North Dakota Century Code relating to taxes for municipal bonds.

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

Senators Solberg, Wartner, Baeverstad, Schrock, Hystad, Gronvold, Witteman and Meidinger introduced:

Senate Concurrent Resolution "V". A concurrent resolution urging North Dakota public utilities to extend natural gas service for heating and industrial use to North Dakota communities.

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

Senators Erickson, Roen, Reichert and Garaas introduced:

Senate Concurrent Resolution "W". A concurrent resolution requesting Congress to extend the time for completing negotiations for a compact apportioning waters of the Little Missouri River and its tributaries among North Dakota, South Dakota, Montana and Wyoming.

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

COURTESY OF THE FLOOR

At the request of Senator Trenbeath the high school students and their instructors from Walhalla were recognized by the Senate.

At the request of Senator Roen sixty-two seniors from the Bowman High School were recognized by the Senate.

At the request of Senator Wartner a group of bandmembers from Harvey were recognized by the Senate.

MOTIONS

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

Senator Holand moved that after the reading of Senate Bills No. 104, 115, and House Bills No. 548 and 566, that the Senate adjourn, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

TWENTY-THIRD DAY

Bismarck, January 25, 1961

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

Prayer by Chaplain Rev. Glenn Field, Capital Heights Baptist, Bismarck.

Almighty Father of all creation, we come before Thee this day as Thy servants, as men of faith, a people desirous of being worthy of at least a part of Thy blessing. Give us a thankful Spirit and a wisdom that understands that all good gifts come from Thee.

We acknowledge Thee as the Giver of peace to men the world over. This day we pray for that peace which only Thou canst give, knowing that men the world over must find their peace, individually and collectively, in Thee. Some way help us to get this truth to all the people of earth. Let us understand that giving of things material to the nations of earth is only incidental to the giving of a more perfect gift which is found in spiritual strength.

Lead the legislative assemblies of this state of ours in making all laws that will bring honor to Thyself and benefits to our constituency. Help us to do only that which is proper remembering that it is never right to do wrong and never wrong to do right. Thou art an all-seeing eye and a searcher of the hearts of men and a discerner of their motives. This day, grant that we may recognize Thee as God and a rewarder of all men according to their just dues.

Give wisdom and direction to each of us in his work and effort this day. Through Jesus Christ our Lord, Amen.

Roll call: All Senators present.

A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

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

On page 147, in line 37 delete the period and insert the following: "and further recommends that the same"

And when so corrected recommends that the same be approved.

SENATOR HARRIS, Chairman.

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

FIRST READING OF SENATE BILLS

Senator Murphy introduced:

Senate Bill No. 172. A Bill for an Act to amend and reenact Section 39-17-04.1 of the North Dakota Century Code, providing for appointment of special counsel for the attorney general.

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

Senators Brooks, Meidinger, Hernet, Baeverstad, Erickson and George introduced:

Senate Bill No. 173. A Bill for an Act to establish the office of state toxicologist.

Was read the first time and referred to the committee on Social Welfare and Veterans Affairs.

Senators Nesvig, Andre, Witteman and Murphy introduced:

Senate Bill No. 174. A Bill for an Act to provide for pooling state-owned aircraft for increased efficiency, defining state agencies affected, permitting state agencies and departments to utilize and pay for state aircraft transportation, providing for pooling of state pilots, establishing a special aviation revolving fund and appropriating moneys therefrom, and making an appropriation.

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

Senators Gefreh, Wartner, Mutch, Gronvold, Meidinger, Longmire, Baeverstad, Kee, Harris and Erickstad introduced:

Senate Bill No. 175. A Bill for an Act to amend and reenact section 57-51-15 of the North Dakota Century Code, relating to the apportionment of the proceeds of the oil and gas production tax.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 104. A Bill for an Act to amend and reenact sections 46-04-02 and 46-04-11 of the North Dakota Century Code, relating to the distribution of laws and executive documents.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the

roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

Senate Bill No. 115. A Bill for an Act to amend and reenact section 15-14-01 of the North Dakota Century Code, relating to the name of the state normal and industrial school at Ellendale.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 548. A Bill for an Act to provide, in the event of attack upon the United States, for the continuity of the executive and judicial functions of the government of the state and the governments of the political subdivisions of the state by providing for additional officers who can act as governor; by providing for emergency interim succession to other executives offices of the state and its

political subdivisions; by providing for special emergency judges; by authorizing political subdivisions to enact resolutions and ordinances relating to the subject; by providing for alternate emergency locations at which state and local governmental business may be transacted, 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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

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

House Bill No. 566. A Bill for an Act authorizing the board of university and school lands with the approval of the North Dakota state board of higher education to donate and convey certain property now owned by the state of North Dakota for the use and benefit of the North Dakota State University of Agriculture and Applied Science to the United States of America and its assigns, for the purpose of establishing and conducting a field laboratory studying various problems related to agriculture, 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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson

Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

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

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution "U". A concurrent resolution directing the secretary of state to charge a fee for mailing copies of bills introduced during the session to persons requesting such service and directing the chief mailing room clerk to mail the same, and providing that such fees collected by the secretary of state be deposited in the general fund.

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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the resolution was declared adopted.

FIRST READING OF HOUSE BILLS

House Bill No. 579. A Bill for an Act to create and enact section 15-54-08 of the North Dakota Century Code, relating to health certificates of employees of school lunch programs.

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

House Bill No. 596. A Bill for an Act to amend and re-enact section 61-04-05 of the North Dakota Century Code, relating to publication of notice of application to appropriate water rights.

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

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution "P". A concurrent resolution favoring the early construction of the proposed Bowman Haley dam and reservoir project and urging the corps of engineers to expedite the completion of a favorable report thereon.

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

House Concurrent Resolution "S". A concurrent resolution urging the postmaster general to issue commemorative stamps in honor of the Dakota Territory Centennial Celebration.

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:

Senate Concurrent Resolution "N"

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

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 25, 1961

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "N"

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

HOWARD F. DOHERTY, Secretary.

MOTIONS

Senator Nesvig moved that Senator Garaas be invited to talk on his trip to the Inauguration in Washington, which motion prevailed.

Senator Garaas: This was not a solicitation on my part and being I have talked quite a bit today on some of the bills I have sponsored I shall make my remarks quite short.

First of all, the meetings in Washington were arranged by Mr. Fred Frederickson of the GNDA and Oscar Bell, Executive Secretary of the Water Users of the State of North Dakota. The primary purpose of going to Washington was to check on the Garrison Diversion Project to see what was bottle necking the matter down there. The President of the delegation was Governor Guy. Also attending was S. B. Hocking, Democratic National Committeeman, and Mr. Lanier who is Democratic Vice Chairman, myself, and the executive secretary, Scott Anderson. The first meeting we attended was with Wayne Aspinall, Congressman, who is chairman of the Interior and Insular Affairs Committee of the House of Representatives. We spent about an hour and half with him and it was interesting to know just where the bottle neck is. There are about ten projects in Congress which has priority over our project in North Dakota, but it appears if the Bureau of Budgets and Bureau of Reclamation get out a report

within the next week or so then hearings on the Garrison Diversion Project will be held in this term of Congress, and such hearing possibly might be held as early as April of this year. The cost-benefit ratio of the Garrison Diversion Project is now favorable and the report had to be amended to include this, and the report is now coming out of the Bureau of Reclamation and will be in the Bureau of Budgets. Then the Bureau of Budgets considers this fact and it is anticipated a favorable report will come out and then this will be in the famous committee of Wayne Aspinall. At that time hearings will be had. Of course, it is necessary to get the favor of Mr. Bell who is named head of the Bureau of Budgets. Mr. Bell met with Governor Guy who reported that it is anticipated that the Bureau of Budgets will recommend the Garrison Diversion project.

Governor Guy presided over a meeting of all the Congressmen and Senators from North Dakota who met with the Bureau of Budgets and Bureau of Reclamation in the Senate Office Building and we believe this resulted in the bottle neck being broken and that this will be brought up before the present Congress. We also met with Kenneth Holem, Assistant Secretary of Interior who is replacing Fred Aandahl, who is in charge of this important project, and who would be a responsible official in that department.

We feel that this meeting with the officials will possibly bear fruit and that this important project will come before the Congress in this session.

I also want to state that at the same time there was some sort of an inauguration down in Washington and some bushy-haired gentleman from Massachusetts was sworn in as President of the United States. It happened that I was in the Capitol building at that time and saw the inauguration and it was pretty cold down there, about 25 above zero, and snowing and a wind of 35 to 40 miles an hour. Went out to Mount Vernon, they closed the gate and could not see that either. That's about all I saw in Washington and I hope that it is the last inauguration I will go to because the weather isn't quite as nice as in North Dakota. Thank you.

Senator Holand moved that the Senate recess until 1:30 p.m. January 26, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary

TWENTY-THIRD DAY AFTER RECESS AND
TWENTY-FOURTH DAY

Bismarck, January 26, 1961

The Senate convened at 1:30 p.m., the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and En-grossment respectfully report that they have examined the following bill: Senate Bill No. 79, and find the same cor-rectly engrossed.

SENATOR KISSE, Chairman.

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 70 has had the same under consideration and recommends that the same be amended as follows:

In line 3 of the title following the word "by" insert the word "certain".

In line 4 of the title following the word "state" insert a comma and the following: "fixing the fee therefor,".

In line 8 after "orations" insert a comma; delete "and their affiliates," and insert in lieu thereof "cemetery and trade associations, fraternities, sororities and other or-ganizations of college students,".

In line 29 after the word "calendar" insert the words "or fiscal".

In line 38 after the word "calendar" insert the words "or-fiscal".

In line 51 after the numbers "10-28-23" insert "together with a five dollar filing fee".

In lines 52 and 53 delete the words "on or before the first day of March of each year" and insert in lieu thereof "within sixty days after the close of the calendar or fiscal year".

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman.

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

Mr. President: Your Committee on Judiciary to whom

was referred Senate Bill No. 86 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 103 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 107 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 134 has had the same under consideration and recommends that the same be amended as follows:

In line 4 after the comma insert "while off duty"

In line 5 delete the period and add "where a plea of not guilty was entered."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

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

Mr. President: Your Committee on Agriculture to whom was referred Senate Concurrent Resolution "J" has had the same under consideration and a majority recommends that the same be amended as follows:

In line 26 delete the words "such program" and insert in lieu thereof the words "the Congress of the United States gives consideration to a program that would"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

Raymond Andre
Clayton Paulson
Clark Van Horn
Alex Miller
Philip Berube
Selmer Gilbertson
Rolland Redlin

Senator Andre moved that the report be adopted.

Mr. President: A minority of your committee recommends that Senate Concurrent Resolution "J" be indefinitely postponed.

Harry W. Wadson
A. W. Luick
Grant Trenbeath
Lloyd M. Erickson
Kenneth Morgan
Dan Kisse

Senator Wadeson moved that the report of the minority be substituted for that of the majority.

The question was on the motion of Senator Wadeson that the report of the minority be substituted for that of the majority, which motion was declared lost.

The question was on the motion of Senator Andre that the report of the majority be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Concurrent Resolution "O" has had the same under consideration and recommends that the same be placed on the calendar without recommendation.

SENATOR WADESON, Chairman.

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

CONSIDERATION OF AMENDMENTS

Senator Foss moved that the amendments to Senate Bill No. 21 be adopted, which motion prevailed.

Senator Wartner moved that the amendments to Senate Concurrent Resolution "M" be adopted, which motion prevailed.

FIRST READING OF SENATE BILLS AND A CONCURRENT RESOLUTION

Senator Miller introduced:

Senate Bill No. 176. A Bill for an Act to amend and reenact section 11-32-01 of the North Dakota Century Code relating to a tax levy for county memorials.

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

Senator Brooks introduced:

Senate Bill No. 177. A Bill for an Act to amend and reenact section 6-08-16 of the North Dakota Century Code relating to the issuance of a check or draft without sufficient funds or credit and providing a penalty.

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

Senators Longmire, Lips and Garaas introduced:

Senate Bill No. 178. A Bill for an Act to amend and reenact sections 15-52-10, 15-52-15, 15-52-16, 15-52-17, 15-52-18, 15-52-19, 15-52-20, subsection 2 of section 15-52-22, sections 15-52-26, and 15-52-27 of the North Dakota Century Code, relating to loans for dental students from the medical center loan fund.

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

Senator Brooks, Kee, Gefreh, Hernet and Lips introduced:

Senate Bill No. 179. A Bill for an Act to authorize the superintendent of public instruction to contract with non-profit corporations for the provision of educational television services in the state, and making an appropriation therefor.

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

Senator Hystad introduced:

Senate Bill No. 180. A Bill for an Act to amend and reenact section 39-11-10.1 of the North Dakota Century Code, relating to the requirement for turn signals on motor vehicles.

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

Senators Longmire, Reichert, Murphy and Garaas introduced:

Senate Bill No. 181. A Bill for an Act to amend and reenact Section 27-17-01 of the North Dakota Century Code relating to retirement of supreme court judges and district court judges.

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

The Committee on State and Federal Government introduced:

Senate Bill No. 182. A Bill for an Act to amend and reenact section 23-16-05 and section 23-16-12 of the North Dakota Century Code relating to state department of health inspections, consultations, and injunctions, and declaring an emergency

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

Senator Foss introduced:

Senate Bill No. 183. A Bill for an Act to amend and reenact section 57-32-04 of the North Dakota Century Code relating to the allocation of taxes on car line companies and air transportation companies.

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

Senator Foss introduced:

Senate Bill No. 184. A Bill for an Act providing for the acquisition by the Bank of North Dakota from the department of public instruction of all existing contracts and rights, title, and interest in real estate acquired pursuant to the provisions of chapter 15-60 of the North Dakota Century Code and to provide for repayment to the state equalization fund.

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

Senator Foss introduced:

Senate Bill No. 185. A Bill for an Act to appropriate and transfer \$425,000.00 from the general fund to the school construction fund as reimbursement for appropriations made for construction at the state training school.

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

Senator Foss introduced:

Senate Bill No. 186. A Bill for an Act to make a deficiency appropriation for the payment of general expenses of the Thirty-seventh Legislative Assembly, and declaring an emergency.

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

Senators Garaas and Solberg introduced:

Senate Bill No. 187. A Bill for an Act to amend and reenact section 16-12-04 of the North Dakota Century Code, relating to election ballots.

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

Senator Hernett introduced:

Senate Bill No. 188. A Bill for an Act to amend and reenact section 44-08-10 of the North Dakota Century Code, relating to public notices and printing.

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

Senators Erickson, Longmire and Johnson introduced:

Senate Bill No. 189. A Bill for an Act to amend and reenact section 52-10-03 of the North Dakota Century Code relating to federal-state agreement interstate instrumentalities; section 52-10-04 of the North Dakota Century Code relating to contributions by employees of the state and of political subdivisions; to create and enact subsection e. of section 52-10-05 of the North Dakota Century Code relating to the plans for coverage of employees of political subdivisions; and to amend and reenact section 52-10-07 of the North Dakota Century Code relating to referenda and certification.

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

Senators Brooks, Nesvig, Kee, Roen, Luick and Longmire introduced:

Senate Bill No. 190. A Bill for an Act to amend and reenact section 20-03-06 of the North Dakota Century Code relating to the taking of any game bird on posted lands by nonresidents.

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

Senators Luick, Erickson, Gilbertson, Trenbeath, Paulson and Berube introduced:

Senate Bill No. 191. A Bill for an Act to create and enact section 15-34-27 of the North Dakota Century Code relating to transportation of elementary school children.

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

Senators Luick, Trenbeath, Paulson, Kisse, Erickson, Gilbertson, Kee and Berube introduced:

Senate Bill No. 192. A Bill for an Act providing mileage expenses for all members of any school district board.

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

Senators Brooks, Saumur, Reichert and Johnson introduced:

Senate Bill No. 193. A Bill for an Act to amend and reenact Section 57-53-09 of the North Dakota Century Code relating to special fuels tax levy.

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

Senators Fiedler and Garaas introduced:

Senate Bill No. 194. A Bill for an Act to amend and reenact sections 4-09-02, 4-09-03, 4-09-07, 4-09-20, 4-10-13, 4-10-18, 4-11-21, 15-52-03, 23-01-02, 37-15-20, 54-21-17, 54-21-18, 54-23-18, 54-23-22, 54-42-06, and 54-42-08 of the North Dakota Century Code; to amend sections 4-22-05, 12-46-03, 12-46-04, 12-46-06, 12-46-07, 12-46-09, 12-46-10, 12-46-17, 12-46-18, 12-47-05, 12-47-06, 12-47-08, 12-47-11, 12-47-12, 12-47-13, 12-47-15, 12-47-32, 12-47-33, 12-47-34, 12-48-02, 12-48-03, 12-48-04, 12-48-05, 12-48-06, 12-48-07, 12-48-08, 12-48-09, 12-48-11, 12-48-12, 12-48-14, 12-48-22, 12-48-23, 12-49-01, 12-49-02, 12-49-03, 12-49-07, 12-50-13, 12-51-02, 12-51-03, 12-51-04, 12-51-06, 12-51-07, 12-51-08, 12-51-09, 12-52-01, 12-52-02, 12-52-03, 12-52-04, 12-52-05, 12-52-07, 12-54-02, 12-54-04, 12-54-05, 12-54-06, 12-55-08, 12-57-01, 15-47-34, 23-08-01, 25-01-01, 25-01-02, 25-01-03, 25-01-04, 25-01-05, 25-01-06, 25-01-07, 25-01-08, 25-01-10, 25-01-12, 25-01-13, 25-02-07, 25-02-08, 25-02-09, 25-02-10, 25-03-15, 25-03-16, 25-03-20, 25-03-25, 25-04-02, 25-04-03, 25-04-04, 25-04-05, 25-04-06, 25-04-08, 25-05-01, 25-05-02, 25-05-03, 25-05-04, 25-05-05, 25-05-06, 25-05-07, 25-05-08, 25-05-11, 25-05-16, 25-05-19, 25-05-20, 25-05-22, 25-05-23, 25-05-24, 25-05-25, 25-05-27, 25-05-30, 25-05-31, 25-05-33, 25-05-34, 25-06-03, 25-06-04, 25-06-05, 25-06-06, 25-07-04, 25-07-05, 25-07-07, 25-08-09.1, 25-08-14, 25-08-15, 26-24-08, 32-36-22, 32-36-33, chapters 48-02, 48-06, 48-07, sections 48-08-03, 48-08-05, 50-14-04, 54-01-11, 54-21-07, 54-21-09, 54-21-10, 54-21-11, 54-21-12, 54-21-13, 54-21-19, 54-21-20, 54-21-24, 54-23-01, 54-23-02, 54-23-03, 54-23-04, 54-23-05, 54-23-06, 54-23-07, 54-23-08, 54-23-09, 54-23-11, 54-23-12, 54-23-13, 54-23-14, 54-23-15, 54-23-16, 54-23-17, 54-23-19, 54-23-20, 54-23-21, 54-23-23, 54-23-24, 54-23-25, 54-23-26, 54-23-27, 54-23-28, 54-23-30, 54-23-31, 54-23-33, 54-23-35, 54-23-36, 54-23-38, 54-23-39, 54-23-40, 54-23-41, 54-23-43, 54-23-45, 54-23-49, 54-23-50, 54-23-51, 54-23-52, chapter 54-23A, sections 54-24-01, 54-27-11, 54-27-12, and 54-27-13 of the North Dakota Century Code, relating to the state hospital, school for the feeble-minded, tuberculosis sanatorium, training school, penitentiary, school for the blind, school for the deaf, library commission, seed department, and the radio broadcasting system; and to transfer all duties and responsibilities hereinbefore administered by the state board of administration to the state health officer, executive director of the public welfare board, superintendent of public instruction, department of accounts and purchases, commissioner of agriculture and labor, superintendent of capitol buildings and grounds, and bureau of criminal identification; and to repeal sections 25-04-12, 54-21-01, 54-21-02, 54-21-03, 54-21-04, 54-21-05, 54-21-06, 54-21-08, and 54-21-14 of the North Dakota Century Code, relating to electrical power furnished Dunseith from state school power plant and to the board of administration.

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

Senator Murphy introduced:

Senate Bill No. 195. A Bill for an Act to amend and reenact section 5-02-02 of the North Dakota Century Code, relating to the sale of beer.

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

Senators Redlin, Garaas and Baker introduced:

Senate Concurrent Resolution "X". A concurrent resolution urging the board of higher education to adopt salary schedules for faculty members at institutions of higher learning.

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

COURTESY OF THE FLOOR

At the request of Senator Wartner a group of eighth grade students from the St. Cecelia School at Harvey was recognized by the Senate.

At the request of Senator Foss former Senator Melvin Olson of Valley City was recognized by the Senate.

MOTIONS

Senator Erickstad moved that after the reading of Senate Bills Nos. 24, 25, 27, 79, 94, 100, Senate Concurrent Resolution "E", House Bills Nos. 540, 549, 554, and House Concurrent Resolution "A", that the Senate adjourn, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

TWENTY-FOURTH DAY

Bismarck, January 26, 1961

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

Prayer by Chaplain Rev. E. O. Grunstead, Charles Wesley Burns Methodist, Mandan.

Most Holy Lord God we pause in the midst of our daily cares to look to Thee for our needs and to give thanks for Thy goodness and mercies toward us. Give us the light of Thy presence we beseech Thee O Lord. Be merciful unto us and protect us from any perils of wrong thinking or unchristian intent or endeavor. We would praise Thee for all Thy bounteous blessings which have come from Thee and to us.

We pray for our nation, the president of our country, for our state and those in authority that they might have Thy Divine guidance, enlightenment and courage as well as wisdom to face their responsibilities.

Bless, we pray, each member of this Senate with minds of courage and wisdom for their part in the making of a better state and help them as they face up to their great responsibilities.

Defend, we pray, our liberties and preserve our unity, save us from confusion, pride and arrogance and may we continue to all labor for the preservation of our liberties.

Dear Lord, help us all to humbly keep our trust wholly in Thee.

We pray and ask through Jesus Christ our Lord, with thanksgiving in our hearts. Amen.

Roll call: All Senators present.

A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Cor-

rection of the Journal has carefully examined the Journal of the twenty-second day after recess and twenty-third day and recommends that the same be corrected as follows:

After line 22 insert the following:

“ MESSAGE TO THE HOUSE
Senate Chamber
Bismarck, January 25, 1961

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution “N”

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

HOWARD F. DOHERTY, Secretary.”

And when so corrected recommends that the same be approved.

SENATOR HARRIS, Chairman.

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

COMMUNICATIONS

A communication was presented from the Bismarck Junior College addressed to the Members of the 37th Legislative Assembly.

Senator Lips moved that the communication from the Bismarck Junior College be printed in the Journal, which motion prevailed.

BISMARCK JUNIOR COLLEGE

Bismarck, North Dakota

January 23, 1961

TO: Members of the 37th Legislative Assembly

Gentlemen:

The 36th Legislative Assembly in 1959 conveyed to the Bismarck School District approximately 34 acres of State Land as part of the payment for the Bismarck Junior College building near the Capitol grounds, under provisions of Chapter 369, NDSL 1959.

Although this 34 acre site was an excellent location for reconstruction of the Bismarck Junior College, the school district was later offered a superlative site on the bluffs overlooking the Missouri River, as a gift from Mr. Harold Schafer. In accepting this generous offer, the Board wanted to show its own good faith and appreciation to the State of North Dakota and the legislature by making a donation back to the state of the 34 acre tract. Accordingly, title to this property was deeded back to the State on December 28, 1959.

The Bismarck School Board wishes to take this opportunity to thank the North Dakota Legislature for its great service and good legislation for the educational needs of the State, and to restate its appreciation for the hard work and attention to duty each member displays.

Each legislative member is invited and urged to visit our schools during your stay—we are happy to have many of your children using these facilities, of which we are very proud. If any of our teachers or officials can be

of assistance at any time, we are ready to accommodate you.

The Bismarck School Board

By: John Conrad, President
Paul L. Johnson, Vice President
Harlan Erskine
John Cartwright
Warner Quale

A communication was presented from Lyle Swigart, Executive Vice President of the GNDA, addressed to State Senator Donald Holand, Chairman 1959-61 Interim Legislative Research Committee, commending said committee for its comprehensive study of the North Dakota tax structure and urging continued support for the continued research and study during the next interim in an attempt to achieve even more uniform and equitable tax structures within North Dakota.

A communication was presented addressed to Senator Erickson from the students of Eagle School No. 2, Bentley, North Dakota, which communication was referred to the Committee on Education at the request of Senator Erickson.

COURTESY OF THE FLOOR

At the request of Senator Foss a group of high school students from Sanborn was recognized by the Senate.

At the request of Senator Fiedler a group of high school students from Max was recognized by the Senate.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, January 26, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 104

Senate Bill No. 115

Senate Concurrent Resolution "U"

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

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, January 26, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 548

House Bill No. 566

Which the Senate has passed unchanged.

HOWARD F. DOHERTY, Secretary.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, January 26, 1961

Mr. President: I have the honor to transmit:

House Bill No. 543

House Bill No. 555

House Bill No. 582

House Bill No. 587

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

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, January 26, 1961

Mr. President: I have the honor to return:

Senate Concurrent Resolution "N"

Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

FIRST READING OF SENATE BILLS

Senators Erickson, Redlin, Kamrath and Baker introduced:

Senate Bill No. 196. A Bill for an Act to amend and re-enact section 23-14-11 of the North Dakota Century Code, relating to the authorizing and disbursing of health district funds.

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

Senators Morgan, Baker, Foss, Garaas and Fiedler introduced:

Senate Bill No. 197. A Bill for an Act to amend and re-enact section 19-03-12 of the North Dakota Century Code, relating to exempted medicinal preparations.

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

Senators Kamrath, Erickson, Roen and Garaas introduced:

Senate Bill No. 198. A Bill for an Act to amend and re-enact section 16-09-01 of the North Dakota Century Code to grant to boards of county commissioners additional authority in redividing, combining, vacating and annexing of voting precincts.

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

Senators Garaas, Andre, Nesvig and Murphy introduced:

Senate Bill No. 199. A Bill for an Act to amend and re-enact sections 5-02-22 and 5-03-22 of the North Dakota Century Code, relating to the taxation of beer and alcoholic beverages.

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

Senator Murphy introduced:

Senate Bill No. 200. A Bill for an Act to amend and re-enact section 5-03-03 of the North Dakota Century Code, relating to retail sales liquor license fees.

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

Senators Hystad and Ringsak introduced:

Senate Bill No. 201. A Bill for an Act to amend and re-enact sections 57-33-05, 57-33-06, and 57-33-07 of the North Dakota Century Code relating to apportionment and allocation of taxes received from certain cooperatives.

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

SECOND READING OF SENATE BILLS
AND A CONCURRENT RESOLUTION

Senate Bill No. 24. 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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Wittman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

Senate Bill No. 25. 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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Wittman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

Senate Bill No. 27. A Bill for an Act making an appropriation for the purpose of carrying out the provisions of Chapter 54-36 of the North Dakota Century Code.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

Senate Bill No. 79. A Bill for an Act providing for a spot check of the physical property of the state highway department under the direction of the state auditor and designating that cost thereof be paid from state highway funds.

Which has been read.

Senator Longmire moved that Senate Bill No. 79 be re-referred to the Committee on State and Federal Government, which motion prevailed.

Senate Bill No. 94. A Bill for an Act to amend and reenact section 5-02-01 of the North Dakota Century Code relating to the manufacturing and sale of beer.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman

Gronvold
Harris

Mutch

Yunker

So the bill passed and the title was agreed to.

Senate Bill No. 100. A Bill for an Act to amend and reenact section 13-03-16 of the North Dakota Century Code relating to loans made by small loans companies in excess of one thousand dollars and providing for the interest rate thereon.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

Senate Concurrent Resolution "E". A concurrent resolution for the repeal of section 39 of the Constitution of the State of North Dakota prohibiting any member of the Legislative Assembly from being appointed or elected to civil office during the term for which he shall have been elected or any office for which the compensation was increased during his term.

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, 2; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson

George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker
Harris	Mutch	

Those voting in the negative were:

Baker	Ringsak
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So the resolution was declared adopted.

**SECOND READING OF HOUSE BILLS
AND A CONCURRENT RESOLUTION**

House Bill No. 540. A Bill for an Act to amend and reenact sections 53-06-01, 53-06-08, 57-36-02, 57-36-03, 57-36-04, and 57-36-05 of the North Dakota Century Code relating to the licensing of taxicabs and establishments selling soft drinks, cigarettes, and snuff.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

House Bill No. 549. A Bill for an Act to provide for continuity of membership in the legislative assembly in the event of an attack by an enemy of the United States.

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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock

Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

House Bill No. 554. A Bill for an Act to amend and reenact section 4-08-10 of the North Dakota Century Code, relating to transportation expenses of county agents, 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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

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

House Concurrent Resolution "A". A concurrent resolution for an amendment to the Constitution of the state of North Dakota granting power to the legislative assembly to insure continuity of state and local governmental operations in periods of emergency resulting from disaster caused by enemy attack.

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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak

Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the resolution was declared adopted.

FIRST READING OF HOUSE BILLS

House Bill No. 542. A Bill for an Act to amend and reenact sections 23-08-03 and 23-08-06 of the North Dakota Century Code, relating to sterilization of persons in state institutions.

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

House Bill No. 562. A Bill for an Act to amend and reenact subsection 5 of section 25-01-01, and sections 25-01-02, 25-04-01, and 25-05-01 of the North Dakota Century Code, relating to location of the state tuberculosis sanatorium, and to repeal subsection 12 of section 25-01-01 and sections 25-04-12 and 25-05-31 of the North Dakota Century Code, relating to name, location, and use of federal funds concerning the state tuberculosis sanatorium, and the furnishing of electric power to Dunseith from San Haven power plant.

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

House Bill No. 597. A Bill for an Act to create and to enact subsection 8 of section 57-52-03 and to amend and reenact section 57-52-10 of the North Dakota Century Code, relating to the special fuels tax.

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

Senator Erickstad moved that the Senate recess until 1:00 p.m. January 27, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

TWENTY-FOURTH DAY AFTER RECESS AND
TWENTY-FIFTH DAY

Bismarck, January 27, 1961

The Senate convened 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 bill: Senate Bill No. 21, and find the same correctly engrossed.

SENATOR KISSE, Chairman.

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

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolution: Senate Concurrent Resolution "M", and find the same correctly engrossed.

SENATOR KISSE, Chairman.

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

The Committee on Enrollment and Engrossment respectfully reports that: Senate Concurrent Resolution "N" was delivered to the Secretary of State for his approval at the hour of 1:10 o'clock p.m., January 27, 1961.

SENATOR KISSE, Chairman.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 15 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

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

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

In the heading of the bill delete the words "BOARD OF AUDITORS" and insert the words "AUDITOR-SPECIAL AUDITS" in lieu thereof.

In line 15 delete the word "Board" at the end of the line.

In line 16 delete the words "of Auditors" at the beginning of the line and insert the word "Auditor" in lieu thereof.

In line 17 delete the words "Board of Auditors" and insert the words "Auditor Special Audits" in lieu thereof.

In line 39 delete the words "Board of Auditors" and insert the word "Auditor" in lieu thereof.

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 64 has had the same under consideration and recommends that the same be amended as follows:

In line 5 after the word "to" insert the word "grow,"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MILLER, Chairman.

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

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 99 has had the same under consideration and recommends that the same do pass.

SENATOR MILLER, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 110 has had the same under consideration and recommends that the same do pass.

SENATOR GEORGE, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 123 has had the same under consideration and recommends that the same do pass.

SENATOR GEORGE, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 124 has had the same under consideration and recommends that the same do pass.

SENATOR GEORGE, Chairman.

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Concurrent Resolution "F" has had the same under consideration and recommends that the same be amended as follows:

After line 34 insert the following:

"WHEREAS, since bank stabilization is a requirement resulting from over-all operations of the Missouri basin

project, the cost allocation for accomplishing such stabilization as a segment or integral part of the project should therefore be made on a basis proportionate to all resulting benefits thereof such as flood control, power generation, navigation;”

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR TRENBEATH, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 567 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 570 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution “H” has had the same under consideration and a majority recommends that the same be indefinitely postponed.

Aloys Wartner, Jr.

Adam Gefreh

George Longmire

C. W. Baker

C. F. Harris

Evan Lips

Ralph Erickstad

Senator Wartner moved that the report be adopted.

Mr. President: A minority of your committee recommends that the same do pass.

Iver Solberg

John O. Garaas

Charles Murphy

Leonard Bopp

William Reichert

Senator Garaas moved that the report of the minority be substituted for that of the majority.

The question was on the motion of Senator Garaas that the report of the minority be substituted for the report of the majority, which motion was declared lost.

Senator Garaas requested a division, which request was granted.

ROLL CALL

The question being on the motion of Senator Garaas that the report of the minority be substituted for the report of the majority, the roll was called and there were ayes, 17; nays, 31; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Gronvold	Solberg
Bopp	Hernett	Thompson
Brooks	Johnson	Van Horn
Fiedler	Murphy	Wadeson
Garaas	Nesvig	Witteaman
Gilbertson	Reichert	

Those voting in the negative were:

Baeverstad	Hystad	Morgan
Baker	Kamrath	Mutch
Becker	Kee	Paulson
Berube	Kisse	Redlin
Erickson	Lautenschlager	Ringsak
Erickstad	Lips	Saumur
Foss	Longmire	Schrock
Gefreh	Luick	Trenbeath
George	Meidinger	Wartner
Harris	Miller	Yunker
Holand		

Absent and not voting:
Roen

So the motion was declared lost.

The question being on the motion of Senator Wartner that the report of the majority be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Hernett moved that the amendments to Senate Bill No. 70 be adopted, which motion prevailed.

Senator Wartner moved that the amendments to Senate Bill No. 134 be adopted, which motion prevailed.

Senator Redlin moved that the amendments to Senate Concurrent Resolution "J" be adopted, which motion prevailed.

FIRST READING OF SENATE BILLS

Senator Reichert introduced:

Senate Bill No. 202. A Bill for an Act to amend and reenact Sections 28-13-01 and 28-13-05 of the North Dakota Century Code, relating to affidavits of prejudice in district court, and duties of the judge designated to hear the cause, and declaring an emergency.

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

Senator Meidinger (by request) introduced:

Senate Bill No. 203. A Bill for an Act to amend and reenact Section 57-15-24 of the North Dakota Century Code relating to county mill levies for schools.

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

Senator Reichert introduced:

Senate Bill No. 204. A Bill for an Act to amend and reenact Section 27-08-18 of the North Dakota Century Code relating to reporting in County Courts having increased jurisdiction.

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

Senators Lips and Luick introduced:

Senate Bill No. 205. A Bill for an Act to amend and reenact section 12-55-03 of the North Dakota Century Code relating to meetings of the board of pardons.

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

Senators Johnson and Ringsak introduced:

Senate Bill No. 206. A Bill for an Act to amend and reenact section 11-10-14 of the North Dakota Century Code relating to fees and compensation received by county officers.

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

Senators Lips and Mutch introduced:

Senate Bill No. 207. A Bill for an Act to define the standard of care required of physicians and surgeons when rendering emergency care at the scene of an emergency, and protecting nonresident physicians and surgeons with respect to nonlicensure.

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

Senators Lips and Longmire introduced:

Senate Bill No. 208. A Bill for an Act to make a portion of excise taxes on aviation gasoline and jet motor fuel used by aircraft not refundable and provide for distribution of the proceeds.

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

Senator Reichert introduced:

Senate Bill No. 209. A Bill for an Act to amend and reenact section 57-37-07, relating to treatment of powers of appointment for estate tax purposes, and subdivision f of subsection 2 of section 57-37-11, relating to life estates with power of appointment in the surviving spouse and qualification of such life estates for the marital deduction exemption for estate tax purposes, of the North Dakota Century Code.

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

Senators Miller and Gefreh introduced:

Senate Bill No. 210. A Bill for an Act to amend and reenact sections 37-12-01 and 37-12-02 of the North Dakota Century Code relating to the establishment and operation of the state guard and providing an appropriation.

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

Senators Brooks, Baker, Roen, Wartner and Luick introduced:

Senate Bill No. 211. A Bill for an Act to amend and reenact section 20-01-15 of the North Dakota Century Code relating to posting of lands to prohibit hunting

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

Senator Foss introduced:

Senate Bill No. 212. A Bill for an Act to amend and reenact sections 65-12-06 and 65-12-11 of the North Dakota Century Code, relating to fees charged by Workmen's Compensation Bureau for inspection of boilers.

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

Senator George introduced:

Senate Bill No. 213. A Bill for an Act to amend and reenact sections 11-11-28, 24-02-20, 39-03-08.3, 40-22-20 and 61-19-08, relating to cashiers checks for bidders deposits.

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

Senator George introduced:

Senate Bill No. 214. A Bill for an Act to amend and reenact section 6-03-62 relating to interest of bank loans.

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

Senators Nesvig and Hernet (by request of State Tax Commissioner) introduced:

Senate Bill No. 215. A Bill for an Act to amend Chapter 57-40 of the North Dakota Century Code by creating and adding thereto two new sections providing for penalties for failure to pay the tax imposed by section 57-40-02 and for failure to comply with other provisions of Chapter 57-40, and providing for a lien for such tax and penalties thereon

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

Senators Longmire, Reichert, Murphy, Lips, Garaas, Brooks, Harris and Gefreh introduced:

Senate Bill No. 216. A Bill for an Act to amend and reenact section 27-06-08 of the North Dakota Century Code, relating to fees for transcripts.

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

Senators Garaas and Fiedler introduced:

Senate Bill No. 217. A Bill for an Act to amend chapter 57-38 of the North Dakota Century Code by creating and adding thereto a new section relating to the imposition of an additional tax on the income of certain taxpayers, providing for deduction of credits from such tax, providing for the administration of and penalties for failure to comply with the provisions of said section, providing for the attachment of a lien for such tax, providing for the proceeds therefrom to be deposited in the state equalization fund, and providing for an effective date for such section; and to amend and reenact section 57-20-08 of the North Dakota Century Code, relating to receipts issued by the county treasurer.

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

Senators Gefreh, Reichert, Miller and Murphy introduced:

Senate Bill No. 218. A Bill for an Act to amend and reenact sections 57-27-05, 57-28-05, 57-28-07, 57-28-08, 57-28-09 and 57-28-10 of the North Dakota Century Code relating to tax deed proceedings.

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

Senators Wartner, Brooks and Garaas introduced:

Senate Bill No. 219. A Bill for an Act to amend and reenact sections 5-03-08, 5-03-09, 5-03-14, 5-03-21 and 5-04-03 of the North Dakota Century Code, and to repeal and reenact section 5-03-06 of the North Dakota Century Code, and to repeal section 5-03-07 of the North Dakota Century Code, and to enact supplemental sections, relating to levy and collection of excise taxes on alcoholic beverages, providing for the elimination of the use of excise tax stamps and the inauguration of a monthly return system to pay such taxes.

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

Senator Holand introduced:

Senate Bill No. 220. A Bill for an Act to amend and reenact sections 27-09-12 and 27-09-16 of the North Dakota Century Code, relating to selection of persons qualified to act as jurors and to require notice by mail be sent to each person so selected.

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

Senators Holand and Garaas introduced:

Senate Bill No. 221. A Bill for an Act to amend and reenact section 57-39-02 of the North Dakota Century Code relating to the imposition of a sales tax.

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

Senators Holand and Garaas introduced:

Senate Bill No. 222. A Bill for an Act making an appropriation to the office of the adjutant general to cover expenses incurred for the inauguration of elected state officials.

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

Senator Foss introduced:

Senate Bill No. 223. A Bill for an Act to authorize the board of administration to execute leases on properties owned by the state at Bathgate, North Dakota and formerly utilized by the school for the blind.

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

Senator Trenbeath introduced:

Senate Bill No. 224. A Bill for an Act requiring that consulting engineers and architects working on projects exceeding \$500,000 for governmental agencies carry professional liability insurance.

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

Senators Luick and Ringsak introduced:

Senate Bill No. 225. A Bill for an Act to provide that the courts of North Dakota shall recognize and enforce taxation statutes of other states which extend like comity to North Dakota.

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

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, January 27, 1961

Mr. President: I have the honor to transmit:

House Bill No. 563

House Bill No. 581

House Bill No. 595

House Bill No. 664

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

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, January 27, 1961

Mr. President: I have the honor to transmit:

House Bill No. 548

House Bill No. 566

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

GERALD L. STAIR, Chief Clerk.

FIRST READING OF HOUSE BILLS

House Bill No. 543. A Bill for an Act to amend and reenact section 25-04-06 of the North Dakota Century Code relating to voluntary admission to the Grafton state school.

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

House Bill No. 555. A Bill for an Act to amend and reenact subsection 2 of section 57-38-22.1 of the North Dakota Century Code, relating to medical expenses as a deduction for income tax purposes, and providing for an applicable date.

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

House Bill No. 582. A Bill for an Act to establish the name "Mouse" as the official name for the river herein described.

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

House Bill No. 587. A Bill for an Act to accept the cession by the State of Minnesota to the State of North Dakota of certain parcels of real property and declaring an emergency.

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

COURTESY OF THE FLOOR

At the request of Senator Morgan the senior class from the Lidgerwood High School was recognized by the Senate.

At the request of Senator Nesvig two students from each of the high schools of Hatton, Portland, Hillsboro, Mayville, Buxton, Reynolds, Clifford and Galesburg, were recognized by the Senate.

Senator Erickstad moved that after the reading of Senate Bills Nos. 21, 86, 107 and Senate Concurrent Resolutions "M" and "O", that the Senate do now adjourn, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

TWENTY-FIFTH DAY

Bismarck, January 27, 1961

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

Prayer by Chaplain Rev. A. Benjamin Dove, First Presbyterian, Mandan.

O God, ruler of men and of nations — through the voice of the people these Senators have heard Thy call to service and leadership. Grant that in this chamber they may continue to hear and heed Thy voice. Grant that the insistent clamoring of particular interests may not overwhelm a quiet and continuing concern for the common good of our state and nation.

O Lord, with Thy Holy Spirit strengthen and encourage these men that they may be more than equal to the temptations and burdens of the authority in their hands. Teach them to trust Thee that wisdom, mercy and righteousness may mark the laws of our state.

In the name of Christ our Lord, Amen.

Roll call: All Senators present except Senator Roen.

A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the twenty-third day after recess and twenty-fourth day and finds the same correct.

SENATOR HARRIS, Chairman.

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

MOTIONS

Senator Holand moved that a committee of two be appointed to escort Mrs. Orville W. Hagen, wife of the Lt. Gov., and daughter to the rostrum, which motion prevailed.

The President appointed as such committee Senators Holand and Garaas and Mrs. Hagen and daughter were escorted to the rostrum and recognized by the Senate.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 98 has had the same under consideration and recommends that the same do pass.

SENATOR KEE, Chairman.

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 102 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KEE, Chairman.

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 135 has had the same under consideration and recommends that the same be amended as follows:

In line 13 delete the words "two dollars" and insert in lieu thereof "three dollars and fifty cents".

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR KEE, Chairman.

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 148 has had the same under consideration and recommends that the same do pass.

SENATOR KEE, Chairman.

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

Mr. President: Your Committee on Transportation to whom was referred Senate Concurrent Resolution "R" has had the same under consideration and recommends that the same do pass.

SENATOR KEE, Chairman.

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

SECOND READING OF SENATE BILLS AND CONCURRENT RESOLUTIONS

Senate Bill No. 21. 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.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn

Gefreh	Meidinger	Wadeson
Georgé	Miller	Wartner
Gilbertson	Morgan	Witteinan
Gronvold	Murphy	Yunker

Absent and not voting:
Roen

So the bill passed and the title was agreed to.

Senate Bill No. 86. A Bill for an Act to amend and re-enact sections 24-09-14 and 39-10-43 of the North Dakota Century Code and to repeal section 24-09-07 of the North Dakota Century Code, relating to motor vehicles approaching, stopping, and proceeding through railroad crossings.

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:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Yunker
Gronvold	Murphy	

Those voting in the negative were:

Witteinan

Absent and not voting:

Roen

So the bill passed and the title was agreed to.

Senate Bill No. 107. A Bill for an Act to amend and re-enact the first paragraph of section 16 of chapter 91 of the 1959 Session Laws appearing as section 2-06-15 of the North Dakota Century Code relating to renumbering such section to appear as section 2-06-16 of the North Dakota Century Code and to correct a printing error.

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:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert

Bopp	Kamrath	Ringsak
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker

Absent and not voting:

Roen

So the bill passed and the title was agreed to.

Senate Concurrent Resolution "M". A joint resolution authorizing the secretary of state to dispose of volumes of the North Dakota Revised Code of 1943, and supplements thereto.

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, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker

Absent and not voting:

Roen

So the resolution was declared adopted.

Senate Concurrent Resolution "O". A concurrent resolution memorializing the Congress to make such changes in the law as may be necessary to prohibit the placement of entire farming units in the soil bank program.

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, 7; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Holand	Nesvig
Baker	Hystad	Paulson

Becker	Johnson	Redlin
Berube	Kamrath	Reichert
Bopp	Kee	Ringsak
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gronvold	Morgan	Witteaman
Harris	Murphy	Yunker
Hernett	Mutch	

Those voting in the negative were:

Andre	Gilbertson	Saumur
Brooks	Kisse	Trenbeath
Erickson		

Absent and not voting:

Roen

So the resolution was declared adopted.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, January 27, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 24

Senate Bill No. 25

Senate Bill No. 27

Senate Bill No. 94

Senate Bill No. 100

Senate Concurrent Resolution "E"

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

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, January 27, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 540

Which the Senate has passed unchanged.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, January 27, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 549

House Bill No. 554

House Concurrent Resolution "A"

Which the Senate has amended.

HOWARD F. DOHERTY, Secretary.

MOTIONS

Senator Murphy moved that Senate Bill No. 200 be returned to the Senate from the Committee on Industry, Business and Labor, which motion prevailed.

Senator Murphy moved that Senate Bill No. 200 be referred to the Committee on Social Welfare and Veterans Affairs, which motion prevailed.

Senator Erickstad moved that the Senate recess until 1:00 p.m., January 28, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

TWENTY-FIFTH DAY AFTER RECESS AND
TWENTY-SIXTH DAY

Bismarck, January 28, 1961

The Senate convened at 1:00 p.m., the President presiding.

REPORTS OF STANDING COMMITTEE

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

Senate Bill No. 70

Senate Bill No. 134

And find the same correctly engrossed.

SENATOR KISSE, Chairman.

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

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolution: Senate Concurrent Resolution "J" and find the same correctly engrossed.

SENATOR KISSE, Chairman.

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

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 548

House Bill No. 566

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

CONSIDERATION OF AMENDMENTS

Senator Foss moved that the amendments to Senate Bill No. 28 be adopted, which motion prevailed.

Senator Miller moved that the amendments to Senate Bill No. 64 be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to Senate Concurrent Resolution "F" be adopted, which motion prevailed.

FIRST READING OF SENATE BILLS

Senator Erickstad introduced:

Senate Bill No. 226. A Bill for an Act to amend and re-enact section 57-15-16 of the North Dakota Century Code relating to school district building fund levy.

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

Senators Erickstad, Meidinger, Gefreh, Ringsak, Fiedler and Redlin introduced:

Senate Bill No. 227. A Bill for an Act to provide for medical assistance to the aged.

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

Senators Erickstad and Holand introduced:

Senate Bill No. 228. A Bill for an Act making an appropriation for auditing purposes in accordance with the provisions of section 54-10-04 of the North Dakota Century Code.

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

Senators Gefreh, Garaas and Wartner introduced:

Senate Bill No. 229. A Bill for an Act to amend section 57-38-48, relating to attachment of income tax liens, and section 57-38-45, relating to penalties for failure to comply with provisions of the income tax law, of the North Dakota Century Code.

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

Senators Baker, Foss, Reichert, Saumur, Meidinger, Luick, Brooks and Longmire introduced:

Senate Bill No. 230. A Bill for an Act to amend and reenact section 39-01-09 of the North Dakota Century Code relating to the use of parking meters by cities and villages, and declaring an emergency.

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

Senators George, Kee, Reichert and Witteman introduced:

Senate Bill No. 231. A Bill for an Act to amend and reenact section 52-04-05 of the North Dakota Century Code as amended by House Bill 558 of the Thirty-seventh Legislative Assembly of North Dakota relating to Standard Rate of Contributions — Reduction of Rates; and subsection 1 of section 52-04-06 of the North Dakota Century Code relating to Variations in Standard Rate of Contributions — How Determined.

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

Senators Hernet and Baeverstad (by request) introduced:

Senate Bill No. 232. A Bill for an Act to amend and reenact section 52-06-02 of the North Dakota Century Code relating to disqualification for benefits.

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

Senator Hernet introduced:

Senate Bill No. 233. A Bill for an Act to create and enact section 15-34-27 of the North Dakota Century Code relating to transportation of students outside state by school bus, and to amend and reenact section 15-40-15 of the North Dakota Century Code, relating to reciprocal

agreement for payment for the education and transportation of students in a bordering state.

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

Senators Fiedler and Holand introduced:

Senate Bill No. 234. A Bill for an Act to create and enact section 16-10-17 of the North Dakota Century Code relating to a meeting of all inspectors of elections with states attorneys.

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

Senators Garaas, Fiedler and Redlin introduced:

Senate Bill No. 235. A Bill for an Act to authorize guaranteed adjustment type farm loans and making an appropriation.

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

Senators Baker, Gronvold and Lautenschlager introduced:

Senate Bill No. 236. A Bill for an Act to amend and re-enact sections 26-27-01, 26-27-02, 26-27-03, 26-27-05, 26-27-08, and 26-27-10 of the North Dakota Century Code, relating to participation by chiropractors in nonprofit medical service corporations.

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

Senators Wartner, Erickstad, Nesvig, Holand, Baker, Becker, Redlin, Fiedler and Schrock introduced:

Senate Bill No. 237. A Bill for an Act to amend and re-enact sections 16-04-01, 16-04-11, 16-06-04, 16-17-01, 16-17-10, 16-17-15, 16-17-16, and 16-17-17 of the North Dakota Century Code relating to the time for primary elections, time for secretary of state to give notice to the county auditor, time for county party committee organization meetings, state central committee meetings, time for meeting of the precinct committeemen to elect delegates to state party convention and time for the holding of state party conventions.

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

Senator Lips (by request) introduced:

Senate Bill No. 238. A Bill for an Act to repeal section 53-05-08 of the North Dakota Century Code, relating to the presence of minors under eighteen years of age in pool halls.

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

Senator Meidinger introduced:

Senate Bill No. 239. A Bill for an Act to create and enact section 15-59-07 of the North Dakota Century Code relating to the special education of physically handicapped children and providing financial aid therefor.

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

Senator Lips introduced:

Senate Bill No. 240. A Bill for an Act to amend and reenact sections 43-07-05, 43-07-07, and 43-07-10 of the North Dakota Century Code relating to classes, fees, and renewals of contractors' licenses.

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

Senator Lips introduced:

Senate Bill No. 241. A Bill for an Act making an appropriation for the purpose of administering the contractor's license law.

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

Senator Lips introduced:

Senate Bill No. 242. A Bill for an Act to amend and reenact section 43-07-12 of the North Dakota Century Code relating to and providing for information on bidders to be contained on bid envelopes.

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

Senators Longmire and Redlin introduced:

Senate Bill No. 243. A Bill for an Act authorizing the preparation and certification of payrolls by state departments and the execution of certificates upon payroll warrants.

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

Senators Erickson, Longmire and Garaas introduced:

Senate Bill No. 244. A Bill for an Act to amend and reenact sections 2-02-01, 2-02-02, 2-02-04, 2-02-05 and 2-05-06.1 of the North Dakota Century Code, relating to authority to acquire and regulate airports, acquisition of property, air rights, rights for marking fields and authorization to accept federal or other moneys.

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

Senators Gefreh, Becker, Baeverstad, Schrock and Meidinger introduced:

Senate Bill No. 245. A Bill for an Act to amend and reenact sections 15-40-02, 15-40-18, 15-34-26, and 57-15-24 of the North Dakota Century Code relating to payments to the county equalization fund from the state equalization fund and for county mill levies for the balance of payments due from the county equalization fund.

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

Senator Gefreh introduced:

Senate Bill No. 246. A Bill for an Act to amend and reenact subsection 2 of section 50-06-06 of the North Dakota Century Code relating to the powers and duties of the public welfare board.

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

Senator Holand introduced:

Senate Bill No. 247. A Bill for an Act to authorize the state highway department to participate in the construction of access roads from state highways to state-operated soldiers' homes.

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

Senators Gronvold and Ringsak introduced:

Senate Bill No. 248. A Bill for an Act to amend and reenact section 30-18-18 of the North Dakota Century Code relating to debts and the order of their payment.

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

Senators Longmire and Brooks introduced:

Senate Bill No. 249. A Bill for an Act to amend and reenact sections 15-55-02, 15-55-05, 15-55-06, and 15-55-14 of the North Dakota Century Code, relating to constructing, operating and financing revenue producing buildings at higher educational institutions.

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

Senator Longmire introduced:

Senate Bill No. 250. A Bill for an Act to amend and reenact section 39-06-01 of the North Dakota Century Code relating to municipal licensing of taxi drivers.

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

Senator Longmire introduced:

Senate Bill No. 251. A Bill for an Act to amend and reenact section 39-06-01 of the North Dakota Century Code relating to municipal licensing of taxi drivers, and to remove any conflict with subsection 27 of section 40-05-01 of the North Dakota Century Code.

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

Senators Erickstad and Garaas introduced:

Senate Bill No. 252. A Bill for an Act to amend and reenact sections 39-20-05 and 39-20-06 of the North Dakota Century Code relating to administrative and judicial review of an order of revocation of driver's license arising from refusal to take a chemical test to determine degree of intoxication.

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

Senators Longmire, Erickson, George, Trenbeath, Fiedler, Redlin and Garaas introduced:

Senate Bill No. 253. A Bill for an Act to amend and reenact sections 15-47-06, 16-18-01, 16-18-02, 16-18-03, 16-18-04, 16-18-05, 16-18-06, 16-18-07, 16-18-09, 16-18-11, 16-18-12, 16-18-13, 16-18-14, 16-18-15, 16-18-16, 16-18-19, and 40-21-13 of the North Dakota Century Code, relating to the use of absent voters' ballots in general, primary and special state elections and in city, village and school elections.

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

Senators Becker and Hystad introduced:

Senate Bill No. 254. A Bill for an Act to amend and reenact sections 18-10-07, 18-10-08, and 18-10-09 of the North Dakota Century Code relating to rural fire protection districts.

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

Senators Becker, Mutch, Johnson, Solberg, Trenbeath, Baeverstad, Thompson and Lips introduced:

Senate Bill No. 255. A Bill for an Act creating a conservation council which shall be a factfinding body comprised of the chiefs of state agencies dealing with the management of the state's natural resources for the purpose of coordinating the activities of such agencies in managing such resources.

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

Senator Garaas introduced:

Senate Bill No. 256. A Bill for an Act to amend and reenact section 27-17-03 of the North Dakota Century Code, relating to duties of retired judges.

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

Senators Baeverstad and Becker introduced:

Senate Bill No. 257. A Bill for an Act to create and enact subsection 23 of section 57-02-08 of the North Dakota Century Code providing for property tax exemption of household goods, clothing and other personal belongings, musical instruments, and all farm and ranch machinery, except tractors, combines, potato harvesters, beet harvesters, and corn harvesting machinery not more than ten years old, if not used for custom work or for hire and relating to tax levies and tax levy limitations.

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

Senator Lips introduced:

Senate Bill No. 258. A Bill for an Act to repeal subsection 2 and subsection 3 of section 26-11-10 of the North Dakota Century Code, relating to salaries and expenses of officers and agents of domestic life insurance companies, regulation and restrictions thereof.

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

Senator Foss introduced:

Senate Bill No. 259. A Bill for an Act transferring one and one-half million dollars from the general fund to the state equalization fund.

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

Senators Garaas and Yunker introduced:

Senate Bill No. 260. A Bill for an Act to make an appropriation of highway funds for street and highway construction on the capitol grounds in Bismarck, the state university campus at Fargo, and the state teachers' college campus at Valley City.

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

Senators Longmire and Garaas introduced:

Senate Bill No. 261. A Bill for an Act to amend and reenact section 16-01-03 of the North Dakota Century Code, relating to qualifications of electors.

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

Senator Longmire introduced:

Senate Bill No. 262. A Bill for an Act to provide for continuing programs for the efficient and economical management of state records, and to amend and reenact section 46-04-20 of the North Dakota Century Code, relating to destruction of public records.

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

Senators Longmire and Baker introduced:

Senate Bill No. 263. A Bill for an Act to provide that all electors must be registered in the precinct prior to being authorized to vote in any statewide special, primary, or general election, providing for the method of registration and to amend and reenact section 16-18-06 of the North Dakota Century Code relating to absent voters' ballots, and providing a penalty.

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

Senators Baker and Harris introduced:

Senate Bill No. 264. A Bill for an Act to amend and reenact section 27-07-36 of the North Dakota Century Code, relating to records of the county court and public inspection thereof.

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

Senator Longmire (by request) introduced:

Senate Bill No. 265. A Bill for an Act to repeal chapter 26-26 of the North Dakota Century Code.

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

Senators Lips, Garaas and George introduced:

Senate Bill No. 266. A Bill for an Act to amend and reenact section 6-03-59 of the North Dakota Century Code relating to limitation of loans by banks.

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

Senators George, Roen, Hernet and Erickson introduced:

Senate Bill No. 267. A Bill for an Act to amend and reenact section 16-17-11 of the North Dakota Century Code, relating to selection of delegates to the state central committee; and to repeal section 16-17-12 of the North Dakota Century Code, relating to selection of delegates to state central committee when two or more counties are embraced in a legislative district.

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

Senator Longmire (by request) introduced:

Senate Bill No. 268. A Bill for an Act to repeal chapter 26-27 of the North Dakota Century Code.

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

Senator Longmire introduced:

Senate Bill No. 269. A Bill for an Act to create and enact section 40-52-08 of the North Dakota Century Code, relating to status of duly elected alderman residing within the city but no longer residing within the ward from which elected because of a change in ward boundaries.

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

Senators Longmire and Garaas introduced:

Senate Bill No. 270. A Bill for an Act creating a state planning office; providing for a director of state planning and a state planning council; creating a state planning fund; providing an appropriation; authorizing regional and metropolitan planning commissions; establishing powers and duties of such office, director, council and commissions; and providing for acceptance of federal aid.

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

Senators Longmire and Saumur introduced:

Senate Bill No. 271. A Bill for an Act to authorize the board of higher education to sell tax-exempt bonds for the purpose of constructing revenue producing buildings at the university of North Dakota, and to enter into rental-purchase agreements with nonprofit fraternal organizations, and providing an appropriation.

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

Senators Hernet and Redlin introduced:

Senate Bill No. 272. A Bill for an Act to create and enact section 40-57-19 and to amend and reenact sections 40-57-02, 40-57-03, 40-57-10, and 40-57-14 of the North Dakota Century Code relating to the issuance of revenue producing bonds by municipalities for municipal industrial development and to authorize state chartered banks to purchase a certain percentage of these bonds, and authorizing the municipality to issue general obligation bonds and levy taxes to pay the interest and principal thereof in certain industrial development cases, if approved by the municipality.

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

Senators Longmire and Baker introduced:

Senate Bill No. 273. A Bill for an Act to amend and reenact section 16-10-08 of the North Dakota Century Code relating to time for filing certificate of nomination for judge of election with the inspector of elections.

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

Senator Longmire introduced:

Senate Bill No. 274. A Bill for an Act relating to a change from the council system of government, providing

the petition required therefor, the determination of the sufficiency of said petition by the city auditor, the procedure to be followed when said petition is filed, and for a special election and ballot thereon.

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

Senator Garaas introduced:

Senate Bill No. 275. A Bill for an Act to provide that the governor shall appoint a committee to redraft and revise the Constitution of the state of North Dakota and submit the same to the Thirty-eighth Legislative Assembly, and making an appropriation.

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

Senators Garaas and Nesvig introduced:

Senate Bill No. 276. A Bill for an Act to amend and reenact section 16-12-05 of the North Dakota Century Code, relating to voting by an elector.

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

Senators Ringsak and Brooks introduced:

Senate Bill No. 277. A Bill for an Act to amend and reenact section 14-03-02 of the North Dakota Century Code, relating to the lawful age for marriage.

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

Senator Ringsak (by request) introduced:

Senate Bill No. 278. A Bill for an Act making it unlawful knowingly and willfully to contribute to the delinquency of persons on parole and providing for a penalty.

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

Senator Garaas introduced:

Senate Bill No. 279. A Bill for an Act relating to and making an appropriation for the purpose of applied research in fields of economic benefit to the people and state of North Dakota.

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

Senators Johnson, Yunker and Garaas introduced:

Senate Bill No. 280. A Bill for an Act to amend and reenact sections 39-03-07, 39-03-08 and 39-06-49 of the North Dakota Century Code relating to salaries, wages and expenses of highway patrolmen and disposition of monies collected for sale of driver's license and to repeal sections 39-03-08.1, 39-03-08.2, 39-03-08.3, 39-03-08.4 and 39-03-08.5 relating to purchases by highway patrol and to make an appropriation.

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

Senators Garaas and Fiedler introduced:

Senate Bill No. 281. A Bill for an Act to amend and reenact sections 65-05-09 and 65-05-11 of the North Dakota Century Code relating to maximum and minimum benefits to be paid for total disability and for temporary partial disability under the Workmen's Compensation Act.

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

Senators Garaas and Nesvig introduced:

Senate Bill No. 282. A Bill for an Act to amend and reenact section 16-11-06 of the North Dakota Century Code, relating to arrangement of names on ballot.

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

Senators Van Horn and Ringsak introduced:

Senate Bill No. 283. A Bill for an Act to establish a program of medical assistance for the aged.

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

Senators Garaas and Nesvig introduced:

Senate Bill No. 284. A Bill for an Act to amend and reenact section 16-01-02 of the North Dakota Century Code, relating to the opening and closing of polls.

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

Senator Brooks introduced:

Senate Bill No. 285. A Bill for an Act to amend and reenact sections 49-05-05 and 49-05-06 of the North Dakota Century Code, relating to the filing by public utilities of rates, fares, schedules, classifications, contracts, rules, and regulations, with the public service commission, and the investigation thereof by the commission.

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

Senator Lips (by request) introduced:

Senate Bill No. 286. A Bill for an Act providing that chapter 14-12 of the North Dakota Century Code relating to reciprocal enforcement of support shall not be enforceable in this state in certain cases.

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

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Murphy, Thompson, Berube, Andre, Witteman, Fiedler, Redlin, Lautenschlager and Reichert introduced:

Senate Concurrent Resolution "Y". A concurrent resolution directing the legislative research committee with the aid and cooperation of the state tax department to continue the study of the state tax laws and tax structure.

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

FIRST READING OF HOUSE BILLS

House Bill No. 563. A Bill for an Act authorizing the board of administration to sell certain farm buildings and lands belonging to the state tuberculosis sanatorium.

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

House Bill No. 581. A Bill for an Act to create and enact section 57-20-08.1 of the North Dakota Century Code, relating to information required on receipt showing payment of taxes on real property located within cities.

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

House Bill No. 595. A Bill for an Act to amend and reenact section 4-22-03 of the North Dakota Century Code, relating to membership on the state soil conservation committee.

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

House Bill No. 664. A Bill for an Act to amend and reenact section 36-07-11 of the North Dakota Century code relating to rendering done by packing plants operating under federal inspection, and declaring an emergency.

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

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

MOTIONS

Senator Erickstad moved that after the reading of Senate Bills Nos. 15, 70, 99, 110, 123, 124, 134, Senate Concurrent Resolution "J", and House Bills Nos. 567 and 570, that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, January 28, 1961

Mr. President: I have the honor to transmit:

House Bill No. 513

House Bill No. 553

House Bill No. 556

House Bill No. 575

House Bill No. 594

House Bill No. 611

House Bill No. 613

House Bill No. 614

House Concurrent Resolution "G"

House Concurrent Resolution "N"

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

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, January 28, 1961

Mr. President: I have the honor to transmit:

House Bill No. 540

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

GERALD L. STAIR, Chief Clerk.

FIRST READING OF SENATE BILLS

Senators Erickstad, Garaas, Longmire, Harris, Fiedler and Wartner (by request) introduced:

Senate Bill No. 287. A Bill for an Act to amend and reenact section 40-22-05 of the North Dakota Century Code, relating to the condemnation of land and rights-of-way by

municipalities for special improvements and issuance of warrants therefor, and declaring an emergency.

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

Senators Erickstad, Garaas, Longmire, Harris, Fiedler and Wartner (by request) introduced:

Senate Bill No. 288. A Bill for an Act authorizing an easement over certain property now opened by the state of North Dakota to the city of Devils Lake, for the construction, installation, operation, and maintenance of a water main or mains and the reversion thereof in case of nonuse, and declaring an emergency.

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

Senators Roen and Erickson (by request) introduced:

Senate Bill No. 289. A Bill for an Act to create and enact section 40-33-17.1 of the North Dakota Century Code relating to authority of municipality to construct a swimming pool as part of a waterworks and to issue revenue bonds for payment thereof; providing for the operation thereof; and to amend and reenact section 40-35-02 of the North Dakota Century Code, relating to undertakings for which a municipality may issue revenue bonds.

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

Senator Murphy introduced:

Senate Bill No. 290. A Bill for an Act to prohibit hiring of strikebreakers by employers and providing a penalty.

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

Senators Fiedler and Andre introduced:

Senate Bill No. 291. A Bill for an Act to provide for the assessment of a tax of twenty-five cents per head on all cows two years of age and older for the purpose of defraying costs of the statewide brucellosis testing program.

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

Senators Becker, Erickson, Roen, Wartner, Mutch and Longmire introduced:

Senate Bill No. 292. A Bill for an Act to provide for the letting of insurance contracts by the state and its agencies and institutions.

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

Senators Holand and Erickstad introduced:

Senate Bill No. 293. A Bill for an Act to create a North Dakota department of labor and to prescribe the duties and organization thereof; to amend and reenact sections 34-05-01, 34-05-03, 34-05-04, subsection 1 of section 34-06-01, subsection 4 of section 34-07-03, sections 34-07-15, 34-07-18, 34-07-19, 34-07-20, 34-07-21, and 34-10-02 of the North Dakota Century Code, relating to responsibilities and powers of the commissioner of agriculture and labor, to repeal section 34-05-02 of the North Dakota Century Code, relating to the labor division within the department of agriculture and labor, and providing for an appropriation.

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

Senator Baeverstad introduced:

Senate Bill No. 294. A Bill for an Act to amend and re-enact section 16-18-16 of the North Dakota Century Code relating to submitting and delivering absent voters' ballots to inspector of elections, requiring auditor to obtain mail on election day and to deliver such ballots, empowering auditor to command the services of the sheriff or his deputy to deliver absent voters' ballots.

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

Senator Lips introduced:

Senate Bill No. 295. A Bill for an Act to authorize the board of administration to sell certain land owned by the state of North Dakota in connection with the operation of the state penitentiary.

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

Senator Longmire introduced:

Senate Bill No. 296. A Bill for an Act to amend and re-enact section 57-37-06 of the North Dakota Century Code relating to inclusion of various joint interests in a decedent's gross estate for estate tax purposes.

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

Senators Morgan, Hernet, Nesvig, Garaas and Redlin introduced:

Senate Bill No. 297. A Bill for an Act to amend and re-enact section 21-03-38 of the North Dakota Century Code relating to proceeds from bond issue kept in separate fund for protection of purchaser and to authorize investment thereof.

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

Senators Brooks, Gefreh, Yunker, Bopp, Baker, Wartner, Morgan, Becker, Erickson, Lips, Van Horn, Kee, Saumur, Baeverstad, Johnson, Hernet, George, Meidinger, Trenbeath, Wadeson, Nesvig, Garaas, Redlin, Fiedler, Ringsak, Harris, Reichert and Kisse introduced:

Senate Bill No. 298. A Bill for an Act amending and re-enacting section 54-05-10 of the North Dakota Century Code relating to legislative lobbying.

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

Senators Reichert and Murphy introduced:

Senate Bill No. 299. A Bill for an Act to amend and re-enact section 36-11-07 of the North Dakota Century Code, relating to liability of owners of livestock inflicting damage to persons or property of another.

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

Senators Fiedler, Gefreh, Redlin and Wartner introduced:

Senate Bill No. 300. A Bill for an Act to create and enact section 15-19-03.1 of the North Dakota Century Code, relating to approval of enrollments in high school correspondence courses.

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

Senators Morgan, Bopp, Fiedler and Gronvold introduced:

Senate Bill No. 301. A Bill for an Act to amend and reenact subsection 9 of subsection 61-24-08 of the North Dakota Century Code, relating to funds of the Garrison Conservancy District.

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

Senators Morgan, Bopp, Fiedler and Gronvold introduced:

Senate Bill No. 302. A Bill for an Act relating to election and filling vacancies of directors for Garrison Diversion Conservancy District.

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

Senators Yunker, Lautenschlager, Reichert and Morgan introduced:

Senate Bill No. 303. A Bill for an Act to create a state milk board to supervise and regulate the fluid milk industry of the state of North Dakota, and defining its powers and duties; setting forth the rules governing said board; providing for the licensing and collection of license fees from milk dealers, producers, and distributors; defining milk, milk dealers, consumers, producers, producer-distributors and distributors, and their duties as such; authorizing the board, created hereunder, to promulgate regulations and rules for the administration of its functions; providing for a review of the board's rulings; fixing penalties and additional remedies; providing for repeal of all laws in conflict with this Act, and establishing the manner of this Act's taking effect, and providing for an appropriation.

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

Senator Schrock (by request) introduced:

Senate Bill No. 304. A Bill for an Act to provide supervision by the commissioner of insurance over nonprofit medical service corporations, the licensing of sales representatives of nonprofit medical service corporations, and to amend and reenact Section 26-27-05 of the North Dakota Century Code, relating to qualifications of directors of nonprofit medical service corporations.

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

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

HOWARD F. DOHERTY, Secretary.

TWENTY-SIXTH DAY

Bismarck, January 28, 1961

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

Prayer by Chaplain Rev. Fredrick K. Smythe, Episcopal, Mandan.

Almighty God, all wise Counsellor, we know that the care of many must rest upon the shoulders of the few. Strengthen Thou these, the leaders of this great state of North Dakota. Conscious of their privilege and trust, help

them wield this power. Keen in mind and strong of heart, point out to them the way. Help them to work for the common good. Broaden Thou their minds, that they may understand the meaning of Thy will for the fulfillment of the responsibilities that are theirs. This we ask in the name of Jesus Christ, Our Lord. Amen.

Roll call: All Senators present except Senators Baker, Foss, Garaas, Gronvold, Holand, Meidinger, Wadeson and Witteman.

A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

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

On page 191, in the last line delete the word "which".

On page 192, in lines 8, 19, 26 and 33, delete the word "which".

And when so corrected recommends that the same be approved.

SENATOR HARRIS, Chairman.

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

CONSIDERATION OF AMENDMENTS

Senator Erickson moved that the rules be suspended and that Senate Bill No. 135 be re-referred to the Committee on Transportation, which motion prevailed.

MOTIONS

Senator Erickstad moved that after the reading of Senate Bills Nos. 98, 148, and Senate Concurrent Resolution "R", that the Senate recess until 1:00 p.m., January 30, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

**TWENTY-SIXTH DAY AFTER RECESS
AND TWENTY-EIGHTH DAY**

Bismarck, January 30, 1961

The Senate convened at 1:00 p.m., the President presiding.

REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 28

Senate Bill No. 64

And find the same correctly engrossed.

SENATOR KISSE, Chairman.

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

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolution: Senate Concurrent Resolution "F" and find the same correctly engrossed.

SENATOR KISSE, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 69 has had the same under consideration and recommends that the same be amended as follows:

In line 22, following "diem" insert a comma and the following: "but not to exceed three hundred dollars annually,".

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MEIDINGER, Chairman.

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 73 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 91 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 117 has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 126 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 129 has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 143 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 154 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 587 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution "S" has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

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

FIRST READING OF A SENATE RESOLUTION

Senator Meidinger introduced:

Senate Resolution No. 4. A resolution urgently requesting the board of administration to remove from the senate chambers the low cylindrical or round vessels, sometimes known as spittoons, strategically placed in the senate corridor and to replace the same with a more suitable container for ashes.

Was read the first time.

MOTIONS

Senator Holand moved that the rules be suspended and that Senate Resolution No. 4 be not printed as a bill, printed in the Journal, placed on the calendar and laid over one legislative day, which motion prevailed.

SENATE RESOLUTION NO. 4

Introduced by Senator Meidinger

A resolution urgently requesting the board of administration to remove from the senate chambers the low cylindrical or round vessels, sometimes known as spittoons, strategically placed in the senate corridor and to replace the same with a more suitable container for ashes.

1 WHEREAS, the senate chamber has been graced for
2 many years with low cylindrical or round vessels, more
3 often called cuspidors or spittoons; and

4 WHEREAS, the lower house some years ago reached
4a such
5 a level of culture and refinement that the members had
6 outgrown the need for such receptacles; and

7 WHEREAS, the upper house now feels that its
7a members
8 may also have reached the point of cultural achieve-
8a ment

9 where they can probably manage without such
9a cuspidors
10 newly lined with fresh brown paper towels every
10a morning;

11 WHEREAS, because of the fast-burning cigars and
12 cigarettes now on the market, the senate now feels that
13 it would be appropriate to have more suitable
13a receptacles;

14 NOW, THEREFORE, BE IT RESOLVED BY THE
14a SENATE OF THE
15 STATE OF NORTH DAKOTA:

16 That the board of administration is hereby urgently
17 requested to remove from the senate chambers all
18 receptacles for sputum and replace the same with
18a some-
19 thing that would not have to be lined with fresh brown
20 paper every day. Please provide some ashtrays.

FIRST READING OF HOUSE BILLS
AND RESOLUTIONS

House Bill No. 513. A Bill for an Act making an appropriation for School Districts operating Junior Colleges as provided for in Sections 15-18-07, 15-18-08, and 15-18-09 of the North Dakota Century Code.

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

House Bill No. 553. A Bill for an Act to make a deficiency appropriation to pay salaries and miscellaneous expenses of the state hospital at Jamestown, and declaring an emergency.

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

House Bill No. 556. A Bill for an Act to make an appropriation to the state penitentiary to meet deficiencies in the money appropriated for the new cell house, and declaring an emergency.

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

House Bill No. 575. A Bill for an Act to amend and reenact section 57-02-41 of the North Dakota Century Code relating to the prorating of taxes on real property between vendor and purchaser, if one or the other is a religious corporation or organization.

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

House Bill No. 594. A Bill for an Act to provide for the promulgation of safety rules and regulations concerning the storage, sale and use of combustibles and explosives, and providing a penalty for failure to comply with the safety rules and regulations.

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

House Bill No. 611. A Bill for an Act to amend and reenact section 39-17-10 of the North Dakota Century Code relating to amount to be repaid before privileges are restored after revocation of driver's permit.

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

House Bill No. 613. A Bill for an Act to amend and reenact section 27-18-01 of the North Dakota Century Code relating to the establishment of the office of county justice in counties other than counties which have a county court of increased jurisdiction.

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

House Bill No. 614. A Bill for an Act to amend and reenact section 11-11-49 of the North Dakota Century Code relating to rewards for apprehension and conviction of persons who committed certain crimes.

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

House Concurrent Resolution "G". A concurrent resolution for an amendment to subdivision (d) of subsection 6 of article 54 of the Constitution of the state of North Dakota, relating to budgets and appropriations for institutions of higher education.

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

House Concurrent Resolution "N". A concurrent resolution urging observance of the centennial of the Morrill Land-Grant Act.

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

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, January 30, 1961

Mr. Speaker: I have the honor to transmit:

- Senate Bill No. 21
- Senate Bill No. 86
- Senate Bill No. 107
- Senate Concurrent Resolution "M"
- Senate Concurrent Resolution "O"

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

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, January 30, 1961

Mr. Speaker: I have the honor to return:

- House Bill No. 548
- House Bill No. 566

Which the President has signed.

HOWARD F. DOHERTY, Secretary.

SECOND READING OF SENATE BILLS

Senate Bill No. 15. 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, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Mutch	Yunker

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

MOTIONS

Senator Holand moved that Senate Bills Nos. 28 and 64 be moved down on the calendar following Senate Bill No. 148, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 70. A Bill for an Act to create and enact sections 10-28-23 and 10-28-24 of the North Dakota Century Code, relating to annual reports which shall be filed by certain nonprofit corporations with the secretary of state, fixing the fee therefor, 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, 29; nays, 19; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hystad	Reichert
Baker	Kamrath	Schrock
Berube	Kee	Solberg
Brooks	Lautenschlager	Thompson
Erickson	Longmire	Trenbeath
Fiedler	Luick	Van Horn
Foss	Mutch	Wartner
Garaas	Nesvig	Wittman
Harris	Paulson	Yunker
Hernett	Redlin	

Those voting in the negative were:

Baeverstad	Gronvold	Miller
Becker	Holand	Morgan
Bopp	Johnson	Ringsak
Erickstad	Kisse	Roen
Gefreh	Lips	Saumur
George	Meidinger	Wadeson
Gilbertson		

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

Senator Ringsak: Mr. President. I would like to explain my vote. The reason I voted "no" on the bill is that it was just called to my attention by a phone call that when the bill was in committee the people and the organizations involved were not given much time in which to appear and enter their objections to the bill. Therefore, I voted "no" on this bill.

Senate Bill No. 98. A Bill for an Act to amend and reenact sections 24-02-17 and 24-02-19 of the North Dakota Century Code relating to the amount for which the highway commissioner may contract without advertising for bids.

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:

Andre	Harris	Paulson
Baeverstad	Hernett	Redlin
Baker	Holand	Reichert
Becker	Hystad	Ringsak

Berube	Kamrath	Roen
Bopp	Kee	Saumur
Brooks	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Longmire	Trenbeath
Foss	Luick	Van Horn
Garaas	Miller	Wadeson
Gefreh	Morgan	Wartner
George	Mutch	Witteman
Gilbertson	Nesvig	Yunker

Those voting in the negative were:
Gronvold Meidinger

Absent and not voting:
Johnson Murphy

So the bill passed and the title was agreed to.

Senator Meidinger: I would like to explain my vote on this bill as I understand the new highway commissioner can buy pickups without bids but can't buy automobiles. I consider this class legislation and therefore unconstitutional.

Senate Bill No. 99. A Bill for an Act to amend and reenact section 12-48-14 of the North Dakota Century Code relating to compensation of inmates at the penitentiary.

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:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Mutch	Yunker

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

Senate Bill No. 110. A Bill for an Act to amend and reenact section 4-02-30 of the North Dakota Century Code, relating to the submission to a vote of the people of the county the question of levying a tax in aid of an agricultural fair.

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:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Mutch	Yunker

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, January 30, 1961

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bills No. 549, 554 and House Concurrent Resolution "A".

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, January 30, 1961

Mr. President: I have the honor to transmit:

House Bill No. 549

House Bill No. 554

House Concurrent Resolution "A"

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

GERALD L. STAIR, Chief Clerk.

COURTESY OF THE FLOOR

At the request of Senator Gefreh a group of students from St. Anthony's School at Linton was recognized by the Senate.

At the request of Senator Luick a group of high school students from Fairmount was recognized by the Senate.

At the request of Senator Hystad a group of high school students from Bergen was recognized by the Senate.

At the request of Senator Miller a group of high school students from Kloten was recognized by the Senate.

MOTIONS

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

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

HOWARD F. DOHERTY, Secretary.

TWENTY-EIGHTH DAY

Bismarck, January 30, 1961

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

Prayer by Chaplain Rev. Willibrod Bachmeier, Cathedral of the Holy Spirit, Bismarck.

We are come, O God the Holy Ghost, we are come before Thee, hindered indeed by our many and grievous sins, but especially gathered together in Thy Name. Come unto us and be with us; vouchsafe to enter our hearts; teach us what we are to do and whither we ought to tend; show us what we must accomplish, in order that, with Thy help, we may be able to please Thee in all things. Be Thou alone the Author and the Finisher of our judgments, who alone with God the Father and His Son dost possess a glorious Name.

Suffer us not to disturb the order of justice, Thou who lovest equity above all things; let not ignorance draw us into devious paths; nor partiality sway our minds, neither let respect of riches or persons pervert our judgment; but unite us to Thee effectually by the gift of Thine only grace, that we may be one in Thee and may never forsake the truth; inasmuch as we are gathered together in Thy Name, so may we in all things hold fast to justice tempered by pity, that so in this life our judgment may in no wise be at variance with Thee and in the life to come we may attain to everlasting rewards for deeds well done. Amen.

Roll Call: All Senators present except Senator Murphy. A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the twenty-fifth day after recess and twenty-sixth day and finds the same correct.

SENATOR HARRIS, Chairman.

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

COMMUNICATIONS

A telegram was presented addressed to Lt. Gov. Hagen from Senator Quentin Burdick urging early favorable action on constitutional amendment granting District of Columbia residents right to vote for President and Vice President.

A communication was presented from the Secretary of State of Arkansas enclosing a concurrent resolution petition proposing an amendment to the constitution of the United States abolishing the electoral college system and establishing a system of popular elections for the election of the president and vice president of the United States, which communication was referred to the Committee on Judiciary.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 144 has

had the same under consideration and recommends that the same be amended as follows:

In the last line of the title after the word "building" insert a comma and the following: "and declaring an emergency"

At the end of the bill insert the following:

SECTION 3. EMERGENCY.)

This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

Renumber the lines accordingly.

And when so amended recommends the same be referred to the Committee on Appropriations.

SENATOR LONGMIRE, Chairman.

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

MOTIONS

Senator Longmire moved that Senate Bill No. 53 be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Longmire moved that Senate Bill No. 53 be referred to the Committee on Finance and Taxation, which motion prevailed.

Senator Wartner moved that Senate Bill No. 217 be returned to the Senate from the Committee on Judiciary, which motion prevailed.

Senator Wartner moved that Senate Bill No. 217 be referred to the Committee on Finance and Taxation, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 123. A Bill for an Act to create and enact section 27-18-06 and to amend and reenact section 11-10-02 of the North Dakota Century Code, relating to the office of county justice.

Which has been read.

Senator Brooks moved that Senate Bill No. 123 be referred to the Committee on Judiciary, which motion prevailed.

Senate Bill No. 124. A Bill for an Act to amend and reenact section 40-35-02 of the North Dakota Century Code to permit the issuance of revenue bonds by municipalities for airports and related facilities, 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, 1.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert

Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Witteman
Gilbertson	Morgan	Yunker
Gronvold	Mutch	

Those voting in the negative were:

Wartner

Absent and not voting:

Murphy

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

Senate Bill No. 134. A Bill for an Act relating to municipal police officers' witness fees in criminal actions.

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, 1.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Berube	Kamrath	Roen
Bopp	Kee	Saumur
Brooks	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Mutch	Yunker
Harris		

Those voting in the negative were:

Fiedler Nesvig

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

Senate Bill No. 148. A Bill for an Act to amend and reenact section 24-03-21 of the North Dakota Century Code relating to the preparation and distribution of road maps and to authorize the highway commissioner to provide for the publication of tourist information, 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, 2; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Paulson
Baeverstad	Hernett	Redlin
Baker	Holand	Reichert
Becker	Hystad	Ringsak
Berube	Kamrath	Roen
Bopp	Kee	Saumur
Brooks	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Longmire	Trenbeath
Foss	Luick	Van Horn
Garaas	Meidinger	Wadeson
Gefreh	Miller	Wartner
George	Morgan	Witteman
Gilbertson	Nesvig	Yunker
Gronvold		

Those voting in the negative were:

Johnson Mutch

Absent and not voting:

Murphy

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

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 540

House Bill No. 549

House Bill No. 554

House Concurrent Resolution "A"

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

MOTION

Senator Holand moved that after the reading of Senate Bills Nos. 28, 64 and Senate Concurrent Resolution "F", that the Senate recess until 1:00 p.m., January 31, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

TWENTY-EIGHTH DAY AFTER RECESS AND
TWENTY-NINTH DAY

Bismarck, January 31, 1961

The Senate convened at 1:00 p.m., the President presiding.

REPORTS OF STANDING COMMITTEES

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

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 23 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 26 has had the same under consideration and recommends that the same be amended as follows:

In the title of the bill in line 8 after the word "disabled," insert the following words "medical aid to the aged".

In line 4 delete the figure "\$14,701,802.00" and insert the figure "\$13,471,838.00" in lieu thereof.

In line 11 after "abled," at the beginning of the line insert the following words "medical aid to the aged".

In line 15 delete the figure "\$7,161,325.00" and insert the figure "\$6,430,700.00" in lieu thereof.

In line 16 delete the figure "4,198,365.00" and insert the figure "3,964,700.00" in lieu thereof.

In line 17 delete the figure "182,270.00" and insert the figure "151,756.00" in lieu thereof.

In line 18 delete the figure "1,499,795.00" and insert the figure "1,418,635.00" in lieu thereof.

In line 19 delete the figure "410,000.00" and insert the figure "135,000.00 in lieu thereof.

After line 19 insert the following lines

"19A	6. Medical Aid to the Aged — Kerr-	
19B	Mills Implementation	\$200,000.00"

In line 21 delete the figure "298,660.00" and insert the figure "223,660.00" in lieu thereof.

In line 28 delete the figure "31,900.00" and insert the figure "29,900.00" in lieu thereof.

In line 30 delete the figure "18,300.00" and insert the figure "17,800.00" in lieu thereof.

In line 35 delete the figure "9,500.00" and insert the figure "8,000.00" in lieu thereof.

In line 39 delete the figure "\$14,701,802.00" and insert the figure "\$13,471,838.00" in lieu thereof.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 37 has had the same under consideration and recommends that the same be amended as follows:

In line 9 delete the figure "12,600.00" and insert the figure "14,400.00" in lieu thereof.

In line 19 delete the figure "\$58,580.00" and insert the figure "\$60,380.00" in lieu thereof.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 83 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 138 has had the same under consideration and recommends that the same be amended as follows:

In line 3 of the title after the word "lease" insert the words "for purchase".

In line 6 of the bill after the word "lease" insert the words "for purchase".

In line 9 of the bill after the word "lease" insert the words "for purchase".

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MEIDINGER, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 191 has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

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

CONSIDERATION OF AMENDMENTS

Senator Meidinger moved that the amendments to Senate Bill No. 69 be adopted, which motion prevailed.

MOTIONS

Senator Baeverstad moved that Senate Bills Nos. 80, 90, 170, 171, 203 and 245 be returned to the Senate from the Committee on Finance and Taxation, which motion prevailed.

The President thereupon re-referred the above bills as follows:

Senate Bill No. 80 to the Committee on Judiciary.

Senate Bill No. 90 to the Committee on Judiciary.

Senate Bill No. 170 to the Committee on Education.

Senate Bill No. 171 to the Committee on Industry, Business and Labor.

Senate Bill No. 203 to the Committee on Education.

Senate Bill No. 245 to the Committee on Education.

SECOND READING OF SENATE BILLS

Senate Bill No. 28. A Bill for an Act to provide for the payment of the expenses of auditing and examining the affairs of the State Industrial institutions, and the special departments and its subdivisions, of the State of North Dakota, designating and appropriating the funds from which paid; providing for the payment of said collections 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, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Mutch	Witteman
Gronvold	Nesvig	Yunker
Harris		

Absent and not voting:

Berube	Kisse	Murphy
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So the bill passed and the title was agreed to.

Senate Bill No. 64. A Bill for an Act to amend and re-enact sections 19-03-02 and 19-03-31 of the North Dakota Century Code relating to the violation of narcotics laws and to repeal section 19-03-28 of the North Dakota Century

Code relating to sale and possession of marijuana 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, 48; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Roen
Becker	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Mutch	Witteaman
Gronvold	Nesvig	Yunker
Harris		

Absent and not voting:

Berube	Kisse	Murphy
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So the bill passed and the title was agreed to.

MOTIONS

Senator Holand moved that Senate Bills Nos. 73, 91, 117, 126, 129, 143 and 154 be placed at the foot of the calendar, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 31, 1961

Mr. President: I have the honor to transmit:

House Bill No. 634

House Bill No. 645

House Bill No. 650

House Bill No. 642

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

GERALD L. STAIR, Chief Clerk.

SECOND READING OF SENATE

CONCURRENT RESOLUTIONS

Senate Concurrent Resolution "F". A concurrent resolution urging early completion of studies and commencement of construction for erosion control and Missouri River bank stabilization.

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

Those voting in the affirmative were:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Baker	Johnson	Reichert
Becker	Kamrath	Ringsak
Bopp	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadson
Gilbertson	Morgan	Wartner
Gronvold	Mutch	Witteaman
Harris	Nesvig	Yunker
Hernett		

Absent and not voting:

Berube	Brooks	Murphy
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So the resolution was declared adopted.

Senate Concurrent Resolution "J". A concurrent resolution requesting the Congress of the United States to enact legislation to permit full agricultural production with a guaranteed price.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 21; nays, 26; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hystad	Reichert
Berube	Johnson	Schrock
Bopp	Kamrath	Solberg
Fiedler	Lautenschlager	Thompson
Foss	Nesvig	Van Horn
Garaas	Paulson	Yunker
Gilbertson	Redlin	Witteaman

Those voting in the negative were:

Baker	Hernett	Morgan
Becker	Holand	Mutch
Brooks	Kee	Ringsak
Erickson	Kisse	Roen
Erickstad	Lips	Saumur
Gefreh	Longmire	Trenbeath
George	Luick	Wadson
Gronvold	Meidinger	Wartner
Harris	Miller	

Absent and not voting:

Baeverstad	Murphy
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So the resolution was declared lost.

Senate Concurrent Resolution "R". A concurrent resolution requesting the Chicago, Milwaukee, St. Paul and Pacific Railroad to continue its passenger service to the southwestern part 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, 47; nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Berube	Kamrath	Roen
Bopp	Kee	Saumur
Brooks	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Longmire	Trenbeath
Foss	Luick	Van Horn
Garaas	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Mutch	Yunker
Harris	Nesvig	

Those voting in the negative were:

Gefreh

Absent and not voting:

Murphy

So the resolution was declared adopted.

SECOND READING OF HOUSE BILLS

House Bill No. 567. A Bill for an Act to make an appropriation to the Dakota Territory Centennial Committee for the purpose of carrying out the directives of Senate Concurrent Resolution "K-K" of the 1959 Session Laws and to pay mileage and expenses of members and to pay the salary and expenses of a full-time director and for such other clerical assistance as may be needed, 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, 1.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner

Gilbertson
Gronvold

Morgan
Mutch

Witteman
Yunker

Absent and not voting:
Murphy

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

House Bill No. 570. A Bill for an Act making an appropriation to the Superintendent of Public Instruction out of the State Equalization Fund to meet deficiencies in the foundation program per pupil and transportation payments, for the biennium ending June 30, 1961 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, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Schrock
Erickson	Kisse	Solberg
Erickstad	Lautenschlager	Thompson
Fiedler	Lips	Trenbeath
Foss	Longmire	Van Horn
Garaas	Luick	Wadeson
Gefreh	Meidinger	Wartner
George	Miller	Witteman
Gilbertson	Morgan	Yunker
Gronvold	Mutch	

Absent and not voting:
Murphy Saumur

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

MOTIONS

Senator Morgan moved that a committee be appointed to escort former Representative Rube Scholl of McLean County to the rostrum for the purpose of making a presentation, which motion prevailed.

The President appointed as such committee Senator Morgan and former Representative Scholl was escorted to the rostrum and invited to address the Senate.

Mr. Scholl: Mr. President, Members of the Senate, Ladies and Gentlemen. It is indeed a privilege to appear here before you. I thank you very kindly for the courtesy extended to me at this time. However, in my response I feel somewhat like the young minister who had taken his first charge following completion of his education, and after delivering his Sunday sermon he took his old car down to the garage the next day and asked the mechanics to tune it up somewhat so that it would run better. He remarked to the mechanic: "I want you

to realize I am just a poor preacher." The mechanic said, "Yes, I realize that, I heard your sermon yesterday."

It has been my privilege to be associated with the North Dakota State government since 1931 when I was sworn in as a member of the House and since that time I served until the '39 session when Mr. President, your father was speaker of the House and I served as majority floor leader under him.

My old friend, Frank Vogel once said that after a House member became so senile and aged that he was of little value in the House any more, they sent him over to the Senate. I want to say to you frankly I see very little evidence of that in this present session.

It was my privilege to serve with the fathers of four of the present members of this group which as I said before included your father, Mr. President. Many changes have taken place I see in your rooms, in your procedure, whether for better or worse I am not able to say. I noticed one thing and I looked very close and see you have designated the lobbyist with a certain emblem. That reminds me of an old legend handed down to my wife's people who are Irish. It seems that back in the early days an Irish nobleman had imported a bunch of apes into Ireland and kept them there for a time and later on they got out of hand and became too numerous and overran Ireland, and were pests, so the government placed a bounty on apes, and asked the people to go out and slaughter the apes. After some time it was decided they shot a group of Irishmen by mistake so they put green ribbons on them to designate them from the apes.

Mr. President, as you well know you have ascended to this office through the efforts of the Nonpartisan League. I was designated to design this gavel. It is made from Badlands Cedar with which you are very familiar in your area. I found it afloat coming down the Missouri River, perhaps similar to the way you floated into office. I see by the paper that you have several other gavels, one, of course, which is of particular historic value to you since your father used it during the time that I just mentioned and another made by your brother, and a third one I have forgotten. This is not a gavel. This is the gavel which has been designated by and presented to you by the Nonpartisan League. I ask that you particularly use this gavel in closing your final day in the Senate. Thank you.

Lt. Gov.: Thank you, Mr. Scholl. I am deeply grateful for this presentation and I can see much evidence in this assembly for the need of the growing loyalist part of the Nonpartisan League. I shall treasure this with the other gavels and I should like to recall the gavel that my father used when he was on the other side of the aisle and again over here when you were a member of that body over there. You can see by the character of Mr. Scholl that there must have been rugged characters in the assembly at that time. This gavel is all chipped to pieces and I am sure it represents the character of the men that made up the assembly in those days and I shall use this gavel to wind up the session sine die. Thank you.

Senator Morgan moved that the remarks of former Representative Scholl and the Lt. Governor be printed in the Journal, which motion prevailed.

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

Senator Holand moved that after the reading of Senate Bills Nos. 73, 91, 117, 126, 129, 143, 154, House Bill No. 587 and House Concurrent Resolution "S", that the Senate adjourn, which motion prevailed.

TWENTY-NINTH DAY

Bismarck, January 31, 1961

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

Pray by Chaplain Rev. Arnold Spain, St. Anne's Roman Catholic, Bismarck.

Go before us, O Lord, we beseech Thee, in all our actions with Thy gracious inspiration, and further us with Thy continual help, that every prayer and work of ours may begin from Thee, and by Thee be duly ended. Through Christ Our Lord. Amen.

Roll call: All Senators present except Senator Murphy.

A quorum was declared by the President.

REPORTS OF STANDING COMMITTEES

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

On page 220, delete the number "544" and insert in lieu thereof the number "554".

And when so corrected recommends that the same be approved.

SENATOR HARRIS, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 79 has had the same under consideration and recommends that the same be amended as follows:

Delete everything after the words "A Bill" and insert in lieu thereof the following:

"For an Act providing for a spot check of the perpetual physical property inventory of the state highway department by the state auditor and designating that cost thereof be paid from state highway funds.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1.) The state auditor shall be responsible for a spot check of the perpetual physical property inventory of the state highway department and the costs thereof shall be paid from the state highway fund; such cost not to exceed five thousand dollars annually."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

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

Mr. President: Your Committee on Finance and Taxation

to whom was referred Senate Bill No. 109 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 155 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 178 has had the same under consideration and recommends that the same be amended as follows:

In line 10 delete "three" and insert in lieu thereof "four"

Delete all of line 13 and insert in lieu thereof "and one of whom shall be a practicing dentist in this state."

In line 141 delete "twenty-five"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 183 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

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

CONSIDERATION OF AMENDMENTS

Senator Longmire moved that the amendments to Senate Bill No. 144 be adopted, which motion prevailed.

MOTIONS

Senator Foss moved that Senate Bill No. 37 be re-referred to the Committee on Appropriations, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 73. A Bill for an Act to amend and reenact section 57-37-24 of the North Dakota Century Code, relating to the collection and distribution of estate taxes.

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, 3; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson

Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Erickson	Kee	Roen
Erickstad	Kisse	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Lips	Solberg
Garaas	Longmire	Thompson
Gefreh	Luick	Trenbeath
George	Meidinger	Van Horn
Gilbertson	Miller	Wartner
Gronvold	Morgan	Yunker

Those voting in the negative were:

Brooks	Wadeson	Witteaman
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Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

Senate Bill No. 91. A Bill for an Act to create and enact subsection 7 of section 57-53-01 of the North Dakota Century Code, and to create and enact section 57-53-10 of the North Dakota Century Code, relating to the special fuel tax on special fuel sold for heating, agricultural or railroad purposes and providing for the licensing of special fuel wholesale dealers in liquefied petroleum gas, and the issuance of permits to retail dealers in liquefied petroleum gas, and providing for the administration 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:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteaman
Gronvold	Mutch	Yunker

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

Senate Bill No. 117. A Bill for an Act to create and enact sections 15-18-04.1 and 15-18-04.2 of the North Dakota Century Code, authorizing certain cities to establish and

maintain off-campus educational centers and levy a tax for their 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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Mutch	Witteman
Harris	Nesvig	Yunker
Hernett		

Absent and not voting:

Baeverstad	Foss	Murphy
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So the bill passed and the title was agreed to.

Senate Bill No. 126. A Bill for an Act to create and enact section 40-58-20 of the North Dakota Century Code, allowing municipalities to accept as credits against federal matching funds for urban renewal projects, the aggregate amounts expended by institutions of higher education on approved urban renewal projects.

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:

Andre	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Mutch	Yunker
Harris	Nesvig	

Absent and not voting:

Baeverstad	Murphy
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So the bill passed and the title was agreed to.

Senate Bill No. 129. A Bill for an Act to amend and reenact section 48-02-02 of the North Dakota Century Code relating to the procurement of plans, drawings, and specifications when a public building is altered, repaired, or constructed.

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:

Andre	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteaman
Gronvold	Mutch	Yunker
Harris	Nesvig	

Absent and not voting:

Baeverstad Murphy

So the bill passed and the title was agreed to.

Senate Bill No. 143. A Bill for an Act to provide for the final payment of North Dakota Real Estate Series Bonds heretofore issued, and interest thereon, and to authorize delivery of properties and assets of the Real Estate Bond Trust to the custody and control of the manager of the Bank of North Dakota for the ultimate benefit of the state general fund.

Which has been read.

ROLL CALL

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

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson

George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Mutch	Yunker
Harris		

Absent and not voting:

Baeverstad	Murphy	Trenbeath
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So the bill passed and the title was agreed to.

Senate Bill No. 154. A Bill for an Act authorizing the state board of higher education to transfer certain state-owned land to the city of Minot for street 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, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Mutch	Yunker

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

SECOND READING OF A HOUSE BILL

House Bill No. 587. A Bill for an Act to accept the cession by the State of Minnesota to the State of North Dakota of certain parcels of real property and declaring an emergency.

Which has been read.

ROLL CALL

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

Those voting in the affirmative were:

Andre	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson

Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Mutch	Witteman
Harris	Nesvig	Yunker
Hernett		

Absent and not voting:
Baeverstad Foss

Murphy

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

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "S". A concurrent resolution urging the postmaster general to issue commemorative stamps in honor of the Dakota Territory Centennial Celebration.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Mutch	Yunker

Absent and not voting:
Murphy

So the resolution was declared adopted.

SECOND READING OF A SENATE RESOLUTION

Senate Resolution No. 4. A resolution urgently requesting the board of administration to remove from the senate chambers the low cylindrical or round vessels, sometimes known as spittoons, strategically placed in the senate corridor and to replace the same with a more suitable container for ashes.

Was read the second time.

Senator Meidinger moved that Senate Resolution No. 4 be adopted, which motion was declared lost.

Senator Baeverstad moved that the Senate reconsider the action by which Senate Resolution No. 4 was lost, which motion prevailed.

The question being on the motion of Senator Meidinger to adopt Senate Resolution No. 4, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, January 31, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 15

Senate Bill No. 70

Senate Bill No. 98

Senate Bill No. 99

Senate Bill No. 110

Senate Bill No. 124

Senate Bill No. 134

Senate Bill No. 148

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

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, January 31, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 540

House Bill No. 549

House Bill No. 554

House Concurrent Resolution "A"

Which the President has signed.

HOWARD F. DOHERTY, Secretary.

Senator Holand moved that the Senate recess until 1:30 p.m., February 1, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

TWENTY-NINTH DAY AFTER RECESS
AND THIRTIETH DAY

Bismarck, February 1, 1961

The Senate convened at 1:30 p.m., the President presiding.

REPORTS OF STANDING COMMITTEE

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

Senate Bill No. 69

And finds the same correctly re-engrossed.

SENATOR KISSE, Chairman.

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

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

Senate Bill No. 144

And finds the same correctly engrossed.

SENATOR KISSE, Chairman.

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

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

Senate Resolution No. 4

And finds the same correctly enrolled.

SENATOR KISSE, Chairman.

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

MESSAGE FROM THE GOVERNOR

The Secretary announced that the Senate is in receipt of a communication from the Governor concerning an appointment to the Board of Higher Education.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 4 has had the same under consideration and recommends that the same be amended as follows:

In line 3 delete the figure "\$472,300.00" and insert the figure "\$624,300.00" in lieu thereof.

Delete line 24 and insert in lieu thereof the following: "Bangs Disease and Bovine Tuberculosis Fund,"

Delete line 25 and insert in lieu thereof the following: "including miscellaneous expenses \$502,000.00"

Delete all of line 26.

In line 27 delete the figure "\$350,000.00" and insert the figure "\$502,000.00" in lieu thereof.

In line 28 delete the figure "\$472,300.00" and insert the figure "\$624,300.00" in lieu thereof.

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

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

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

In line 17 delete the words "Tourist and".

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 30 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 36 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 37 has had the same under consideration and recommends that the same be amended as follows:

In line 3 delete the figure "\$58,580.00" and insert the figure "\$60,380.00" in lieu thereof.

Delete all of line 9 and insert in lieu thereof the following line:

"Salary - Assistant Director \$14,400.00"

In line 19 delete the figure "\$58,580.00" and insert the figure "\$60,380.00" in lieu thereof.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 61 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 62 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WADESON, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 72 has had the same under consideration and recommends that the same be amended as follows:

In line 7 after the word "used" delete "for extra-".

Delete all of lines 8 and 9.

In line 10 delete the words "and also shall be used" and "any".

In line 22 delete the words "or adjacent to".

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 74 has had the same under consideration and recommends that the same be amended as follows:

In the fourth line of the title after the word "taxpayers" insert before the period the following language: ", and the giving of notice by mail thereof to such delinquent taxpayers"

In line 5 after the word "TAXES" insert the words
"- NOTICE BY MAIL"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BAEVERSTAD, Chairman.

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

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 84 has had the same under consideration and recommends that the same be amended as follows:

In line 3 of the title delete the word "grassland" and insert in lieu thereof the word "land"

In line 2 delete the words "AND IN"

In line 3 delete the word "GRASS"

In line 3 after the word "any" insert the word "effected"

In line 3 after the word "person" insert the following
"owning or occupying land within an infested area,"

In line 5 delete the word "grassland" and insert in lieu thereof the word "land"

In line 8 after the comma insert the word "a"

In line 8 after the word "notice" insert the following "in accordance with the state grasshopper control policy"

Renumber the lines accordingly.

And when so amended recommends the same be placed on the calendar without recommendation.

SENATOR WADESON, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 87 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 92 has had the same under consideration and recommends that the same be amended as follows:

In line 81 delete the words "the president and"

In line 82 delete the word "secretary" and insert in lieu thereof "any authorized officer"

In line 132 delete the comma and "delivered, received"

In line 206 delete the comma and insert in lieu thereof "or" and delete "or delivered"

In line 222 delete "license"

In line 274 delete the period and insert in lieu thereof a comma and the following: "except the proceeds remaining as revenue from aviation gasoline taxes and unclaimed aviation motor fuel refunds and other aviation motor fuel excise and license taxation used by aircraft."

In line 291 after the comma insert the following: "not otherwise accounted for;"

In line 292 after the comma insert the following: "and other allowances provided in this chapter,"

In line 295 after the period insert the following: "For purposes of this Act, motor fuel refined at a refinery in this state and placed in storage thereat, and motor fuel brought into the state by pipeline and placed in storage at a pipeline terminal, shall not be deemed received until it is withdrawn from the refinery or terminal storage for sale or use in this state, or for shipment or delivery to destinations in this state."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BAEVERSTAD, Chairman.

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 93 has had the same under consideration and recommends that the same be amended as follows:

In line 5 delete the word "within", delete all of lines 6, 7 and 8; and insert in lieu thereof the following: "for all purchases during a calendar year of such motor vehicle fuel on or before March 31 of the year next following,"

Delete the triple brackets in lines 14, 18, 21 and 22.

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BAEVERSTAD, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 96 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 108 has had the same under consideration and recommends that the same be amended as follows:

After the semicolon in line 13 add the following: provided that the words "magazines and other periodicals" as used herein shall not include newspapers nor shall they include magazines or periodicals that are furnished free by a nonprofit corporation or organization to its members or because of payment by its members of membership fees or dues;

After the word "subscription" in line 112, delete the period, and insert in lieu thereof a semicolon, and add the following: provided that the words "magazines and other periodicals" as used herein shall not include newspapers nor shall they include magazines or periodicals that are furnished free by a nonprofit corporation or organization to its members or because of payment by its members of membership fees or dues.

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BAEVERSTAD, Chairman.

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 112 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman.

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 119 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 137 has had the same under consideration and recommends that the same be amended as follows:

After the period in line 16, add the following: This section shall not apply to residents of states that have a sales or use tax.

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BAEVERSTAD, Chairman.

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 153 has had the same under consideration and recommends that the same be amended as follows:

In line 20 delete the words "two and one-half" and insert in lieu thereof "three"

Delete all of line 26.

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BAEVERSTAD, Chairman.

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

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 157 has had the same under consideration and recommends that the same be amended as follows:

In line 55 delete the word "two" and insert in lieu thereof "one"

In line 55 delete the word "dollars" and insert in lieu thereof "dollar"

And when so amended recommends the same do pass.

SENATOR WADESON, Chairman.

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 160 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 186 has had the same under consideration and recommends that the same be amended as follows:

In line 4 delete the figure "\$50,000.00" and insert the figure "\$55,000.00" in lieu thereof.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 222 has had the same

under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 228 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Agriculture to whom was referred House Concurrent Resolution "G" has had the same under consideration and recommends that the same do pass.

SENATOR WADESON, Chairman.

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

CONSIDERATION OF AMENDMENTS

Senator Foss moved that the amendments to Senate Bill No. 26 be adopted, which motion prevailed.

Senator Meidinger moved that the amendments to Senate Bill No. 138 be adopted, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 634. A Bill for an Act to amend and reenact section 16-05-08 of the North Dakota Century Code, relating to use of stickers when a vacancy occurs after election ballots are printed and crossing out name of original nominee causing such vacancy.

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

House Bill No. 642. A Bill for an Act to prohibit municipalities from adopting seasonal standards of time.

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

House Bill No. 645. A Bill for an Act to amend and reenact Section 20-08-02 of the North Dakota Century Code relating to the limitations on the governor's power to establish bag and possession limits and seasons on game birds.

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

House Bill No. 650. A Bill for an Act to amend and reenact section 28-20-34 of the North Dakota Century Code, relating to the interest rate upon judgments.

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

COURTESY OF THE FLOOR

At the request of Senator Thompson a group of High School students from Oberon was recognized by the Senate.

At the request of Senator Hystad the band members from the Drake high school were recognized by the Senate.

MOTIONS

Senator Garaas moved that a committee of two be appointed to escort former Senator Ray Vendsel to the rostrum, which motion prevailed.

The President appointed as such committee Senators Garaas and Witteman and former Senator Ray Vendsel was escorted to the rostrum and invited to address the Senate.

Mr. Vendsel: Mr. President and Members of the Senate. This is quite an occasion to me to stand before you knowing each of you as well as I do. Last session I did not consider at that time relinquishing my seat in this body, at least I had every idea I was going to be a candidate again to be a member of the distinguished North Dakota State Senate. I have learned a lot here in the time I spent here. Probably the greatest thing I learned was the fact that in everyone, whether you agree with them or not, there is basically something good, and so the pleasure is mine, the fact I did get to know you makes me realize even though we have political differences at times that we can all respect one another as individuals and I consider each of you that I worked with a friend of mine and hope you consider me a friend of yours.

This appointment that I received is a position in the Department of Interior and one which I look forward to. It is the only position I could have received that would be of much value to the State of North Dakota. In this particular department I will have an opportunity to become better acquainted with the problems of the country and our state, and I assure you I will do everything in my power to be a credit to my state and to my country, recognizing the needs of all of the people as well as the people of the State of North Dakota.

We leave on Saturday. I cannot say I look forward to leaving my state but I do look forward to this challenge and, of course, after we are there we will also look forward to returning here, so with that I will close and want to thank you all for the many courtesies that you have extended to my family and myself and I look forward to seeing you once again in the future.

Senator Garaas moved that the remarks of former Senator Ray Vendsel be printed in the Journal, which motion prevailed.

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

Senator Holand moved that after the reading of Senate Bills Nos. 22, 23, 69, 83, and 191, that the Senate adjourn, which motion prevailed.

THIRTIETH DAY

Bismarck, February 1, 1961

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

Prayer by Chaplain Rev. David E. Figg, Church of the Nazarene, Bismarck.

Our Lord and our God, we thank Thee because Thou art interested in all the affairs of our lives. Thou dost know our downittings and our uprisings. We are glad, too, that Thou dost love us. So we come before Thee this day,

humbly desiring Thy blessing upon our lives. We want that everything we do shall please Thee. Bless today in this session that our minds might be clear, that our standards of right might be true, that our ideals and goals might be high, and that in every decision we might do that which we believe to be right in the sight of God. We thank Thee for the freedom which we enjoy, for the bountiful resources Thou hast given us, for the democratic form of government through which we work, and for the health and strength we have. Help us, we pray, to cherish all these blessings, to use them in maintaining the rights of men, as Thou dost lead us. Bless us as we engage in the processes of government, and may every decision be within Thy will. In Jesus' name we pray, Amen.

Roll call: All Senators present except Senator Murphy. A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the twenty-eighth day after recess and twenty-ninth day and finds the same correct.

SENATOR HARRIS, Chairman.

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

CONSIDERATION OF AMENDMENTS

Senator Longmire moved that the amendments to Senate Bill No. 79 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 178 be adopted, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 22. A Bill for an Act making an appropriation into the "Administrative Fund" for the State Water Conservation Commission for general administration expenses, maintaining and construction of dams; planning and surveying projects; expenses of state Compacts; and for organizing 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, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn

Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Mutch	Yunker

Absent and not voting:
Murphy

So the bill passed and the title was agreed to.

Senate Bill No. 23. A Bill for an Act making an appropriation to the State Water Conservation Commission for continued participation in the investigation, planning, construction and maintenance of multiple-purpose projects for beneficial utilization, control and management of public waters and providing that moneys appropriated by this Act, and any unused balance of moneys remaining unexpended, appropriated for the purpose mentioned, shall be covered into a fund designated "multiple-purpose fund" and that such fund shall remain available to the Commission until expended.

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:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Mutch	Yunker

Absent and not voting:
Murphy

So the bill passed and the title was agreed to.

Senate Bill No. 69. A bill for an Act to amend and reenact Section 15-53-05 of the North Dakota Century Code relating to selection, qualifications, term, salary of members of the County Committee on school district reorganization.

Which has been read.

Senator Holand moved that Senate Bill No. 69 be amended as follows:

In line 10 following the word "county" insert the words "and each member shall live and reside in the district in which he is elected."

Which motion prevailed.

Senator Holand moved that the rules be suspended and that Senate Bill No. 69 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Resolution No. 4

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

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 1, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 28

Senate Bill No. 64

Senate Bill No. 73

Senate Bill No. 91

Senate Bill No. 117

Senate Bill No. 126

Senate Bill No. 129

Senate Bill No. 143

Senate Bill No. 154

Senate Concurrent Resolution "F"

Senate Concurrent Resolution "R"

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

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, February 1, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 567

House Bill No. 570

House Bill No. 587

House Concurrent Resolution "S"

Which the Senate has passed unchanged.

HOWARD F. DOHERTY, Secretary.

Senator Holand moved that after the reading of Senate Bills Nos. 69, 109 and 183, that the Senate recess until 1:00 p.m., February 2, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

**THIRTIETH DAY AFTER RECESS AND
THIRTY-FIRST DAY**

Bismarck, February 2, 1961

The Senate convened at 1:00 p.m., the President presiding.

MOTIONS

Senator Holand moved that the Senate resolve itself into an Executive Session and receive a message from the Governor, which motion prevailed.

A message from the Governor was read by the Secretary requesting confirmation of the following executive appointment:

John Conrad, Bismarck, to succeed Ray Schnell, Sr., Dickinson, as a member of the State Board of Higher Education, for a term from July 1, 1961, to July 1, 1968.

The Senate in Executive Session thereupon advised and consented to the above appointment and confirmed the same.

The Executive Session was thereupon dissolved and the Senate resumed its regular session.

REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 69

Senate Bill No. 79

And finds the same correctly re-engrossed.

SENATOR KISSE, Chairman.

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

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

Senate Bill No. 26

Senate Bill No. 138

Senate Bill No. 178

And finds the same correctly engrossed.

SENATOR KISSE, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 7 has had the same

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

In line 3 delete the figure "\$301,050.00" and insert the figure "\$391,560.00" in lieu thereof.

In line 10 delete the figure "\$12,600.00" and insert the figure "\$15,000.00" in lieu thereof.

In line 12 delete the figure "53,350.00" and insert the figure "56,460.00" in lieu thereof.

In line 23 delete the figure "\$103,850.00" and insert the figure "\$109,360.00" in lieu thereof.

In line 25 delete the figure "\$12,600.00" and insert the figure "\$15,000.00" in lieu thereof.

In line 28 delete the figure "13,300.00" and insert the figure "15,000.00" in lieu thereof.

In line 31 delete the figure "2,000.00" and insert the figure "2,400.00" in lieu thereof.

In line 32 delete the figure "65,000.00" and insert the figure "80,000.00" in lieu thereof.

In line 33 delete the figure "17,500.00" and insert the figure "20,000.00" in lieu thereof.

In line 34 delete the figure "9,000.00" and insert the figure "15,000.00" in lieu thereof.

In line 41 delete the figure "5,000.00" and insert the figure "10,000.00" in lieu thereof.

In line 42 delete the figure "10,000.00" and insert the figure "20,000.00" in lieu thereof.

In line 43 delete the figure "10,000.00" and insert the figure "20,000.00" in lieu thereof.

After line 44 insert the following lines:

45	Purchase of Trail West Drama Site	500.00
46	Camping Area, Metigoshe State Park	12,000.00
47	Group Camp Building, Metigoshe State Park	12,000.00
48	Road Surfacing, Turtle River State Park	7,500.00

In line 45 delete the figure "\$197,200.00" and insert the figure "\$282,200.00" in lieu thereof.

In line 46 delete the figure "\$301,050.00" and insert the figure "\$391,560.00" in lieu thereof.

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

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

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

SENATOR FOSS, Chairman.

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

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

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 33 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 34 has had the same under consideration and recommends that the same be amended as follows:

In line 4 delete the figure "\$1,169,900.00" and insert the figure "\$1,238,800.00" in lieu thereof.

In line 12 delete the figure "14,700.00" and insert the figure "15,600.00" in lieu thereof.

In line 13 delete the figure "1,138,400.00" and insert the figure "1,206,400.00" in lieu thereof.

In line 14 delete the figure "\$1,169,900.00" and insert the figure "\$1,238,800.00" in lieu thereof.

After line 14 insert the following lines:

15	That the appropriation for General Operation,	
15a	above,	
16	shall be allotted as listed below:	
17	Administration:	
18	Clerkhire and administration of	
19	bounty funds	\$ 48,000.00
20	Travel	11,000.00
21	General and Audit	55,000.00
22	Game Management:	
23	(Federal Matching)	145,000.00
24	Enforcement:	
25	Salaries	251,000.00
26	Travel	125,000.00
27	General	25,000.00
28	Fish Management:	
29	Salaries	73,500.00
30	Travel	29,000.00
31	General	48,000.00
32	Dingell-Johnson Matching	40,000.00
33	Land Management:	
34	Salaries	21,000.00
35	Travel	5,500.00
36	General	7,000.00
37	Public Relations:	
38	Salaries	59,000.00
39	Travel	14,000.00
40	General	44,000.00
41	Dam Construction	125,000.00
42	Emergency	40,000.00
43	License Funds	400.00
44	Old Age and Survivor Insurance	
44a	System	40,000.00
45	Total	\$1,206,400.00"

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

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

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

In line 4 delete the numbers "39-04-67" and insert the numbers "39-04-39" in lieu thereof.

In line 5 delete the figure "\$75,000.00" and insert the figure "\$50,000.00" in lieu thereof.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 50 has had the same under consideration and recommends that the same be amended as follows:

In line 9 after the comma insert the words "the state treasurer,"

In line 9 delete the word "two" and insert in lieu thereof the word "three"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 106 has had the same under consideration and recommends that the same be amended as follows:

Delete all of line 9 after the period.

Delete all of lines 10 and 11.

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 113 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman.

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 118 has had the same under consideration and recommends that the same be amended as follows:

At the end of the bill insert the following: "SECTION 4.) Subsection 5 of section 10-13-01 of the North Dakota Century Code is hereby created and enacted to read as follows:

5. The establishment and operation by itself or with any one or more electric cooperatives of an electric generation or transmission cooperative for the purpose of pro-

viding electric energy to other cooperatives, public utilities, municipalities, or any department or agency of the state or federal government."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 121 has had the same under consideration and recommends that the same be amended as follows:

In the first line of the title after "37-15-07," insert "37-15-15,"

In line 7 delete "five" and insert in lieu thereof "ten"

In lines 11 and 13 delete "and auditor"

In line 14 delete "sixty" and insert in lieu thereof "thirty"

In line 30 delete "one hundred" and insert in lieu thereof "fifty"

In line 51 after the word "die" insert the words "interstate or"

In line 55 after the word "home" insert a comma and the following: "which claim shall be allowed as a general claim against the estate"

After line 55 add the following section:

"SECTION 4. AMENDMENT.) Section 37-15-15 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

37-15-15. DISBURSEMENT OF MONEYS DERIVED FOR THE SUPPORT AND MAINTENANCE OF SOLDIERS' HOME.) On the first day of July in each odd numbered year, the department of accounts and purchases shall pay to the treasurer of the soldiers' home fifty percent of the soldiers' home fund appropriated by the legislative assembly from the general fund of this state for the support and maintenance of the home during the biennium beginning on that date and twenty-five percent of the soldiers' home fund on the first day of January in each even numbered year. The remaining twenty-five percent of the soldiers' home fund shall be paid to the treasurer of the soldiers' home by warrants prepared and issued by the department of accounts and purchases, and signed by the state auditor on the first day of the fourth quarter of the biennium. Upon requisition by the commandant of the soldiers' home, at any time during the biennium, the department of accounts and purchases shall, by warrants prepared by the department and signed by the state auditor, pay to the treasurer of the soldiers' home moneys accumulated in the United States aid fund, soldiers' home, interest and income fund, soldiers' home, an institutional revolving fund, soldiers' home. All moneys received by the soldiers' home shall be disbursed by the treasurer of the soldiers' home subject to the order of the board of trustees of the home and shall be used exclusively for the benefit of the home. No payments shall be made to the treasurer of the home until he has qualified as required by the laws of

this state. During the fourth quarter of the biennium, moneys which accrue during said quarter to the United States aid fund, soldiers' home, interest and income fund, soldiers' home, and institutional revolving fund, soldiers' home, and moneys which have accumulated in said funds and have not been requisitioned as above provided, shall be used for the support and maintenance of the soldiers' home as far as such funds are available and shall be supplemented, as necessity requires, by the twenty-five percent of the soldiers' home fund appropriated by the legislative assembly from the general fund of this state and paid to the treasurer of the soldiers' home on the first day of the fourth quarter of the biennium. At the end of the biennium, moneys remaining unexpended in the soldiers' home fund shall be repaid by the treasurer of the soldiers' home to the state treasurer and shall be credited to the general fund of this state.

At the end of each quarter of the biennium the commandant of the soldiers' home shall make a report to the department of accounts and purchases duly certified upon oath, showing the amount of money received from the soldiers' fund, the United States aid fund, soldiers' home, interest and income fund, soldiers' home, and institutional revolving fund, soldiers' home, respectively; the amount remaining unexpended from each fund; and the estimated amount which will be required for the support and maintenance of the home during the next succeeding six month period. At the end of each month the commandant shall submit a statement of expenditures to the department of accounts and purchases, duly certified upon oath, showing the amount paid to each person and firm, designating the type of service rendered and commodity purchased during the month. (((This monthly statement shall be audited by an auditor, appointed by the board of trustees of the soldiers' home.))) The department of accounts and purchases shall submit the monthly statement to the state auditing board for approval and should that board not approve the payments thereon listed or any of them, the payments herein provided to be made from the soldiers' home fund to the treasurer of the soldiers' home shall be made by the department of accounts and purchases only to the extent that the said payments exceed the unapproved items, until such corrections as the state auditing board may require are effected."

Remember the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 125 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 132 has had the same under

consideration and recommends that the same be indefinitely postponed.

SENATOR MEIDINGER, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 133 has had the same under consideration and recommends that the same be amended as follows:

In line 12 delete the period and insert the following: "wherein is located real property of the bankrupt as shown by the schedules of the bankruptcy proceedings."

Re-number the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 139 has had the same under consideration and recommends that the same be amended as follows:

In line 9 delete "recommendation of the".

In line 10 delete "county superintendent and"; delete the word "by" and insert in lieu thereof the word "of".

In line 16 following the word "board" insert the words "of commissioners".

In line 21 delete the word "remain" and insert in lieu thereof "become"; and delete the words "an existing" and insert in lieu thereof "another reorganized".

Re-number the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MEIDINGER, Chairman.

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 141 has had the same under consideration and recommends that the same be amended as follows:

In line 14 delete the triple parenthesis and the words "seven hundred fifty"

In line 15 delete the word "dollars"

Delete all of lines 40 through 61.

In line 104 delete "con-"

Re-number the lines and sections accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman.

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

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 142 has had the same under consideration and recommends that the same be amended as follows:

After line 3 insert the following: "10-28-22. SPECIAL PROVISIONS REGARDING FRATERNAL CORPORA-

TIONS.) In addition to the provisions of chapters 10-24 through 10-28 every fraternal corporation organized or operating under the provisions of chapters 10-24 through 10-28 shall be subject to the following provisions:"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 147 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 152 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 158 has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 159 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

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

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 161 has had the same under consideration and recommends that the same be amended as follows:

In line 5 after the word "Dakota" insert the word "State"

In line 22 after the word "the" insert the words "Agricultural Experiment Station,"

Delete lines 24, 25, 26 and 27

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WADESQN, Chairman.

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

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 163 has had the same under consideration and recommends that the same be amended as follows:

In line 5 after the word "Dakota" insert the word "State"

In line 10 after the word "Dakota" delete the period and insert in lieu thereof a comma and the following words "excepting recorded right-of-ways and that portion of said

land lying southerly and easterly of the center line of the Maple River, such portion containing twenty-five and thirty-five hundredths (25.35) acres more or less."

In line 12 after the word "value" insert the following "as determined by the state board of higher education,"

In line 22 delete the word "may" and insert in lieu thereof the word "shall"

In line 23 delete the word "but" and insert in lieu thereof the word "and"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WADESON, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 165 has had the same under consideration and recommends that the same be amended as follows:

In line 7 after the word "when" delete the words "sentence is deferred" and insert in lieu thereof the words "imposition of sentence is suspended"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 185 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 205 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

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

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 243 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 287 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 288 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Concurrent Resolution "P" has had the same under consideration and recommends that the same be amended as follows:

In line 6 after the word "education" insert the following: "even though there is strong opposition in many of the states to extension of the principle of federal aid to education".

In line 10 after the word "opportunity" insert "in some special fields"; and after the word "state" delete the comma and insert in lieu thereof a period; and delete the remainder of the line.

Delete all of lines 11, 12, 13, and 14.

In line 15 delete the word "states".

In line 26 after the word "education" insert the following: "be not extended further, but if extended".

Renumber the lines accordingly.

And when so amended recommends that the same be placed on the calendar without recommendation.

SENATOR MEIDINGER, Chairman.

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

Mr. President: Your Committee on Education to whom was referred Senate Concurrent Resolution "X" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted.

Senator Garaas made the substitute motion that Senate Concurrent Resolution "X" be placed on the calendar.

The question was on the substitute motion of Senator Garaas, which motion prevailed.

Senator Meidinger requested a division, which request was granted.

Senator Garaas requested a roll call vote, which request was granted.

ROLL CALL

The question being on the substitute motion of Senator Garaas, the roll was called and there were ayes, 24; nays, 24; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Schrock
Bopp	Kisse	Solberg
Fiedler	Lautenschlager	Van Horn
Garaas	Miller	Wittman
Gilbertson	Nesvig	Yunker

Those voting in the negative were:

Baeverstad	Harris	Mutch
Brooks	Holand	Ringsak
Erickson	Kee	Roen
Erickstad	Lips	Saumur
Foss	Longmire	Thompson
Gefreh	Luick	Trenbeath
George	Meidinger	Wadeson
Gronvold	Morgan	Wartner

Absent and not voting:

Murphy

The President announced that he votes "Aye".

So the substitute motion was declared carried.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 552 has had the same under consideration and recommends that the same do pass.

SENATOR WADESON, Chairman.

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

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 595 has had the same under consideration and recommends that the same be amended as follows:

In line 24 after the period insert the following words "The governor may appoint a representative to serve in his stead at such meetings as he may be unable to attend."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WADESON, Chairman.

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

Mr. President: Your Committee on Agriculture to whom was referred House Concurrent Resolution "N" has had the same under consideration and recommends that the same do pass.

SENATOR WADESON, Chairman.

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

The Committee on Enrollment and Engrossment respectfully reports that Senate Resolution No. 4 was delivered to the Secretary of State for his approval at the hour of 1:30 o'clock p.m., February 2, 1961.

SENATOR KISSE, Chairman.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 2, 1961

Mr. President: I have the honor to transmit:

House Bill No. 617

House Bill No. 640

House Bill No. 644

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

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 2, 1961

Mr. President: I have the honor to transmit:

House Concurrent Resolution "I-1"

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

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 2, 1961

Mr. President: I have the honor to transmit:

House Bill No. 567

House Bill No. 570

House Bill No. 587

House Concurrent Resolution "S"

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

GERALD L. STAIR, Chief Clerk.

CONSIDERATION OF AMENDMENTS

Senator Foss moved that the amendments to Senate Bill No. 4 be adopted, which motion prevailed.

Senator Foss moved that the amendments to Senate Bill No. 20 be adopted, which motion prevailed.

Senator Foss moved that the amendments to Senate Bill No. 37 be adopted, which motion prevailed.

Senator Foss moved that the amendments to Senate Bill No. 72 be adopted, which motion prevailed.

Senator Baeverstad moved that the amendments to Senate Bill No. 74 be adopted, which motion prevailed.

Senator Wadeson moved that the amendments to Senate Bill No. 84 be adopted, which motion prevailed.

Senator Baeverstad moved that the amendments to Senate Bill No. 92 be adopted, which motion prevailed.

Senator Baeverstad moved that the amendments to Senate Bill No. 93 be adopted, which motion prevailed.

Senator Baeverstad moved that the amendments to Senate Bill No. 108 be adopted, which motion prevailed.

Senator Baeverstad moved that the amendments to Senate Bill No. 137 be adopted, which motion prevailed.

Senator Baeverstad moved that the amendments to Senate Bill No. 153 be adopted, which motion prevailed.

Senator Wadeson moved that the amendments to Senate Bill No. 157 be adopted, which motion prevailed.

Senator Foss moved that the amendments to Senate Bill No. 186 be adopted, which motion prevailed.

MOTIONS

Senator Garaas moved that the absent Senator be excused.

Senator Brooks: I think the record should show that we have been without one of the Senators for eight, now going on nine days, of this session just drawing to the close of the 30th day. I don't know whether this gentleman's constituents at home take the Journal and tally it up. I take this means, however, of pointing out that the Senator from Morton County, without excuse from the

Senate in violation of the rules, has been absent eight legislative days, four in succession the first week and four in succession this week.

The question was on the motion of Senator Garaas to excuse the absent Senator, which motion prevailed.

COURTESY OF THE FLOOR

At the request of Senator Longmire the sixth grade class of the Roosevelt School of Bismarck was recognized by the Senate.

At the request of Senator Fiedler the junior and senior classes of the Garrison High School were recognized by the Senate.

At the request of Senator Lips a group of students from the Driscoll school was recognized by the Senate.

Senator Holand moved that after the reading of Senate Bills Nos. 26, 30, 36, 61, 87, 96, 119, 138, 160, 222, 228, and House Concurrent Resolution "G", that the Senate adjourn, which motion prevailed.

THIRTY-FIRST DAY

Bismarck, February 2, 1961

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

Prayer by Chaplain Rev. A. E. Smith, St. George's Episcopal, Bismarck.

Most gracious heavenly Father, we humbly beseech Thee, as for the people of this State of North Dakota in general, so especially for their Senate and Representatives, now assembled that Thou would'st be pleased to direct and prosper all their consultations, to the advancement of Thy glory, the good of Thy Church, the safety, honor and welfare of its people; that all things may be so ordered and settled by their endeavors, upon the best and surest foundations, that peace and happiness, truth and justice, religion and piety, may be established among us for all generations. These and all other necessities, for them and for us, we humbly beg in the Name and mediation of Jesus Christ, our most blessed Lord and Savior. Amen.

Roll Call. All Senators present except Senator Murphy.

A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

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

On page 247, in line 5 from the bottom of the page, delete the word "were" and insert in lieu thereof the word "was".

And when so corrected recommends that the same be approved.

SENATOR HARRIS, Chairman.

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

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senator Longmire introduced:

Senate Concurrent Resolution "Z". A concurrent reso-

lution directing the legislative research committee to study the Sabbath laws of this state.

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

Senators Trenbeath, Schrock, Garaas and Gronvold introduced:

Senate Concurrent Resolution "AA". A concurrent resolution directing the legislative research committee to study the operation of the North Dakota State Mill and Elevator Association and its present and future contributions to the welfare of the state.

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

FIRST READING OF SENATE BILLS

Senators Morgan, Becker and Hystad introduced:

Senate Resolution No. 5. A Senate Resolution to appoint an Official Photographer for the Senate of the Thirty-seventh Legislative Assembly of the State of North Dakota.

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

MOTIONS

Senator Holand moved that the rules be suspended and that Senate Resolution No. 5 be not printed as a bill but printed in the Journal, which motion prevailed.

SENATE RESOLUTION NO. 5

Introduced by Senators Morgan, Becker and Hystad

A Senate Resolution to appoint an Official Photographer for the Senate of the Thirty-seventh 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
3 have composite group pictures made of all members of
4 such assemblies; and

5 WHEREAS, Mason Owens Studio of Bismarck, North
6 Dakota offers to make a composite group picture of the
7 members of the 1961 North Dakota senate size 30 x 40
8 inches, said picture to be framed and ready to hang, and
9 fifty-five fourteen by eleven copies of said picture for
10 each member and desk force of the senate, and one five
11 by seven inch print of each senator and the lieutenant
12 governor for the state historical society, at a cost
13 of five hundred and fifty dollars.

14 NOW, THEREFORE, BE IT RESOLVED, that Mason
14a Owens

15 Studio, Bismarck, North Dakota, be, and is hereby
16 appointed official photographer for the North Dakota
17 Senate of the thirty-seventh legislative assembly.

18 BE IT FURTHER RESOLVED, that the Mason Owens
19 Studio of Bismarck, North Dakota, be and is hereby
20 awarded the sole privilege of photographing members
20a of

21 the senate of the thirty-seventh legislative assembly,
22 at a cost price of five hundred fifty dollars to be
23 taken out of legislative expenses.

SECOND READING OF SENATE BILLS

Senate Bill No. 69. A bill for an Act to amend and re enact Section 15-53-05 of the North Dakota Century Code relating to selection, qualifications, term, salary of members of the County Committee on school district reorganization.

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, 10; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Redlin
Baeverstad	Hernett	Reichert
Baker	Holand	Roen
Becker	Hystad	Saumur
Berube	Kamrath	Schrock
Bopp	Kee	Solberg
Erickstad	Lautenschlager	Thompson
Fiedler	Lips	Trenbeath
Foss	Longmire	Van Horn
Garaas	Meidinger	Wartner
Gefreh	Miller	Witteman
George	Mutch	Yunker
Gronvold	Paulson	

Those voting in the negative were:

Brooks	Kisse	Nesvig
Erickson	Luick	Ringsak
Gilbertson	Morgan	Wadeson
Johnson		

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

Senate Bill No. 83. A Bill for an Act to appropriate money to pay the special assessments levied by the city of Grand Forks concerning property occupied by the state school for the blind, 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, 1.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner

Gilbertson	Morgan	Witteman
Gronvold	Mutch	Yunker

Absent and not voting:
Murphy

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

Senate Bill No. 109. A Bill for an Act to amend and reenact subsection 3 of section 57-39-01 and subsection 3 of section 57-40-01 and to repeal subsections 6 and 7 of section 57-40-03 of the North Dakota Century Code, relating to exclusions and exemptions from retail sales taxes and use taxes.

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:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Mutch	Yunker

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

Senate Bill No. 183. A Bill for an Act to amend and reenact section 57-32-04 of the North Dakota Century Code relating to the allocation of taxes on car line companies and air transportation companies.

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:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson

Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Mutch	Yunker

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

Senate Bill No. 191. A Bill for an Act to create and enact section 15-34-27 of the North Dakota Century Code relating to transportation of elementary school 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, 41; nays, 7; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Reichert
Baeverstad	Holand	Ringsak
Baker	Hystad	Roen
Becker	Johnson	Saumur
Berube	Kamrath	Schrock
Erickson	Kee	Solberg
Erickstad	Lautenschlager	Thompson
Fiedler	Longmire	Trenbeath
Foss	Luick	Van Horn
Garaas	Meidinger	Wadeson
Gefreh	Miller	Wartner
George	Nesvig	Witteman
Gilbertson	Paulson	Yunker
Gronvold	Redlin	

Those voting in the negative were:

Bopp	Kisse	Morgan
Brooks	Lips	Mutch
Hernett		

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 2, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 22

Senate Bill No. 23

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

HOWARD F. DOHERTY, Secretary.

SECOND READING OF SENATE BILLS

Senate Bill No. 26. 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, medical aid to the aged 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, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Mutch	Yunker

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

Senate Bill No. 30. 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, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Mutch	Yunker

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

Senate Bill No. 36. A Bill for an Act making an appropriation to provide for nurse preparation scholarships for qualified residents of North Dakota who express an intent to prepare for nursing, as provided for in Chapter 43-12 of the North Dakota Century Code.

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:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Mutch	Yunker

Absent and not voting:

Murphy

So the bill passed and the title was agreed to.

MOTIONS

Senator Holand moved that after the reading of Senate Bills No. 79 and 178 that the Senate recess until 1:30 p.m., February 3, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

THIRTY-FIRST DAY AFTER RECESS AND
THIRTY-SECOND DAY

Bismarck, February 3, 1961

The Senate convened at 1:30 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. 4
Senate Bill No. 20
Senate Bill No. 37
Senate Bill No. 72
Senate Bill No. 74
Senate Bill No. 84
Senate Bill No. 92
Senate Bill No. 93
Senate Bill No. 108
Senate Bill No. 137
Senate Bill No. 153
Senate Bill No. 157
Senate Bill No. 186

And finds the same correctly engrossed.

SENATOR KISSE, Chairman.

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

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 567
House Bill No. 570
House Bill No. 587
House Concurrent Resolution "S"

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

MESSAGE TO THE GOVERNOR

February 3, 1961

Governor William L. Guy
State Capitol Building
Bismarck, North Dakota

Dear Governor Guy:

I have the pleasure to inform you that the Senate sitting in executive session has advised and consented to your ap-

pointment of John Conrad to succeed Ray Schnell, Sr., of Dickinson, as a member of the State Board of Higher Education. His term will be for a period from July 1, 1961, to July 1, 1968.

Very truly yours,
ORVILLE W. HAGEN
 Lieutenant Governor

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 46 has had the same under consideration and recommends that the same be amended as follows:

Delete all of lines 27 through 31 and insert in lieu thereof the following language: "RECEIVED.) All license fees collected by the state health department from the licensing of restaurants, hotels, lodgingshouses and boardinghouses shall be deposited in the state treasury and the state treasurer shall distribute quarterly such moneys to the governmental unit which inspected such restaurant, boardinghouse, lodginghouse and hotel as certified to him by the state health department. Fees from such establishments in areas inspected by the state shall be credited to the general fund."

In line 116 delete the word "once" and insert in lieu thereof the word "twice"

Delete all of the underlined language on lines 156 through 164.

In line 165 delete the word "by"

In line 166 delete the word "proper"

In line 167 delete the words "health authority" and insert in lieu thereof the words "state health department"

In line 171 delete the words "health authorities" and insert in lieu thereof the words "state health department"

In line 172 after the period insert the following language: "However, no license shall be granted to a restaurant until an inspection has been made by the proper authority, which shall be within ninety days from the date the application for a license was received for all restaurants except drive-ins, which shall be within thirty days, but a permit may be issued authorizing such establishments to operate until the inspection is made. No permit shall be valid for more than ninety days for restaurants and thirty days for drive-ins, except that such permit may be renewed once in the discretion of the state health department. If at the time of the expiration of the permit the restaurant or drive-in has not complied with any state law or rule or regulation of the functioning city board of health, health district, or state health department, as the case may be, such restaurant or drive-in shall be closed until compliance therewith is made."

In line 178 delete the words "proper health authority designated in"

In line 179 delete the words "section 23-09-16" and insert in lieu thereof "state health department"

In line 180a delete the words "two dollars" and insert in lieu thereof the words "five dollars;"

In line 180b delete the words "and fifty cents;"

In line 180d delete "two dollars and fifty cents" and insert in lieu thereof the words "five dollars"

In line 180g delete the word "five" and insert the word "ten" in lieu thereof

In line 180j delete the word "ten" and insert the word "twenty" in lieu thereof

In line 180l delete the word "twenty" and insert the word "thirty-five" in lieu thereof.

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 105 has had the same under consideration and recommends that the same be amended as follows:

In line 1 of the title, delete the following: "57-17-01,"

In line 2 of the title, delete the following: "57-17-02, and"

Delete lines 1 through 36.

In line 37 delete the number "3" and insert in lieu thereof the number "1"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR GEORGE, Chairman.

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

Mr. President: Your Committee on Transportation to whom was re-referred Senate Bill No. 135 has had the same under consideration and recommends that the same be amended as follows:

In line 13 delete the words "two dollars." and insert in lieu thereof the following "three dollars, except that the commission shall charge one dollar and fifty cents for each two year registration or renewal thereof for student pilots."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR KEE, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 145 has had the same under consideration and recommends that the same be amended as follows:

In line 36 delete the word "five" and insert in lieu thereof the word "three"

Delete lines 39 through 43.

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR GEORGE, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 167 has had the same under consideration and recommends that the same do pass.

SENATOR GEORGE, Chairman.

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 180 has had the same under consideration and recommends that the same do pass.

SENATOR KEE, Chairman.

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

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 196 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MILLER, Chairman.

Senator Miller moved that the report be adopted.

Senator Erickson made the substitute motion that Senate Bill No. 196 be placed on the calendar, which motion prevailed.

Senator Wartner requested a division which request was granted.

ROLL CALL

The question being on the substitute motion of Senator Erickson, the roll was called and there were ayes, 24; nays, 22; absent and not voting, 3.

Those voting in the affirmative were:

Baeverstad	Hernett	Reichert
Baker	Kee	Roen
Becker	Lautenschlager	Solberg
Brooks	Lips	Thompson
Erickson	Luick	Van Horn
Fiedler	Morgan	Wadeson
Garaas	Paulson	Witteman
Gefreh	Redlin	Yunker

Those voting in the negative were:

Andre	Hystad	Mutch
Bopp	Johnson	Nesvig
Erickstad	Kamrath	Ringsak
Foss	Kisse	Saumur
George	Longmire	Schrock
Gronvold	Meidinger	Trenbeath
Harris	Miller	Wartner
Holand		

Absent and not voting:

Berube	Gilbertson	Murphy
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So the motion was declared carried.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 197 has had the same under consideration and recommends that the same do pass.

SENATOR MILLER, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 206 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted.

Senator Garaas made the substitute motion that Senate Bill No. 206 be placed on the calendar, which motion lost.

The question being on the motion of Senator George to adopt the committee report on Senate Bill No. 206, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 208 has had the same under consideration and recommends that the same do pass.

SENATOR GEORGE, Chairman.

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

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 238 has had the same under consideration and recommends that the same be placed on the calendar without recommendation.

SENATOR MILLER, Chairman.

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 247 has had the same under consideration and recommends that the same do pass.

SENATOR KEE, Chairman.

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 269 has had the same under consideration and recommends that the same do pass.

SENATOR GEORGE, Chairman.

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

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 3, 1961

Mr. President: I have the honor to transmit:

House Bill No. 528

House Bill No. 569

House Bill No. 584

House Bill No. 588

House Bill No. 593

House Bill No. 608

House Bill No. 615

House Bill No. 618

House Bill No. 624

House Bill No. 629

House Bill No. 636
 House Bill No. 637
 House Bill No. 641
 House Bill No. 652
 House Bill No. 658
 House Bill No. 662
 House Bill No. 665
 House Bill No. 685

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

GERALD L. STAIR, Chief Clerk

CONSIDERATION OF AMENDMENTS

Senator Foss moved that the amendments to Senate Bill No. 7 be adopted, which motion prevailed.

Senator Foss moved that the amendments to Senate Bill No. 34 be adopted, which motion prevailed.

Senator Foss moved that the amendments to Senate Bill No. 38 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 50 be adopted, which motion prevailed.

Senator Wartner moved that the amendments to Senate Bill No. 106 be adopted, which motion prevailed.

Senator Hernett moved that the amendments to Senate Bill No. 118 be adopted, which motion prevailed.

Senator Holand moved that the reading of the amendments to Senate Bill No. 121 be dispensed with, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 121 be adopted, which motion prevailed.

Senator Wartner moved that the amendments to Senate Bill No. 133 be adopted, which motion prevailed.

Senator Meidinger moved that the amendments to Senate Bill No. 139 be adopted, which motion prevailed.

Senator Hernett moved that the amendments to Senate Bill No. 141 be adopted, which motion prevailed.

Senator Hernett moved that the amendments to Senate Bill No. 142 be adopted, which motion prevailed.

Senator Wadeson moved that the amendments to Senate Bill No. 161 be adopted, which motion prevailed.

Senator Wadeson moved that the amendments to Senate Bill No. 163 be adopted, which motion prevailed.

Senator Wartner moved that the amendments to Senate Bill No. 165 be adopted, which motion prevailed.

Senator Meidinger moved that the amendments to Senate Concurrent Resolution "P" be adopted, which motion prevailed.

Senator Wadeson moved that the amendments to House Bill No. 595 be adopted, which motion prevailed.

FIRST READING OF SENATE

CONCURRENT RESOLUTIONS

Senators Meidinger, Roen and Erickson introduced:

Senate Concurrent Resolution "BB". A concurrent resolution urging the Congress to refrain from initiating any additional grant-in-aid programs to the states or political

subdivisions without the approval of at least a majority of the states.

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

Senators Redlin and Trenbeath introduced:

Senate Concurrent Resolution "CC". A concurrent resolution requesting the Legislative Assembly of the state of Minnesota to direct the appropriate agency of that state to cooperate with the North Dakota state water conservation commission and the North Dakota state health department in matters of pollution control along the Red River of the North.

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

MOTIONS

Senator Miller moved that Senate Bill No. 182 be returned to the Senate from the Committee on Social Welfare and Veterans Affairs, which motion prevailed.

Senator Miller moved that Senate Bill No. 182 be re-referred to the Committee on State and Federal Government, which motion prevailed.

Senator Miller moved that Senate Bill No. 184 be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Miller moved that Senate Bill No. 184 be re-referred to the Committee on Education, which motion prevailed.

Senator Hernettt moved that Senate Bills Nos. 171 and 271 be returned to the Senate from the Committee on Industry, Business and Labor, which motion prevailed.

Senator Hernettt moved that Senate Bill No. 171 be re-referred to the Committee on Political Subdivisions, which motion prevailed.

Senator Hernettt moved that Senate Bill No. 271 be re-referred to the Committee on Education, which motion prevailed.

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

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

HOWARD F. DOHERTY, Secretary.

THIRTY-SECOND DAY

Bismarck, February 3, 1961

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

Prayer by Chaplain Rev. Gerald Walsh, Cathedral of the Holy Spirit, Bismarck.

We pray Thee, O God of might, wisdom and justice, through whom authority is rightly administered, laws are enacted, and judgment decreed, assist with Thy Holy Spirit the deliberations of this legislature and shine forth in all the proceedings and laws formed for our rule and government, so that these laws may tend to the preserva-

tion of peace, the promotion of the happiness of all the citizens, the increase of industry, and may perpetuate to us all the blessings of equal liberty, through Christ, our Lord. May the blessing of Almighty God, the Father, Son, and Holy Ghost, descend upon us and remain with us forever. Amen.

Roll Call: All Senators present except Senators Berube and Murphy.

A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirtieth day after recess and thirty-first day and finds the same correct.

SENATOR HARRIS, Chairman.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 61. A Bill for an Act to authorize the state board of higher education to sell tax exempt bonds for the purpose of constructing revenue-producing buildings at institutions of higher learning in this state, and providing 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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteaman
Gronvold	Mutch	Yunker
Harris		

Absent and not voting:

Berube	Murphy	Trenbeath
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So the bill passed and the title was agreed to.

Senate Bill No. 79. A Bill for an Act providing for a spot check of the perpetual physical property inventory of the state highway department by the state auditor and designating that cost hereof be paid from state highway 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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Mutch	Yunker
Harris		

Absent and not voting:

Berube	Murphy	Trenbeath
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So the bill passed and the title was agreed to.

Senate Bill No. 87. A Bill for an Act providing for meetings of legislators and legislators-elect in advance of legislative sessions.

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, 13; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Becker	Hystad	Reichert
Bopp	Johnson	Roen
Erickson	Kee	Saumur
Erickstad	Kisse	Thompson
Fiedler	Lautenschlager	Trenbeath
Foss	Luick	Van Horn
Garaas	Miller	Wadeson
Gefreh	Mutch	Wartner
George	Nesvig	Witteman
Harris		

Those voting in the negative were:

Baker	Lips	Ringsak
Brooks	Longmire	Schrock
Gilbertson	Meidinger	Solberg
Gronvold	Morgan	Yunker
Kamrath		

Absent and not voting:

Berube	Murphy
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So the bill passed and the title was agreed to.

Senate Bill No. 96. A Bill for an Act making an appropriation for the construction of a state public health laboratory at Bismarck, North Dakota.

Which has been read.

Senator Fiedler moved that Senate Bill No. 96 be indefinitely postponed, which motion prevailed.

Senate Bill No. 119. A Bill for an Act to create and enact section 26-27-14 of the North Dakota Century Code, relating to the licensing of sales representatives of non-profit medical service 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, 2.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteaman
Gronvold	Mutch	Yunker
Harris	Nesvig	

Absent and not voting:

Berube Murphy

So the bill passed and the title was agreed to.

MOTIONS

Senator Holand moved that after the reading of Senate Bills Nos. 4, 9, 20, 31, 33, 37, 72, 74, 84, 92, 93, 108, 125, 137, 147, 152, 153, 157, 158, 159, 185, 186, 205, 243, 287, 288, Senate Concurrent Resolution "X", House Bill No. 552, and House Concurrent Resolution "N", that the Senate recess for fifteen minutes, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

SECOND READING OF SENATE BILLS

Senate Bill No. 138. A Bill for an Act to create and enact section 15-34-18.1 of the North Dakota Century Code, relating to the authority of school boards to lease for purchase, purchase, or construct storage facilities for school buses.

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, 2; absent and not voting, 14.

Those voting in the affirmative were:

Baker	Harris	Morgan
Bopp	Hernett	Mutch
Brooks	Holand	Nesvig
Erickson	Hystad	Reichert
Erickstad	Kisse	Ringsak
Foss	Lautenschlager	Saumur
Garaas	Lips	Solberg
Gefreh	Longmire	Thompson
George	Luick	Trenbeath
Gilbertson	Meidinger	Wadeson
Gronvold	Miller	Yunker

Those voting in the negative were:

Andre	Becker
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Absent and not voting:

Baeverstad	Kee	Schrock
Berube	Murphy	Van Horn
Fiedler	Paulson	Wartner
Johnson	Redlin	Witteman
Kamrath	Roen	

So the bill passed and the title was agreed to.

Senate Bill No. 160. A Bill for an Act to amend and reenact section 10-24-23 of the North Dakota Century Code, relating to officers of a nonprofit corporation.

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:

Andre	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Bopp	Johnson	Reichert
Brooks	Kamrath	Ringsak
Erickson	Kee	Roen
Erickstad	Kisse	Saumur
Fiedler	Lautenschlager	Solberg
Foss	Lips	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Wadeson
Gilbertson	Miller	Witteman
Gronvold	Morgan	Yunker
Harris	Mutch	

Absent and not voting:

Baeverstad	Murphy	Wartner
Berube	Schrock	

So the bill passed and the title was agreed to.

Senate Bill No. 178. A Bill for an Act to amend and reenact sections 15-52-10, 15-52-15, 15-52-16, 15-52-17, 15-52-18, 15-52-19, 15-52-20, subsection 2 of section 15-52-22, sections 15-52-26, and 15-52-27 of the North Dakota Century Code, relating to loans for dental students from the medical center loan 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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Bopp	Johnson	Reichert
Brooks	Kamrath	Ringsak
Erickson	Kee	Roen
Erickstad	Kisse	Saumur
Fiedler	Lautenschlager	Solberg
Foss	Lips	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Wadeson
Gilbertson	Miller	Witteman
Gronvold	Morgan	Yunker
Harris	Mutch	

Absent and not voting:

Baeverstad	Murphy	Wartner
Berube	Schrock	

So the bill passed and the title was agreed to.

Senate Bill No. 222. A Bill for an Act making an appropriation to the office of the adjutant general to cover expenses incurred for the inauguration of elected state officials.

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:

Andre	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Bopp	Johnson	Reichert
Brooks	Kamrath	Ringsak
Erickson	Kee	Roen
Erickstad	Kisse	Saumur
Fiedler	Lautenschlager	Solberg
Foss	Lips	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Wadeson
Gilbertson	Miller	Witteman
Gronvold	Morgan	Yunker
Harris	Mutch	

Absent and not voting:

Baeverstad	Murphy	Wartner
Berube	Schrock	

So the bill passed and the title was agreed to.

Senate Bill No. 228. A Bill for an Act making an appropriation for auditing purposes in accordance with the

provisions of section 54-10-04 of the North Dakota Century Code.

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:

Andre	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Mutch	Witteman
Harris	Nesvig	Yunker
Hernett		

Absent and not voting:

Baeverstad	Berube	Murphy
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So the bill passed and the title was agreed to.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "G". A concurrent resolution for an amendment to subdivision (d) of subsection 6 of article 54 of the Constitution of the state of North Dakota, relating to budgets and appropriations for institutions of higher education.

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:

Andre	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Mutch	Witteman
Harris	Nesvig	Yunker
Hernett		

Absent and not voting:

Baeverstad Berube Murphy

So the resolution was declared adopted.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 3, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 26

Senate Bill No. 30

Senate Bill No. 36

Senate Bill No. 69

Senate Bill No. 83

Senate Bill No. 109

Senate Bill No. 183

Senate Bill No. 191

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

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, February 3, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 567

House Bill No. 570

House Bill No. 587

House Concurrent Resolution "S"

Which the President has signed.

HOWARD F. DOHERTY, Secretary.

SECOND READING OF SENATE BILLS

Senate Bill No. 4. 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.

Senator Fiedler moved that Senate Bill No. 4 be amended as follows:

Delete all of line 25 and insert in lieu thereof:

"Indemnity	\$ 1,000.00
Printing	3,000.00
Postage	1,200.00
Miscellaneous	50,000.00
Bang's vaccination	400,000.00
Bang's & TB testing	46,800.00"

Renumber the lines accordingly.

ROLL CALL

The question being on the motion of Senator Fiedler to amend Senate Bill No. 4, the roll was called and there were ayes, 30, nays, 16; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Redlin
Bopp	Hystad	Reichert
Brooks	Johnson	Schrock
Fiedler	Kamrath	Solberg

Garaas	Kisse	Thompson
Gefreh	Lautenschlager	Trenbeath
George	Meidinger	Van Horn
Gilbertson	Morgan	Wartner
Gronvold	Nesvig	Witteman
Hernett	Paulson	Yunker

Those voting in the negative were:

Baker	Kee	Mutch
Becker	Lips	Ringsak
Erickson	Longmire	Roen
Erickstad	Luick	Saumur
Foss	Miller	Wadeson
Harris		

Absent and not voting:

Baeverstad	Berube	Murphy
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So the motion was declared carried.

Senator Fiedler moved that the rules be suspended and that Senate Bill No. 4 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 Senate Bill No. 4, as amended from the floor, the roll was called and there were ayes, 43; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Andre	Holand	Paulson
Becker	Hystad	Redlin
Bopp	Johnson	Reichert
Brooks	Kamrath	Ringsak
Erickson	Kisse	Roen
Erickstad	Lautenschlager	Saumur
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Mutch	Witteman
Harris	Nesvig	Yunker
Hernett		

Those voting in the negative were:

Schrock

Absent and not voting:

Baeverstad	Berube	Murphy
Baker	Kee	

So the bill passed and the title was agreed to.

Senator Schrock: I want to explain my vote. This bill is for the benefit of a certain class of business. Other businesses pay for their own business. The stockmen should do the same.

Senate Bill No. 9. 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, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Holand	Paulson
Becker	Hystad	Redlin
Bopp	Johnson	Reichert
Brooks	Kamrath	Ringsak
Erickson	Kee	Roen
Erickstad	Kisse	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Lips	Solberg
Garaas	Longmire	Thompson
Gefreh	Luick	Trenbeath
George	Meidinger	Van Horn
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Harris	Mutch	Witteman
Hernett	Nesvig	Yunker
Absent and not voting:		
Baeverstad	Berube	Murphy
Baker		

So the bill passed and the title was agreed to.

Senate Bill No. 20. A Bill for an Act making an appropriation for the use of the North Dakota Economic Development Commission.

Which has been read.

ROLL CALL

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

Those voting in the affirmative were:

Andre	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gronvold	Mutch	Witteman
Harris	Nesvig	Yunker
Hernett	Paulson	

Absent and not voting:

Baeverstad	Gilbertson	Murphy
Berube	Meidinger	

So the bill passed and the title was agreed to.

Senate Bill No. 31. A Bill for an Act making an appropriation for the construction of buildings by 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, 44; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gronvold	Mutch	Witteaman
Harris	Nesvig	Yunker
Hernett	Paulson	

Those voting in the negative were:

Meidinger

Absent and not voting:

Baeverstad	Gilbertson	Murphy
Berube		

So the bill passed and the title was agreed to.

Senate Bill No. 33. 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.

Senator Foss moved that Senate Bill No. 33 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 37. A Bill for an Act making an appropriation for the purpose of carrying out the provisions of Chapter 54-38 of the North Dakota Century Code.

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, 4; absent and not voting, 5.

Those voting in the affirmative were:

Andre	Hystad	Paulson
Baker	Johnson	Redlin
Becker	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Harris	Mutch	Witteaman
Hernett	Nesvig	Yunker
Holand		

Those voting in the negative were:

Fiedler	Reichert	Solberg
Gronvold		

Absent and not voting:

Baeverstad	Gilbertson	Murphy
Berube	Meidinger	

So the bill passed and the title was agreed to.

Senator Fiedler: I would like to explain my vote. I feel that the State Commission on Alcoholism is just another duplication of the work being carried on by the State Hospital and other private organizations, and if the Mental Health Authority is established in this State I think that this kind of work could be carried on by that organization.

MOTIONS

Senator Holand moved that Senate Bill No. 108 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 108. A Bill for an Act to amend and reenact subsections 2 and 6 of section 57-39-01, section 57-39-02, and subsections 6 and 10 of section 57-40-01 of the North Dakota Century Code relating to retail sales taxes and use taxes on subscriptions to magazines and other periodicals.

Which has been read.

Senator Holand moved that Senate Bill No. 108 be amended as follows:

In line 60 delete the figure "1959" and insert in lieu thereof the figure "1961".

In line 61 delete the figure "1961" and insert in lieu thereof the figure "1963".

Which motion prevailed.

Senator Holand moved that the rules be suspended and that Senate Bill No. 108 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

MOTIONS

Senator Holand moved that Senate Bill No. 153 be placed at the head of the calendar, which motion prevailed.

Senator Wartner moved that Senate Bills Nos. 265 and 268 be returned to the Senate from the Committee on Judiciary, which motion prevailed.

Senator Wartner moved that Senate Bills Nos. 265 and 268 be re-referred to the Committee on Industry, Business and Labor, which motion prevailed.

Senator Hernettt moved that Senate Bill No. 248 be returned to the Senate from the Committee on Industry, Business and Labor, which motion prevailed.

Senator Hernettt moved that Senate Bill No. 248 be re-referred to the Committee on Judiciary, which motion prevailed.

Senator Holand moved that the Senate recess until 1:00 p.m., February 4, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary

THIRTY-SECOND DAY AFTER RECESS AND
THIRTY-THIRD DAY

Bismarck, February 4, 1961

The Senate convened at 1:00 p.m., the President presiding.

REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports it has examined the following bills:

Senate Bill No. 7
Senate Bill No. 34
Senate Bill No. 38
Senate Bill No. 50
Senate Bill No. 106
Senate Bill No. 118
Senate Bill No. 121
Senate Bill No. 133
Senate Bill No. 139
Senate Bill No. 141
Senate Bill No. 142
Senate Bill No. 161
Senate Bill No. 163
Senate Bill No. 165

And finds the same correctly engrossed.

SENATOR KISSE, Chairman.

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

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bill: Senate Bill No. 4, and finds the same correctly re-engrossed.

SENATOR KISSE, Chairman.

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

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following Concurrent Resolution: Senate Concurrent Resolution "P", and finds the same correctly engrossed.

SENATOR KISSE, Chairman.

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

**FIRST READING OF HOUSE BILLS
AND A CONCURRENT RESOLUTION**

House Bill No. 528. A Bill for an Act making an appropriation for the purpose of defraying the expenses of maintenance and operation of The Bank of North Dakota and of the Judge A. M. Christianson Project.

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 sections 54-15-01 and 54-15-03 of the North Dakota Century Code, relating to the appointment of alternate members of the state budget board.

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

House Bill No. 584. A Bill for an Act creating mechanic's liens; relating to lands subject to such liens; prescribing procedures to perfect and enforce such liens; declaring certain acts as larceny; providing penalty for filing unlawful liens; making the provisions of Title 35 of the North Dakota Century Code not in conflict herewith applicable to this Act; and repealing chapter 35-12 of the North Dakota Century Code.

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

House Bill No. 588. A Bill for an Act to amend and reenact subsection 5 of section 23-06-21 and section 23-06-23 of the North Dakota Century Code, relating to the state department of health enforcement of cemetery regulations including furnishing reports and submitting plans.

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

House Bill No. 593. A Bill for an Act authorizing the board of administration to sell, transfer and convey certain real property now owned by the State of North Dakota under the control of the State Training School.

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

House Bill No. 608. A Bill for an Act to amend and reenact section 43-25-06 and repeal section 43-25-17 of the North Dakota Century Code relating to registration of masseurs and the bond of the secretary-treasurer of the board of massage.

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

House Bill No. 615. A Bill for an Act to amend and reenact section 27-09-05 of the North Dakota Century Code, relating to the fees and mileage paid to jurors.

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

House Bill No. 617. A Bill for an Act to amend and reenact section 15-12-01 of the North Dakota Century Code, relating to the location and official name of the North Dakota State University of Agriculture and Applied Science.

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

House Bill No. 618. A Bill for an Act to provide for an optional county dog tax for the purpose of reimbursing owners of sheep, livestock, or fowl who suffer loss due to the acts of dogs with no owner or dogs whose ownership cannot be determined, and providing a penalty for submitting false claims.

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

House Bill No. 624. A Bill for an Act to repeal Chapter 15-57 of the North Dakota Century Code relating to teacher preparation scholarships.

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

House Bill No. 629. A Bill for an Act to amend and reenact Section 15-40-14 of the North Dakota Century Code relating to payments from county equalization fund.

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

House Bill No. 636. A Bill for an Act to amend and reenact subsection 5 of section 50-08-03 of the North Dakota Century Code, relating to eligibility of assistance.

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

House Bill No. 637. A Bill for an Act making an appropriation for the purpose of paying special assessments for public improvements at Fraine Barracks levied against the state of North Dakota by the city of Bismarck, and declaring an emergency.

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

House Bill No. 640. A Bill for an Act to amend and reenact sections 58-04-01 and 58-08-05 of the North Dakota Century Code, relating to notice of township meetings and the township treasurer's statement.

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

House Bill No. 641. A Bill for an Act to amend section 57-23-03 of the North Dakota Century Code, relating to abatement of invalid, inequitable, or unjust assessments, for purposes of clarification.

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

House Bill No. 644. A Bill for an Act to create and enact section 18-10-15 of the North Dakota Century Code, relating to taxation of certain property for rural fire protection purposes.

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

House Bill No. 652. A Bill for an Act to amend and reenact subsection 2 of section 39-08-01 of the North Dakota Century Code relating to persons driving motor vehicles while under the influence of intoxicating liquor or narcotic drugs, and providing penalties therefor.

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

House Bill No. 658. A Bill for an Act to amend and reenact section 11-18-14 of the North Dakota Century Code, relating to the authority of the register of deeds to destroy certain documents.

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

House Bill No. 662. A Bill for an Act to create and enact sections 51-12-08, 51-12-09, 51-12-10, 51-12-11, 51-12-12, 51-12-13, 51-12-14, and 51-12-15 of the North Dakota Century Code, relating to false advertising in general, and particular offenses, providing for injunctions and providing a penalty therefor; and to repeal sections 51-12-01, 51-12-02 and 51-12-03 of the North Dakota Century Code, relating to false advertising.

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

House Bill No. 665. A Bill for an Act making a deficiency appropriation for the purpose of paying the wolf, coyote, fox, bobcat and magpie bounties and declaring an emergency.

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

House Bill No. 685. A Bill for an Act to amend and reenact section 15-52-09 of the North Dakota Century Code relating to the expenditure of the proceeds of the medical center one mill levy.

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

House Concurrent Resolution "I-1". A concurrent resolution expressing congratulations and best wishes to Johnny Kemp of Bismarck, North Dakota.

Was read the first time.

Senator Holand moved that the rules be suspended and that House Concurrent Resolution "I-1" be not referred to a committee but placed upon second reading and final passage.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "I-1". A concurrent resolution expressing congratulations and best wishes to Johnny Kemp of Bismarck, North Dakota.

Was read the second time.

Senator Holand moved that House Concurrent Resolution "I-1" be adopted, which motion prevailed.

FIRST READING OF A SENATE BILL

The Committee on Delayed Bills introduced:

Senate Bill No. 305. A Bill for an Act to amend and reenact subsection 2 of section 39-10-01 of the North Dakota Century Code, relating to the general rules of the road regarding the operation of vehicles upon highways and elsewhere throughout the state, and declaring an emergency.

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

MOTIONS

Senator Holand moved that Senate Bills Nos. 74, 84, 125, 147, 152, 157, 159, 185, 186, 205, 243, 287, 288 and 33 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 74. A Bill for an Act to amend and reenact section 57-22-02 of the North Dakota Century Code relating to the county treasurer making out a list of delinquent personal property taxpayers, and the giving of notice by mail thereof to such delinquent taxpayers.

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, 4; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Johhson	Reichert
Baeverstad	Kamrath	Roen
Becker	Kee	Saumur
Bopp	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
George	Meidinger	Wadeson
Gronvold	Miller	Wartner
Harris	Morgan	Witteman
Holand	Murphy	Yunker
Hystad	Mutch	

Those voting in the negative were:

Fiedler	Nesvig	Redlin
Hernett		
Absent and not voting:		
Baker	Gefreh	Paulson
Berube	Gilbertson	Ringsak
Brooks		

So the bill passed and the title was agreed to.

Senate Bill No. 84. A Bill for an Act to authorize the board of county commissioners to determine the need for grasshopper infestation control on any land that is retired from farming and to provide that the landowner pay for the cost of such control.

Which has been read.

Senator Wadeson moved that Senate Bill No. 84 be amended as follows:

In line 2 delete the word "effected" and insert in lieu thereof the word "affected".

Which motion prevailed.

Senator Wadeson moved that the rules be suspended and that Senate Bill No. 84 be deemed properly re-enrolled and placed on second reading and final passage, which motion prevailed.

ROLL CALL

The question being on the final passage of Senate Bill No. 84, as amended from the floor, the roll was called and there were ayes, 24; nays, 18; absent and not voting, 7.

Those voting in the affirmative were:

Baeverstad	Gronvold	Morgan
Becker	Harris	Roen
Erickson	Holand	Solberg

Erickstad	Kee	Van Horn
Foss	Lips	Wadeson
Garaas	Longmire	Wartner
Gefreh	Luick	Witteman
George	Meidinger	Yunker
Those voting in the negative were:		
Andre	Kamrath	Nesvig
Bopp	Kisse	Redlin
Fiedler	Lautenschlager	Reichert
Hernett	Miller	Saumur
Hystad	Murphy	Schrock
Johnson	Mutch	Thompson
Absent and not voting:		
Baker	Gilbertson	Ringsak
Berube	Paulson	Trenbeath
Brooks		

So the bill was declared lost for lack of a constitutional majority.

Senate Bill No. 125. A Bill for an Act to amend and reenact subsection 1 of section 57-39-10 of the North Dakota Century Code, relating to the time retail sales taxes become due and payable, and to amend and reenact section 57-39-11 of the North Dakota Century Code, relating to liens for retail sales taxes.

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:

Andre	Hystad	Nesvig
Baeverstad	Johnson	Redlin
Becker	Kamrath	Reichert
Bopp	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gronvold	Morgan	Wartner
Harris	Murphy	Witteman
Hernett	Mutch	Yunker
Holand		

Absent and not voting:

Baker	Brooks	Paulson
Berube	Gilbertson	Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 147. A Bill for an Act to amend and reenact section 35-22-01 of the North Dakota Century Code relating to foreclosure of mortgages of real 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, 42; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	Redlin
Becker	Johnson	Reichert
Bopp	Kamrath	Roen
Erickson	Kee	Saumur
Erickstad	Kisse	Schrock
Fiedler	Lautenschlager	Solberg
Foss	Lips	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Wadeson
Gronvold	Miller	Wartner
Harris	Morgan	Witteman
Hernett	Mutch	Yunker

Those voting in the negative were:

Murphy

Absent and not voting:

Baker	Brooks	Paulson
Berube	Gilbertson	Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 152. A Bill for an Act to amend and reenact subsection 2 of section 57-22-21 of the North Dakota Century Code, relating to collection of personal property taxes made liens on real estate.

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:

Andre	Hystad	Nesvig
Baeverstad	Johnson	Redlin
Becker	Kamrath	Reichert
Bopp	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gronvold	Morgan	Wartner
Harris	Murphy	Witteman
Hernett	Mutch	Yunker
Holand		

Absent and not voting:

Baker	Brooks	Paulson
Berube	Gilbertson	Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 157. A Bill for an Act to amend and reenact section 63-01-09 of the North Dakota Century Code, relating to the cleaning of harvesting machines.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	Redlin
Becker	Kamrath	Reichert
Bopp	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
George	Meidinger	Van Horn
Gronvold	Miller	Wadeson
Harris	Morgan	Wartner
Hernett	Murphy	Witteaman
Holand	Mutch	Yunker

Those voting in the negative were:

Gefreh

Absent and not voting:

Baker	Brooks	Paulson
Berube	Gilbertson	Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 159. A Bill for an Act to amend and reenact section 12-06-06 of the North Dakota Century Code, relating to the determination of the degree of crime by a jury and the determination of punishment by a judge.

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, 6.

Those voting in the affirmative were:

Andre	Holand	Mutch
Baeverstad	Hystad	Nesvig
Becker	Johnson	Redlin
Bopp	Kamrath	Reichert
Erickson	Kee	Roen
Erickstad	Kisse	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Lips	Solberg
Garaas	Longmire	Thompson
Gefreh	Luick	Van Horn
George	Meidinger	Wadeson
Gronvold	Miller	Wartner
Harris	Morgan	Yunker
Hernett	Murphy	

Those voting in the negative were:

Trenbeath Witteaman

Absent and not voting:

Baker	Brooks	Paulson
Berube	Gilbertson	Ringsak

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 4, 1961

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "I-1"

Which the Senate has passed unchanged.

HOWARD F. DOHERTY, Secretary.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 4, 1961

Mr. President: I have the honor to transmit:

House Bill No. 520

House Bill No. 539

House Bill No. 598

House Bill No. 667

House Bill No. 694

House Bill No. 728

House Bill No. 737

House Bill No. 740

House Bill No. 743^c

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

GERALD L. STAIR, Chief Clerk.

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

Senator Holand moved that after the reading of Senate Bills Nos. 7, 34, 38, 50, 106, 118, 121, 133, 139, 141, 142, 161, 163, 165, 167, 180, 196, 197, 208, 238, 247, 269, Senate Concurrent Resolution "P", and House Bill No. 595, that the Senate adjourn, which motion prevailed.

THIRTY-THIRD DAY

Bismarck, February 4, 1961

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

Prayer by Chaplain Rev. Robert H. Strutz, Evangelical United Brethren, Mandan.

Our Heavenly Father:

We pause to ask Thee to fill this sacred moment with real meaning . . . Make it a time of window cleaning for our vision . . . May we always remember that when we are too busy to consult with Thee, we are far busier than we have a right to be . . .

Bless every member of this important body . . . Give them courage to meet the problems of our complexed day honestly and fearlessly and may the results of their actions be for the good of our state and our people . . .

Roll Call: All Senators present except Senators Baker, Berube, Brooks, Gilbertson, Paulson and Ringsak.

A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-first day after recess and thirty-second day and finds the same correct.

SENATOR HARRIS, Chairman.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 185. A Bill for an Act to appropriate and transfer \$425,000.00 from the general fund to the school construction fund as reimbursement for appropriations made for construction at the state training school.

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, 7; absent and not voting, 6.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Johnson	Redlin
Becker	Kamrath	Roen
Bopp	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Trenbeath
Foss	Longmire	Van Horn
Garaas	Luick	Wadeson
Gefreh	Miller	Wartner
Harris	Morgan	Witteman
Hernett	Mutch	Yunker

Those voting in the negative were:

George	Meidinger	Reichert
Gronvold	Murphy	Thompson
Hystad		

Absent and not voting:

Baker	Brooks	Paulson
Berube	Gilbertson	Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 186. A Bill for an Act to make a deficiency appropriation for the payment of general expenses of the Thirty-seventh Legislative Assembly, 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, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	Redlin
Becker	Johnson	Reichert
Bopp	Kamrath	Roen
Erickson	Kee	Saumur
Erickstad	Kisse	Schrock
Fiedler	Lautenschlager	Solberg
Foss	Lips	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gronvold	Morgan	Wartner

Harris	Murphy	Witteman
Hernett	Mutch	Yunker
Absent and not voting:		
Baker	Gilbertson	Paulson
Berube	Luick	Ringsak
Brooks		

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

Senate Bill No. 205. A Bill for an Act to amend and reenact section 12-55-03 of the North Dakota Century Code relating to meetings of the board of pardons.

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:

Andre	Hystad	Nesvig
Baeverstad	Johnson	Redlin
Becker	Kamrath	Reichert
Bopp	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gronvold	Morgan	Wartner
Harris	Murphy	Witteman
Hernett	Mutch	Yunker
Holand		

Absent and not voting:

Baker	Brooks	Paulson
Berube	Gilbertson	Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 243. A Bill for an Act authorizing the preparation and certification of payrolls by state departments and the execution of certificates upon payroll warrants.

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:

Andre	Hystad	Nesvig
Baeverstad	Johnson	Redlin
Becker	Kamrath	Reichert
Bopp	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn

George	Miller	Wadeson
Gronvold	Morgan	Wartner
Harris	Murphy	Witteman
Hernett	Mutch	Yunker
Holand		

Absent and not voting:

Baker	Brooks	Paulson
Berube	Gilbertson	Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 287. A Bill for an Act to amend and re-enact section 40-22-05 of the North Dakota Century Code, relating to the condemnation of land and rights-of-way by municipalities for special improvements and issuance of warrants therefor, 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:

Andre	Hystad	Nesvig
Baeverstad	Johnson	Redlin
Becker	Kamrath	Reichert
Bopp	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gronvold	Morgan	Wartner
Harris	Murphy	Witteman
Hernett	Mutch	Yunker
Holand		

Absent and not voting:

Baker	Brooks	Paulson
Berube	Gilbertson	Ringsak

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

Senate Bill No. 288. A Bill for an Act authorizing an easement over certain property now opened by the state of North Dakota to the city of Devils Lake, for the construction, installation, operation, and maintenance of a water main or mains and the reversion thereof in case of nonuse, 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, 7.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	Redlin
Becker	Kamrath	Reichert

Bopp	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Garaas	Longmire	Thompson
Gefreh	Luick	Trenbeath
George	Meidinger	Van Horn
Gronvold	Miller	Wadeson
Harris	Morgan	Wartner
Hernett	Murphy	Witteman
Holand	Mutch	Yunker
Absent and not voting:		
Baker	Foss	Paulson
Berube	Gilbertson	Ringsak
Brooks		

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

Senate Bill No. 33. 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, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	Redlin
Becker	Kamrath	Reichert
Bopp	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Garaas	Longmire	Thompson
Gefreh	Luick	Trenbeath
George	Meidinger	Van Horn
Gronvold	Miller	Wadeson
Harris	Morgan	Wartner
Hernett	Murphy	Witteman
Holand	Mutch	Yunker
Absent and not voting:		
Baker	Foss	Paulson
Berube	Gilbertson	Ringsak
Brooks		

So the bill passed and the title was agreed to.

Senate Bill No. 7. A Bill for an Act making an appropriation to the State Historical Society for salary, clerk-hire and miscellaneous expenses and maintenance of state parks.

Which has been read.

Senator Murphy moved that Senate Bill No. 7 be laid over one legislative day, which motion prevailed.

Senate Bill No. 34. 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.

Senator Holand moved that Senate Bill No. 34 be referred to the Committee on Appropriations, which motion prevailed.

MOTIONS

Senator Holand moved that Senate Bills Nos. 106, 121, 133, 139, 142, 161, 163, 165, 180, 197, 247 and 269, be placed at the head of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 106. A Bill for an Act to provide that failure of a business corporation to file annual reports for a period of ten consecutive years shall be deemed a forfeiture of its reserved name and shall authorize the secretary of state to cease keeping records of any kind regarding such corporation.

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, 7.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	Redlin
Becker	Kamrath	Reichert
Bopp	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Garaas	Longmire	Thompson
Gefreh	Luick	Trenbeath
George	Meidinger	Van Horn
Gronvold	Miller	Wadeson
Harris	Morgan	Wartner
Hernett	Murphy	Witteman
Holand	Mutch	Yunker

Absent and not voting:

Baker	Foss	Paulson
Berube	Gilbertson	Ringsak
Brooks		

So the bill passed and the title was agreed to.

Senate Bill No. 121. A Bill for an Act to amend and reenact sections 37-15-06, 37-15-07, 37-15-15, and 37-15-17 of the North Dakota Century Code, relating to members of the board of trustees of the soldiers' home, the commandant of the soldiers' home, and estates of resident members of the soldiers' home.

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, 7.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	Redlin
Becker	Kamrath	Reichert
Bopp	Kee	Roen
Erickson	Kisse	Saumur

Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Garaas	Longmire	Thompson
Gefreh	Luick	Trenbeath
George	Meidinger	Van Horn
Gronvold	Miller	Wadeson
Harris	Morgan	Wartner
Hernett	Murphy	Witteman
Holand	Mutch	Yunker
Absent and not voting:		
Baker	Foss	Paulson
Berube	Gilbertson	Ringsak
Brooks		

So the bill passed and the title was agreed to.

Senate Bill No. 133. A Bill for an Act relating to the recording of a petition for bankruptcy, or a decree of adjudication, or an order approving the trustee's bond in order to provide constructive notice of commencement of bankruptcy proceeding.

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:

Andre	Johnson	Redlin
Becker	Kamrath	Reichert
Bopp	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Garaas	Longmire	Thompson
Gefreh	Luick	Trenbeath
George	Meidinger	Van Horn
Gronvold	Miller	Wadeson
Harris	Morgan	Wartner
Hernett	Murphy	Witteman
Holand	Mutch	Yunker
Hystad	Nesvig	

Absent and not voting:

Baeverstad	Brooks	Paulson
Baker	Foss	Ringsak
Berube	Gilbertson	

So the bill passed and the title was agreed to.

Senate Bill No. 139. A Bill for an Act to amend and reenact section 15-53-23 of the North Dakota Century Code, relating to the exclusion of property from school districts.

Which has been read.

Senator Schrock moved that Senate Bill No. 139 be laid over one legislative day, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 4, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 4

Senate Bill No. 9

Senate Bill No. 20
 Senate Bill No. 31
 Senate Bill No. 37
 Senate Bill No. 61
 Senate Bill No. 79
 Senate Bill No. 87
 Senate Bill No. 119
 Senate Bill No. 138
 Senate Bill No. 160
 Senate Bill No. 178
 Senate Bill No. 222
 Senate Bill No. 228

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

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, February 4, 1961

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "G"

Which the Senate has passed unchanged.

HOWARD F. DOHERTY, Secretary.

MOTIONS

Senator Holand moved that the Senate recess for fifteen minutes, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

SECOND READING OF SENATE BILLS

Senate Bill No. 142. A Bill for an Act to amend and reenact Section 10-28-22 of the North Dakota Century Code relating to special provisions regarding fraternal 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, 11.

Those voting in the affirmative were:

Baeverstad	Hystad	Redlin
Becker	Johnson	Roen
Bopp	Kamrath	Saumur
Erickson	Kee	Schrock
Erickstad	Kisse	Solberg
Fiedler	Lautenschlager	Thompson
Foss	Lips	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Wadeson
George	Miller	Wartner
Gronvold	Morgan	Witteaman
Hernett	Murphy	Yunker
Holand	Nesvig	

Absent and not voting:

Andre	Gilbertson	Paulson
Baker	Harris	Reichert
Berube	Meidinger	Ringsak
Brooks	Mutch	

So the bill passed and the title was agreed to.

Senate Bill No. 161. A Bill for an Act authorizing the state board of higher education to sell certain land now owned by the state for the benefit and use of the North Dakota Agricultural Experiment Station of the North Dakota State University of Agriculture and Applied Science.

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, 10.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	Redlin
Becker	Johnson	Roen
Bopp	Kamrath	Saumur
Erickson	Kee	Schrock
Erickstad	Kisse	Solberg
Fiedler	Lautenschlager	Thompson
Foss	Lips	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Wadeson
George	Miller	Wartner
Gronvold	Morgan	Witteman
Hernett	Murphy	Yunker

Absent and not voting:

Baker	Harris	Paulson
Berube	Meidinger	Reichert
Brooks	Mutch	Ringsak
Gilbertson		

So the bill passed and the title was agreed to.

Senate Bill No. 163. A Bill for an Act to authorize the state board of higher education to sell or exchange certain land owned by the state of North Dakota for the benefit and use of the North Dakota Agricultural Experiment Station of the North Dakota State University of Agriculture and Applied Science for other land of equal or greater value and appropriating the proceeds of any sale to the state board of higher education for the purpose of acquiring other land.

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, 10.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	Redlin
Becker	Johnson	Roen
Bopp	Kamrath	Saumur
Erickson	Kee	Schrock
Erickstad	Kisse	Solberg
Fiedler	Lautenschlager	Thompson
Foss	Lips	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Wadeson
George	Miller	Wartner

Gronvold	Morgan	Witteman
Hernett	Murphy	Yunker
Absent and not voting:		
Baker	Harris	Paulson
Berube	Meidinger	Reichert
Brooks	Mutch	Ringsak
Gilbertson		

So the bill passed and the title was agreed to.

Senate Bill No. 165. A Bill for an Act to amend and reenact section 39-06-30 and subsection 10 of section 39-16-01 of the North Dakota Century Code, relating to definitions and meanings of the words "conviction" and "state" for the purposes of certain chapters in title 39.

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, 2; absent and not voting, 10.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	Redlin
Becker	Kamrath	Roen
Bopp	Kee	Saumur
Erickstad	Kisse	Schrock
Fiedler	Lautenschlager	Solberg
Foss	Lips	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Wadson
George	Miller	Wartner
Gronvold	Morgan	Witteman
Hernett	Murphy	Yunker
Holand		

Those voting in the negative were:

Erickson	Thompson	
Absent and not voting:		
Baker	Harris	Paulson
Berube	Meidinger	Reichert
Brooks	Mutch	Ringsak
Gilbertson		

So the bill passed and the title was agreed to.

Senate Bill No. 180. A Bill for an Act to amend and reenact section 39-11-10.1 of the North Dakota Century Code, relating to the requirement for turn signals on motor vehicles.

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:

Andre	Holand	Nesvig
Baeverstad	Hystad	Redlin
Becker	Johnson	Roen
Bopp	Kamrath	Saumur
Erickson	Kee	Schrock
Erickstad	Kisse	Solberg

Fiedler	Lattenschlager	Thompson
Foss	Lips	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Wadeson
George	Miller	Wartner
Gronvold	Morgan	Witteman
Hernett	Murphy	Yunker

Absent and not voting:

Baker	Harris	Paulson
Berube	Meidinger	Reichert
Brooks	Mutch	Ringsak
Gilbertson		

So the bill passed and the title was agreed to.

Senate Bill No. 197. A Bill for an Act to amend and re-enact section 19-03-12 of the North Dakota Century Code, relating to exempted medicinal preparations.

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:

Andre	Holand	Nesvig
Baeverstad	Hystad	Redlin
Becker	Johnson	Roen
Bopp	Kamrath	Saumur
Erickson	Kee	Schrock
Erickstad	Kisse	Solberg
Fiedler	Lautenschlager	Thompson
Foss	Lips	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Wadeson
George	Miller	Wartner
Gronvold	Morgan	Witteman
Hernett	Murphy	Yunker

Absent and not voting:

Baker	Harris	Paulson
Berube	Meidinger	Reichert
Brooks	Mutch	Ringsak
Gilbertson		

So the bill passed and the title was agreed to.

Senate Bill No. 247. A Bill for an Act to authorize the state highway department to participate in the construction of access roads from state highways to state-operated soldiers' homes.

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:

Andre	Holand	Nesvig
Baeverstad	Hystad	Redlin
Becker	Johnson	Roen
Bopp	Kamrath	Saumur
Erickson	Kee	Schrock
Erickstad	Kisse	Solberg

Fiedler	Lautenschlager	Thompson
Foss	Lips	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Wadeson
George	Miller	Wartner
Gronvold	Morgan	Witteman
Hernett	Murphy	Yunker

Absent and not voting:

Baker	Harris	Paulson
Berube	Meidinger	Reichert
Brooks	Mutch	Ringsak
Gilbertson		

So the bill passed and the title was agreed to.

Senate Bill No. 269. A Bill for an Act to create and enact section 40-52-08 of the North Dakota Century Code, relating to status of duly elected alderman residing within the city but no longer residing within the ward from which elected because of a change in ward boundaries.

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, 4; absent and not voting, 10.

Those voting in the affirmative were:

Baeverstad	Hystad	Redlin
Becker	Johnson	Roen
Bopp	Kamrath	Saumur
Erickson	Kee	Schrock
Erickstad	Kisse	Solberg
Foss	Lautenschlager	Thompson
Garaas	Lips	Trenbeath
Gefreh	Longmire	Van Horn
George	Luick	Wadeson
Gronvold	Miller	Wartner
Hernett	Morgan	Yunker
Holand	Nesvig	

Those voting in the negative were:

Andre	Murphy	Witteman
Fiedler		

Absent and not voting:

Baker	Harris	Paulson
Berube	Meidinger	Reichert
Brooks	Mutch	Ringsak
Gilbertson		

So the bill passed and the title was agreed to.

FIRST READING OF A SENATE MEMORIAL RESOLUTION

Senators Holand, Garaas, Erickstad and Fiedler introduced:

Senate Memorial Resolution No. 1,000. A memorial resolution in memory of Joseph A. Donahue.

Was read the first time.

Senator Holand moved that the rules be suspended and that Senate Memorial Resolution No. 1000 be printed in the Journal and not as a bill, and that the same be adopted by a rising vote, and said resolution was adopted by a rising vote of all Senators present.

SENATE MEMORIAL RESOLUTION NO. 1000

Introduced by Senators Holand, Garaas, Erickstad and Fiedler

A memorial resolution in memory of Joseph A. Donahue.

1 WHEREAS, Almighty God in His infinite wisdom
 1a has
 2 called from our midst a friend and an outstanding
 2a citizen
 3 of this state, Joseph A. Donahue of Bismarck; and
 4 WHEREAS, as director of the legislative research
 5 committee from 1947 through 1950 he not only per-
 5a formed
 6 outstanding service to the legislative assembly and the
 7 citizens of the state, but also became the personal friend
 8 of the members serving during this period; and
 9 WHEREAS, as the representative of the North
 9a Dakota
 10 Bar Association on the Subcommittee on Judiciary and
 11 Code Revision from 1953 through 1960, without re-
 11a munera-
 12 tion and at a personal sacrifice, he gave unlimited time
 13 and effort toward improving the laws of the state with
 13a the
 14 result that today the fruits of his work are to be found
 15 almost everywhere throughout the North Dakota
 15a Century
 16 Code;

17 NOW, THEREFORE, BE IT RESOLVED
 18 BY THE SENATE OF THE THIRTY-SEVENTH
 19 LEGISLATIVE ASSEMBLY OF THE STATE
 20 OF NORTH DAKOTA:

21 That on behalf of the citizens of this state, it
 22 expresses its deepest appreciation for the valuable and
 23 outstanding contributions to the state of North Dakota
 23a that
 24 have been made by Joseph A. Donahue, and hereby
 24a expresses
 25 the heartfelt sympathy of its members to his widow and
 26 daughter; and

27 BE IT FURTHER RESOLVED, that the
 28 secretary of state forward a properly enrolled copy of
 29 this resolution to his widow Mrs. Joseph A. Donahue
 29a and
 30 his daughter Mary Donahue.

CONSIDERATION OF AMENDMENTS

Senator Longmire moved that the amendments to Senate Bill No. 46 be adopted, which motion prevailed.

Senator George moved that the amendments to Senate Bill No. 105 be adopted, which motion prevailed.

Senator Kee moved that the amendments to Senate Bill No. 135 be adopted, which motion prevailed.

Senator George moved that the amendments to Senate Bill No. 145 be adopted, which motion prevailed.

Senator Holand moved that the Senate recess until 1:00 p.m., February 6, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

**THIRTY-THIRD DAY AFTER RECESS
AND THIRTY-FIFTH DAY**

Bismarck, February 6, 1961

The Senate convened at 1:00 p.m., the President presiding.

REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports it has examined the following bills:

Senate Bill No. 46

Senate Bill No. 105

Senate Bill No. 135

Senate Bill No. 145

And finds the same correctly engrossed.

SENATOR KISSE, Chairman.

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

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports it has examined the following bill:

Senate Bill No. 84

And finds the same correctly re-engrossed.

SENATOR KISSE, Chairman.

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

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports it has examined the following resolution:

Senate Memorial Resolution No. 1,000

And finds the same correctly enrolled.

SENATOR KISSE, Chairman.

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

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Memorial Resolution No. 1,000

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 has had the same

under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 39 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted.

Senator Solberg made the substitute motion that Senate Bill No. 39 be placed on the calender, which motion lost.

Senator Solberg requested a division, which request was granted.

ROLL CALL

The question being on the substitute motion of Senator Solberg, the roll was called and there were ayes, 21; nays, 28; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Johnson	Reichert
Berube	Kamrath	Schrock
Bopp	Lautenschlager	Solberg
Fiedler	Murphy	Thompson
Garaas	Nesvig	Van Horn
Gilbertson	Paulson	Witteman
Hystad	Redlin	Yunker

Those voting in the negative were:

Baeverstad	Harris	Miller
Baker	Hernett	Morgan
Becker	Holand	Mutch
Brooks	Kee	Ringsak
Erickson	Kisse	Roen
Erickstad	Lips	Saumur
Foss	Longmire	Trenbeath
Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gronvold		

So the motion was declared lost.

The question was on the motion of Senator Trenbeath that the report of the committee on Senate Bill No. 39 be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 47 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MILLER, Chairman.

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

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 48 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MILLER, Chairman.

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

MOTIONS

Senator Murphy moved that the Senate reconsider the action by which the committee report on Senate Bill No. 48 was adopted, which motion was declared lost.

Senator Murphy moved that the Senate reconsider the action by which the committee report on Senate Bill No. 47 was adopted, which motion was declared lost.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 49 has had the same under consideration and recommends that the same be amended as follows:

In the third line of the title delete the words: "and to provide for the"

In the fifth line of the title following the word "functions" insert a comma and the following: "the transfer and continuance of the state psychiatric out-patient clinic, to amend and reenact section 25-02-04 of the North Dakota Century Code relating to the superintendent of the state hospital, and to repeal chapter 39 of the 1959 Session Laws relating to the children's psychiatric clinic"

In line 2 delete the words "The state department of health"

In line 3 delete the word "shall" and insert in lieu thereof the following: "There is hereby established within the state department of health a division to be known as the state mental health authority, such authority to be under the direction and supervision of a certified psychiatrist who shall be appointed by the state health officer with the approval of the state health council, to"

Delete all of lines 27 through 56 inclusive and insert in lieu thereof the following:

"SECTION 2. PSYCHIATRIC CLINIC.) The administration of the children's psychiatric out-patient clinic established pursuant to chapter 39 of the 1959 Session Laws shall be transferred from the board of administration to the state mental health authority on July 1, 1961, and continued thereunder. The purpose of the clinic shall be primarily to provide psychiatric care and treatment to minors and persons placed under the control of the state as well as other residents who are referred to such clinic by an agency of the state who cannot avail themselves of psychiatric care through private means. The staff of the clinic may, however, be used by the mental health authority to a limited extent in carrying out other mental health services and programs undertaken by the state mental health authority. The clinic may operate under the supervision of a qualified psychiatrist until the certified psychiatrist heading the mental health authority is appointed, who shall upon appointment become the director of the clinic."

In line 57 delete the figure "2" and insert in lieu thereof the figure "3"

Following line 79 insert the following:

"SECTION 4. AMENDMENT.) Section 25-02-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-02-04. SUPERINTENDENT TO POSSESS CERTAIN QUALIFICATIONS — EMPLOYEES.) The superintendent of the state hospital ((must be either:

1. A duly licensed physician with at least five years' experience, or
2. A competent executive with at least five years' experience in hospital administration.

The superintendent shall have power to appoint an assistant superintendent, necessary physicians, and all other employees, and define their qualifications and duties.))) shall be a certified psychiatrist. He shall appoint with the approval of the board of administration an assistant superintendent of administration who shall be a qualified and experienced hospital administrator, and shall appoint and employ such other assistants, physicians, and other employees as may be necessary, and define their qualifications and duties.

SECTION 5. REPEAL.) Chapter 39 of the 1959 Session Laws of North Dakota is hereby repealed."

Renumber the lines accordingly.

Renumber the sections accordingly.

And when so amended recommends the same do pass.

SENATOR MILLER, Chairman.

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 75 has had the same under consideration and recommends that the same be amended as follows:

Following line 69 insert the following:

- "a. No issue, and the estate does not exceed in value the sum of (((twenty-five))) fifty thousand dollars, all the estate goes to the surviving husband or wife;
- b. No issue, and the estate exceeds in value the sum of (((twenty-five))) fifty thousand dollars, all of the estate in excess in value of such sum goes, one-half to the surviving husband or wife, and the other one-half to the decedent's father and mother in equal shares, and, if either is dead, to the survivor;"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 85 has had the same under consideration and recommends that the same be amended as follows:

In line 43 after the word "cutting" insert the words "or destruction of weeds"

In line 91 delete the period and insert in lieu thereof a comma and the following: "except that at the discretion of the board of county commissioners weeds may be cut or destroyed at county expense along all or any portion of the county road system established in accordance with

section 24-05-16 without charge to the owner of the adjoining land."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 89 has had the same under consideration and recommends that the same be amended as follows:

In line 18 delete everything after the word "the" and insert in lieu thereof the following: "aforesaid tests shall be used."

Delete all of lines 19 and 20.

In line 25 delete the word "NOT" and insert triple parentheses around the word "dead,"

In line 27 delete the word "not"

In line 29 delete the triple parentheses around the word "not" and insert the following after the period: "Nothing herein shall prevent the taking of the test or tests from a dead person."

In line 48 delete the triple parentheses before the word "Evidence" and after the word "was"

In lines 48 and 49 delete the words "A person having,"

In line 49 delete the comma following the word "time"

In lines 49 and 50 delete the triple parentheses around the word "five-hundredths"

In line 50 delete the word "ten-hundredths"

In line 51 delete the word "fifteen" and insert in lieu thereof the word "ten"

In lines 52 and 53 delete the triple parentheses around the words "the person's"

In line 53 delete the word "his" and the triple parentheses preceding the word "relevant"

In line 55 delete everything following the word "was"

In line 56 delete the word "be"

In line 58 delete the word "fifteen" and insert in lieu thereof the word "ten"

In line 61 delete the words "is deemed to be" and insert in lieu thereof the words "shall be presumed to be"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 114 has had the same under consideration and recommends that the same be amended as follows:

In line 15 delete the words "a trust or" and insert in lieu thereof the word "an"

After line 33 insert the following:

"7. At least 51 percent of the stock of the corporation shall be owned by residents of the State of North Dakota."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted.

Senator Garaas requested that the report show that a minority consisting of the following objected to the report:

Iver Solberg
 John Garaas
 Leonard Bopp
 William Reichert
 C. W. Schrock
 Charles L. Murphy

The question was on the motion of Senator Wartner that the committee report on Senate Bill No. 114 be adopted, which motion was declared lost.

Senator Wartner requested a division, which request was granted.

ROLL CALL

The question being on motion of Senator Wartner that the committee report on Senate Bill No. 114 be adopted, the roll was called and there were ayes, 28; nays, 20; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Harris	Meldinger
Baker	Hernett	Miller
Becker	Holand	Morgan
Brooks	Johnson	Mutch
Erickson	Kee	Ringsak
Erickstad	Kisse	Roen
Foss	Lips	Saumur
Gefreh	Longmire	Wadeson
George	Luick	Wartner
Gronvold		

Those voting in the negative were:

Andre	Kamrath	Schrock
Berube	Lautenschlager	Solberg
Bopp	Murphy	Thompson
Fiedler	Nesvig	Van Horn
Garaas	Paulson	Witteman
Gilbertson	Redlin	Yunker
Hystad	Reichert	

Absent and not voting:

Trenbeath

So the motion was declared carried.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 127 has had the same under consideration and recommends that the same be amended as follows:

In line 40 delete the words "one million" and insert the words "three hundred thousand" in lieu thereof.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 128 has had the same under consideration and recommends that the same be amended as follows:

In line 5 of the title of the bill following the word "state" insert a period and delete all the language in the balance of the title of the bill.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 140 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MILLER, Chairman.

Senator Miller moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 144 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 173 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MILLER, Chairman.

Senator Miller moved that the report be adopted.

Senator Brooks made the substitute motion that Senate Bill No. 173 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 174 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted.

Senator Murphy made the substitute motion that the committee report on Senate Bill No. 174 be laid over one legislative day, which motion was declared lost.

The question was on the motion of Senator Foss that the committee report on Senate Bill No. 174 be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 198 has had the same under consideration and recommends that the same be amended as follows:

In line 5 after the word "PRECINCTS" delete the semi-colon and insert in lieu thereof a dash and in the same line,

after the word "BOUNDARIES" delete the semicolon and insert in lieu thereof a dash

In line 6 after the word "ELECTORS" delete the semicolon and insert in lieu thereof a dash

In line 11 delete the word "the" and after the word "title" insert the numeral "40" and a comma

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 210 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 226 has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 233 has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 245 has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion was declared lost.

Senator Meidinger requested a division, which request was granted.

ROLL CALL

The question being on the motion of Senator Meidinger that the committee report on Senate Bill No. 245 be adopted, the roll was called and there were ayes, 31; nays, 18; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Harris	Morgan
Baeverstad	Hernett	Mutch
Baker	Holand	Paulson
Becker	Johnson	Ringsak
Brooks	Kee	Roen
Erickson	Lips	Saumur
Erickstad	Longmire	Schrock
Foss	Luick	Solberg
Gefreh	Meidinger	Trenbeath
George	Miller	Wadeson
Gronvold		

Those voting in the negative were:

Berube	Kamrath	Reichert
Bopp	Kisse	Thompson
Fiedler	Lautenschlager	Van Horn
Garaas	Murphy	Wartner
Gilbertson	Nesvig	Witteman
Hystad	Redlin	Yunker

So the motion was declared carried.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 270 has had the same under consideration and recommends that the same be amended as follows:

In line 70 delete the words "state engineer" and insert in lieu thereof the words "secretary and chief engineer of the North Dakota water conservation commission"

In line 73 after the word "of" insert the words "Agriculture and"

In line 73 after the comma insert the words "or their representatives,"

In line 88 delete everything after the word "necessary"

In line 89 delete the word "year"

In line 194 delete everything after the word "appropriated"

Delete all of lines 195, 196, and 197 and insert in lieu thereof the words "such moneys"

In line 199 after the comma insert the words "or so much thereof as may be necessary,"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution "C" has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Resolution No. 5 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

COURTESY OF THE FLOOR

Senator Lips moved that a committee be appointed to escort Johnny Kemp of Bismarck, Easter Seal Poster Boy for the United States, to the rostrum, which motion prevailed.

The President appointed as such committee Senator Lips and Johnny Kemp was escorted to the rostrum and recognized by the Senate.

REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Memorial Resolution No. 1,000

Was delivered to the Secretary of State at the hour of 2:45 o'clock p.m., February 6, 1961.

SENATOR KISSE, Chairman.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 6, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 74

Senate Bill No. 125

Senate Bill No. 147

Senate Bill No. 152

Senate Bill No. 157

Senate Bill No. 159

Senate Bill No. 185

Which the Senate has passed and your favorable consideration is requested.

HOWARD F. DOHERTY, Secretary.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 6, 1961

Mr. President: I have the honor to transmit:

House Bill No. 502

House Bill No. 503

House Bill No. 504

House Bill No. 524

House Bill No. 525

House Bill No. 526

House Bill No. 533

House Bill No. 599

House Bill No. 620

House Bill No. 630

House Bill No. 643

House Bill No. 647

House Bill No. 654

House Bill No. 655

House Bill No. 671

House Bill No. 675

House Bill No. 693

House Bill No. 697

House Bill No. 698

House Bill No. 724

House Bill No. 738

House Bill No. 749

House Bill No. 761

House Bill No. 767

House Bill No. 771

House Bill No. 817

House Bill No. 865

House Concurrent Resolution "U"

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

MESSAGE TO THE HOUSE

House Chamber

Bismarck, February 6, 1961

Mr. President: I have the honor to transmit:

House Concurrent Resolution "I-1"

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

MOTIONS

Senator Mutch moved that the Senate reconsider the action by which Senate Bill No. 84 was lost, which motion prevailed.

Senator Holand moved that Senate Bill No. 84 be placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 84. A Bill for an Act to authorize the board of county commissioners to determine the need for grasshopper infestation control on any land that is retired from farming and to provide that the landowner pay for the cost of such control.

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, 22; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Harris	Paulson
Baker	Holand	Ringsak
Becker	Kee	Roen
Erickson	Lips	Van Horn
Erickstad	Longmire	Wadeson
Foss	Luick	Wartner
Garaas	Meidinger	Witteaman
Gefreh	Morgan	Yunker
Gronvold	Murphy	

Those voting in the negative were:

Andre	Hystad	Nesvig
Berube	Johnson	Redlin
Bopp	Kamrath	Reichert
Brooks	Kisse	Saumur
Fiedler	Lautenschlager	Solberg
George	Miller	Thompson
Gilbertson	Mutch	Trenbeath
Hernett		

Absent and not voting:

Schrock

So the bill passed and the title was agreed to.

Senator Holand moved that the absent Senators be excused, which motion prevailed.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

THIRTY-FIFTH DAY

Bismarck, February 6, 1961

The Senate convened at 2:00 p.m., the President presiding. Prayer by Chaplain Rev. Charles M. Hill, First Congregational Christian, Bismarck.

Father, in the midst of the busy rush of our lives may we not forget to commune with Thee. Make us great enough to accept Thy Lordship over our lives and humble enough to admit our need of Thy strength. With clearness of mind, and strength of purpose may we complete the tasks before us to the honor of our fellows and to Thy Glory, in Christ's name. Amen.

Roll call: All Senators present.

A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-second day after recess and thirty-third day and recommends that the same be corrected as follows:

On page 304, line 7, delete the word "on" and insert in lieu thereof the words "at the head of".

And when so corrected recommends that the same be approved.

SENATOR HARRIS, Chairman.

Senator Harris moved that the report be adopted, which motion prevailed.

MOTIONS

Senator Holand moved that the Senate recess for fifteen minutes, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

SIGNING OF BILLS

The Secretary announced that the President was about to sign House Concurrent Resolution "I-1" and the President signed the same in the presence of the Senate.

FIRST READING OF HOUSE BILLS

House Bill No. 520. A Bill for an Act making an appropriation to the Department of Public Instruction, for the purpose of paying salaries and other expenses of the Director of Surplus Property.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 539. A Bill for an Act to amend and reenact chapters 15-27, 15-28, and 15-29 of the North Dakota Century Code and sections 11-14-14, 15-18-01, 15-18-03, 15-21-07, 15-21-07.1, 15-34-03, 15-34-04, 15-34-05, 15-34-06, 15-34-08, 15-34-10, 15-34-12, 15-34-14, subsection 3 of section 15-34-15, sections 15-34-16, 15-34-22, 15-35-08, 15-35-09, 15-35-10, 15-35-13, 15-35-14, 15-36-12, 15-37-04, 15-38-01, 15-38-03, 15-38-09, 15-38-13, 15-38-14, 15-38-15, subdivision a of subsection 1 of section 15-39-01, subsection 1 of section 15-39-16, sections 15-39-19, 15-39-20, 15-39-22, 15-39-23, 15-39-24, 15-41-18, subdivisions b and d of subsection 2 of section 15-43-01, sections 15-43-03, 15-43-04, 15-43-06, 15-43-07, 15-43-08, 15-43-09, 15-43-10, 15-45-01, 15-46-01, 15-46-04, 15-47-05, 15-47-06, 15-47-07, 15-47-08, 15-47-10,

15-47-11, 15-47-13, 15-47-14, 15-47-15, 15-47-17, 15-47-18, 15-47-22, 15-47-23, 15-47-25, 15-47-26, 15-47-27, 15-48-01, 15-48-02, 15-49-02, 15-49-09, 15-49-11, 15-53-09, subsection 5 of section 15-53-10, sections 15-53-14, 15-53-18, 15-53-19, 15-53-26, subsections 1 and 2 of section 21-03-01, subsection 4 of section 21-03-06, subsections 2 and 3 of section 21-04-01, sections 21-04-13, 21-04-15, 40-38-03, 40-38-05, 40-41-04, 44-08-01, 57-15-13, 57-15-14, of the North Dakota Century Code, and to repeal chapters 15-23, 15-24, 15-25, 15-26, 15-30, 15-31, 15-32, 15-33, sections 15-41-09, 15-41-10, 15-41-11, 15-41-12, 15-41-13, 15-41-14, 15-41-15, 15-41-16, 15-41-17, 15-41-20, 15-41-21, 15-41-23, and 15-53-17 of the North Dakota Century Code, relating to provisions especially affecting common and independent school district law, and joint high school districts.

Was read the first time and referred to the Committee on Education.

House Bill No. 598. A Bill for an Act to amend and reenact section 39-04A-06 of the North Dakota Century Code, relating to persons who shall not be charged additional fees for use of motor vehicles engaged in transportation of property.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 667. A Bill for an Act to amend and reenact section 61-12-30 of the North Dakota Century Code authorizing a board of flood irrigation to purchase water and relating to assessments in flood irrigation districts.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 694. A Bill for an Act to provide that police magistrates and county justices give bond schedules to peace officers in their jurisdiction for purposes of authorizing peace officers to permit a person arrested for certain traffic violations to mail the bond to such police magistrate or county justice under certain circumstances.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 728. A Bill for an Act to provide a measure of damages for injury to property caused by the breach of an obligation not arising from contract.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 737. A Bill for an Act providing for the continuation of the North Dakota National Statuary Hall Commission and for an appropriation for the procurement of a statue of the Honorable John Burke for placement in National Statuary Hall and to pay the expenses of the commission.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 740. A Bill for an Act to amend and reenact section 39-04-43 of the North Dakota Century Code relating to licenses on antique automobiles.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 743. A Bill for an Act to amend and reenact subsection 2 of section 5-05-03 of the North Dakota

Century Code, relating to qualifications required for license.

Was read the first time and referred to the Committee on Judiciary.

SECOND READING OF SENATE BILLS

Senate Bill No. 153. A Bill for an Act to amend and reenact Section 52-09-09 of the North Dakota Century Code relating to Rate of Contribution; and subsection B of Section 52-09-20 of the North Dakota Century Code relating to Definitions.

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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

Senate Bill No. 108. A Bill for an Act to amend and reenact subsections 2 and 6 of section 57-39-01, section 57-39-02, and subsections 6 and 10 of section 57-40-01 of the North Dakota Century Code relating to retail sales taxes and use taxes on subscriptions to magazines and other periodicals.

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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson

George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Harris	Mutch	Yunker
Gronvold		

So the bill passed and the title was agreed to.

Senate Bill No. 38. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Public Safety Division.

Which had been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 1; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meldinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker

Those voting in the negative were:

Solberg

So the bill passed and the title was agreed to.

Senate Bill No. 50. A Bill for an Act to create and enact chapter 21-09 of the North Dakota Century Code relating to the investment of public funds, creation of a state investment board, appointment of a director, types of legal investments, providing a penalty, and providing an appropriation for the operation of the board; and to amend and reenact sections 15-39-26, 26-23-03, 26-24-07, 54-27-16, and 65-04-31 of the North Dakota Century Code relating to the investment of public 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, 43; nays, 6; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Longmire	Solberg
Fiedler	Luick	Thompson

Foss	Meidinger	Trenbeath
Garaas	Miller	Van Horn
Gefreh	Morgan	Wadeson
George	Murphy	Wartner
Gronvold	Mutch	Yunker
Harris		

Those voting in the negative were:

Becker	Kisse	Paulson
Gilbertson	Lips	Witteman

So the bill passed and the title was agreed to.

Senate Bill No. 72. A Bill for an Act making an appropriation to meet extraordinary expenses of law enforcement arising by reason of the location of Indian reservations, 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, 31; nays, 18; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Paulson
Becker	Johmson	Redlin
Berube	Kamrath	Reichert
Bopp	Kee	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Longmire	Solberg
Foss	Luick	Thompson
Garaas	Miller	Van Horn
Gefreh	Murphy	Witteman
Gilbertson	Nesvig	Yunker
Holand		

Those voting in the negative were:

Baeverstad	Harris	Mutch
Baker	Hernett	Ringsak
Brooks	Kisse	Roen
Erickson	Lips	Trenbeath
George	Meidinger	Wadeson
Gronvold	Morgan	Wartner

So the bill passed and the title was agreed to and the emergency clause was declared lost.

Senate Bill No. 92. A Bill for an Act to create and enact section 57-54 of the North Dakota Century Code imposing a tax on motor vehicle fuels, providing for the administration and enforcement, thereof, providing a penalty, and repealing chapters 57-41, 57-43 and 57-48 of the North Dakota Century Code.

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, 1; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Kamrath	Ringsak

Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker

Those voting in the negative were:

Johnson

So the bill passed and the title was agreed to.

Senate Bill No. 93. A Bill for an Act to amend and reenact sections 57-50-03 and 57-50-05 of the North Dakota Century Code, relating to motor vehicle fuel tax refunds.

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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

Senate Bill No. 118. A Bill for an Act to amend and reenact subsections 1, 8, and 9 and to create and enact subsection 10 of section 10-13-03 of the North Dakota Century Code, and to amend and reenact section 10-15-18 of the North Dakota Century Code relating to electric cooperatives and their authority to own and operate electric generation or transmission cooperatives.

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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin

Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

Senate Bill No. 137. A Bill for an Act to create and enact subsection 11 of section 57-39-03 of the North Dakota Century Code relating to sales tax exemptions of certain nonresidents.

Which has been read.

Discussion was then had on Senate Bill No. 137.

MOTIONS

Senator Holand moved that after the reading of Senate Bills Nos. 46, 105, 135 and 145, that the Senate recess until 1:00 p.m., February 7, 1961, which motion was lost.

Senator Murphy moved the previous question, which motion was seconded.

ROLL CALL

The question being on the final passage of Senate Bill No. 137, as amended, the roll was called and there were ayes, 17; nays, 32; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Harris	Luick
Becker	Johnson	Nesvig
Erickson	Kee	Reichert
Foss	Kisse	Ringsak
Gefreh	Lips	Saumur
Gilbertson	Longmire	

Those voting in the negative were:

Andre	Holand	Roen
Baker	Hystad	Schrock
Berube	Kamrath	Solberg
Bopp	Lautenschlager	Thompson
Brooks	Meidinger	Trenbeath
Erickstad	Miller	Van Horn
Fiedler	Morgan	Wadeson
Garaas	Murphy	Wartner
George	Mutch	Witteman
Gronvold	Paulson	Yunker
Hernett	Redlin	

So the bill was declared lost for lack of a constitutional majority.

MOTIONS

Senator Holand moved that after the reading of Senate Bills Nos. 46, 105, 135 and 145, that the Senate recess until 1:00 p.m., February 7, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary

**THIRTY-FIFTH DAY AFTER RECESS
AND THIRTY-SIXTH DAY**

Bismarck, February 7, 1961

The Senate convened at 1:00 p.m., the President presiding.

REPORT OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports it has examined the following bills:

Senate Bill No. 72

Senate Bill No. 108

And finds the same correctly re-engrossed.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 7, 1961

Mr. President: I have the honor to transmit:

House Concurrent Resolution "G"

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 7, 1961

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "I-1"

Which the President has signed.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, February 7, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 33

Senate Bill No. 106

Senate Bill No. 121

Senate Bill No. 133

Senate Bill No. 142

Senate Bill No. 161

Senate Bill No. 163

Senate Bill No. 165
 Senate Bill No. 180
 Senate Bill No. 186
 Senate Bill No. 197
 Senate Bill No. 205
 Senate Bill No. 243
 Senate Bill No. 247
 Senate Bill No. 269
 Senate Bill No. 287
 Senate Bill No. 288

Which the Senate has passed and your favorable consideration is requested.

HOWARD F. DOHERTY, Secretary.

COURTESY OF THE FLOOR

Senator Meidinger moved that a committee be appointed to escort Vincent J. Maxheim, National Vice-Commander of the American Legion, of Clinton, Iowa, to the rostrum, which motion prevailed.

The President appointed as such committee Senator Meidinger and Mr. Maxheim was escorted to the rostrum, recognized by the Senate, and invited to address the Senate.

Mr. Maxheim: Mr. President, Senator Meidinger, Gentlemen of the Senate. I bring you greetings of the National American Legion and if I may, and I think I may, take the privilege of bringing you greetings and best wishes from the Governor of the State of Iowa. It is indeed a rare privilege and a high honor to appear before this august body. This is my first trip to North Dakota, and the great State of North Dakota may well be proud, justifiably proud, of this structure that was erected to perpetuate the form of government that we know and love. May I offer the aid of the American Legion wherever and whenever you gentlemen feel that we may be of assistance. Our programs are many and varied but they are always with one true goal — to perpetuate our American way of life — to safeguard and transmit to posterity the principles of justice, freedom and democracy.

Having no wish to retard your deliberations I would like to sincerely thank you for this opportunity and to wish you God's Speed in performance of your duties. I thank you.

Senator Meidinger moved that the remarks of Commander Maxheim be printed in the Journal, which motion prevailed.

At the request of Senator Murphy a group of students from Marmot High School, Mandan, was recognized by the Senate.

REPORTS OF STANDING COMMITTEES

Mr. President: The majority of your Committee on Appropriations to whom was referred Senate Bill No. 19 has had the same under consideration and recommends that the same do pass.

Senators:

P. L. Foss, Chairman
 George Saumur, Vice Chairman
 C. W. Baker

Ralph J. Erickstad
 A. F. Gronvold
 Gail H. Hernet
 C. G. Kee
 Elton W. Ringsak
 Leland Roen
 Harry W. Wadeson

Senator Foss moved that the report be adopted.

Mr. President: The minority of your Committee on Appropriations to whom was referred Senate Bill No. 19 recommends that the same be amended as follows:

In line 3 delete the figure "\$586,670.00" and insert the figure "\$536,670.00" in lieu thereof.

In line 10 delete the figure "424,000.00" and insert the figure "379,000.00" in lieu thereof.

In line 14 delete the figure "55,000.00" and insert the figure "50,000.00" in lieu thereof.

In line 23 delete the figure "\$586,670.00" and insert the figure "\$536,670.00" in lieu thereof.

Senators:

Leonard A. Bopp
 Walter R. Fiedler
 Isak Hystad
 O. S. Johnson
 A. W. Luick
 Jerome Nesvig
 Clark Van Horn

Senator Fiedler moved that the report of the minority be substituted for that of the majority.

The question being on the motion of Senator Fiedler that the report of the minority be substituted for that of the majority, which motion was declared lost.

Senator Fiedler requested a division, which request was granted.

ROLL CALL

The question being on the motion of Senator Fiedler, the roll was called and there were ayes, 22; nays, 28; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Kamrath	Reichert
Berube	Lautenschlager	Schrock
Bopp	Luick	Solberg
Fiedler	Murphy	Thompson
Garaas	Nesvig	Van Horn
Gilbertson	Paulson	Witteman
Hystad	Redlin	Yunker
Johnson		

Those voting in the negative were:

Baeverstad	Gronvold	Morgan
Baker	Hernet	Mutch
Becker	Holand	Ringsak
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lips	Trenbeath
Foss	Longmire	Wadeson
Gefreh	Meidinger	Wartner
George	Miller	

Absent and not voting:
Harris

So the motion was declared lost.

The question being on the motion of Senator Foss that the committee report on Senate Bill No. 19 be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 182 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 189 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 219 has had the same under consideration and recommends that the same be amended as follows:

In line 5, delete the words "not more than"

In line 6, after the word "gallon" add the words "or less"

Add a new Section — SECTION 11. ENACT.) Supplemental section is hereby enacted to read as follows: EFFECTIVE DATE.) The provisions of this act shall be put into effect by the State Treasurer no later than January 1, 1962.

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 223 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 249 has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 250 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 251 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 262 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 271 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 292 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution "AA" has had the same under consideration and recommends that the same do pass and be re-referred to Legislative Research Resolutions Committee.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution "BB" has had the same under consideration and recommends that the same be amended as follows:

In line 2 delete the word "periodically" and insert in lieu thereof the word "continually"

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Senator Fiedler requested that the report show that a minority consisting of the following objected to the report:

Selmer Gilbertson
John Garaas
Jerome Nesvig
Clayton Paulson
Walter R. Fiedler

CONSIDERATION OF AMENDMENTS

Senator Holand moved that the rules be suspended and that the reading of the amendments to Senate Bills Nos. 49, 75, 85, 89, 114, 127, 128, 198, and 270 be dispensed with, which motion prevailed.

Senator Miller moved that the amendments to Senate Bill No. 49 be adopted, which motion prevailed.

Senator Wartner moved that the amendments to Senate Bill No. 75 be adopted, which motion prevailed.

Senator George moved that the amendments to Senate Bill No. 85 be adopted, which motion was declared lost.

Senator Nesvig requested a division, which request was granted.

ROLL CALL

The question being on the motion of Senator George that the amendments to Senate Bill No. 85 be adopted, the roll was called and there were ayes, 15; nays, 33; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hystad	Paulson
Fiedler	Kamrath	Saumur
Garaas	Longmire	Thompson
Hernett	Murphy	Van Horn
Holand	Nesvig	Wadeson

Those voting in the negative were:

Baeverstad	Gilbertson	Morgan
Baker	Gronvold	Mutch
Becker	Harris	Redlin
Berube	Johnson	Reichert
Bopp	Kee	Ringsak
Brooks	Kisse	Roen
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Foss	Luick	Trenbeath
Gefreh	Meidinger	Wartner
George	Miller	Witteaman

Absent and not voting:

Yunker

So the motion was declared lost.

Senator Garaas moved that Senate Bill No. 85 be referred to the Committee on Political Subdivisions, which motion prevailed.

Senator Wartner moved that the amendments to Senate Bill No. 89 be adopted, which motion prevailed.

Senator Wartner moved that the amendments to Senate Bill No. 114 be adopted, which motion prevailed.

Senator Foss moved that the amendments to Senate Bill No. 127 be adopted, which motion prevailed.

Senator Foss moved that the amendments to Senate Bill No. 128 be adopted, which motion prevailed.

Senator George moved that the amendments to Senate Bill No. 198 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 270 be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 7, 1961

Mr. President: I have the honor to transmit:

House Bill No. 529

House Bill No. 722

House Bill No. 777

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

FIRST READING OF HOUSE BILLS AND A
CONCURRENT RESOLUTION

House Bill No. 502. 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 Grand Forks, North Dakota.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 503. 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.

House Bill No. 504. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous items, new building and special projects for the Grafton State School at Grafton, North Dakota.

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 operation and maintenance of the State Hail Insurance Department.

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 operating and maintaining the State Fire and Tornado Fund.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 526. A Bill for an Act making an appropriation for the purpose of operating and maintaining the State Bonding Fund.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 533. A Bill for an Act making an appropriation to pay for the education of children, who are deaf as well as blind, at any school or institution, outside the State of North Dakota, for which there are no facilities in the State.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 599. A Bill for an Act making an appropriation to provide a bust of former Senator William

Langer in a location to be designated by the State Historical Society.

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 39-11-36 of the North Dakota Century Code relating to special lighting and warning equipment on school buses.

Was read the first time and referred to the Committee on Education.

House Bill No. 630. A Bill for an Act to create and enact Section 40-41-01.1 of the North Dakota Century Code relating to boards of budget review.

Was read the first time and referred to the Committee on Education.

House Bill No. 643. A Bill for an Act to regulate and license bottle clubs in this state, and providing a penalty.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 647. A Bill for an Act making an appropriation to the North Dakota state soldiers home for the purpose of remodeling, air-conditioning and additional lighting for the laundry.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 654. A Bill for an Act authorizing a retirement program for employees of the unemployment compensation division, state employment service, and the national guard.

Was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

House Bill No. 655. A Bill for an Act providing for the obtaining of telecommunications service fraudulently, and providing a penalty.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 671. A Bill for an Act to amend and reenact sections 39-04-22 and 39-04-26 relating to the registration of motor vehicles or combinations thereof which are used for the transportation of property; providing for a minimum gross weight registration and to exempt certain farm vehicles.

Was read the first time and referred to the Committee on Transportation.

House Bill No. 675. A Bill for an Act to repeal section 20-11-05 of the North Dakota Century Code relating to the islands in the waters of Devils Lake and the Missouri River being set aside as state game refuges.

Was read the first time and referred to the Committee on Natural Resources.

House Bill No. 693. A Bill for an Act to amend and reenact subsection 3 of section 41-18-13 of the North Dakota Century Code, relating to filing fee and retention of trust receipt statements.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 697. A Bill for an Act to amend and reenact section 36-08-05 of the North Dakota Century Code, relating to election of directors of co-operative grazing associations.

Was read the first time and referred to the Committee on Agriculture.

House Bill No. 698. A Bill for an Act to provide for a quorum of members at meetings of co-operative grazing associations.

Was read the first time and referred to the Committee on Agriculture.

House Bill No. 724. A Bill for an Act to amend and reenact subsection 4 of section 39-04-02 of the North Dakota Century Code, relating to application for the registration of a motor vehicle.

Was read the first time and referred to the Committee on Transportation.

House Bill No. 738. A Bill for an Act to amend and reenact section 64-02-10 of the North Dakota Century Code and to repeal sections 64-02-16, 64-02-17 and section 64-02-18 of the North Dakota Century Code, relating to licensing and inspecting coin-weighting machines, scales and public gasoline pumps.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 749. A Bill for an Act to amend and reenact section 57-40-17 of the North Dakota Century Code, relating to contractor's performance bonds for payment of use tax, in order to clarify said section.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 761. A Bill for an Act to amend and reenact section 51-05-13 of the North Dakota Century Code, relating to the licensing and bonding of auctioneers, and providing a penalty.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 767. A Bill for an Act to amend and reenact section 20-05-07 of the North Dakota Century Code relating to the attaching of seals to the carcasses of big game animals.

Was read the first time and referred to the Committee on Natural Resources.

House Bill No. 771. A Bill for an Act to amend and reenact section 47-19-07 of the North Dakota Century Code to require that the state tax commissioner be notified of the recording of certain deeds, and providing for a penalty.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 817. A Bill for an Act to repeal section 47-03-07 of the North Dakota Century Code, relating to accumulations of income.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 865. A Bill for an Act making an appropriation to the Yellowstone-Missouri-Fort Union Com-

mission in accordance with chapter 55-06 of the North Dakota Century Code.

Was read the first time and referred to the Committee on Appropriations.

House Concurrent Resolution "U". A concurrent resolution requesting the Congress of the United States to enact legislation permitting depreciation, over a five-year period, of buildings and facilities used in the operation of live-stock feedlots.

Was read the first time and referred to the Committee on Agriculture.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

THIRTY-SIXTH DAY

Bismarck, February 7, 1961

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. Robert Strutz, Church of the Good Shepherd Evangelical United Brethren, Mandan.
Our Father in Heaven:

We invoke Thy blessings upon this body as they begin the work of another legislative day. We all recognize our need of Thy help and we humbly seek it. Help us to remember that Thou wilt still be here after this prayer is said. Give each one the courage to act on every issue as we know deep down in our hearts that we should act. May each one feel the weight of their responsibility before Thee.

In Christ's Name we pray.

Roll Call: All Senators present.

A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-third day after recess and thirty-fifth day and recommends that the same be corrected as follows:

On page 322, in line 6, delete the words "for his approval".

And when so corrected recommends that the same be approved.

SENATOR HARRIS, Chairman.

Senator Harris moved that the report be adopted, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 7. A Bill for an Act making an appropriation to the State Historical Society for salary, clerk-hire and miscellaneous expenses and maintenance of state parks.

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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteaman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

Senate Bill No. 46. A Bill for an Act to create and enact sections 19-02-02.1 and 23-05-07.1 of the North Dakota Century Code and to amend and reenact subsection 1 of section 23-01-05 and subsection 9 of section 23-09-09 and sections 23-04-07, 23-09-02, 23-09-10, 23-09-11, 23-09-14, 23-09-16, 23-09-17, 23-09-18, 23-09-19, 23-09-22, 23-10-02, 23-10-03, 23-10-04, 23-10-06, 23-10-10, 23-10-11, 23-10-12, and 23-14-12 of the North Dakota Century Code relating to licensing and regulation of restaurants, hotels, boardinghouses, lodg- inghouses, motor courts, and trailer courts, and the en- forcement of laws relating thereto.

Which has been read.

Senator Longmire moved that Senate Bill No. 46 be amended as follows:

In line 173 after the period insert the following language: "For purposes of this chapter the term "restaurant" shall mean any establishment, other than a church, serving food or catering food to the public, free of charge or otherwise, except in localities where restaurant facilities for such services are not made available."

Renumber the lines accordingly.

Which motion prevailed.

Senator Longmire moved that Senate Bill No. 46 be laid over one legislative day, which motion prevailed.

Senate Bill No. 105. A Bill for an Act to amend and re- enact sections 57-17-05 of the North Dakota Century Code, relating to excess levies.

Which has been read.

Senator Brooks moved that Senate Bill No. 105 be amended as follows:

In line 1 of the title delete the word "sections" and insert in lieu thereof the word "section".

In line 7 delete the word "excise" and insert in lieu thereof the word "excess".

Which motion prevailed.

Senate Bill No. 135. A Bill for an Act to amend and re-enact section 2-05-10 of the North Dakota Century Code, relating to registration of airmen.

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, 3; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	Paulson
Baker	Johnson	Redlin
Becker	Kamrath	Reichert
Bopp	Kee	Ringsak
Brooks	Kisse	Roen
Erickson	Lautenschlager	Saumur
Erickstad	Lips	Schrock
Fiedler	Longmire	Solberg
Foss	Luick	Thompson
Gefreh	Meidinger	Trenbeath
George	Miller	Van Horn
Gilbertson	Morgan	Wadeson
Gronvold	Murphy	Wartner
Harris	Mutch	Yunker
Hernett		

Those voting in the negative were:

Berube	Garaas	Witteaman
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So the bill passed and the title was agreed to.

Senate Bill No. 139. A Bill for an Act to amend and re-enact section 15-53-23 of the North Dakota Century Code, relating to the exclusion of property from school districts.

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, 12; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Holand	Nesvig
Baker	Johnson	Redlin
Becker	Kamrath	Reichert
Berube	Kee	Ringsak
Brooks	Kisse	Roen
Erickson	Lips	Saumur
Fiedler	Longmire	Solberg
Foss	Luick	Thompson
Garaas	Meidinger	Wadeson
Gefreh	Miller	Witteaman
George	Morgan	Yunker
Gronvold		

Those voting in the negative were:

Bopp	Hystad	Schrock
Erickstad	Lautenschlager	Trenbeath
Gilbertson	Murphy	Van Horn
Hernett	Paulson	Wartner

So the bill passed and the title was agreed to.

Senate Bill No. 141. A Bill for an Act to amend and reenact sections 6-06-14 and 6-06-29 of the North Dakota Century Code relating to loans and taxation, and to provide for conversions of credit unions

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker

Absent and not voting:

Berube

So the bill passed and the title was agreed to.

Senate Bill No. 145. A Bill for an Act to amend and reenact sections 24-03-09 and 24-12-04 of the North Dakota Century Code relating to warning signs of road construction, injury to highway signs and markings and to provide for a reward for information leading to conviction of persons injuring highway signs and to provide for a civil remedy for persons injured by reason of the removal, injury or destruction of highway markings, including exemplary damages therefore.

Which has been read.

Senator George moved that Senate Bill No. 145 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 158. A Bill for an Act to amend and reenact section 15-59-01 of the North Dakota Century Code relating to 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, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak

Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteaman
Harris	Mutch	Yunker

Absent and not voting:

Garaas

So the bill passed and the title was agreed to.

Senate Bill No. 167. A Bill for an Act to amend and re-enact sections 40-46-02, 40-46-04, 40-46-09, 40-46-13 and 40-46-20 of the North Dakota Century Code, relating to employees' pension plan in cities.

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:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteaman
Harris	Mutch	Yunker

Absent and not voting:

Garaas

So the bill passed and the title was agreed to.

Senate Bill No. 196. A Bill for an Act to amend and re-enact section 23-14-11 of the North Dakota Century Code, relating to the authorizing and disbursing of health district funds.

Which has been read.

Senator Murphy requested unanimous consent of the Senate to read into the record a resolution from the Custer District Health Unit, which consent was granted.

RESOLUTION CUSTER DISTRICT HEALTH UNIT

The Board of Health of the Custer District Health Unit, at its meeting on January 18, 1961, passed the following resolution:

WHEREAS, the need and demand for services of the Custer District Health Unit have steadily expanded over the years since its organization;

WHEREAS, the cost of services and facilities have increased during that period;

WHEREAS, the need for qualified and trained personnel is ever increasing, and the Merit Council of the State of North Dakota has raised the minimum salary for county nurses and other trained personnel in the area of health service, so that the State of North Dakota can draw and attract qualified persons for this work in competition with surrounding states;

AND WHEREAS, the present maximum county levy for county health services is three-fourths ($\frac{3}{4}$) mills, which sum will be ineffective to meet the cost of necessary services in the operation of the Custer District Health Unit in the future;

NOW THEREFORE, be it resolved by the Board of Health of the Custer District Health Unit, that the North Dakota Legislature in its session during the year 1961, consider increasing the mill levy limit from three-fourths ($\frac{3}{4}$) mills to one (1) mill.

Dated this 18th day of January, 1961.

BOARD OF HEALTH,
CUSTER DISTRICT HEALTH UNIT

Mrs. Evelyn L. Nickerson, Mandan, President

Mike Gerving, Glen Ullin, Vice-President

M. S. Jacobson, M. D., Elgin

Albert Bauman, Golden Valley

R. B. Luger, Fort Yates

M. W. Clendenen, Center

Cecil C. Smith, M.D., Mandan, Sec.-Treas.,

District Health Officer

By CECIL C. SMITH, Sec.-Treas.

ROLL CALL

The question being on the final passage of Senate Bill No. 196, the roll was called and there were ayes, 23; nays, 26; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Kamrath	Redlin
Baeverstad	Kee	Roen
Baker	Lautenschlager	Saumur
Brooks	Lips	Solberg
Erickson	Longmire	Trenbeath
Erickstad	Luick	Wadeson
Garaas	Morgan	Yunker
Gronvold	Murphy	

Those voting in the negative were:

Becker	Hernett	Paulson
Berube	Holand	Reichert
Bopp	Hystad	Ringsak
Fiedler	Johnson	Schrock
Foss	Kisse	Thompson
Gefreh	Meidinger	Van Horn
George	Miller	Wartner
Gilbertson	Mutch	Witteman
Harris	Nesvig	

So the bill was declared lost for lack of a constitutional majority.

Senate Bill No. 208. A Bill for an Act to make a portion of excise taxes on aviation gasoline and jet motor fuel used by aircraft not refundable and provide for distribution of the proceeds.

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, 2; absent and not voting, 0 .

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Saumur
Brooks	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Longmire	Trenbeath
Foss	Luick	Van Horn
Garaas	Meidinger	Wadeson
Gefreh	Miller	Wartner
George	Morgan	Wittman
Gronvold	Murphy	Yunker
Harris	Mutch	

Those voting in the negative were:

Gilbertson Roen

So the bill passed and the title was agreed to.

Senator Holand moved that after the reading of Senate Bills Nos. 3, 144, 173, 210, 226, 233, 245, Senate Resolution No. 5, and Senate Concurrent Resolution "C", that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

**SECOND READING OF A SENATE BILL
AND A CONCURRENT RESOLUTION**

Senate Bill No. 238. A Bill for an Act to repeal section 53-05-08 of the North Dakota Century Code, relating to the presence of minors under eighteen years of age in pool halls.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 5; nays, 40; absent and not voting, 4.

Those voting in the affirmative were:

Garaas	Murphy	Yunker
Gefreh	Nesvig	

Those voting in the negative were:

Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Kamrath	Ringsak
Berube	Kee	Roen

Bopp	Lautenschlager	Saumur
Brooks	Lips	Schrock
Erickson	Longmire	Solberg
Erickstad	Luick	Thompson
Fiedler	Meidinger	Trenbeath
Foss	Miller	Van Horn
George	Morgan	Wadeson
Gronvold	Mutch	Wartner
Harris	Paulson	Witteaman
Hernett		

Absent and not voting:

Andre	Johnson	Kisse
Gilbertson		

So the bill was declared lost for lack of a constitutional majority.

Senator Wartner moved that the vote by which Senate Bill No. 238 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Concurrent Resolution "P". A concurrent resolution memorializing the Congress to provide full state control over federal aid funds for education.

Which has been read.

Senator Redlin moved that Senate Concurrent Resolution "P" be amended as follows:

In line 21 delete the words "be not extended".

In line 22 delete the words "further, but if extended".

Renumber the lines accordingly.

Senator Gefreh moved that Senate Concurrent Resolution "P" be indefinitely postponed.

The President ruled the motion of Senator Gefreh out of order.

Senator Gefreh moved that the amendments to Senate Concurrent Resolution "P" be laid on the table, which motion prevailed.

Senator Thompson requested a division, which request was granted.

ROLL CALL

The question being on the motion of Senator Gefreh that the amendments to Senate Concurrent Resolution "P" be laid on the table, the roll was called and there were ayes, 29; nays, 19; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Harris	Miller
Becker	Hernett	Morgan
Berube	Holand	Mutch
Brooks	Kee	Ringsak
Erickson	Kisse	Roen
Erickstad	Lautenschlager	Saumur
Foss	Lips	Trenbeath
Gefreh	Longmire	Wadeson
George	Luick	Wartner
Gronvold	Meidinger	

Those voting in the negative were:

Andre	Johnson	Reichert
Baker	Kamrath	Schrock

Bopp
Fiedler
Garaas
Gilbertson
Hystad

Murphy
Nesvig
Paulson
Redlin

Thompson
Van Horn
Witteman
Yunker

Absent and not voting:
Solberg

So the motion was declared carried.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Concurrent Resolution "G"

And the President signed the same in the presence of the Senate.

COURTESY OF THE FLOOR

At the request of Senator Morgan a group of students from the Colfax High School was recognized by the Senate.

MOTIONS

Senator Holand moved that the Senate recess until 1:00 p.m., February 8, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

THIRTY-SIXTH DAY AFTER RECESS AND
THIRTY-SEVENTH DAY

Bismarck, February 8, 1961

The Senate convened at 1:00 p.m., the President presiding.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports it has examined the following bills:

Senate Bill No. 49
Senate Bill No. 75
Senate Bill No. 89
Senate Bill No. 114
Senate Bill No. 127
Senate Bill No. 128
Senate Bill No. 198
Senate Bill No. 270

And finds the same correctly engrossed.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports it has examined the following bills:

Senate Bill No. 46
Senate Bill No. 105

And finds the same correctly re-engrossed.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 8, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 38
Senate Bill No. 72
Senate Bill No. 84
Senate Bill No. 92
Senate Bill No. 93
Senate Bill No. 108
Senate Bill No. 118
Senate Bill No. 153

Which the Senate has passed and your favorable consideration is requested.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, February 8, 1961

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "G"

Which the President has signed.

HOWARD F. DOHERTY, Secretary.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 34 has had the same under consideration and recommends that the same be amended as follows:

In line 4 delete the figure "\$1,238,800.00" and insert the figure "\$1,288,800.00" in lieu thereof.

In line 13 delete the figure "1,206,400.00" and insert the figure "1,256,400.00" in lieu thereof.

In line 14 delete the figure "\$1,238,800.00" and insert the figure "\$1,288,800.00" in lieu thereof.

In line 41 delete the figure "125,000.00" and insert the figure "175,000.00" in lieu thereof.

In line 45 delete the figure "1,206,400.00" and insert the figure "\$1,256,400.00" in lieu thereof.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 58 has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 130 has had the same under consideration and recommends that the same be amended as follows:

In line 1 delete the parenthesis and capitalize the following words: "MONEYS PAID TO THE STATE WATER CONSERVA-"

In line 2 capitalize the following words: "TION COMMISSION TO BE DEPOSITED WITH THE STATE TREASURER"

In line 2 following the period insert a parenthesis

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 136 has had the same under

consideration and recommends that the same be amended as follows:

In the title of the bill, after the numerals "4-18-02.1" insert "and to amend and reenact section 4-18-02"

After line 19, insert the following language:

SECTION 2. AMENDMENT.) Section 4-18-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-18-02. LICENSES REQUIRED — FEES — TERM.)

Every person, firm, or corporation owning or operating a creamery, cheese factory, renovating or process butter factory, ice cream factory, cream station, or dairy in this state, or operating a regular route for picking up cream or milk in this state for use in a creamery, cheese factory, renovating or process butter factory, ice cream factory, cream station, or dairy located without the state, before beginning business, shall obtain from the dairy commissioner a license for each and every creamery, cheese factory, renovating or process butter factory, ice cream factory, cream station, or dairy, and one license for all such milk or cream pick up routes owned or operated by said person, firm, or corporation. The license shall be good for one year. The fee for such license for a creamery, cheese factory, renovating or process butter factory, ice cream factory, milk or cream route, or cream station, as defined in this chapter, shall be ten dollars. The fee for such license for a dairy shall be two dollars.

Number the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 150 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted.

Senator Garaas made the substitute motion that Senate Bill No. 150 be placed on the calendar, which motion was declared lost.

Senator Garaas requested a division, which request was granted.

ROLL CALL

The question being on the substitute motion of Senator Garaas, the roll was called and there were ayes, 18; nays, 30; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Kamrath	Reichert
Berube	Lautenschlager	Schrock
Bopp	Murphy	Solberg
Fiedler	Nesvig	Thompson
Foss	Paulson	Van Horn
Garaas	Redlin	Witteman
Hystad		

Those voting in the negative were:

Baeverstad	Harris	Miller
Baker	Hernett	Morgan
Becker	Holand	Mutch
Brooks	Johnson	Roen
Erickson	Kee	Saumur
Erickstad	Kisse	Trenbeath
Gefreh	Lips	Wadeson
George	Longmire	Wartner
Gilbertson	Luick	Yunker
Gronvold	Meidinger	

Absent and not voting:

Ringsak

So the motion was declared lost.

The question being on the motion of Senator Hernett that the committee report on Senate Bill No. 150 be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 164 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman.

Senator Hernett moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 166 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernett moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 175 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 212 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernett moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 232 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernett moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 234 has had the same under consideration and recommends that the same be amended as follows:

In line 3 of the title after the word "attorneys" insert the words "and county auditors"

In line 4 after the word "ATTORNEYS" insert the words "AND COUNTY AUDITORS"

In line 5 delete the word "fourth" and insert in lieu thereof the words "even-numbered"

In line 7 delete everything before the comma and insert in lieu thereof the words "each primary election"

In line 14 delete everything after the word "section"

In line 15 delete everything before the word "shall"

In line 17 delete the word "compensation"

In line 18 delete the word "and"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 239 has had the same under consideration and recommends that the same be amended as follows:

In line 9 delete "denomina-" and insert in lieu thereof "sectarian"

In line 10 delete "tional"

In line 15 delete "denominational" and insert in lieu thereof "sectarian"

In line 17 after the word "such" insert the word "school"

Delete all of line 18 and insert in lieu thereof "and"

In line 21 delete "denomina-" and insert in lieu thereof "sectarian"

In line 22 delete "tional"

In line 23 after the word "equal" insert the following: "to the county average per pupil elementary or high school cost depending on whether enrolled in grade or high school department, in the county in which the contracting district is located."

Delete all of line 24.

In line 25 delete the words "equalization fund."

In line 26 delete everything after the word "at" and insert in lieu thereof "such school is"

In line 27 delete the words "school is" and insert in lieu thereof "for"

In line 29 delete everything after the period.

Delete all of lines 30, 31, 32, 33, 34 and 35 and insert in lieu thereof the following:

"For the purpose of this Act, any student contracted for to attend a school as herein provided shall be considered as enrolled in the contracting district and the district shall be entitled to the per pupil payment out of the county equalization fund the same as other regularly enrolled students in the district."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 253 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 258 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 261 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 265 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 267 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 268 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 281 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: A majority of your Committee on Agriculture to whom was referred Senate Bill No. 291 has had the same under consideration and the majority recommends that the same be indefinitely postponed.

Harry W. Wadson
Lloyd Erickson
Kenneth L. Morgan

A. W. Luick
 Grant Trenbeath
 Alex Miller
 Clayton Paulson
 Dan Kisse

Senator Wadeson moved that the report be adopted.

Mr. President: A minority of your Committee recommends that the same do pass.

Raymond Andre
 Philip Berube
 Selmer Gilbertson
 Rolland Redlin
 Clark Van Horn

Senator Andre moved that the report of the minority be substituted for that of the majority.

The question being on the motion of Senator Andre, which motion was lost.

Senator Andre requested a division, which request was granted.

ROLL CALL

The question being on the motion of Senator Andre, the roll was called and there were ayes, 21; nays, 27; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Gilbertson	Redlin
Berube	Hystad	Reichert
Bopp	Johnson	Schrock
Brooks	Kamrath	Solberg
Fiedler	Lautenschlager	Thompson
Garaas	Murphy	Van Horn
George	Nesvig	Witteman

Those voting in the negative were:

Baeverstad	Hernett	Morgan
Baker	Holand	Mutch
Becker	Kee	Paulson
Erickson	Kisse	Roen
Erickstad	Lips	Saumur
Foss	Longmire	Trenbeath
Gefreh	Luick	Wadeson
Gronvold	Meidinger	Wartner
Harris	Miller	Yunker

Absent and not voting:

Ringsak

So the motion was declared lost.

The question being on the motion of Senator Wadeson that the committee report on Senate Bill No. 291 be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 295 has had the same under consideration and recommends that the same be amended as follows:

In line 4 of the title after the word "penitentiary" insert the following words: "and making an appropriation"

In line 10 after the word "Dakota" insert the following words: ", less the following described real property: be-

ginning at the northwest corner of section two, township one hundred thirty-eight north, range eighty west, of the fifth principal meridian, thence traveling due south along the west boundary of said section two a distance of nine hundred sixty-six and sixty-eight hundredths feet, thence traveling due east a distance of forty-seven feet to a point which shall be called the point of beginning, thence starting at the beginning and traveling due east a distance of three hundred fifty feet, thence traveling due south a distance of three hundred feet, thence traveling due west a distance of three hundred fifty feet, thence traveling due north a distance of three hundred feet to the point of beginning."

In line 14 after the word "thousand" insert the words "five hundred"

After line 20 insert the following section:

"SECTION 3. APPROPRIATION) The money received by the board of administration from the sale of the above-described real property or so much thereof as may be needed, is hereby appropriated to the board of administration for the purpose of purchasing other real estate in an amount equal to that sold under the provisions of this Act for the benefit and use of the state penitentiary."

Renumber the lines and sections accordingly.

And when so amended recommends the same be referred to the Committee on Appropriations.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 299 has had the same under consideration and recommends that the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 304 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Concurrent Resolution "S" has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Concurrent Resolution "W" has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 553 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 556 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 568 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 637 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 665 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 8, 1961

Mr. President: I have the honor to transmit:

House Bill No. 519
 House Bill No. 523.
 House Bill No. 583
 House Bill No. 603
 House Bill No. 610
 House Bill No. 616
 House Bill No. 638
 House Bill No. 657
 House Bill No. 701
 House Bill No. 708
 House Bill No. 716
 House Bill No. 717
 House Bill No. 741
 House Bill No. 742
 House Bill No. 753
 House Bill No. 755
 House Bill No. 766

House Bill No. 808
 House Bill No. 814
 House Bill No. 828
 House Bill No. 829
 House Bill No. 831
 House Bill No. 901
 House Concurrent Resolution "B"

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

CONSIDERATION OF AMENDMENTS

Senator Longmire moved that Senate Bill No. 219 be re-referred to the Committee on State and Federal Government, which motion prevailed.

Senator Longmire moved that the amendments to Senate Concurrent Resolution "BB" be adopted, which motion prevailed.

MOTIONS

Senator Hernettt moved that Senate Bill No. 297 be returned to the Senate from the Committee on Industry, Business and Labor, which motion prevailed.

Senator Hernettt moved that Senate Bill No. 297 be re-referred to the Committee on Political Subdivisions, which motion prevailed.

Senator Longmire moved that Senate Bill No. 292 be re-referred to the Committee on State and Federal Government, which motion prevailed.

FIRST READING OF A SENATE BILL AND CONCURRENT RESOLUTIONS

The Committee on Delayed Bills introduced:

Senate Bill No. 306. A Bill for an Act to amend and reenact section 50-12-09 of the North Dakota Century Code relating to child placement agencies.

Was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

Senator Nesvig introduced:

Senate Concurrent Resolution "DD". A concurrent resolution urging the Postmaster General of the United States to curtail the operation of the metro mail service within the state of North Dakota.

Was read the first time and referred to the Committee on State and Federal Government.

Senators Thompson and Van Horn (By request) introduced:

Senate Concurrent Resolution "EE". A concurrent resolution requesting the Congress of the United States to bring an end to the soil bank as it is operated today, and to establish full parity with a graduated acreage quota system for agricultural products.

Was read the first time and referred to the Committee on Agriculture.

Senators Lips and Reichert introduced:

Senate Concurrent Resolution "FF". A concurrent resolution directing that the new highway bridge across the

Missouri River in the Bismarck-Mandan vicinity be named the "Captain Grant Marsh Memorial Bridge".

Was read the first time and referred to the Committee on Transportation.

FIRST READING OF HOUSE BILLS

House Bill No. 529. 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.

House Bill No. 722. A Bill for an Act providing for a tax on the wholesale price of cigars and providing for the manner of collection and the disposition of the proceeds thereof and providing a penalty.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 777. A Bill for an Act to amend and reenact Section 19-10-19 of the North Dakota Century Code, relating to oil inspection fees.

Was read the first time and referred to the Committee on Industry, Business and Labor.

COURTESY OF THE FLOOR

The President announced that four Eagle Scouts, namely: Darrold Dewald of Napoleon, Lynn Larsen of Grand Forks, Robert Norum of Fargo, and Matt Coad of Minot, were seated on the rostrum and were in Bismarck to make a report to the Governor.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

THIRTY-SEVENTH DAY

Bismarck, February 8, 1961

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. Allen Iseminger, Seventh Day Adventist, Bismarck.

Our Father who art in heaven, we humbly seek Thee in prayer. Forgive us of our trespasses against Thee. I pray that Thou wilt grant wisdom and impartial understanding to those present here today as they consider legislation relative to the betterment of the citizens of our great State.

We thank Thee for this land of freedom and democratic government. May Thy will be done as the leaders of state and government direct the affairs of our land. Amen.

Roll Call: All Senators present.

A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-fifth day after recess and thirty-sixth day and recommends that the same be corrected as follows:

On page 342, in line 5 delete the word "on".

On page 342, in line 7 delete "tion" and insert in lieu thereof "lution".

On page 345, in line 36, delete the word "injuring" and insert in lieu thereof the word "injuring".

On page 349, in line 39 delete the name "Thompson" and insert in lieu thereof the name "Gefreh".

On page 349, in line 41 delete the word "be adopted" and insert in lieu thereof the word "be laid on the table".

And when so corrected recommends that the same be approved.

SENATOR HARRIS, Chairman.

Senator Harris moved that the report be adopted, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution "X". A concurrent resolution urging the board of higher education to adopt salary schedules for faculty members at institutions of higher learning.

Which has been read.

Senator Baker moved that Senate Concurrent Resolution "X" be amended as follows:

In line 26 before the period, insert the following language: "and to include in such schedules a factor for merit".

Renumber the lines accordingly.

Which motion prevailed.

Senator Baker moved that Senate Concurrent Resolution "X" be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 552. A Bill for an Act to amend and reenact sections 4-02-20, 4-02-21, 4-22-03, 12-57-01, 16-13-33, 16-13-36, 16-13-39, 16-13-47, 23-01-02, 23-13-09, 26-20-04, 26-20-05, 26-20-06, 26-20-07, 26-20-08, 34-10-02, 34-10-03, 34-10-06, 46-04-01, 48-04-10, 54-04-01, 54-04-03, 54-04-04, 54-36-01, 55-01-01, and 61-02-04 of the North Dakota Century Code relating to the membership and duties of various boards and commissions upon which the governor or the superintendent of public instruction serve; and to repeal sections 4-02-13, 4-02-14, 16-13-34, and 16-13-37 of the North Dakota Century Code relating to the boards of directors of the state fair associations, and the state board of canvassers for general and special elections.

Which has been read.

Senator Schrock moved that House Bill No. 552 be amended as follows:

In line 157 after the word "association" insert a comma and the language "one shall be appointed from a list of two submitted by the state Chiropractic association".

In line 157 after the word "appointed" change the word "two" to "one".

In line 158 change the word "persons" to "person".

Renumber the lines accordingly.

Senator Holand made the substitute motion that House Bill No. 552 be re-referred to the Committee on Agriculture, which motion prevailed.

MOTIONS

Senator Murphy moved that the resolution in regard to the State Training School, to which he referred in his remarks, be printed in the Journal.

Senators Wartner and Brooks objected to the printing of such resolution in the Journal.

The question being on the motion of Senator Murphy, which motion prevailed.

Senator Brooks requested a division, which request was granted.

ROLL CALL

The question being on the motion of Senator Murphy, the roll was called and there were ayes, 38; nays, 11; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Holand	Redlin
Baeverstad	Hystad	Reichert
Becker	Johnson	Roen
Berube	Kamrath	Saumur
Bopp	Kee	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Morgan	Wadeson
Gilbertson	Murphy	Witteman
Harris	Nesvig	Yunker
Hernett	Paulson	

Those voting in the negative were:

Baker	Gronvold	Mutch
Brooks	Kisse	Ringsak
Erickson	Meidinger	Wartner
George	Miller	

So the motion was declared carried.

RESOLUTION

WHEREAS Reliable information was obtained indicating that certain abusive practices were being conducted at the State Training School at the direction and at the order of Superintendent Thomas R. Crouse, as punishment; and

WHEREAS This information was given Governor John E. Davis with the request that he institute a complete investigation of this matter; and

WHEREAS The Attorney General's office of the State of North Dakota at the said Governor's request conducted an investigation to determine the authenticity of these charges; and

WHEREAS The evidence obtained in this investigation now indicates that the Superintendent of the State Training School, Mr. Thomas R. Crouse, at Mandan, North Dakota, required four male students of said school to be

locked in a room in which there was no plumbing and little or no furniture, without clothes, and while shackled together with only a blanket for each student for a period of approximately ten (10) days as punishment for escaping from the State Training School; and

WHEREAS The undersigned believe that such punishment is not only very inappropriate and unnecessary but that it is also shameful and degrading, and fully indicates that Superintendent Thomas R. Crouse is not suited for the responsibilities of the office; and

WHEREAS Such conduct can only be conducive of low morale of both employees and students at the State Training School, and result in a failure to continue a proper program of rehabilitation for the students there confined;

NOW, THEREFORE, BE IT RESOLVED By the undersigned members of the State Legislature of North Dakota that the Governor of the State of North Dakota and the Board of Administration of the State of North Dakota be requested, and they are hereby requested, to ask for the immediate resignation of Superintendent Thomas R. Crouse, and in the event of his refusal to resign the Board of Administration is hereby requested to proceed, pursuant to 12-4604 of the North Dakota Revised Code of 1943, to prefer written charges of misconduct against said person and to conduct a hearing thereon, at which time the said Superintendent should be permitted to submit evidence in his own defense.

BE IT FURTHER RESOLVED That the Board of Administration be requested, and the Board is hereby requested, to suspend Superintendent Thomas R. Crouse immediately and appoint a temporary superintendent to be in charge of the State Training School while the aforesaid investigation and hearing is being conducted and until final determination of the facts is made by the Board of Administration and final action is taken.

BE IT FURTHER RESOLVED That the Board of Administration of the State of North Dakota be requested, and the Board of Administration is hereby requested, on completion of the aforesaid hearing, should the facts indicate that Superintendent Thomas R. Crouse has been guilty of the misconduct herein described, to immediately remove said Superintendent from office and relieve him from any and all responsibilities at the State Training School or in connection therewith.

Dated at Fargo, North Dakota, this 27th day of October, A. D. 1959.

Grant Trenbeath
Stanley Saugstad
Don Halcrow
P. L. Foss
Chester Fossum
Ralph Erickstad

Senator Holand moved that after the reading of Senate Bills Nos. 19, 49, 75, 89, 114, 127, 128, 182, 189, 198, 223, 249, 250, 262, 270, 46, and 105 that the Senate recess until 1:00 p.m., February 9, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

THIRTY-SEVENTH DAY AFTER RECESS
AND THIRTY-EIGHTH DAY

Bismarck, February 9, 1961

The Senate convened at 1:00 p.m., the President presiding.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports it has examined the following resolutions:

Senate Concurrent Resolution "X"

Senate Concurrent Resolution "BB"

And finds the same correctly engrossed.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 9, 1961

Mr. President: I have the honor to inform you that the Speaker has appointed as a committee to act with a like committee from the Senate, Representatives Goebel, Hofstrand and Christensen (Ward) for a joint session on Lincoln's Birthday and the 25th Anniversary of the Capitol Building.

GERALD L. STAIR, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 9, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 7

Senate Bill No. 50

Senate Bill No. 135

Senate Bill No. 139

Senate Bill No. 141

Senate Bill No. 158

Senate Bill No. 167

Senate Bill No. 208

Which the Senate has passed and your favorable consideration is requested.

HOWARD F. DOHERTY, Secretary.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 80 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 90 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 156 has had the same under consideration and recommends that the same be amended as follows:

In line 3 of the title delete the period and insert in lieu thereof a comma and the words "and providing for a penalty."

Following line 20 insert the following:

"SECTION 2.) Any person or corporation refusing an employee any right provided by this Act shall be guilty of a misdemeanor and shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 172 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 177 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 187 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 202 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 204 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 216 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 220 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted.

Senator Gefreh made the substitute motion that Senate Bill No. 220 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 229 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 237 has had the same under consideration and recommends that the same be amended as follows:

In line 3 of the title delete section number "16-17-16"

In line 6 delete the word "Tuesday" and insert in lieu thereof the word "Wednesday"

In line 67 delete the word "the" and insert in lieu thereof the word "each"

Delete all of lines 106 through 133.

Renumber the lines accordingly.

Renumber the sections accordingly.

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 252 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 273 has had the same under consideration and recommends that the same be indefinitely postponed

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 276 has had the same under consideration and recommends that the same be indefinitely postponed

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 284 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 294 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 303 has had the same under consideration and recommends that the same do pass and be re-referred to the Committee on Appropriations.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 664 has had the same under consideration and recommends that the same be amended as follows:

In line 15 after the word "chapter" and before the period insert the following: ", except that the transportation by such packing plant or a rendering plant of carcasses and other animal substances on any public highway or street shall be subject to the sanitary requirements of this chapter and the rules and regulations of the state livestock sanitary board made pursuant thereto"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

MOTIONS

Senator Wadeson moved that House Bill No. 552 be returned to the Senate from the Committee on Agriculture, which motion prevailed.

Senator Wadeson moved that House Bill No. 552 be re-referred to the Committee on State and Federal Government, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Holand moved that the reading of the amendments to Senate Bills Nos. 34, 130, 136, 234, 239, and 295 be dispensed with, which motion prevailed.

Senator Foss moved that the amendments to Senate Bill No. 34 be adopted, which motion prevailed.

Senator Foss moved that the amendments to Senate Bill No. 130 be adopted, which motion prevailed.

Senator Wadeson moved that the amendments to Senate Bill No. 136 be adopted, which motion prevailed.

Senator Wartner moved that the amendments to Senate Bill No. 234 be adopted, which motion prevailed.

Senator Meidinger moved that the amendments to Senate Bill No. 239 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 295 be adopted, which motion prevailed.

MOTIONS

Senator Holand moved that House Bill No. 595 and House Concurrent Resolution "N" be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 3. A Bill for an Act relating to an appropriation for the purpose of administering the provisions of Chapter 52-10 of the North Dakota Century Code, pertaining to social security coverage of public employees.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

Senate Bill No. 144. A Bill for an Act authorizing the state board of administration to transfer and convey to the state water conservation commission a tract of land to enable the commission to construct thereon a building for use in storing, servicing, repairing and maintaining

machinery, motor vehicles, equipment and materials, and making an appropriation to cover the cost of constructing such building, 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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to and the emergency clause carried.

Senate Bill No. 173. A Bill for an Act to establish the office of state toxicologist.

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, 19; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Johnson	Redlin
Baeverstad	Kee	Reichert
Brooks	Lautenschlager	Roen
Erickson	Lips	Schrock
Erickstad	Luick	Solberg
Foss	Meidinger	Wadeson
Garaas	Miller	Wartner
George	Murphy	Witteman
Gronvold	Nesvig	Yunker
Hernett	Paulson	

Those voting in the negative were:

Baker	Harris	Morgan
Becker	Holand	Ringsak
Berube	Hystad	Saumur
Bopp	Kamrath	Thompson
Fiedler	Kisse	Trenbeath
Gefreh	Longmire	Van Horn
Gilbertson		

Absent and not voting:

Mutch

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 9, 1961

Mr. President: I have the honor to transmit:

House Bill No. 509
 House Bill No. 510
 House Bill No. 511
 House Bill No. 516
 House Bill No. 517
 House Bill No. 521
 House Bill No. 607
 House Bill No. 703
 House Bill No. 709
 House Concurrent Resolution "R"

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

MOTIONS

Senator Holand moved that after the reading of Senate Bills Nos. 58, 166, 212, 232, 253, 258, 267, 281, 299, House Bills Nos. 553, 556, 568, 637, 665, Senate Concurrent Resolutions "S", "W" "BB" that the Senate adjourn, which motion prevailed.

THIRTY-EIGHTH DAY

Bismarck, February 9, 1961

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. Paul Faulkinberry, Wesleyan Methodist, Bismarck.

Our Father Who art in Heaven, in this time of prayer we bring unto Thee the members of this body, its officers, its servants. Grant that as they endeavor to guide our state they might have wisdom from above. May in their search for answers to the problems facing them they seek the truth. In seeking for truth let them find the wisdom of God's guidance.

Thou alone dost know the possible far reaching effects of the decisions of this day. Thus we pray for deliverance from the temptations to take the easy way. Let us find that which is best and right even though it may be hard.

May the responsibilities of this day be lightened with divine light of understanding and the illumination of Thy Holy Spirit. Through Thy Spirit may these men of state have the boldness of faith to act according to the principles of Thy Holy Word.

In the name of Christ our Lord, we pray. Amen.

Roll Call: All Senators present.

A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-sixth day after recess and thirty-seventh day and recommends that the same be corrected as follows:

On page 360, in line 13 delete the words "the amendments to".

And when so corrected recommends that the same be approved.

SENATOR HARRIS, Chairman.

Senator Harris moved that the report be adopted, which motion prevailed.

MOTIONS

Senator Gronvold: Mr. President. I have the honor this afternoon of having with me here State Dairy Princess Annette Wangier of Rugby, Pierce County. She was selected last July at the State Dairy Show in competition with thirteen finalists. Presently she is employed in the Welfare Office at the State Capitol. She will take her vacation next June to help promote "June is Dairy Month". This afternoon she will present a gift of North Dakota cheese to the Lt. Governor, and gifts of butter warmers to Senator Donald C. Holand and Senator John O. Garaas. I move that a committee of two be appointed to escort Miss Wangier to the rostrum.

The question being on the motion of Senator Gronvold, which motion prevailed.

The President appointed as such committee Senators Gronvold and Becker and Miss Wangier was escorted to the rostrum and invited to address the Senate.

Miss Wangier: Mr. President and Members of the Senate. I am very proud, indeed, to be introduced before the Senate during the legislative session of 1961. As you represent the counties and people of our state in government, I too, am a representative. It is a great honor for me to represent the dairy industry of North Dakota.

In appreciation thereof, it is my pleasure to present Lieutenant Governor Hagen with a sample of North Dakota cheese. By the way, I have been informed that a cheese factory is now in operation in Rugby.

I also wish to present majority and minority floor leaders Donald C. Holand and John O. Garaas with a butter warmer. I am sure your wives will find these very attractive and useful.

I hope you will all join me during the next recess at the milk dispenser in the hall. A cool drink of milk will refresh you and aid in relieving tension.

Senator Ringsak moved that the remarks of Miss Wangier be printed in the Journal, which motion prevailed.

FIRST READING OF A SENATE BILL

The Committee on Delayed Bills introduced:

Senate Bill No. 307. A Bill for an Act to amend and reenact sections 40-45-01, 40-45-02, 40-45-08, 40-45-09, 40-45-13 and 40-45-16 of the North Dakota Century Code relating to police pensions in cities, and declaring an emergency.

Was read the first time and referred to the Committee on Political Subdivisions.

FIRST READING OF HOUSE BILLS AND A CONCURRENT RESOLUTION

House Bill No. 519. A Bill for an Act making an appropriation for the Division of Vocational Rehabilitation and for the Governor's Committee on Employment of the Physically Handicapped.

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 operation, maintenance and miscellaneous expenses of the Poultry Improvement Board.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 583. A Bill for an Act to create and enact section 15-53-27.1 of the North Dakota Century Code, relating to the transfer of land in a school district reorganization or annexation proceeding.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 603. A Bill for an Act to amend and reenact subsection 2 of section 11-10-10 of the North Dakota Century Code relating to the salaries of elected county officials.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 610. A Bill for an Act to amend and reenact section 20-03-12 of the North Dakota Century Code, relating to hunting license fees, and to repeal chapter 20-13 of the North Dakota Century Code, relating to the predatory animal bounty.

Was read the first time and referred to the Committee on Natural Resources.

House Bill No. 616. A Bill for an Act authorizing the state board of higher education of the state of North Dakota to purchase additional land for use by the agricultural experiment station, North Dakota State University of Agriculture and Applied Science, making an appropriation therefor, and declaring an emergency.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 638. A Bill for an Act to amend and reenact section 20-03-21 of the North Dakota Century Code, relating to issuance of hunting, trapping, fishing, and taxidermists' licenses.

Was read the first time and referred to the Committee on Natural Resources.

House Bill No. 657. A Bill for an Act to amend and reenact sections 15-18-05, 15-18-06, 15-18-07, 15-18-08, and 15-18-09 of the North Dakota Century Code, relating to county and state financing of junior colleges and off-campus educational centers.

Was read the first time and referred to the Committee on Education.

House Bill No. 701. A Bill for an Act to amend and reenact section 15-40-19 of the North Dakota Century Code relating to the time when payments shall be made from the state equalization fund to the county equalization fund for elementary school education.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 708. A Bill for an Act transferring any moneys in the penitentiary coffin manufacture fund to the general fund.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 716. A Bill for an Act to require the construction of approaches across any ditch located at the end of any dead end public highway except when such approach is impractical.

Was read the first time and referred to the Committee on Transportation.

House Bill No. 717. A Bill for an Act authorizing the board of administration to sell certain described lands belonging to the state of North Dakota.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 741. A Bill for an Act to amend and reenact sections 61-02-20, 61-02-29, 61-02-30, 61-02-31, 61-02-32 and 61-02-33 of the North Dakota Century Code relating to powers and duties of the state water conservation commission.

Was read the first time and referred to the Committee on Natural Resources.

House Bill No. 742. A Bill for an Act to repeal subsection 11 of section 11-28-05 of the North Dakota Century Code, relating to the exercise of the power of eminent domain by the Board of Park Commissioners.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 753. A Bill for an Act to amend and reenact sections 61-06-10, 61-06-12, 61-06-21, 61-06-22 and 61-08-31 of the North Dakota Century Code relating to irrigation districts.

Was read the first time and referred to the Committee on Natural Resources.

House Bill No. 755. A Bill for an Act to repeal section 51-05-08 of the North Dakota Century Code, relating to the sale of damaged goods by auctioneers.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 766. A Bill for an Act to amend and reenact subsection 5 of section 20-02-05 of the North Dakota Century Code relating to the powers of the state game and fish commissioner.

Was read the first time and referred to the Committee on Natural Resources.

House Bill No. 808. A Bill for an Act to require minors under the age of sixteen to have successfully completed at least four hours of the national rifle association gun safety course prior to receiving any license authorizing the taking of game with firearms.

Was read the first time and referred to the Committee on Natural Resources.

House Bill No. 814. A Bill for an Act to amend and reenact section 27-16-22 of the North Dakota Century Code relating to the placement of children in a family or institution of the same religious faith as that of the parents of said child.

Was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

House Bill No. 828. A Bill for an Act to amend and reenact section 61-21-16 of the North Dakota Century Code relating to the voting right or power of landowners.

Was read the first time and referred to the Committee on Natural Resources.

House Bill No. 829. A Bill for an Act to amend and reenact section 61-21-46 of the North Dakota Century Code relating to the maximum levy and accumulation of drainage district fund.

Was read the first time and referred to the Committee on Natural Resources.

House Bill No. 831. A Bill for an Act to regulate relationships between management and labor in North Dakota, and to repeal section 34-10-05 of the North Dakota Century Code as in conflict therewith.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 901. A Bill for an Act to provide that all school districts must offer periods of instruction on the United States and state constitutions to all students in the seventh through the twelfth grades.

Was read the first time and referred to the Committee on Education.

House Concurrent Resolution "B". A concurrent resolution relating to the administration and operation of the state training school.

Was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

SECOND READING OF SENATE BILLS

Senate Bill No. 210. A Bill for an Act to amend and reenact sections 37-12-01 and 37-12-02 of the North Dakota Century Code relating to the establishment and operation of the state guard and providing 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, 43; nays, 6; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Holand	Nesvig
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Berube	Kamrath	Roen
Bopp	Kee	Saumur
Brooks	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Longmire	Trenbeath

Foss	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gronvold	Morgan	Witteman
Harris	Mutch	Yunker

Hernett

Those voting in the negative were:

Andre	Gilbertson	Paulson
Garaas	Murphy	Redlin

So the bill passed and the title was agreed to.

Senate Bill No. 226. A Bill an Act to amend and reenact section 57-15-16 of the North Dakota Century Code relating to school district building fund levy.

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, 17; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Gronvold	Mutch
Baeverstad	Harris	Reichert
Baker	Holand	Ringsak
Becker	Kee	Roen
Berube	Kisse	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Erickstad	Longmire	Trenbeath
Foss	Luick	Van Horn
Gefreh	Meidinger	Yunker
George		

Those voting in the negative were:

Bopp	Johnson	Redlin
Fiedler	Kamrath	Thompson
Garaas	Morgan	Wadeson
Gilbertson	Murphy	Wartner
Hernett	Nesvig	Witteman
Hystad	Paulson	

Absent and not voting:

Miller

So the bill passed and the title was agreed to.

Senate Bill No. 233. A Bill for an Act to create and enact section 15-34-27 of the North Dakota Century Code relating to transportation of students outside state by school bus, and to amend and reenact section 15-40-15 of the North Dakota Century Code, relating to reciprocal agreement for payment for the education and transportation of students in a bordering state.

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:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin

Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadson
George	Morgan	Wartner
Gilbertson	Murphy	Witteaman
Gronvold	Mutch	Yunker

Absent and not voting:

Miller

So the bill passed and the title was agreed to.

COMMITTEE APPOINTMENT

The President appointed as a committee of three to meet with a like committee from the House on Lincoln's Birthday and the 25th Anniversary of the Capitol Building, Senators Gefreh, Trenbeath and Lautenschlager.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 9, 1961

Mr. Speaker: I have the honor to inform you that the President has appointed Senators Gefreh, Trenbeath and Lautenschlager to serve with a like committee from the House on Lincoln Day and the 25th Anniversary of the Capitol.

HOWARD F. DOHERTY, Secretary.

COURTESY OF THE FLOOR

At the request of Senator Kamrath the courtesy of the floor was extended to Peggy Rivinius of Elgin and she was escorted to the rostrum by Page Larry Brenno to entertain the Senate with a vocal rendition accompanying herself on the accordion.

MOTIONS

Senator Holand moved that the Senate recess until 1:00 p.m., February 10, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

THIRTY-EIGHTH DAY AFTER RECESS AND
THIRTY-NINTH DAY

Bismarck, February 10, 1961

The Senate convened at 1:00 p.m., the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and En-grossment respectfully reports that it has examined the following bill: Senate Bill No. 34, and finds the same correctly re-engrossed.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and En-grossment respectfully reports that it has examined the following bills:

Senate Bill No. 130

Senate Bill No. 136

Senate Bill No. 234

Senate Bill No. 239

Senate Bill No. 295

And finds the same correctly engrossed.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2 has had the same under consideration and recommends that the same be amended as follows:

In line 10 delete the figure "4,915,601.00" and insert the figure "4,938,141.00" in lieu thereof.

In line 13 delete the figure "7,460,063.00" and insert the figure "7,482,603.00" in lieu thereof.

In line 15 delete the figure "6,096,063.00" and insert the figure "6,118,603.00" in lieu thereof.

In line 17 delete the figure "56,000.00" and insert the figure "112,000.00" in lieu thereof.

In line 18 after the word "Library" insert the following: "(to be made available immediately on passage)".

In line 18 delete the figure "100,000.00" and insert the figure "200,000.00" in lieu thereof.

In line 25 delete the words "Old Library and".

In line 26 delete the "s" on "Buildings" and add the words "for Biology".

After line 26 add line 26A as follows:

"26A 9. Fire Protection..... 29,000.00".

In line 27 delete the figure "\$6,557,563.00" and insert the figure "\$6,765,103.00" in lieu thereof.

In line 31 delete the figure "4,259,458.00" and insert the figure "4,411,197.00" in lieu thereof.

In line 34 delete the figure "6,555,894.00" and insert the figure "6,707,633.00" in lieu thereof.

In line 36 delete the figure "4,582,533.00" and insert the figure "5,004,272.00" in lieu thereof.

In line 39 after the word "Plant" insert the following language: "(to be made available immediately on passage)".

After line 46 add the following lines:

"46A	8. Water Line Replacement for	
46B	Fire Protection	150,000.00".

In line 47 delete the figure "\$5,607,033.00" and insert the figure "\$5,908,772.00" in lieu thereof.

Delete all of line 58, including the amount, and insert in lieu thereof the following lines:

"58	3. Potato Research-matching funds	39,000.00
58A	4. Five Controlled Environment	
58B	Chambers	87,500.00"

In line 59 delete the numeral "4" and insert the numeral "5" in lieu thereof.

In line 61 delete the figure "\$2,076,563.00" and insert the figure "\$2,193,063.00" in lieu thereof.

In line 70 delete the words "New Irrigation System" and the figure "68,162.00" and insert the word "Carrington" and the figure "70,192.00" in lieu thereof.

In line 76 delete the figure "\$482,279.00" and insert the figure "\$484,309.00" in lieu thereof.

In line 78 delete the figure "\$2,558,842.00" and insert the figure "\$2,677,372.00" in lieu thereof.

After line 81 insert the following lines:

"81A	Agricultural Engineer	16,200.00
81B	Plant Pathologist	20,00.00".

In line 87 delete the figure "\$695,525.00" and insert the figure "\$731,725.00" in lieu thereof.

In line 90 delete the figure "577,542.00" and insert the figure "616,028.00" in lieu thereof.

In line 93 delete the figure "931,249.00" and insert the figure "969,735.00" in lieu thereof.

In line 95 delete the figure "716,769.00" and insert the figure "755,255.00" in lieu thereof.

In line 97 delete the figure "\$841,769.00" and insert the figure "\$880,255.00" in lieu thereof.

In line 100 delete the figure "322,606.00" and insert the figure "338,138.00" in lieu thereof.

In line 103 delete the figure "624,116.00" and insert the figure "639,648.00" in lieu thereof.

In line 105 delete the figure "531,116.00" and insert the figure "546,648.00" in lieu thereof.

After line 123 insert the following lines:

"123A	14. Heating Plant, including boiler (to	
123B	be made available immediately on	
123C	passage)	175,000.00"

In line 124 delete the figure "\$678,202.00" and insert the figure "\$868,734.00" in lieu thereof.

In line 127 delete the figure "538,344.00" and insert the figure "576,280.00" in lieu thereof.

In line 130 delete the figure "\$909,999.00" and insert the figure "\$947,935.00" in lieu thereof.

In line 132 delete the figure "716,999.00" and insert the figure "754,935.00" in lieu thereof.

After line 133 insert the following line:

"133A Water Tank and Main 98,000.00".

In line 134 delete the figure "\$851,999.00" and insert the figure "\$987,935.00" in lieu thereof.

In line 137 delete the figure "1,465,164.00" and insert the figure "1,528,746.00" in lieu thereof.

In line 140 delete the figure "\$2,199,122.00" and insert the figure "\$2,262,704.00" in lieu thereof.

In line 142 delete the figure "1,672,622.00" and insert the figure "1,736,204.00" in lieu thereof.

In line 143 delete the figure "150,000.00" and insert the figure "170,000.00" in lieu thereof.

In line 144 delete the figure "\$1,822,622.00" and insert the figure "\$1,906,204.00" in lieu thereof.

In line 147 delete the figure "742,564.00" and insert the figure "773,221.00" in lieu thereof.

In line 150 delete the figure "1,264,864.00" and insert the figure "1,295,521.00" in lieu thereof.

In line 152 delete the figure "962,764.00" and insert the figure "993,421.00" in lieu thereof.

In line 165 delete the figure "\$1,199,464.00" and insert the figure "\$1,230,121.00" in lieu thereof.

In line 168 delete the figure "1,088,150.00" and insert the figure "1,143,646.00" in lieu thereof.

In line 171 delete the figure "1,683,015.00" and insert the figure "1,738,511.00" in lieu thereof.

In line 173 delete the figure "1,236,015.00" and insert the figure "1,291,511.00" in lieu thereof.

In line 177 delete the figure "\$1,481,015.00" and insert the figure "\$1,536,511.00" in lieu thereof.

In line 181 delete the figure "208,410.00" and insert the figure "213,872.00" in lieu thereof.

In line 182 delete the figure "7,275.00" and insert the figure "7,775.00" in lieu thereof.

In line 184 delete the figure "362,371.00" and insert the figure "368,333.00" in lieu thereof.

In line 186 delete the figure "\$306,371.00" and insert the figure "\$312,333.00" in lieu thereof.

In line 197 delete the figure "\$444,815.00" and insert the figure "\$450,777.00" in lieu thereof.

In line 207 delete the figure "\$479,815.00" and insert the figure "\$485,777.00" in lieu thereof.

In line 208 delete the figure "\$22,773,849.00" and insert the figure "\$23,978,509.00" in lieu thereof.

After line 239 add the following lines:

"240 SECTION 4. EMERGENCY.) This Act is hereby
 240a declared to
 241 be an emergency measure and shall be in full force
 241a and effect
 242 from and after its passage and approval on such
 242a items as are
 243 designated to be made available immediately on
 243a passage.
 244 SECTION 5.) The following buildings to be built,
 244a pro-
 245 viding State or Federal funds are available, at the
 245a discretion

246	of the State Budget Board on a priority basis as listed	
246a	below:	
247	Priority:	
248	1 — Chemistry Building — N.D.S.U.,	
248a	Fargo	\$ 700,000.00
249	2 — Administration, Science Class-	
249a	room	
250	Building, State School of Science	
251	at Wahpeton	750,000.00
252	3 — Administration, Classroom Build-	
252a	ing,	
253	State Teachers College at Minot	550,000.00
254	4 — Classroom Building, State Teach-	
254a	ers	
255	College at Valley City	375,000.00
256	5 — Classroom Building, State Teach-	
256a	ers	
257	College at Dickinson	400,000.00
258	6 — Geology and Minerals Industry	
258a	Build-	
259	ing, University at Grand Forks	1,000,000.00
260	7 — Engineering Unit — N. D. S. U.	
261	at Fargo	1,400,000.00".

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 181 has had the same under consideration and recommends that the same be amended as follows:

Following line 87 insert the following:

"In the event that a judge entitled to retirement pay shall die without having elected an optional mode of payment, his widow shall be entitled to payments as provided by the first option as set forth in subsection 5a. of this Act."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 207 has had the same under consideration and recommends that the same do pass.

SENATOR MILLER, Chairman.

Senator Miller moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 209 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 225 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 246 has had the same under consideration and recommends that the same do pass.

SENATOR MILLER, Chairman.

Senator Miller moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 248 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 259 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 264 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 277 has had the same under consideration and recommends that the same do pass.

SENATOR MILLER, Chairman.

Senator Miller moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 305 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Concurrent Resolution "FF" has had the same under consideration and recommends that the same do pass.

SENATOR KEE, Chairman.

Senator Kee moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 724 has had the same under consideration and recommends that the same do pass.

SENATOR KEE, Chairman.

Senator Kee moved that the report be adopted, which motion prevailed.

**FIRST READING OF A SENATE BILL AND
A CONCURRENT RESOLUTION**

The Committee on Delayed Bills (By request of Committee on Appropriations) introduced:

Senate Bill No. 308. A Bill for an Act to create and enact section 24-14-04 of the North Dakota Century Code relating to meetings of the highway commissioner, motor vehicle registrar, superintendent of the highway patrol, public safety director, and the director of the safety responsibility division of the state highway department for the purpose of coordination of all phases of highway and traffic safety.

Was read the first time and referred to the Committee on Transportation.

Senators Meidinger, Hernett, Fiedler and Redlin introduced:

Senate Concurrent Resolution "GG". A concurrent resolution urging the support of the economic development of the state by all public officials and citizens regardless of political affiliations.

Was read the first time and referred to the Committee on State and Federal Government.

**FIRST READING OF HOUSE BILLS
AND A CONCURRENT RESOLUTION**

House Bill No. 509. A Bill for an Act making an appropriation for the general maintenance and operation of the North Dakota State Farm, Bismarck, North Dakota.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 510. A Bill for an Act making an appropriation for the general maintenance and operation of the Tag and Sign Plant at the State Penitentiary.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 511. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment and miscellaneous expenses of the North Dakota Twine and Cordage Plant at the State Penitentiary.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 516. 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.

House Bill No. 517. 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.

House Bill No. 521. A Bill for an Act making an appropriation to permit North Dakota to take advantage of the

National Defense Education Act for the purpose of improving instruction in the State in accordance with the Act.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 607. A Bill for an Act to create and enact section 15-08-26 of the North Dakota Century Code, relating to leases of university and school lands, and to repeal section 15-04-05 of the North Dakota Century Code relating to the leasing of grant lands.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 703. A Bill for an Act to amend and reenact section 20-08-03 of the North Dakota Century Code relating to contents of the governor's proclamation relating to the taking of game birds, fish, and game animals.

Was read the first time and referred to the Committee on Natural Resources.

House Bill No. 709. A Bill for an Act to provide for suspension of minor's driver's license upon violation or conviction of certain state laws or city or village ordinances and to provide for the sending of records of violations or convictions to the highway commissioner.

Was read the first time and referred to the Committee on Judiciary.

House Concurrent Resolution "R". A concurrent resolution for the amendment of sections 150 and 173 of the Constitution of the state of North Dakota relating to county officers.

Was read the first time and referred to the Committee on Political Subdivisions.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

HOWARD F. DOHERTY, Secretary

THIRTY-NINTH DAY

Bismarck, February 10, 1961

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Rev. Alvin Keller, State Training School Chaplain, Mandan.

Our Father, from whom all blessings flow, hear us as we come before Thy throne on this day. Accept our thanks for all the blessings which we have received from Thy hand, without any merit or worthiness on our part. Continue to us Thy blessing of freedom, peace and prosperity.

Grant to those who rule in our land, wisdom to choose the right, and courage to back up their convictions. Free them from personal ambition, so that each one may seek the good of his neighbor. Give to those who serve in this Senate Thy special favor, so that serving in public office, they may also be serving Thee.

Forgive us our coldness of heart, over-rule our mistakes, give us the mind of Christ, so that Thy love may prevail in all that we do. Hear us we pray, for Jesus' sake. Amen.

Roll call: All Senators present except Senator Kee.

A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-seventh day after recess and thirty-eighth day and recommends that the same be corrected as follows:

On page 375, line 21, correct the spelling of the word "management"

And when so corrected recommends that the same be approved.

SENATOR HARRIS, Chairman.

Senator Harris moved that the report be adopted, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 10, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 3

Senate Bill No. 144

Senate Bill No. 173

Senate Bill No. 210

Senate Bill No. 226

Senate Bill No. 233

Which the Senate has passed and your favorable consideration is requested.

HOWARD F. DOHERTY, Secretary.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 169 has had the same under consideration and a majority recommends that the same be indefinitely postponed.

Aloys Wartner, Jr.

Adam Gefreh

Ralph Erickstad

George Longmire

C. W. Baker

C. F. Harris

Evan Lips

Senator Wartner moved that the report be adopted.

Mr. President: A minority of your committee recommends that the same do pass.

Iver Solberg

John Garaas

Charles Murphy

Leonard Bopp

William Reichert

C. W. Schrock

Senator Garaas moved that the report of the minority be substituted for that of the majority.

The question being on the motion of Senator Garaas that the report of the minority be substituted for that of the majority, which motion was lost.

Senator Garaas requested a division which request was granted.

ROLL CALL

The question being on the substitute motion of Senator Garaas, the roll was called and there were ayes, 22; nays, 26; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Kamrath	Reichert
Berube	Lautenschlager	Schrock
Bopp	Morgan	Solberg
Fiedler	Murphy	Thompson
Garaas	Nesvig	Van Horn
Gilbertson	Paulson	Witteaman
Hystad	Redlin	Yunker
Johnson		

Those voting in the negative were:

Baeverstad	Gronvold	Miller
Baker	Harris	Mutch
Becker	Hernett	Ringsak
Brooks	Holand	Roen
Erickson	Kisse	Saumur
Erickstad	Lips	Trenbeath
Foss	Longmire	Wadeson
Gefreh	Luick	Wartner
George	Meidinger	

Absent and not voting:

Kee

So the motion was declared lost.

The question being on the motion of Senator Wartner that the report of the committee on Senate Bill No. 169 be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 195 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MILLER, Chairman.

Senator Miller moved that the report be adopted.

Senator Murphy made the substitute motion that Senate Bill No. 195 be placed on the calendar, which motion was declared lost.

The question being on the motion of Senator Miller that the committee report on Senate Bill No. 195 be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 200 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MILLER, Chairman.

Senator Miller moved that the report be adopted.

Senator Murphy made the substitute motion that Senate Bill No. 200 be placed on the calendar, which motion prevailed.

Senator Wartner requested a division, which request was granted.

ROLL CALL

The question being on the substitute motion of Senator Murphy, the roll was called and there were ayes, 22; nays, 26; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Paulson
Baker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kisse	Solberg
Brooks	Lautenschlager	Thompson
Fiedler	Murphy	Van Horn
Garaas	Nesvig	Yunker
Gilbertson		

Those voting in the negative were:

Baeverstad	Holand	Ringsak
Becker	Kamrath	Roen
Erickson	Lips	Saumur
Erickstad	Longmire	Schrock
Foss	Luick	Trenbeath
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gronvold	Morgan	Witteman
Hernett	Mutch	

Absent and not voting:

Kee

So the motion was declared lost.

The question being on the motion of Senator Miller that the committee report on Senate Bill No. 200 be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 230 has had the same under consideration and recommends that the same be amended as follows:

Delete all of line 37 and insert in lieu thereof "parking lots and street maintenance;"

Following line 37 insert the following subsection:

"4. Such meters shall be designed so as to operate on one cent, five cent and ten cent coins, permitting optional parking up to a two-hour limit without requiring a further deposit of a coin."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 236 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MILLER, Chairman.

Senator Miller moved that the report be adopted.

Senator Baker made the substitute motion that Senate Bill No. 236 be placed on the calendar, which motion was declared lost.

The question being on the motion of Senator Miller that the committee report on Senate Bill No. 236 be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 256 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 10, 1961

Mr. President: I have the honor to return:

Senate Bill No. 186

Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 10, 1961

Mr. President: I have the honor to transmit:

House Bill No. 538

House Bill No. 573

House Bill No. 677

House Bill No. 704

House Bill No. 714

House Bill No. 751

House Bill No. 793

House Concurrent Resolution "O-1"

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

MOTIONS

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate convened pursuant to recess taken, the President presiding.

Senator Murphy moved that Senate Bills Nos. 52 and 53 be moved to the head of the calendar pursuant to the provisions of Rule 44.

Senator Baeverstad made the substitute motion that the Committee on Finance and Taxation be granted additional time to act on Senate Bills Nos. 52 and 53, which motion prevailed, and Senate Bills Nos. 52 and 53 were re-referred to the Committee on Finance and Taxation.

Senator Murphy requested a division, which request was denied.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 40 has had the same under consideration and recommends that the same be amended as follows:

In line 5 after the word "drilling" insert a comma and the words "completing, equipping,"

In line 6 delete the word "actual"

In line 7 after the word "of" insert the words "working or unleased mineral"

In line 21 after the word "drilling" insert a comma and the words "completing, equipping,"

In line 27 delete the word "may" and insert in lieu thereof the word "shall"

In line 36 after the word "drilling" insert the words "completing, equipping,"

Renumber the lines accordingly.

And when so amended recommends the same do pass.
SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 42 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 44 has had the same under consideration and recommends that the same be amended as follows:

After line 9 insert the following:

"This section shall not apply when mineral owners or their assignees elect to take their proportionate share of production in kind, or in the event of a dispute of title existing which would effect distribution of royalty payments."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 85 has had the same under consideration and recommends that the same be amended as follows:

In line 43 after the word "cutting" insert the words "or destruction of weeds"

In line 91 delete the period and insert in lieu thereof a comma and the following: "except that at the discretion of the board of county commissioners weeds may be cut or destroyed at county expense along all or any portion of the county road system established in accordance with section 24-05-16 without charge to the owner of the adjoining land."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 151 has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 171 has had the same under consideration and recommends that the same do pass.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 201 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 213 has had the same under consideration and recommends that the same be amended as follows:

In line 2 of the title after "08" insert the following: "of the North Dakota Century Code"

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 214 has had the same under consideration and recommends that the same be amended as follows:

In line 1 of the title after "62" insert the following: "of the North Dakota Century Code"

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 231 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 240 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 242 has had the same under consideration and recommends that the same be amended as follows:

In line 15 after the period insert the following: "Except in the case of bids submitted to the state highway department"

In line 16 delete the word "The" and insert in lieu thereof "the"

Remember the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 255 has had the same under consideration and recommends that the same be amended as follows:

In line 37 delete the word "four" and insert in lieu thereof the word "two"

In line 37 delete the period and insert in lieu thereof a comma and the following: "which meetings shall be given publicity through the usual news channels."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 260 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 266 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 274 has had the same under consideration and recommends that the same do pass.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 278 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted.

Senator Ringsak made the substitute motion that Senate Bill No. 278 be re-referred to the Committee on Judiciary, which motion prevailed.

Mr. President: The majority of your Committee on Appropriations to whom was referred Senate Bill No. 280 has had the same under consideration and recommends that the same be indefinitely postponed.

Senators:

P. L. Foss, Chairman
 George Saumur, Vice Chairman
 C. W. Baker
 Ralph J. Erickstad
 A. F. Gronvold

O. S. Johnson
 A. W. Luick
 Elton W. Ringsak
 Leland Roen
 Harry W. Wadeson

Senator Foss moved that the report be adopted.

Mr. President: The minority of your committee recommends that the same do pass.

Senators:

Leonard A. Bopp
 Walter R. Fiedler
 Isak Hystad
 Jerome Nesvig
 Clark Van Horn

Senator Fiedler moved that the report of the minority be substituted for that of the majority.

The question being on the motion of Senator Fiedler that the report of the minority be substituted for that of the majority on Senate Bill No. 280, which motion was lost.

Senator Garaas requested a division, which request was granted.

ROLL CALL

The question being on the motion of Senator Fiedler, the roll was called and there were ayes, 20; nays, 29; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Kamrath	Schrock
Berube	Lautenschlager	Solberg
Bopp	Murphy	Thompson
Fiedler	Nesvig	Van Horn
Garaas	Paulson	Witteman
Gilbertson	Redlin	Yunker
Hystad	Reichert	

Those voting in the negative were:

Baeverstad	Harris	Miller
Baker	Hernett	Morgan
Becker	Holand	Mutch
Brooks	Johnson	Ringsak
Erickson	Kee	Roen
Erickstad	Kisse	Saumur
Foss	Lips	Trenbeath
Gefreh	Longmire	Wadeson
George	Luick	Wartner
Gronvold	Meidinger	

So the motion was declared lost.

The question being on the motion of Senator Foss, that the committee report on Senate Bill No. 280 be adopted, which motion prevailed.

Senator Fiedler: I want to make a statement for the record. I have served on the Appropriations Committee since 1955. Last night was the first time that the highway department appeared before the Appropriations Committee and revealed the true facts of the department during that period of time.

Senator Meidinger: I should like to speak for the record also. This is the fifth session I have been here.

This is the first session I have not been invited to the Highway Department to get the facts about the highway department. I might further state that every meeting I have attended in the previous four sessions was a bi-partisan meeting.

Senator Fiedler: If Meidinger wants that put in the record I want to say I was never invited to the bi-partisan meetings.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 282 has had the same under consideration and a majority recommends that the same be indefinitely postponed.

Aloys Wartner, Jr.
Adam Gefreh
Ralph Erickstad
George Longmire
C. W. Baker
C. F. Harris
Evan Lips

Senator Wartner moved that the report be adopted.

Mr. President: A minority of your committee recommends that the same do pass.

Iver Solberg
John O. Garaas
Charles Murphy
Leonard Bopp
William Reichert
C. W. Schrock

Senator Garaas moved that the report of the minority be substituted for that of the majority.

The question being on the motion of Senator Garaas that the report of the minority be substituted for that of the majority, which motion was declared lost.

Senator Garaas requested a division, which request was granted.

ROLL CALL

The question being on the motion of Senator Garaas, the roll was called and there were ayes, 20; nays, 29; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Kamrath	Schrock
Berube	Lautenschlager	Solberg
Bopp	Murphy	Thompson
Fiedler	Nesvig	Van Horn
Garaas	Paulson	Witteman
Gilbertson	Redlin	Yunker
Hystad	Reichert	

Those voting in the negative were:

Baeverstad	Harris	Miller
Baker	Hernett	Morgan
Becker	Holand	Mutch
Brooks	Johnson	Ringsak
Erickson	Kee	Roen
Erickstad	Kisse	Saumur
Foss	Lips	Trenbeath
Gefreh	Longmire	Wadeson
George	Luick	Wartner
Gronvold	Meidinger	

So the motion was declared lost.

The question being on the motion of Senator Wartner that the committee report on Senate Bill No. 282 be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 286 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 297 has had the same under consideration and recommends that the same do pass.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 298 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 301 has had the same under consideration and recommends that the same be amended as follows:

In line 1 of the title after the word "of" delete the word "sub-"

And when so amended recommends the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 302 has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 307 has had the same under consideration and recommends that the same do pass.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution "T" has had the same consideration and recommends that the same be indefinitely postponed.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Concurrent Resolution "V" has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Concurrent Resolution "Z" has had the same under consideration and recommends that the same do pass and be re-referred to the Legislative Research Resolutions Committee.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Concurrent Resolution "CC" has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Wartner moved that the amendments to Senate Bill No. 156 be adopted, which motion prevailed.

Senator Wartner moved that the amendments to Senate Bill No. 237 be adopted, which motion prevailed.

Senator Wadeson moved that the amendments to House Bill No. 664 be adopted, which motion prevailed.

FIRST READING OF A SENATE BILL

The Committee on Delayed Bills introduced:

Senate Bill No. 309. A Bill for an Act to amend and reenact sections 54-04-01 and 54-04-02 of the North Dakota Century Code relating to engrossing and enrolling of legislative bills.

Was read the first time and referred to the Committee on Enrollment and Engrossment.

MOTIONS

Senator Holand moved that Senate Bill No. 114, Senate Concurrent Resolution "BB", Senate Concurrent Resolution "X" and Senate Bill No. 245 be placed at the foot of the calendar.

Senator Murphy moved that the motion of Senator Holand be amended to re-refer Senate Bill No. 245 to the Committee on Finance and Taxation.

Senator Brooks requested a division of the question, which request was granted.

The question being on the motion of Senator Holand that Senate Bills No. 114, Senate Concurrent Resolution "BB" and Senate Concurrent Resolution "X" be placed at the foot of the calendar, which motion prevailed.

The question being on the motion of Senator Murphy to amend the motion of Senator Holand, which motion was declared lost.

The question being on the motion of Senator Holand that Senate Bill No. 245 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF A SENATE RESOLUTION

Senate Resolution No. 5. A Senate Resolution to appoint an Official Photographer for the Senate of the Thirty-seventh Legislative Assembly 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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the resolution was declared adopted.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution "C". A concurrent resolution for the amendment of sections 156 and 162 of the Constitution of the state of North Dakota relating to the direction of the investment of and the types of permissible investments for the permanent funds of the common schools and institutions of the 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, 48; nays, 1; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath

Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Mutch	Yunker

Those voting in the negative were:

Murphy

So the resolution was declared adopted.

SECOND READING OF SENATE BILLS

Senate Bill No. 145. A Bill for an Act to amend and reenact sections 24-03-09 and 24-12-04 of the North Dakota Century Code relating to warning signs of road construction, injury to highway signs and markings and to provide for a reward for information leading to conviction of persons injuring highway signs and to provide for a civil remedy for persons injured by reason of the removal, injury or destruction of highway markings, including exemplary damages therefore.

Which has been read.

Senator Ringsak moved that Senate Bill No. 145 be amended as follows:

In line 5 of the title after the word "signs" insert a period and delete the remainder of the title.

Which motion prevailed.

Senator Ringsak moved that Senate Bill No. 145 be referred to the Committee on Judiciary, which motion did not receive a second.

Senator Ringsak moved that the rules be suspended and that Senate Bill No. 145 be deemed properly re-engrossed and placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of Senate Bill No. 145, as amended from the floor, the roll was called there were ayes, 48; nays, 1; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker

Those voting in the negative were:

Brooks

So the bill passed and the title was agreed to.

Senate Bill No. 19. 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.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 30; nays, 19; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Harris	Miller
Baker	Hernett	Mutch
Becker	Holand	Ringsak
Brooks	Kamrath	Roen
Erickson	Kee	Saumur
Erickstad	Kisse	Schrock
Foss	Lautenschlager	Thompson
Gefreh	Lips	Trenbeath
George	Longmire	Wadeson
Gronvold	Meidinger	Wartner

Those voting in the negative were:

Andre	Johnson	Redlin
Berube	Luick	Reichert
Bopp	Morgan	Solberg
Fiedler	Murphy	Van Horn
Garaas	Nesvig	Witteman
Gilbertson	Paulson	Yunker
Hystad		

So the bill passed and the title was agreed to.

Senate Bill No. 49. A Bill for an Act to provide for the establishment of a mental health authority in the state health department and prescribing its powers and duties, establishment of a mental health coordinating committee and prescribing its functions, the transfer and continuance of the state psychiatric out-patient clinic, to amend and reenact section 25-02-04 of the North Dakota Century Code relating to the superintendent of the state hospital, and to repeal chapter 39 of the 1959 Session Laws relating to the children's psychiatric clinic.

Which has been read.

Senator Fiedler requested that excerpts from the Mental Health Program of the State of North Dakota, a Survey Report, National Institute of Mental Health, National Institutes of Health, Public Health Service, U. S. Department of Health, Education and Welfare be printed in the Journal, which request was granted.

EXCERPTS FROM THE MENTAL HEALTH PROGRAM OF THE STATE OF NORTH DAKOTA

A Survey Report

State-level Organization

The major recommendation of the survey team is for the establishment of a centralized organizational unit on the state level in North Dakota, under the direction of a professionally qualified state director of Mental Health Services, who has been trained in a Mental Health profession. This unit should be given the

responsibility for developing a comprehensive Mental Health program within the state that would include the State Hospital at Jamestown, the State School at Grafton, the State Psychiatric Clinic, and other in-patient and outpatient treatment community Mental Health activities, and for the coordination of Mental Health aspects of other agency programs. This unit must be given an organizational placement within the state government which will command sufficient prestige and independence to insure its easy access to the other organizational components of the state government with which it must work in order for it to effectively accomplish its mission. This unit would also have the responsibility for maintaining relationships with federal agencies concerned with Mental Health program and with voluntary or regional groups.

ROLL CALL

The question being on the final passage of Senate Bill No. 49, as amended, the roll was called and there were ayes, 47; nays, 2; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Roen
Bopp	Kee	Saumur
Brooks	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Longmire	Trenbeath
Foss	Luick	Van Horn
Garaas	Meidinger	Wadeson
Gefreh	Miller	Wartner
George	Morgan	Witteman
Gilbertson	Murphy	Yunker
Harris	Mutch	

Those voting in the negative were:

Gronvold	Ringsak
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So the bill passed and the title was agreed to.

Senator Ringsak: I would like to explain my vote. Members of the Senate, I am heartily in favor of a mental health program and a mental health bill. I feel it incumbent upon me as a member of this body and a citizen of North Dakota to explain my personal feeling about appointing a psychiatrist as head of this department. I realize psychiatrists are needed in some fields. I spent eighteen months in the hospital. I went through three psychiatrists that I remember. One of the psychiatrists is now in an asylum himself. The other two psychiatrists are doing minor tasks someplace else.

I had a captain in the service who left his command and ran out three times. I brought him back, thinking I could make a good soldier out of him. At the time I was hit in the head, he was in a cave and I was trying to coax him out to fight and lead his troops.

He is now teaching psychiatry in a university down

south. Gentlemen, I want you all to know that I think it is incumbent upon this body, and I want to sincerely say this because as a doctor of psychiatry he is worth a lot of money, that it is the duty of every person in this body to watch the functions of our State Hospital and Children's Hospital, and to watch the work of the psychiatrist. I believe that we can be fooled. It is my opinion that they have problems of their own in the first place or they would not be psychiatrists, and they are trying to solve your problems and my problems. I don't believe the children of this country have as many emotional disturbances as these psychiatrists would like to have us believe.

Senate Bill No. 75. A Bill for an act to create and enact section 30-13-05.1, and to amend and reenact sections 30-21-01 and 30-21-03, and subdivisions (c) and (d) of subsection 2 of section 56-01-04 of the North Dakota Century Code, relating to the administration and distribution of decedent's estate.

Which has been read.

Senator Wartner moved that Senate Bill No. 75 be amended as follows:

In line 3 of the title following the word "subdivisions" delete the letters "(c) and (d)" and insert in lieu thereof the following "a, b, c, and d"

In line 66 after the word "Subdivisions" insert the letters "a, b,"

Which motion prevailed.

Senator Wartner moved that the rules be suspended and that Senate Bill No. 75 be deemed properly re-enacted and placed on second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of Senate Bill No. 75, as amended from the floor, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Wittman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

Senate Bill No. 89. A Bill for an Act to amend and reenact sections 39-20-01, 39-20-03, and 39-20-07 of the North

Dakota Century Code relating to the alcoholic content in the blood for purposes of determining intoxication and relating to the test to be given for such purpose and the consent of a person incapable of refusal to give consent to a chemical test.

Which has been read.

Senator Brooks moved that Senate Bill No. 89 be re-referred to the Committee on Judiciary, which motion was declared lost.

ROLL CALL

The question being on the final passage of Senate Bill No. 89, as amended, the roll was called and there were ayes, 33; nays, 16; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Holand	Paulson
Bopp	Hystad	Redlin
Erickson	Kamrath	Saumur
Erickstad	Kee	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Mutch	Witteman

Those voting in the negative were:

Baker	Johnson	Reichert
Becker	Kisse	Ringsak
Berube	Lautenschlager	Roen
Brooks	Morgan	Schrock
Gronvold	Murphy	Yunker
Hernett		

So the bill passed and the title was agreed to.

Senate Bill No. 127. A Bill for an Act to amend and re-enact section 50-21-03 of the North Dakota Century Code, relating to terms and conditions for state loans made to nursing homes and homes for the aged, and making an appropriation.

Which has been read.

Senator Holand moved that Senate Bill No. 127 be amended as follows:

In line 4 of the title delete the word "and"

In line 4 of the title before the period insert the following words: ", and declaring an emergency"

After line 43, insert the following:

"SECTION 3. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

Renumber the lines accordingly.

Which motion prevailed.

Senator Holand moved that the rules be suspended and that Senate Bill No. 127 be deemed properly re-engrossed and placed on second reading and final passage, as amended from the floor, which motion prevailed.

FRIDAY, FEBRUARY 10, 1961

385

ROLL CALL

The question being on the final passage of Senate Bill No. 127, as amended from the floor, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker

Absent and not voting:

Foss

So the bill passed and the title was agreed to and the emergency clause carried.

Senate Bill No. 128. A Bill for an Act to transfer certain moneys from the accumulated profits and surplus of the Bank of North Dakota, from the collection and land department of the Bank of North Dakota, and the state mill and elevator association to the general fund of this state.

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, 1.

Those voting in the affirmative were:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Baker	Johnson	Reichert
Becker	Kamrath	Ringsak
Berube	Kee	Roen
Bopp	Kisse	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Erickstad	Longmire	Thompson
Fiedler	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker
Hernett	Nesvig	

Those voting in the negative were:

Gilbertson

Absent and not voting:

Foss

So the bill passed and the title was agreed to.

Senate Bill No. 182. A Bill for an Act to amend and reenact section 23-16-05 and section 23-16-12 of the North Dakota Century Code relating to state department of health inspections, consultations, and injunctions, 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, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker

Absent and not voting:

Foss

So the bill passed and the title was agreed to and the emergency clause carried.

Senate Bill No. 189. A Bill for an Act to amend and reenact section 52-10-03 of the North Dakota Century Code relating to federal-state agreement interstate instrumentalities; section 52-10-04 of the North Dakota Century Code relating to contributions by employees of the state and of political subdivisions; to create and enact subsection e. of section 52-10-05 of the North Dakota Century Code relating to the plans for coverage of employees of political subdivisions; and to amend and reenact section 52-10-07 of the North Dakota Century Code relating to referenda and certification.

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, 1.

Those voting in the affirmative were:

Andre	Hystad	Paulson
Baker	Kamrath	Redlin
Becker	Kee	Reichert
Berube	Kisse	Roen
Bopp	Lautenschlager	Saumur
Erickson	Lips	Schrock
Erickstad	Longmire	Solberg
Fiedler	Luick	Thompson
Garaas	Meidinger	Trenbeath

George Gronvold	Miller	Van Horn
Harris	Morgan	Wartner
Hernett	Murphy	Witteaman
Holand	Nesvig	Yunker

Those voting in the negative were:

Baeverstad	Gilbertson	Ringsak
Brooks	Johnson	Wadeson
Gefreh	Mutch	

Absent and not voting:

Foss

So the bill passed and the title was agreed to.

Senate Bill No. 198. A Bill for an Act to amend and reenact section 16-09-01 of the North Dakota Century Code to grant to boards of county commissioners additional authority in redividing, combining, vacating and annexing of voting precincts.

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, 6; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Gronvold	Murphy
Baeverstad	Harris	Mutch
Baker	Hernett	Nesvig
Becker	Holand	Paulson
Berube	Hystad	Redlin
Bopp	Johnson	Reichert
Brooks	Kamrath	Ringsak
Erickson	Kee	Roen
Erickstad	Kisse	Saumur
Fiedler	Lautenschlager	Thompson
Garaas	Lips	Trenbeath
Gefreh	Longmire	Van Horn
George	Miller	Wartner
Gilbertson	Morgan	Yunker

Those voting in the negative were:

Luick	Schrock	Wadeson
Meidinger	Solberg	Witteaman

Absent and not voting:

Foss

So the bill passed and the title was agreed to.

Senate Bill No. 223. A Bill for an Act to authorize the board of administration to execute leases on properties owned by the state at Bathgate, North Dakota and formerly utilized by the school for the blind.

Which has been read.

Senator Erickstad moved that Senate Bill No. 223 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 249. A Bill for an Act to amend and reenact sections 15-55-02, 15-55-05, 15-55-06, and 15-55-14 of the North Dakota Century Code, relating to constructing, operating and financing revenue producing buildings at higher educational 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, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker

Absent and not voting:

Foss

So the bill passed and the title was agreed to.

Senate Bill No. 250. A Bill for an Act to amend and reenact section 39-06-01 of the North Dakota Century Code relating to municipal licensing of taxi drivers.

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:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Garaas	Luick	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

Those voting in the negative were:

Meidinger Trenbeath

Absent and not voting:

Foss

So the bill passed and the title was agreed to.

Senate Bill No. 262. A Bill for an Act to provide for continuing programs for the efficient and economical man-

agement of state records, and to amend and reenact section 46-04-20 of the North Dakota Century Code, relating to destruction of public records.

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:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Mutch	Yunker
Harris		

Those voting in the negative were:

Murphy Trenbeath

Absent and not voting:

Foss

So the bill passed and the title was agreed to.

Senate Bill No. 270. A Bill for an Act creating a state planning office; providing for a director of state planning and a state planning council; creating a state planning fund; providing an appropriation; authorizing regional and metropolitan planning commissions; establishing powers and duties of such office, director, council and commissions; and providing for acceptance of federal aid.

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, 25; nays, 24; absent and not voting, 0.

Those voting in the affirmative were:

Baker	Hystad	Roen
Bopp	Johnson	Saumur
Erickstad	Lips	Schrock
Fiedler	Longmire	Van Horn
Foss	Nesvig	Wadeson
Garaas	Paulson	Wartner
George	Redlin	Witteman
Harris	Ringsak	Yunker
Holand		

Those voting in the negative were:

Andre	Gronvold	Miller
Baeverstad	Hernett	Morgan
Becker	Kamrath	Murphy

Berube	Kee	Mutch
Brooks	Kisse	Reichert
Erickson	Lautenschlager	Solberg
Gefreh	Luick	Thompson
Gilbertson	Meidinger	Trenbeath

So the bill passed and the title was agreed to.

Senator Schrock moved that the vote by which Senate Bill No. 270 was passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion was declared lost.

Senate Bill No. 46. A Bill for an Act to create and enact sections 19-02-02.1 and 23-05-07.1 of the North Dakota Century Code and to amend and reenact subsection 1 of section 23-01-05 and subsection 9 of section 23-09-09 and sections 23-04-07, 23-09-02, 23-09-10, 23-09-11, 23-09-14, 23-09-16, 23-09-17, 23-09-18, 23-09-19, 23-09-22, 23-10-02, 23-10-03, 23-10-04, 23-10-06, 23-10-10, 23-10-11, 23-10-12, and 23-14-12 of the North Dakota Century Code relating to licensing and regulation of restaurants, hotels, boardinghouses, lodgings, motor courts, and trailer courts, and the enforcement of laws relating thereto.

Which has been read.

Senator Schrock moved that Senate Bill No. 46 be amended as follows: In line 173 after the period delete the following: "For purposes of this chapter the term 'restaurant' "

Delete all of lines 174, 175, and 176

In line 177 delete the following: "for such services are not made available."

Renumber the lines accordingly.

Which motion prevailed.

Senator Schrock moved that the rules be suspended and that Senate Bill No. 46 be deemed properly re-engrossed and placed on second reading and final passage.

Senator Longmire made the substitute motion that Senate Bill No. 46 be laid over one legislative day, which motion was declared lost.

The question being on the motion of Senator Schrock, which motion prevailed.

ROLL CALL

The question being on the final passage of Senate Bill No. 46, as amended from the floor, the roll was called and there were ayes, 33; nays, 16; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Johnson	Redlin
Baker	Kamrath	Reichert
Berube	Kisse	Roen
Bopp	Lautenschlager	Saumur
Brooks	Lips	Schrock
Fiedler	Longmire	Solberg
Garaas	Luick	Thompson
Gefreh	Morgan	Van Horn
Hernett	Murphy	Wadeson
Holand	Nesvig	Witteman
Hystad	Paulson	Yunker

Those voting in the negative were:

Baeverstad	Gilbertson	Miller
Becker	Gronvold	Mutch
Erickson	Harris	Ringsak
Erickstad	Kee	Trenbeath
Foss	Meidinger	Wartner
George		

So the bill passed and the title was agreed to.

Senator Fiedler moved that the vote by which Senate Bill No. 46 was passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion was declared lost.

Senate Bill No. 105. A Bill for an Act to amend and re-enact section 57-17-05 of the North Dakota Century Code, relating to excess levies.

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, 19; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Kamrath	Reichert
Berube	Kee	Roen
Bopp	Lautenschlager	Saumur
Brooks	Lips	Schrock
Erickstad	Longmire	Solberg
Foss	Meidinger	Van Horn
Gefreh	Miller	Wartner
George	Morgan	Yunker

Those voting in the negative were:

Becker	Hystad	Nesvig
Erickson	Johnson	Ringsak
Fiedler	Kisse	Thompson
Garaas	Luick	Trenbeath
Gilbertson	Murphy	Wadeson
Gronvold	Mutch	Witteaman
Harris		

So the bill passed and the title was agreed to.

Senate Bill No. 58. A Bill for an Act to amend and re-enact sections 38-09-17 and 38-09-18 of the North Dakota Century Code relating to leasing of public lands for the exploration and development of oil and gas.

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, 13; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Ringsak
Berube	Kamrath	Schrock

Bopp	Kisse	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Van Horn
Garaas	Luick	Wadeson
Gefreh	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker

Those voting in the negative were:

Brooks	Kee	Reichert
Erickson	Lautenschlager	Roen
Erickstad	Meidinger	Saumur
George	Miller	Trenbeath
Hernett		

So the bill passed and the title was agreed to.

Senator Holand moved that after the reading of Senate Bills Nos. 34, 80, 90, 130, 136, 172, 216, 220, 229, 234, 239, 252, 284, and 294 that the Senate recess until 10:30 a.m., February 11, 1961.

Which motion prevailed.

HOWARD F. DOHERTY, Secretary.

**THIRTY-NINTH DAY AFTER RECESS
AND FORTIETH DAY**

Bismarck, February 11, 1961

The Senate convened at 10:30 a.m., the President presiding.

REPORTS OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 156

Senate Bill No. 237

And finds the same correctly engrossed.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 46

Senate Bill No. 75

Senate Bill No. 127

Senate Bill No. 145

And finds the same correctly re-engrossed.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bill:

Senate Bill No. 186

And finds the same correctly enrolled.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 186

And the President signed the same in the presence of the Senate.

SECOND READING OF SENATE BILLS

Senate Bill No. 166. A Bill for an Act to amend and reenact subsection 3 of Section 26-08-11 of the North Dakota Century Code relating to investments authorized for domestic insurance companies and providing for an increase in the amount of secured amortized loans from sixty-six and two-thirds per cent of the value of the property mortgaged to seventy-five per cent.

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:

Andre	Holand	Nesvig
Baeverstad	Hystad	Paulson
Baker	Johnson	Redlin
Becker	Kamrath	Reichert
Bopp	Kee	Ringsak
Erickson	Kisse	Roen
Erickstad	Lautenschlager	Saumur
Fiedler	Lips	Schrock
Foss	Longmire	Solberg
Garaas	Luick	Thompson
Gefreh	Meldinger	Trenbeath
George	Miller	Van Horn
Gronvold	Mofgan	Wartner
Harris	Murphy	Witteman
Hernett	Mutch	Yunker

Absent and not voting:

Berube	Gilbertson	Wadeson
Brooks		

So the bill passed and the title was agreed to.

Senator Roen moved that the Senate reconsider the action by which Senate Bill No. 46 was passed, which motion prevailed.

Senator Garaas requested a division, which request was granted.

ROLL CALL

The question being on the motion of Senator Roen that the Senate reconsider the action by which Senate Bill No. 46 was passed, the roll was called and there were ayes, 22; nays, 25; absent and not voting, 2.

Those voting in the affirmative were:

Baeverstad	George	Miller
Baker	Gronvold	Morgan
Becker	Harris	Mutch
Brooks	Kee	Ringsak
Erickson	Lips	Roen
Erickstad	Luick	Trenbeath
Foss	Meidinger	Wartner
Gefreh		

Those voting in the negative were:

Andre	Kamrath	Reichert
Berube	Kisse	Saumur
Bopp	Lautenschlager	Schrock

Fiedler	Longmire	Solberg
Garaas	Murphy	Thompson
Hernett	Nesvig	Van Horn
Holand	Paulson	Witteman
Hystad	Redlin	Yunker
Johnson		

Absent and not voting:
Gilbertson Wadeson

So the motion was declared lost.

Senate Bill No. 212. A Bill for an Act to amend and reenact sections 65-12-06 and 65-12-11 of the North Dakota Century Code, relating to fees charged by Workmen's Compensation Bureau for inspection of boilers.

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:

Andre	Hernett	Mutch
Baeverstad	Holand	Nesvig
Baker	Hystad	Paulson
Becker	Johnson	Redlin
Berube	Kamrath	Reichert
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
George	Miller	Wartner
Gronvold	Morgan	Witteman
Harris	Murphy	Yunker

Those voting in the negative were:

Gefreh Ringsak

Absent and not voting:
Gilbertson Wadeson

So the bill passed and the title was agreed to.

Senate Bill No. 232. A Bill for an Act to amend and reenact section 52-06-02 of the North Dakota Century Code relating to disqualification for benefits.

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:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen

Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wartner
George	Morgan	Witteinan
Gronvold	Murphy	Yunker
Harris	Mutch	

Absent and not voting:

Gilbertson Wadeson

So the bill passed and the title was agreed to.

Senate Bill No. 253. A Bill for an Act to amend and re-enact sections 15-47-06, 16-18-01, 16-18-02, 16-18-03, 16-18-04, 16-18-05, 16-18-06, 16-18-07, 16-18-09, 16-18-11, 16-18-12, 16-18-13, 16-18-14, 16-18-15, 16-18-16, 16-18-19, and 40-21-13 of the North Dakota Century Code, relating to the use of absent voters' ballots in general, primary and special state elections and in city, village and 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:

Andre	Hernett	Mutch
Baeverstad	Holand	Nesvig
Baker	Hystad	Paulson
Becker	Johnson	Redlin
Berube	Kamrath	Reichert
Bopp	Kee	Ringsak
Brooks	Kisse	Roen
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wartner
George	Morgan	Witteinan
Gronvold	Murphy	Yunker
Harris		

Absent and not voting:

Gilbertson Saumur Wadeson

So the bill passed and the title was agreed to.

Senate Bill No. 258. A Bill for an Act to repeal subsection 2 and subsection 3 of section 26-11-10 of the North Dakota Century Code, relating to salaries and expenses of officers and agents of domestic life insurance companies, regulation and restrictions 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, 34; nays, 13; absent and not voting, 2.

Those voting in the affirmative were:

Baker	Johnson	Nesvig
Becker	Kee	Paulson
Brooks	Kisse	Reichert
Erickson	Lautenschlager	Ringsak
Erickstad	Lips	Roen
Foss	Longmire	Solberg
Gefreh	Luick	Thompson
George	Meidinger	Trenbeath
Gronvold	Miller	Van Horn
Harris	Morgan	Wartner
Hernett	Mutch	Yunker
Holand		

Those voting in the negative were:

Andre	Garaas	Redlin
Baeverstad	Hystad	Saumur
Berube	Kamrath	Schrock
Bopp	Murphy	Witteman
Fiedler		

Absent and not voting:

Gilbertson	Wadeson
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So the bill passed and the title was agreed to.

Senate Bill No. 267. A Bill for an Act to amend and reenact section 16-17-11 of the North Dakota Century Code, relating to selection of delegates to the state central committee; and to repeal section 16-17-12 of the North Dakota Century Code, relating to selection of delegates to state central committee when two or more counties are embraced in a legislative district.

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:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Miller	Van Horn
George	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker

Those voting in the negative were:

Brooks	Meidinger
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Absent and not voting:

Gilbertson	Wadeson
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So the bill passed and the title was agreed to.

Senate Bill No. 281. A Bill for an Act to amend and re-enact sections 65-05-09 and 65-05-11 of the North Dakota Century Code relating to maximum and minimum benefits to be paid for total disability and for temporary partial disability under the Workmen's Compensation 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, 44; nays, 3; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Ringsak
Becker	Johnson	Redlin
Berube	Kamrath	Reichert
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Van Horn
Garaas	Meidinger	Wartner
Gefreh	Miller	Witteman
Gronvold	Morgan	Yunker
Harris	Murphy	

Those voting in the negative were:

George	Mutch	Trenbeath
Absent and not voting:		
Gilbertson		Wadeson

So the bill passed and the title was agreed to.

Senate Bill No. 299. A Bill for an Act to amend and re-enact section 36-11-07 of the North Dakota Century Code, relating to liability of owners of livestock inflicting damage to persons or property of another.

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, 3.

Those voting in the affirmative were:

Andre	Hernett	Murphy
Baker	Holand	Nesvig
Becker	Hystad	Paulson
Berube	Kamrath	Reichert
Bopp	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gronvold	Morgan	Witteman

Those voting in the negative were:

Baeverstad	Johnson	Ringsak
Brooks	Kee	Roen
Fiedler	Miller	Saumur
Gefreh	Mutch	Wartner

George Redlin Yunker
Harris

Absent and not voting:

Gilbertson Meidinger Wadeson

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 553. A Bill for an Act to make a deficiency appropriation to pay salaries and miscellaneous expenses of the state hospital at Jamestown, 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, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wartner
George	Morgan	Witteman
Gronvold	Murphy	Yunker
Harris	Mutch	

Absent and not voting:

Gilbertson Wadeson

So the bill passed and the title was agreed to and the emergency clause carried.

House Bill No. 556. A Bill for an Act to make an appropriation to the state penitentiary to meet deficiencies in the money appropriated for the new cell house, 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, 40; nays, 6; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hernett	Morgan
Baeverstad	Holand	Mutch
Baker	Hystad	Nesvig
Becker	Johnson	Paulson
Berube	Kamrath	Redlin
Bopp	Kee	Ringsak
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg

Foss	Longmire	Thompson
Gefreh	Luick	Trenbeath
George	Meidinger	Wartner
Gronvold	Miller	Yunker
Harris		

Those voting in the negative were:

Fiedler	Murphy	Van Horn
Garaas	Reichert	Witteman

Absent and not voting:

Gilbertson	Roen	Wadeson
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So the bill passed and the title was agreed to and the emergency clause carried.

House Bill No. 568. A Bill for an Act to provide for the printing and distribution of the North Dakota Blue Book, 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, 36; nays, 10; absent and not voting, 3.

Those voting in the affirmative were:

Baeverstad	Holand	Mutch
Baker	Hystad	Nesvig
Becker	Johnson	Paulson
Berube	Kamrath	Redlin
Bopp	Kee	Ringsak
Erickson	Lautenschlager	Saumur
Erickstad	Lips	Schrock
Fiedler	Longmire	Solberg
Foss	Luick	Trenbeath
Gefreh	Miller	Van Horn
George	Morgan	Wartner
Harris	Murphy	Yunker

Those voting in the negative were:

Andre	Hernett	Reichert
Brooks	Kisse	Thompson
Garaas	Meidinger	Witteman
Gronvold		

Absent and not voting:

Gilbertson	Roen	Wadeson
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So the bill passed and the title was agreed to.

House Bill No. 637. A Bill for an Act making an appropriation for the purpose of paying special assessments for public improvements at Fraine Barracks levied against the state of North Dakota by the city of Bismarck, 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:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin

Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Meidinger	Trenbeath
Garaas	Miller	Van Horn
Gefreh	Morgan	Wartner
George	Murphy	Wittman
Gronvold	Mutch	Yunker
Harris		

Absent and not voting:

Gilbertson	Luick	Wadeson
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So the bill passed and the title was agreed to and the emergency clause carried.

House Bill No. 665. A Bill for an Act making a deficiency appropriation for the purpose of paying the wolf, coyote, fox, bobcat and magpie bounties 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, 35; nays, 11; absent and not voting, 3.

Those voting in the affirmative were:

Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Erickson	Kisse	Roen
Erickstad	Lautenschlager	Saumur
Fiedler	Lips	Schrock
Foss	Longmire	Solberg
Gefreh	Meidinger	Wartner
Gronvold	Miller	Wittman
Harris	Mutch	Yunker
Hernett	Nesvig	

Those voting in the negative were:

Andre	George	Thompson
Baeverstad	Kee	Trenbeath
Brooks	Morgan	Van Horn
Garaas	Murphy	

Absent and not voting:

Gilbertson	Luick	Wadeson
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So the bill passed and the title was agreed to and the emergency clause carried.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution "S". A concurrent resolution memorializing the Congress to authorize the Garrison Diversion Project and to appropriate funds therefor.

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, 2.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wartner
George	Morgan	Witteman
Gronvold	Murphy	Yunker
Harris	Mutch	

Absent and not voting:

Gilbertson Wadeson

So the resolution was declared adopted.

Senate Concurrent Resolution "W". A concurrent resolution requesting Congress to extend the time for completing negotiations for a compact apportioning waters of the Little Missouri River and its tributaries among North Dakota, South Dakota, Montana and Wyoming.

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:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wartner
George	Morgan	Witteman
Gronvold	Murphy	Yunker
Harris		

Absent and not voting:

Gilbertson Mutch Wadeson

So the resolution was declared adopted.

SECOND READING OF A HOUSE BILL

House Bill No. 595. A Bill for an Act to amend and reenact section 4-22-03 of the North Dakota Century Code,

relating to membership on the state soil conservation 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, 44; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wartner
George	Miller	Wittman
Gronvold	Morgan	Yunker
Harris	Nesvig	

Those voting in the negative were:

Andre	Murphy	
Absent and not voting:		
Gilbertson	Mutch	Wadeson

So the bill passed and the title was agreed to.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "N". A concurrent resolution urging observance of the centennial of the Morrill Land-Grant 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, 43; nays, 3; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Lautenschlager	Saumur
Erickson	Lips	Schrock
Erickstad	Longmire	Solberg
Fiedler	Luick	Trenbeath
Foss	Miller	Van Horn
Garaas	Morgan	Wartner
George	Murphy	Wittman
Gronvold	Mutch	Yunker
Harris		

Those voting in the negative were:

Gefreh	Meidinger	Thompson
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Absent and not voting:

Gilbertson Kisse Wadeson

So the resolution was declared adopted.

MOTIONS

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and En-grossment respectfully reports that it has examined the following resolution:

Senate Resolution No. 5

And finds the same correctly enrolled.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

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.

SECOND READING OF SENATE BILLS

Senate Bill No. 34. 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.

Senator Brooks moved that Senate Bill No. 34 be amended as follows:

Delete all of lines 18 and 19.

In line 45, delete the figure "\$1,256,400.00" and insert in lieu thereof the figure "1,208,400.00".

Renumber the lines accordingly.

ROLL CALL

The question being on the motion of Senator Brooks, the roll was called and there were ayes, 27; nays, 20; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hernett	Morgan
Baeverstad	Holand	Murphy
Brooks	Hystad	Mutch
Erickstad	Johnson	Nesvig
Foss	Kamrath	Saumur
Garaas	Kee	Thompson
Gefreh	Kisse	Trenbeath
George	Lips	Van Horn
Gronvold	Luick	Witteman

Those voting in the negative were:

Baker	Harris	Ringsak
Becker	Lautenschlager	Roen
Berube	Longmire	Schrock

Bopp	Meidinger	Solberg
Erickson	Miller	Wartner
Fiedler	Paulson	Yunker
Gilbertson	Redlin	
Absent and not voting:		
Reichert	Wadeson	

So the motion was declared carried.

Senator Holand moved that the rules be suspended and that Senate Bill No. 34 be deemed properly re-engrossed and placed upon second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of Senate Bill No. 34 as amended from the floor, the roll was called and there were ayes, 40; nays, 6; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hernett	Mutch
Baeverstad	Holand	Murphy
Baker	Hystad	Nesvig
Becker	Johnson	Paulson
Berube	Kamrath	Redlin
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Miller	Wartner
George	Morgan	Witteaman
Gronvold		

Those voting in the negative were:

Bopp	Harris	Schrock
Gilbertson	Ringsak	Yunker
Absent and not voting:		
Meidinger	Reichert	Wadeson

So the bill passed and the title was agreed to.

Senate Bill No. 80. A Bill for an Act to amend and reenact subsection 8 of section 28-22-02 of the North Dakota Century Code, relating to exemptions of property from process, levy, or sale.

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, 4; absent and not voting, 2.

Those voting in the affirmative were:

Baeverstad	Harris	Morgan
Baker	Hernett	Mutch
Becker	Holand	Nesvig
Berube	Hystad	Paulson
Bopp	Johnson	Redlin
Brooks	Kamrath	Roen
Erickson	Kee	Saumur
Erickstad	Kisse	Schrock
Fiedler	Lautenschlager	Solberg
Foss	Lips	Trenbeath

Garaas	Longmire	Van Horn
Gefreh	Luick	Wartner
George	Meidinger	Witteman
Gilbertson	Miller	Yunker
Gronvold		

Those voting in the negative were:

Andre	Ringsak	Thompson
Murphy		

Absent and not voting:

Reichert	Wadeson
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So the bill passed and the title was agreed to.

Senate Bill No. 90. A Bill for an Act to amend and re-enact section 28-22-02 of the North Dakota Century Code, relating to exemptions from process, levy, or sale.

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, 3.

Those voting in the affirmative were:

Andre	Gilbertson	Murphy
Becker	Gronvold	Nesvig
Berube	Holand	Paulson
Bopp	Hystad	Redlin
Erickson	Kamrath	Schrock
Erickstad	Kisse	Trenbeath
Fiedler	Lautenschlager	Van Horn
Foss	Lips	Wartner
Garaas	Longmire	Witteman
Gefreh	Miller	Yunker

Those voting in the negative were:

Baeverstad	Kee	Ringsak
Baker	Luick	Roen
Brooks	Meidinger	Saumur
George	Morgan	Solberg
Harris	Mutch	Thompson
Hernett		

Absent and not voting:

Johnson	Reichert	Wadeson
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So the bill passed and the title was agreed to.

Senate Bill No. 130. A Bill for an Act relating to moneys paid to the state water conservation commission by a municipality or political subdivision of the state to cover its part of the cost of a water survey or water project shared with the commission on a matching basis.

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, 19; absent and not voting, 3.

Those voting in the affirmative were:

Baeverstad	Gronvold	Meidinger
Baker	Harris	Miller
Becker	Holand	Morgan

Bopp	Kamrath	Mutch
Brooks	Kee	Ringsak
Erickson	Kisse	Saumur
Erickstad	Lips	Schrock
Foss	Longmire	Solberg
Gefreh	Luick	Trenbeath

Those voting in the negative were:

Andre	Hystad	Roen
Berube	Lautenschlager	Thompson
Fiedler	Murphy	Van Horn
Garaas	Nesvig	Wartner
George	Paulson	Witteman
Gilbertson	Redlin	Yunker
Hernett		

Absent and not voting:

Johnson	Reichert	Wadeson
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So the bill passed and the title was agreed to.

Senate Bill No. 136. A Bill for an Act to create and enact section 4-18-02.1 and to amend and reenact section 4-18-02 of the North Dakota Century Code relating to the licensing and bonding of purchasers and processors of dairy products.

Which has been read.

Senator Kee moved that Senate Bill No. 136 be placed at the foot of the calendar, which motion prevailed.

Senate Bill No. 172. A Bill for an Act to amend and reenact Section 39-17-04.1 of the North Dakota Century Code, providing for appointment of special counsel for the attorney general.

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, 17; absent and not-voting, 3.

Those voting in the affirmative were:

Andre	Harris	Miller
Becker	Hernett	Murphy
Berube	Holand	Nesvig
Bopp	Hystad	Paulson
Erickstad	Kamrath	Thompson
Fiedler	Kee	Trenbeath
Foss	Kisse	Van Horn
Garaas	Lautenschlager	Wartner
Gefreh	Lips	Witteman
Gilbertson	Longmire	

Those voting in the negative were:

Baeverstad	Luick	Roen
Baker	Meidinger	Saumur
Erickson	Morgan	Schrock
George	Mutch	Solberg
Gronvold	Redlin	Yunker
Johnson	Ringsak	

Absent and not voting:

Brooks	Reichert	Wadeson
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So the bill passed and the title was agreed to.

Senate Bill No. 216. A Bill for an Act to amend and re-enact section 27-06-08 of the North Dakota Century Code, relating to fees for transcripts.

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, 17; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	Mutch
Becker	Hystad	Paulson
Brooks	Johnson	Ringsak
Erickstad	Kamrath	Roen
Foss	Lautenschlager	Saumur
Garaas	Lips	Schrock
Gefreh	Longmire	Solberg
Gronvold	Luick	Wartner
Harris	Miller	Witteman
Hernett	Murphy	Yunker

Those voting in the negative were:

Baeverstad	George	Nesvig
Baker	Gilbertson	Redlin
Berube	Kee	Thompson
Bopp	Kisse	Trenbeath
Erickson	Meidinger	Van Horn
Fiedler	Morgan	

Absent and not voting:

Reichert	Wadeson
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So the bill passed and the title was agreed to.

Senate Bill No. 220. A Bill for an Act to amend and reenact sections 27-09-12 and 27-09-16 of the North Dakota Century Code, relating to selection of persons qualified to act as jurors and to require notice by mail be sent to each person so selected.

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, 7; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Mutch
Baeverstad	Holand	Nesvig
Becker	Hystad	Paulson
Berube	Johnson	Ringsak
Brooks	Kamrath	Roen
Erickson	Kee	Saumur
Erickstad	Kisse	Schrock
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wartner
George	Miller	Witteman
Gronvold	Morgan	Yunker
Harris	Murphy	

Those voting in the negative were:

Baker	Lautenschlager	Reichert
Bopp	Redlin	Solberg
Gilbertson		

Absent and not voting:

Wadeson

So the bill passed and the title was agreed to.

Senate Bill No. 229. A Bill for an Act to amend section 57-38-48, relating to attachment of income tax liens, and section 57-38-45, relating to penalties for failure to comply with provisions of the income tax law, of the North Dakota Century Code.

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:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wartner
Gilbertson	Morgan	Witteaman
Gronvold	Murphy	Yunker

Absent and not voting:

Wadeson

So the bill passed and the title was agreed to.

Senate Bill No. 234. A Bill for an Act to create and enact section 16-10-17 of the North Dakota Century Code relating to a meeting of all inspectors of elections with states attorneys and county auditors.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak

Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker

Absent and not voting:
Wadeson

So the bill passed and the title was agreed to.

Senate Bill No. 239. A Bill for an Act to create and enact section 16-59-07 of the North Dakota Century Code relating to the special education of physically handicapped children and providing financial aid therefore.

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, 3.

Those voting in the affirmative were:

Andre	Harris	Murphy
Baeverstad	Hernett	Mutch
Baker	Holand	Nesvig
Becker	Hystad	Paulson
Berube	Johnson	Redlin
Bopp	Kamrath	Reichert
Brooks	Kee	Ringsak
Erickson	Kisse	Roen
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wartner
George	Miller	Witteman
Gilbertson	Morgan	Yunker
Gronvold		

Absent and not voting:

Saumur	Trenbeath	Wadeson
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So the bill passed and the title was agreed to.

Senate Bill No. 252. A Bill for an Act to amend and reenact sections 39-20-05 and 39-20-06 of the North Dakota Century Code relating to administrative and judicial review of an order of revocation of driver's license arising from refusal to take a chemical test to determine degree of intoxication.

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:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig

Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker

Absent and not voting:

Wadeson

So the bill passed and the title was agreed to.

Senate Bill No. 284. A Bill for an Act to amend and reenact section 16-01-02 of the North Dakota Century Code, relating to the opening and closing of polls.

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, 10; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Roen
Bopp	Kamrath	Saumur
Erickstad	Kee	Schrock
Fiedler	Kisse	Solberg
Foss	Lautenschlager	Van Horn
Garaas	Lips	Wartner
Gefreh	Longmire	Witteman
George	Meidinger	Yunker
Gilbertson	Murphy	

Those voting in the negative were:

Brooks	Miller	Ringsak
Erickson	Morgan	Thompson
Gronvold	Mutch	Trenbeath
Luick		

Absent and not voting:

Wadeson

So the bill passed and the title was agreed to.

Senate Bill No. 294. A Bill for an Act to amend and reenact section 16-18-16 of the North Dakota Century Code relating to submitting and delivering absent voters' ballots to inspector of elections, requiring auditor to obtain mail on election day and to deliver such ballots, empowering auditor to command the services of the sheriff or his deputy to deliver absent voters' ballots.

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:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wartner
Gilbertson	Morgan	Wittman
Gronvold	Murphy	Yunker

Absent and not voting:
Wadeson

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. 5

Was delivered to the Secretary of State at the hour of 1:45 o'clock p.m., February 11, 1961.

SENATOR KISSE, Chairman.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 11, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 186

Which the President has signed and your signature is respectfully requested.

HOWARD F. DOHERTY, Secretary.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 11, 1961

Mr. President: I have the honor to transmit:

House Bill No. 508
House Bill No. 518
House Bill No. 534
House Bill No. 578
House Bill No. 592
House Bill No. 601
House Bill No. 666
House Bill No. 668
House Bill No. 669
House Bill No. 680
House Bill No. 700

House Bill No. 705
 House Bill No. 711
 House Bill No. 712
 House Bill No. 718
 House Bill No. 748
 House Bill No. 760
 House Bill No. 769
 House Bill No. 787
 House Bill No. 792
 House Bill No. 801
 House Bill No. 807
 House Bill No. 811
 House Bill No. 818
 House Bill No. 819
 House Bill No. 826
 House Bill No. 827
 House Bill No. 843
 House Bill No. 845
 House Bill No. 852
 House Bill No. 888
 House Concurrent Resolution "Q"
 House Concurrent Resolution "Z"

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

House Chamber
 Bismarck, February 11, 1961

Mr. President: I have the honor to return:

Senate Bill No. 186

Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

House Chamber
 Bismarck, February 11, 1961

Mr. President: I have the honor to return:

Senate Concurrent Resolution "B"

Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

Senator Gefreh moved that the absent Senator be excused, which motion prevailed.

MOTIONS

Senator Holand moved that after the reading of Senate Bills Nos. 207, 209, 225, 246, 248, 259, 264, 277, 305, Senate Concurrent Resolution "FF" and House Bill No. 724, that the Senate adjourn, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FORTIETH DAY

Bismarck, February 11, 1961

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. William R. Lindsay, First Presbyterian, Bismarck.

Almighty God, as we seek Thy presence in the opening of another day's deliberations, make us to know that all of life is under Thy scrutiny. There is nothing hidden that

shall not be revealed, and nothing secret that shall not be made known.

Grant to this body in all its dealings, that openness and integrity that stems from sensitivity to Thine all-pervading presence.

Bless, O God, these Senators in the tasks that are set before them. Deliver them from all narrowness of vision, all blindness of self-interest, all susceptibility to pressures contrary to the common good.

Grant insight to know what is right, courage to do what is unpopular, and a largeness of concern that encompasses the needs of all the citizens of this state.

So guide the activities of this body this day as to further Thy will amongst us. Through Jesus Christ our Lord. Amen.

Roll call: All Senators present except Senator Wadeson. A quorum was declared by the President.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-eighth day after recess and thirty-ninth day and recommends that the same be corrected as follows:

On page 384, in line 42, after the word "Committee" insert the word "on".

On page 388, after line 23 insert the following: "The question being on the motion of Senator Miller that the committee report on Senate Bill No. 200 be adopted, which motion prevailed."

And when so corrected recommends that the same be approved.

SENATOR HARRIS, Chairman.

Senator Harris moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 45 has had the same under consideration and recommends that the same be amended as follows:

Delete everything after the words "A BILL" and insert in lieu thereof the following:

"For an Act to create and enact sections 38-08-04.1, 38-08-04.2, 38-08-04.3, 38-08-04.4, 38-08-04.5, 38-08-04.6, 38-08-04.7, and 38-08-04.8 of the North Dakota Century Code, authorizing the industrial commission to appoint examiners to conduct hearings with respect to oil and gas conservation matters coming before the commission; to refer cases to such examiners; limiting the powers and specifying the duties of such examiners; and providing for hearings before the industrial commission in certain cases.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

- 1 SECTION 1.) Section 38-08-04.1 of the North
- 2 Dakota Century Code is hereby created and enacted to
- 3 read as follows:
- 4 38-08-04.1. EXAMINERS' QUALIFICATIONS AND
- 5 APPOINTMENT.) The commission shall by motion,
- 6 designate and appoint not more than four individuals
- 7 to be examiners. Each examiner so appointed shall be

8 a member of the staff of the North Dakota geological
9 survey or of the industrial commission. The commis-
9a sion
10 may by order, designate and appoint a successor to
11 any person whose status as an examiner is terminated
12 for any reason. Each individual designated and ap-
12a pointed
13 as an examiner must be a geologist, petroleum
13a engineer
14 or licensed lawyer, with at least two years of such
15 experience and a college degree in geology, engi-
15a neering,
16 or law; provided however, that nothing herein con-
16a tained
17 shall prevent any member of the commission from
18 being designated as, or serving as, an examiner.
19 SECTION 2.) Section 38-08-04.2 of the North
20 Dakota Century Code is hereby created and enacted to
21 read as follows:
22 38-08-04.2. REFERRAL OF CASES TO EXAM-
22a INERS.)
23 The commission may refer any matter or proceeding to
24 any legally designated and appointed examiner for
25 hearing in accordance with its rules. The examiner
26 appointed to hear any specific case shall be designated
27 by name.
28 SECTION 3.) Section 38-08-04.3 of the North
29 Dakota Century Code is hereby created and enacted
30 to read as follows:
31 38-08-04.3. EXAMINERS' POWERS,
32 AUTHORITY, HEARINGS, RULES.) A field
33 examiner to whom the commission may, refer any
33a particular
34 case or matter for hearing shall hear such matter
35 promptly and shall limit the testimony to be heard
35a and
36 his findings thereon to the issues or to the performance
37 of such acts as the commission by its order may
37a specify.
38 In so doing such examiner shall have the power to
38a take
39 such measures as may be necessary and proper for the
40 efficient conduct of the hearing, including the swear-
41 ing of witnesses and the receiving of testimony and
42 exhibits offered in evidence, subject to objections that
43 may be made, and shall conduct the hearing and all
44 proceedings, preliminary and subsequent thereto, in
45 accordance with such rules as may be made and such
46 rules among other things shall specify:
47 1. That notice shall be given to all parties
48 interested in the matters or issues to be heard
49 in the same manner as may be required by law or
50 regulation for hearings before the entire
51 commission;
52 2. That the place of hearing shall be selected for
53 the greatest convenience of all the interested
54 parties;
55 3. That the parties involved shall have the right
56 to appear in person or by counsel and to be heard
57 upon all matters in issue;

- 58 4. That the testimony shall be taken down in
58a writing
59 and upon the conclusion of the hearing shall be
60 transcribed and such transcript together with the
61 exhibits received shall be filed at the offices
62 of the commission where the same shall be
62a available
63 for examination by any person interested
63a therein;
64 5. That the examiner shall make and file with the
64a com-
65 mission findings of fact and conclusions deduced
66 by him therefrom which said findings and
66a conclu-
67 sions together with any report or recommenda-
67a tions
68 and any proposed order shall be served upon the
69 interested parties.
- 70 SECTION 4.) Section 38-08-04.4 of the North
71 Dakota Century Code is hereby created and enacted
71a to
72 read as follows:
73 38-08-04.4. HEARINGS WHICH MUST BE
74 HELD BEFORE COMMISSION.) Notwithstanding
74a any
75 other provision of these rules, the hearing on any
76 matter or proceeding shall be held before the com-
76a mission:
- 77 1. If the commission in its discretion desires to
 - 78 hear the matter, or
 - 79 2. If the application or motion so requests, or
 - 80 3. If the matter is initiated on motion of the com-
 - 81 mission for the enforcement of any rule, regula-
 - 81a tion,
82 order, or statutory provision, or
 - 83 4. If any party who may be affected by the matter
 - 83a or
84 proceeding files with the commission more than
 - 85 ten days prior to the date set for the hearing
 - 86 on the matter or proceeding a written objection
 - 86a to
87 such matter or proceeding being heard before an
 - 88 examiner, or
 - 89 5. If the matter or proceeding is for the purpose of
 - 90 amending, removing or adding a statewide rule.
- 91 SECTION 5.) Section 38-08-04.5 of the North
92 Dakota Century Code is hereby created and enacted to
93 read as follows:
94 38-08-04.5. EXAMINER'S MANNER OF CON-
94a DUCTING
95 HEARING.) An examiner conducting a hearing under
95a the
96 rules shall conduct himself as a disinterested umpire.
97 SECTION 6.) Section 38-08-04.6 of the North
98 Dakota Century Code is hereby created and enacted to
99 read as follows:
100 38-08-04.6. REPORT AND RECOMMENDATIONS
101 OF EXAMINER'S HEARINGS.) Upon the conclusion
101a of
102 any hearing before an examiner, the examiner shall

103 promptly consider the proceedings in such hearing,
103a and
104 based upon the record of such hearing the examiner
105 shall prepare his written report and recommendations
105a for
106 the disposition of the matter or proceeding by the
106a com-
107 mission. Such report and recommendations shall
107a either
108 be accompanied by a proposed order or shall be in the
109 form of a proposed order, and shall be submitted to the
110 commission with the certified record of the hearing.
111 SECTION 7.) Section 38-08-04.7 of the North
112 Dakota Century Code is hereby created and enacted
113 to read as follows:
114 38-08-04.7. DISPOSITION OF CASES HEARD
115 BY EXAMINERS — APPEALS.) After receipt of
116 the findings, report, and recommendations of the
117 examiner the commission shall promptly review the
117a same
118 and shall either refer the matter back to the examiner
119 for further hearing, findings, report or recommenda-
119a tion,
120 or shall notify the interested parties that it intends
121 to issue an order serving upon such parties a copy of
122 the order intended to be issued. At any time within
123 thirty days after receipt of such order any of said
124 parties may serve notice upon the commission that
124a said
125 party appeals from the findings, report, and recom-
125a menda-
126 tions of said examiner, specifying the particular
126a matters
127 contained therein which are complained of, in which
128 event the commission shall order a hearing de novo
128a upon
129 the entire matter. In the event no appeal is filed
130 the commission shall issue its order and serve the
131 same upon the parties.
132 SECTION 8.) Section 38-08-04.8 of the North
133 Dakota Century Code is hereby created and enacted
134 to read as follows:
135 38-08.04.8. DE NOVO HEARING BEFORE
136 COMMISSION.) In the event an appeal is filed as
137 provided in section 38-08-04.7 the commission shall
138 cause the matter to be set for hearing at the next
139 regular hearing date following the expiration of
140 fifteen days from the date such appeal is filed and
141 shall cause notice thereof to be given to all of the
142 interested parties and shall proceed to hear the same
143 in accordance with such rules as may be adopted by
144 the commission for appeals in such cases. Any person
145 affected by the order or decision of the commission
146 upon hearing the matter de novo may apply for
147 rehearing pursuant to the law applicable to rehearings
148 and appeals in matters or proceedings before the
149 commission and rules and regulations made pursuant
150 thereto."

And when so amended recommends the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 41 has had the same under consideration and recommends that the same be amended as follows:

In line 26 delete everything after the period.

Delete all of lines 27 through 37.

Delete everything following line 46.

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 78 has had the same under consideration and recommends that the same be amended as follows:

Delete all of lines 68 through 79 and insert in lieu thereof the following:

"e. The highway commissioner may designate and post special areas of controlled access highways, commonly called interstate highways, where the maximum speed limit of seventy-five miles an hour is permitted for passenger vehicles from sunrise to sunset, and sixty-five miles an hour is permitted for passenger vehicles from sunset to sunrise, and where the maximum speed limit of sixty miles per hour is permitted for trucks day and night. It shall be unlawful for any person to drive a vehicle upon interstate highways at a speed that is unsafe or at a speed prohibited by this subsection."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR KEE, Chairman.

Senator Kee moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 97 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KEE, Chairman.

Senator Kee moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 111 has had the same under consideration and recommends that the same be amended as follows:

In line 24 after the word "used" insert a comma and the words "except for transportation,"

In line 51 delete the words "resting at anchor,"

After line 53 insert the words "or from such craft resting at anchor if authorized by governor's proclamation;"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 254 has had the same under consideration and recommends that the same be amended as follows:

In line 76 after the period insert the following:

"Once each year at the same time the state examiner examines other county records he shall examine the records of the secretary-treasurer of the rural fire protection district, and the cost of such examination shall be paid by such district. The secretary-treasurer of the rural fire protection district shall bring his records to the office of the county auditor for such examination."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 306 has had the same under consideration and recommends that the same do pass.

SENATOR MILLER, Chairman.

Senator Miller moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Holand moved that the reading of the amendments to Senate Bill No. 2 be dispensed with, which motion prevailed.

Senator Foss moved that the amendments to Senate Bill No. 2 be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to Senate Bill No. 40 be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to Senate Bill No. 44 be adopted, which motion prevailed.

Senator George moved that the amendments to Senate Bill No. 85 be adopted, which motion prevailed.

Senator Luick requested a division, which request was granted.

ROLL CALL

The question being on the motion of Senator George that the committee report on Senate Bill No. 85 be adopted, the roll was called and there were ayes, 25; nays, 23; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Hernétt	Ringsak
Baker	Holand	Roen
Erickstad	Lips	Schrock
Fiedler	Longmire	Solberg
Garaas	Murphy	Thompson
Gefreh	Nesvig	Van Horn
George	Paulson	Witteman
Gilbertson	Redlin	Yunker
Harris		

Those voting in the negative were:

Andre	Hystad	Miller
Becker	Johnson	Morgan
Berube	Kamrath	Mutch
Bopp	Kee	Reichert
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Trenbeath
Foss	Luick	Wartner
Gronvold	Meidinger	

Absent and not voting:

Wadeson

So the motion was declared carried.

Senator Wartner moved that the amendments to Senate Bill No. 181 be adopted, which motion prevailed.

Senator Hernet moved that the amendments to Senate Bill No. 213 be adopted, which motion prevailed.

Senator Hernet moved that the amendments to Senate Bill No. 214 be adopted, which motion prevailed.

Senator George moved that the amendments to Senate Bill No. 230 be adopted, which motion prevailed.

Senator Hernet moved that the amendments to Senate Bill No. 242 be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to Senate Bill No. 255 be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to Senate Bill No. 301 be adopted, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 114. A Bill for an Act to create and enact section 10-06-07 of the North Dakota Century Code, authorizing small corporations to engage in farming and ranching operations, and providing limitations thereon.

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, 20; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Harris	Meidinger
Baker	Hernet	Miller
Becker	Holand	Mutch
Brooks	Johnson	Reichert
Erickson	Kee	Ringsak
Erickstad	Kisse	Roen
Foss	Lips	Saumur
Gefreh	Longmire	Trenbeath
George	Luick	Wartner
Gronvold		

Those voting in the negative were:

Andre	Kamrath	Schrock
Berube	Lautenschlager	Solberg
Bopp	Morgan	Thompson
Fiedler	Murphy	Van Horn
Garaas	Nesvig	Wittean
Gilbertson	Paulson	Yunker
Hystad	Redlin	

Absent and not voting:
Wadeson

So the bill was declared lost for lack of a constitutional majority.

Senator Reichert: I want to explain my vote. In 1932, being a very young man, I initiated the corporate farming law we have today. I did my best to see that it got passed because I was afraid at that time that western North Dakota was going to go like eastern Montana where great corporations were farming a large part of the land. Today, 28 years later, I find that there is a great deal of advantage to the small farmer in the corporate system, both as to taxes and otherwise. That there were such advantages was admitted by every single organization that testified before the committee on this bill. The Governor of the State himself in a televised news conference said that he liked the basic idea of the bill. He said there ought to be further study for two years. Now, it is my studied and considered opinion that the benefits, as was admitted, far outweigh any objections that it will bring big corporation farming into the state. Consequently I voted yes on the bill. I regret the Senate has not seen fit to pass this bill. Now, it has been suggested to me that should I vote yes on this bill it is a form of political suicide. If that be true I hope that the record will show that I have committed hari-kari for what I consider a just and proper cause.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution "BB". A concurrent resolution urging the Congress to refrain from initiating any additional grant-in-aid programs to the states or political subdivisions without the approval of at least a majority of the states.

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, 28; nays, 20; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Gronvold	Meidinger
Baker	Harris	Miller
Becker	Hernett	Morgan
Brooks	Holand	Mutch
Erickson	Kee	Ringsak
Erickstad	Kisse	Roen
Foss	Lips	Saumur
Gefreh	Longmire	Trenbeath
George	Luick	Wartner
Gilbertson		

Those voting in the negative were:

Andre	Kamrath	Schrock
Berube	Lautenschlager	Solberg
Bopp	Murphy	Thompson
Fiedler	Nesvig	Van Horn
Garaas	Paulson	Witteman

Hystad
Johnson

Redlin
Reichert

Yunker

Absent and not voting:
Wadeson

So the resolution was declared adopted.

Senator Johnson: I would like to explain my vote. Senator Schrock stated I should put my money in North Dakota. I don't know where else we can get it unless I get it from the Federal government.

MOTIONS

Senator Holand moved that the Senate recess until 1:00 p.m., February 13, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FORTIETH DAY AFTER RECESS AND
FORTY-SECOND DAY

Bismarck, February 13, 1961

The Senate convened at 1:00 p.m., the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 2
Senate Bill No. 40
Senate Bill No. 44
Senate Bill No. 85
Senate Bill No. 181
Senate Bill No. 213
Senate Bill No. 214
Senate Bill No. 230
Senate Bill No. 242
Senate Bill No. 255
Senate Bill No. 301

And finds the same correctly engrossed.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bill: Senate Bill No. 34, and finds the same correctly re-engrossed.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

MOTIONS

Senator Holand moved that Senate Concurrent Resolution "X" and Senate Bill No. 245 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 223. A Bill for an Act to authorize the board of administration to execute leases on properties owned by the state at Bathgate, North Dakota and formerly utilized by the school for the blind.

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:

Andre	Harris	Murphy
Baeverstad	Hernett	Mutch
Baker	Holand	Nesvig
Becker	Hystad	Paulson
Berube	Johnson	Redlin
Bopp	Kamrath	Reichert
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gronvold	Morgan	Witteman

Absent and not voting:

Gilbertson	Roen	Yunker
Ringsak		

So the bill passed and the title was agreed to.

Senate Bill No. 207. A Bill for an Act to define the standard of care required of physicians and surgeons when rendering emergency care at the scene of an emergency, and protecting nonresident physicians and surgeons with respect to nonlicensure.

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:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Schrock
Erickson	Kisse	Solberg
Erickstad	Lautenschlager	Thompson
Fiedler	Lips	Trenbeath
Foss	Longmire	Van Horn
Garaas	Luick	Wadeson
Gefreh	Meidinger	Wartner
George	Miller	Witteman
Gilbertson	Morgan	Yunker
Gronvold	Murphy	

Absent and not voting:

Roen	Saumur
------	--------

So the bill passed and the title was agreed to.

Senate Bill No. 209. A Bill for an Act to amend and reenact section 57-37-07, relating to treatment of powers of appointment for estate tax purposes, and subdivision f of subsection 2 of section 57-37-11, relating to life estates

with power of appointment in the surviving spouse and qualification of such life estates for the marital deduction exemption for estate tax purposes, of the North Dakota Century Code.

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:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Van Horn
Garaas	Luick	Wadeson
Gefreh	Meidinger	Wartner
George	Miller	Witteman
Gilbertson	Morgan	Yunker
Gronvold	Murphy	

Absent and not voting:

Roen Trenbeath

So the bill passed and the title was agreed to.

Senate Bill No. 225. A Bill for an Act to provide that the courts of North Dakota shall recognize and enforce taxation statutes of other states which extend like comity to 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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Van Horn
Garaas	Luick	Wadeson
Gefreh	Meidinger	Wartner
George	Miller	Witteman
Gilbertson	Morgan	Yunker
Gronvold	Murphy	

Absent and not voting:

Roen Trenbeath

So the bill passed and the title was agreed to.

Senate Bill No. 246. A Bill for an Act to amend and re-enact subsection 2 of section 50-06-06 of the North Dakota Century Code relating to the powers and duties of the public welfare 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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Van Horn
Garaas	Luick	Wadeson
Gefreh	Meidinger	Wartner
George	Miller	Witteman
Gilbertson	Morgan	Yunker
Gronvold	Murphy	

Absent and not voting:

Roen Trenbeath

So the bill passed and the title was agreed to.

Senate Bill No. 248. A Bill for an Act to amend and re-enact section 30-18-18 of the North Dakota Century Code relating to debts and the order of their payment.

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:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Van Horn
Garaas	Luick	Wadeson
Gefreh	Meidinger	Wartner
George	Miller	Witteman
Gilbertson	Morgan	Yunker
Gronvold	Murphy	

Absent and not voting:

Roen Trenbeath

So the bill passed and the title was agreed to.

Senate Bill No. 259. A Bill for an Act transferring one and one-half million dollars from the general fund to the state equalization 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, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hernett	Mutch
Baeverstad	Holand	Nesvig
Baker	Hystad	Paulson
Becker	Johnson	Redlin
Berube	Kamrath	Reichert
Bopp	Kee	Ringsak
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Van Horn
Garaas	Meidinger	Wadeson
Gefreh	Miller	Wartner
George	Morgan	Witteman
Gilbertson	Murphy	Yunker
Harris		

Those voting in the negative were:

Gronvold

Absent and not voting:

Roen Trenbeath

So the bill passed and the title was agreed to.

Senate Bill No. 264. A Bill for an Act to amend and re-enact section 27-07-36 of the North Dakota Century Code, relating to records of the county court and public inspection 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, 20; nays, 28; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Gefreh	Miller
Baker	Holand	Morgan
Becker	Johnson	Nesvig
Erickson	Kee	Trenbeath
Erickstad	Kisse	Van Horn
Fiedler	Lips	Wartner
Foss	Longmire	

Those voting in the negative were:

Andre	Hystad	Reichert
Berube	Kamrath	Ringsak
Bopp	Lautenschlager	Saumur
Brooks	Luick	Schrock
Garaas	Meidinger	Solberg
George	Murphy	Thompson
Gilbertson	Mutch	Wadeson
Gronvold	Paulson	Witteman

Harris Redlin Yunker
Hernett

Absent and not voting:
Roen

So the bill was declared lost.

Senator Gronvold moved that the vote by which Senate Bill No., 264 was lost be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 277. A Bill for an Act to amend and reenact section 14-03-02 of the North Dakota Century Code, relating to the lawful age for marriage.

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:

Andre	Gronvold	Mutch
Baeverstad	Harris	Nesvig
Baker	Hernett	Paulson
Berube	Holand	Redlin
Bopp	Johnson	Reichert
Brooks	Kamrath	Ringsak
Erickson	Kee	Schrock
Erickstad	Lautenschlager	Thompson
Fiedler	Longmire	Trenbeath
Foss	Luick	Van Horn
Garaas	Meidinger	Wadeson
Gefreh	Miller	Wartner
George	Morgan	Witterman
Gilbertson	Murphy	Yunker

Those voting in the negative were:

Becker	Kisse	Solberg
Hystad	Lips	

Absent and not voting:
Roen Saumur

So the bill passed and the title was agreed to.

Senate Bill No. 305. A Bill for an Act to amend and reenact subsection 2 of section 39-10-01 of the North Dakota Century Code, relating to the general rules of the road regarding the operation of vehicles upon highways and elsewhere throughout the state, 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, 1.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak

Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wittman
Gronvold	Murphy	Yunker

Absent and not voting:
Roen

So the bill passed and the title was agreed to and the emergency clause carried.

**SECOND READING OF A SENATE
CONCURRENT RESOLUTION**

Senate Concurrent Resolution "FF". A concurrent resolution directing that the new highway bridge across the Missouri River in the Bismarck-Mandan vicinity be named the "Captain Grant Marsh Memorial Bridge".

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wittman
Gronvold	Murphy	Yunker

Absent and not voting:
Roen

So the resolution was declared adopted.

SECOND READING OF A HOUSE BILL

House Bill No. 724. A Bill for an Act to amend and reenact subsection 4 of section 39-04-02 of the North Dakota Century Code, relating to application for the registration of a motor vehicle.

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, 3; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Van Horn
Garaas	Luick	Wadeson
Gefreh	Miller	Wartner
George	Morgan	Witteman
Gilbertson	Murphy	Yunker

Those voting in the negative were:

Gronvold	Meidinger	Trenbeath
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Absent and not voting:

Roen

So the bill passed and the title was agreed to.

SECOND READING OF A SENATE BILL

Senate Bill No. 136. A Bill for an Act to create and enact section 4-18-02.1 and to amend and reenact section 4-18-02 of the North Dakota Century Code relating to the licensing and bonding of purchasers and processors of dairy products.

Which has been read.

Senator Hernett moved that Senate Bill No. 136 be amended as follows:

In line 18, delete the period and insert in lieu thereof a semi-colon and add the following:

"provided, however, that the aggregate liability of the surety to all such persons shall in no event exceed the amount of such bond."

Renumber the lines accordingly.

Which motion prevailed.

Senator Hernett moved that the rules be suspended and that Senate Bill No. 136 be deemed properly re-engrossed and placed upon second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of Senate Bill No. 136, as amended from the floor, the roll was called and there were ayes, 48; nays, 1; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson

Foss	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteaman
Harris	Mutch	Yunker

Those voting in the negative were:
Garaas

So the bill passed and the title was agreed to.

REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that Senate Bill No. 186 was delivered to the Governor for his approval at the hour of 1:40 o'clock p.m., February 13, 1961.

SENATOR KISSE, Chairman.

MOTIONS

Senator Trenbeath moved that Senate Bill No. 151 be referred to the Committee on Natural Resources, which motion prevailed.

Senator Gefreh moved that the absent Senators be excused, which motion prevailed.

Senator Holand moved that after the reading of Senate Bills Nos. 156, 171, 201, 231, 237, 240, 266, 274, 297, 302, 307, Senate Concurrent Resolutions "V" and "CC", and House Bill No. 664, that the Senate adjourn, which motion prevailed.

HOWARD F. DOHERTY, Secretary

FORTY-SECOND DAY

Bismarck, February 13, 1961

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. Andrew B. Meyer, Bismarck Reformed Church, Bismarck.

O loving and merciful God, with Thy help we would begin this new week. We do not know what will happen to us in the course of this week; hence, we come to Thee at the beginning of the week to commend ourselves wholly to Thee. Lord, grant us Thy Holy Spirit; that He may sanctify, lead and govern us, and that He may bear witness with our spirit that we are children of God. Bless us this week; bless the labor of our calling and our occupations. We will lift up our eyes to the hills, from whence cometh our help. Our help cometh from the Lord who made heaven and earth. If Thou leadest us we shall not stray; if Thou keepest us we shall not fall. Therefore, let Thy faithfulness and mercy guard us in all our ways. Show us Thy ways, O Lord; lead us in Thy Truth. Unite our hearts to fear Thy Name, and let us not be concerned with what man may do to us.

O Holy Father, who hast led Thy children, in all ages, with the fire and cloud, through dry seas, through weary wastes; to Thee, in reverent love, our hearts are bowed. O Jesus, Prince of Peace and Saviour to Thee we owe the peace that now prevails, stilling the rude wills of men's wild behavior, and calming passions fierce and stormy gales. O Holy Ghost, the Lord and Giver of Life, Thine

is the quickening power that gives increase. From Thee hath flowed, as from a pleasant river, our plenty, wealth, prosperity, and peace. O Triune God, with heart and voice adoring, praise we the goodness that has crowned the day. We pray, that Thou wilt hear us, still imploring Thy love and favor, kept to us always. Amen.

ROLL call: All Senator present.

A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-ninth day after recess and fortieth day and recommends that the same be corrected as follows:

On page 421, in line 35, correct the spelling of the word "which".

On page 433, in line 48, correct the spelling of the word "proceedings".

And when so corrected recommends that the same be approved.

SENATOR HARRIS, Chairman.

Senator Harris moved that the report be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 13, 1961

Mr. President: I have the honor to transmit:

House Bill No. 507

House Bill No. 512

House Bill No. 514

House Bill No. 522

House Bill No. 531

House Bill No. 532

House Bill No. 537

House Bill No. 639

House Bill No. 692

House Bill No. 744

House Bill No. 757

House Bill No. 768

House Bill No. 770

House Bill No. 809

House Bill No. 812

House Bill No. 813

House Bill No. 815

House Bill No. 824

House Bill No. 830

House Bill No. 833

House Bill No. 837

House Bill No. 838

House Bill No. 849

House Bill No. 856

House Bill No. 861

House Bill No. 896

House Bill No. 913

House Concurrent Resolution "E-1"

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.
House Chamber
Bismarck, February 13, 1961

Mr. President: I have the honor to return:

Senate Concurrent Resolution "A"

Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 43 has had the same under consideration and recommends that the same be amended as follows:

In line 97 delete the word "individually"

In line 98 delete everything after the period

Delete all of line 99.

In line 122 after the word "demand" insert the words "for each marketing district"

In line 125 after the word "gas" insert the words "within each marketing district"

In line 140 delete the words "or marketing district"

In line 141 and 142 delete the words "or marketing district"

In line 145 delete the word "state" and insert the words "marketing district wherein the pool is located" in lieu thereof.

In lines 148 and 149 delete the words "or marketing district"

In line 156 delete the words "or between" and insert the word "within" in lieu thereof.

In lines 158 and 159 delete the words "or marketing districts"

In line 164 delete the words "or marketing districts"

In line 165 after the word "pools" insert the words "within the same" and delete the word "or" and in the same line delete the word "districts" and insert the word "district" in lieu thereof.

In line 166 after the words "applicable to the" insert the words "marketing district" and a period

In line 167 delete the word "state" and the period and delete the word "or"

In line 168 delete the words "marketing districts"

In line 171 delete the words "or marketing districts"

In line 172 after the words "allocate the" insert the word "total"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Becker moved that the report be adopted, which motion prevailed.

Senator Saumur requested that the report show that a majority consisting of the following objected to the report: Senators Saumur, Trenbeath, Morgan, Erickson and Gronvold.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 176 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted.

Senator Miller made the substitute motion that Senate Bill No. 176 be placed on the calendar, which motion was lost.

The question being on the motion of Senator Baeverstad that the committee report on Senate Bill No. 176 be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 215 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 219 has had the same under consideration and recommends that the same be amended as follows:

In line 1 of the title after the word "sections" insert the numeral "5-03-06,"

In line 3 of the title after the word "Code;" delete the balance of the line

Delete all of line 4 of the title

In line 5 of the title delete the words "Century Code,"

In line 1 delete the words "REPEAL AND REENACTED" and insert in lieu thereof the word "AMENDMENT"

In line 2 delete the word "repealed" and insert in lieu thereof the word "amended"

In line 4 after the numeral "5-03-06." insert the following words:

"(((STAMPS REPRESENTING TAX MUST BE USED — EXCEPTION.) Stamps representing the excise taxes set forth in section 5-03-05 shall be affixed securely to each package or original container, sold by or in the possession of any retail dealer. No person shall possess, within this state, any original package or other container of liquor to which such stamps are not affixed. Any unstamped liquor found in the possession of any person shall be subject to seizure and confiscation by any peace officer unless such liquor at the time was in the possession of or in transit and consigned to a duly licensed wholesale dealer within this state, or is being brought into the state of North Dakota from foreign countries. Such liquor brought into North Dakota from foreign countries by any one person shall not exceed one wine gallon and such liquor shall not be resold. The provisions of this section shall not be construed as authorizing any person under the age of twenty-one years to bring any liquor into this state from any foreign country.))")"

In line 5, delete the words "not more than"

In line 6, after the word "gallon" add the words "or less"

In line 107 delete everything after the word "ENACT.)"

Delete all of line 108

In line 123, delete everything after the word "ENACT.)"

Delete all of line 124

Delete everything after "SECTION 10." in line 172

Delete all of line 173

After line 181 insert the following section:

"SECTION 11. EFFECTIVE DATE.) The provisions of this Act shall become effective on and after October 1, 1961."

Renumber the lines and sections accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 227 has had the same under consideration and recommends that the same be amended as follows:

Delete everything after the words "A Bill" and insert the following:

For an Act to provide for medical assistance to the aged.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. PURPOSES.) The purpose of this
1a Act is

2 to provide for a program of medical assistance to the

3 aged for those applicants who have incurred, are about

4 to or will incur burdensome medical expenses and who

5 meet the standards and qualifications as set forth

6 herein. Minor medical expenses are not intended to

6a be

7 covered under the provisions of this Act. The Act

8 shall be called "Medical Assistance for the Aged".

9 SECTION 2. DEFINITIONS.)

10 1. "State agency" shall mean the public welfare

11 board of North Dakota;

12 2. "County agency" shall mean the county welfare

13 board in each of the several counties of the

14 state;

15 3. "Applicant" shall mean a person who has ap-

15a plied

16 for medical assistance for the aged;

17 4. "Recipient" shall mean any person who has

18 received assistance under the terms of this Act;

19 5. "Aged" shall be defined as any person otherwise

20 qualified by this Act who shall be sixty-five

21 years of age or older;

22 6. "Medical" assistance for the aged shall be de-

22a fined

23 as the payment of part or all of the cost of fur-

24 nishing of medical care and treatment by doctors
 25 of medicine and other dispensers of medical and
 26 chiropractic services, limited to (1) inpatient
 27 hospital services; (2) skilled nursing home
 28 services; (3) physicians' services; (4) out-
 29 patient hospital or clinic services; (5) private
 30 duty nursing services; (6) dental services;
 31 (7) laboratory and x-ray services; (8) prescribed
 32 drugs; (9) diagnostic, screening and preventiva-
 33 tive services; and (10) authorized physical
 34 therapy;

35 7. "Annual income" for the purpose of this Act
 35a shall
 36 be the net income after deducting medical costs
 37 and/or hospital insurance costs, or projected
 38 costs or summation of costs of medical expenses
 39 not covered and paid by private medical or
 39a hospi-
 40 tal insurance contracts, except as provided in
 41 section 4, subsection 3.

42 SECTION 3. DUTIES OF STATE AGENCY. This
 42a Act shall

43 be administered by the public welfare board, state of
 44 North Dakota, on a fee for services basis to dispensers
 45 of medical services, according to consistent regula-
 45a tions
 46 adopted for that purpose. The public welfare board
 46a may
 47 contract with private agencies or carriers to cover
 47a part
 48 or all of the benefits specified herein, provided, that
 49 no contract with a private agency or carrier shall
 49a deny
 50 the patient freedom of choice of doctor or hospital by
 51 the state agency.

52 The state agency shall:

- 53 1. Take such action and make such rules and
 53a regula-
 54 tions as may become necessary to entitle the state
 55 to receive aid from the federal government for
 56 medical assistance for the aged in North Dakota;
- 57 2. Supervise the administration of medical
 57a assistance
 58 for the aged throughout this state;
- 59 3. Take such action, give such directions, and pro-
 60 mulgate such rules and regulations as may be nec-
 60a essary or desirable to carry out the provisions
 61 of this Act, including the adoption and applica-
 62 tion of suitable standards and procedures to in-
 63 sure uniform and equitable treatment of all
 64 applicants for medical assistance to the aged;
- 65 4. Cooperate with the federal government in mat-
 66a ters
 67 of mutual concern pertaining to medical
 67a assistance
 68 for the aged, including the adoption of such
 69 methods of administration as are found by the
 70 federal government to be necessary for the
 70a effec-
 71 tient operation of the plan for such assistance;

- 72 5. Provide such qualified employees and repre-
72a senta-
73 tives as may be necessary;
74 6. Prescribe the form of and print for and supply to
75 the county agencies blanks for applications, re-
76 ports, and such other forms as it may deem
76a neces-
77 sary and advisable;
78 7. Have authority to establish and maintain
78a personnel
79 standards on a merit basis for personnel
79a employed
80 by the state and county public assistance
80a agencies
81 not covered by a state-wide merit system;
82 8. Make such reports in such form and containing
82a such
83 information as the federal government, from
83a time
84 to time, may require;
85 9. Comply with such provisions, rules, and regula-
86 tions as the federal government, from time to
87 time, may find it necessary to make to assure
88 the correctness and verification of such reports;
89 and
90 10. Publish a biennial report and such interim
90a reports
91 as may be deemed necessary.
92 SECTION 4. ELIGIBILITY.) Medical aid for aged
93 shall be granted to any resident of this state sixty-five
94 years of age or older who meets the following con-
94a ditions:
95 1. Application has been made in the manner pre-
95a scribed
96 by the public welfare board.
97 2. The applicant is not receiving other payments
98 under chapter 50-07 of the North Dakota Century
99 Code.
100 3. The applicant's need for the type of medical
101 assistance available under this Act for which ap-
102 plication has been made has been professionally
103 established. No payment shall be made under
103a this
104 Act for any hospital service for any injury,
105 disease, or disability for which the patient is
106 entitled to medical assistance or the cost there-
107 of under the workmen's compensation laws;
107a except
108 in case of an emergency that payments be made
108a by
109 the appropriate agencies in advance and any
109a pay-
110 ment thereto shall be a lien on any subsequent
111 payments received by such an applicant. How-
111a ever,
112 the provisions of this Act shall not apply to any
113 one applicant until after he has incurred and/or
114 paid expenses for medical assistance in any cal-
115 endar year equal to four percent of his net
116 income as provided for under subsection 4 of
117 this section.

- 118 4. If unmarried, or not living with the spouse, the
 119 applicant has an annual income from all sources
 120 of not more than one thousand five hundred
 120a dollars.
 121 If married, and living with the spouse, the ap-
 122 plicant may have an annual income including
 122a the
 123 annual income of the spouse of not more than
 123a two
 124 thousand five hundred dollars.
- 125 5. If unmarried, and the applicant's liquid or mar-
 126 ketable assets of not more than three thousand
 127 dollars in value, or, if married, he and the
 128 spouse have liquid or marketable assets of not
 129 more than five thousand dollars in value. Ex-
 130 cluded in making the determination of the value
 131 of liquid or marketable assets will be exemp-
 131a tions
 132 authorized under the provisions of Chapter
 133 28-22-02 of the North Dakota Century Code.
- 134 6. The applicant has not at any time before or after
 135 making application for medical assistance for
 135a the
 136 aged made an assignment or transfer of property
 137 for the purpose of rendering himself eligible for
 138 medical assistance for the aged, or for the pur-
 139 pose of precluding recovery.
- 140 7. The applicant is not a patient in any medical in-
 141 stitution as a result of a diagnosis of tubercu-
 142 losis or psychosis, with respect to any period
 143 after the individual has been a patient in a medi-
 144 cal institution, as a result of such diagnosis,
 145 for forty-two days.
- 146 8. The applicant is not an inmate of a public insti-
 147 tution except when a patient is referred to a
 148 private medical institution.
- 149 9. The applicant is residing in the state of North
 150 Dakota; or is a legal resident of North Dakota,
 151 though he may be temporarily residing outside
 151a of
 152 the state of North Dakota.
- 153 10. The applicant has no child or other relative of
 154 sufficient financial ability to support him, who
 155 is responsible under the law for his support,
 156 provided, however, that if such child or other
 157 relative refuses or neglects to provide necessary
 158 assistance, such refusal or neglect shall not
 159 make such applicant ineligible for medical assist-
 160 ance for the aged.
- 161 11. The applicant shall require no enrollment fee,
 162 premium or similar charge as a condition of any
 163 individual's eligibility for medical assistance.)
 164 SECTION 5. APPLICATION FOR ASSISTANCE.)
 165 An application for medical assistance for the aged
 165a under
 166 the provisions of this Act shall be made to the county
 167 agency of the county in which the applicant resides.
 167a It
 168 shall be in writing or reduced to writing in the manner
 169 and upon the form prescribed by the state agency and
 170 shall be verified by the oath of the applicant. The ap-

171 plication shall contain:

- 172 1. A statement of the amount of property, both per-
 173 sonal and real, which the applicant owns or in
 174 which he has an interest;
 175 2. A statement of all the income which the appli-
 175a cant
 176 has at the time of the filing of the application;
 177 and
 178 3. Such other information as may be prescribed by
 179 the state agency.

180 SECTION 6. INVESTIGATION OF APPLICA-
 180a TIONS.)

181 Whenever a county agency receives an application for
 182 medical assistance for the aged, an investigation of
 182a the
 183 circumstances of the applicant shall be made to
 183a ascertain:

- 184 1. The facts supporting the application; and
 185 2. Such other information as may be required by
 185a the
 186 state agency.

187 SECTION 7. POWER OF COUNTY AND STATE
 188 AGENCY IN MAKING INVESTIGATION.) In an

189 investigation of an application for medical assistance
 190 for the aged the county agency and the state agency
 190a and

191 the officers and employees thereof are authorized to
 191a make
 192 investigations under this Act may:

- 193 1. Conduct examinations;
 194 2. Require the attendance of witnesses;
 195 3. Require the production of books, records, and
 196 paper; and
 197 4. Make application to the district court of the
 198 county to compel the attendance of witnesses and
 199 the production of such books, records, and papers.

200 The officers and employees designated by the county
 201 agency or the state agency also may administer oaths
 201a and
 202 affirmations.

203 SECTION 8. FINDINGS OF COUNTY AGENCY ON
 204 INVESTIGATION OF APPLICATION — FINDINGS
 204a WHEN

205 APPLICATION ALLOWED.) The county agency,
 205a upon

206 completion of the investigation of an application for
 207 medical assistance for the aged, shall determine
 207a whether

208 the applicant is eligible for medical assistance for the
 209 aged and shall make a written finding to the effect
 209a that

210 the application be allowed or rejected, as the case may
 211 be. A copy of the findings of the county agency forth-
 212 with shall be transmitted to the state agency.

213 SECTION 9. REJECTION OF APPLICATION —
 214 NOTICE OF — CONTENTS.) If the county agency,

215 upon the investigation of an application for medical
 216 assistance for the aged, finds that the application
 217 should be rejected, it forthwith shall notify the ap-
 218 plicant in writing of its decision. The notice to the

219 applicant also shall state that he may appeal from the
 220 findings of the county agency to the state agency
 220a within
 221 thirty days from the receipt by the applicant of such
 222 written notice and that such appeal may be taken by
 223 filing a written notice of appeal with the county
 223a agency
 224 or state agency.

225 SECTION 10. POWER OF STATE AGENCY TO
 226 CHANGE DETERMINATION OF COUNTY
 226a AGENCY.)

227 The state agency shall have the following powers in
 227a re-
 228 gard to the reconsideration of and change in the
 228a amount
 229 of medical assistance for the aged that has been
 229a granted
 230 under the provisions of this Act:

- 231 1. To approve, modify, or reverse the findings of
 232 the county agency;
- 233 2. To return the application for medical assistance
 234 for the aged to the county agency for such fur-
 235 ther action or proceedings as the state agency
 236 may direct;
- 237 3. To conduct a hearing or make or cause a further
 238 investigation to be made;
- 239 4. To make such final disposition of an application
 240 for medical assistance for the aged as in its
 241 judgment the ends of justice require;
- 242 5. On its own motion, to reconsider any or all
 243 medical assistance for the aged grants made;
- 244 6. To consider any application upon which a
 244a decision
 245 has not been made by the county agency within
 245a a
 246 reasonable time;
- 247 7. To grant medical assistance for the aged where
 248 it has been refused or to change the amount of
 249 medical assistance, if after further investigation
 250 it determines that the ends of justice so require;
 251 and
- 252 8. To withdraw medical assistance if it is found that
 253 the recipient's circumstances have altered suffic-
 254 iently to warrant such action.

255 Whenever medical assistance is withdrawn, revoked,
 255a sus-
 256 pended, or in any way changed, the recipient shall be
 257 notified in writing and thereupon shall have the right
 257a of
 258 a fair hearing before the state agency in the same
 258a manner
 259 as a hearing is afforded upon an appeal from the
 259a decision
 260 of the county agency rejecting an application for
 260a assist-
 261 ance.

262 SECTION 11. APPEAL TO STATE AGENCY —
 263 WHEN TAKEN.) An applicant for medical assistance
 264 for the aged under the provisions of this Act may
 264a appeal
 265 to the state agency if:

266 1. An application is not acted upon by the county
 267 agency within a reasonable time after it is filed;
 268 2. The application is denied; or
 269 3. The applicant deems the allowance insufficient.
 270 The appeal shall be taken by filing a written notice
 270a with
 271 the county agency or state agency.
 272 SECTION 12. APPEAL.—HOW HEARD.)
 273 Where an appeal is taken under the provisions of
 273a Section
 274 11 hereof, the state agency shall give the applicant an
 275 opportunity for a fair hearing. The state agency may
 276 designate some person to act as referee and take and
 277 certify evidence to the state agency. When an appeal
 277a is
 278 heard before a member or members of the state
 278a agency, or
 279 a referee designated by such agency, such person or
 279a per-
 280 sons shall make findings in writing and shall state the
 281 reason why the application should not be granted or
 282 rejected or changed in amount, as the case may be,
 282a and re-
 283 port such findings to the state agency, together with
 283a all
 284 the evidence upon which the same is based. The state
 285 agency may accept and approve such findings or
 285a reverse or
 286 modify the same or hear the matter anew or make
 286a such dis-
 287 position of the appeal as the facts and the law warrant.
 288 If the action of the board results in a denial of assist-
 289 ance or in a denial of the claim of the applicant in
 289a whole
 290 or in part, such appellant upon written demand shall
 290a be
 291 afforded a fair hearing before the state agency. The
 291a de-
 292 cision of the state agency shall be final, and binding
 293 upon the county agency.
 294 SECTION 13. COUNTY SHARE OF
 295 MEDICAL ASSISTANCE FOR THE AGED.)
 296 Each county in this state shall reimburse the state
 297 agency for ten percent of the amount expended for
 298 medical assistance for the aged in such county in
 298a excess
 299 of the amount provided by the federal government for
 300 medical assistance for the aged payments.
 301 SECTION 14. HOW COUNTY'S SHARE PAID.)
 302 The state agency shall keep records and accounts in
 302a rela-
 303 tion to the expenditures for medical assistance for the
 304 aged in each county in North Dakota. Claims for
 304a reimburse-
 305 ment under the provisions of section 14 hereof shall be
 306 presented by the state agency to the board of county
 306a com-
 307 missioners at the end of each calendar month. The
 307a execu-
 308 tive director of the state agency shall certify to each

309 county the total amount paid for medical assistance
 309a for
 310 the aged to or on behalf of persons in that county,
 310a and
 311 the county's share of such payments. The amount so
 311a cer-
 312 tified shall be paid to the treasurer of the state
 313 agency from the county treasury upon the audit
 313a and ap-
 314 proval of the county auditor and the chairman of the
 315 board of county commissioners.
 316 SECTION 15. COUNTY APPROPRIATION.) The
 316a board of
 317 county commissioners in each county in this state shall
 318 appropriate annually such sum as, in its judgment,
 318a may be
 319 needed to carry out the provisions of this Act, in-
 319a cluding
 320 expenses of administration based upon a budget
 320a prepared by
 321 the county welfare board, after taking into account
 321a state
 322 aid, and shall include in the tax levy for such county
 322a the
 323 sum or sums appropriated for that purpose. Should
 323a the sum
 324 so appropriated, however, be expended or exhausted
 324a during
 325 the year and for the purpose for which it was
 325a appropriated,
 326 additional sums shall be appropriated by the board of
 327 county commissioners.
 328 SECTION 16. COUNTY'S SHARE OF FUND
 329 FURNISHED BY STATE WHEN.) If the financial
 329a con-
 330 dition of any county is such that it cannot make an
 330a appro-
 331 priation or levy a tax for medical assistance for the
 331a aged,
 332 or cannot legally issue warrants in an amount
 332a sufficient
 333 to provide the necessary funds to comply with the
 333a provi-
 334 sions of this Act, the board of county commissioners
 334a shall
 335 report such fact to the state agency. The state agency
 336 shall make, or cause to be made, a complete investi-
 336a gation
 337 of the financial condition of such county. If such
 337a investi-
 338 gation shows that the county cannot appropriate
 338a funds or
 339 legally issue warrants or levy a tax in an amount
 339a suffic-
 340 ient to provide the county's share of funds needed for
 341 medical assistance for the aged in that county, the
 341a state
 342 agency may provide either as a grant or as a loan that
 343 county's share of funds for medical assistance for the
 344 aged, or so much thereof as may be necessary, from
 344a state

345 funds appropriated to the state agency for medical
346 assistance for the aged.

347 SECTION 17. MEDICAL ASSISTANCE

348 FOR THE AGED FUNDS.) All moneys received by

348a the, state

349 agency for medical assistance for the aged purposes

349a from

350 the state of North Dakota, from any of the counties

350a within

351 the state, from the United States under the provisions

351a of

352 the Social Security Act, or from any other source,

352a shall be

353 placed in the old age assistance fund provided for by

353a chap-

354 ter 50-07-27 of the North Dakota Century Code. The

354a treas-

355 urer of the state agency shall receive all such moneys

355a as

356 the same may be paid to him and shall deposit the

356a same in

357 such fund. The treasurer shall issue in triplicate re-

358 cepts for all moneys received by him for the fund.

358a Such

359 receipts shall show the dates upon and the sources

359a from

360 which the moneys were received and there shall be

360a deliver-

361 ed forthwith to the person, officer, or agency making

361a the

362 payment, a receipt to the executive director of the

362a state

363 agency, and the other receipt shall be retained by the

364 treasurer.

365 SECTION 18. RECOVERY OF MEDICAL

366 ASSISTANCE FOR THE AGED FROM PERSON

367 LIABLE FOR SUPPORT.) If, at any time

368 during the continuance of any allowance granted

368a under the

369 provisions of this Act, it is ascertained that anyone

369a who

370 is liable for support and care of a recipient of medical

371 assistance for the aged is able to afford the necessary

372 medical assistance for the aged of such recipient but

372a fails

373 and refuses to do so, there shall exist a cause of action

374 for such assistance against such person. The action

374a shall

375 be brought by the state's attorney of the county in the

376 name of the county in which such assistance was

376a granted and

377 against the person liable for the medical assistance for

378 the aged of the recipient of the assistance. The action

379 shall be brought for the recovery of the amount of

379a money

380 with interest thereon paid to such recipient, together

381 with the costs and disbursements of the action.

382 SECTION 19. RECOVERY OF MEDICAL

383 ASSISTANCE FOR THE AGED FROM PERSON

384 LIABLE FOR SUPPORT — HOW DIVIDED.)

385 The money recovered by any county under the

385a provisions of
 386 section 18 of this Act from the person liable for the
 387 medical assistance of the recipient of assistance, shall
 388 be divided as provided by section 50-07-35 of the
 388a North

Dakota Century Code.

390 SECTION 20. RECIPIENT TO NOTIFY

391 STATE AGENCY OF RECEIPT OF PROPERTY

392 OR INCOME — ASSISTANCE ALTERED OR

393 CANCELLED — PENALTY.) If, at any time

394 during the continuation of medical assistance for the
 394a aged

395 under the provisions of this Act, the recipient becomes
 396 the owner of any property or income in excess of the
 397 amount stated in the application provided in section 5
 397a of

398 this Act, he immediately shall notify the state agency
 398a of

399 the receipt of possession of such property or income
 399a and

400 the state agency, after investigation, either may cancel
 401 the medical assistance or alter the amount thereof in
 402 accordance with the circumstances. Any assistance
 402a paid

403 after the recipient has come into possession of such
 404 property or income, and in excess of his needs, shall be
 405 recoverable by the state from the estate of the
 405a recipient.

406 SECTION 21. REIMBURSEMENT.) The North

407 Dakota public welfare board may file a claim for

407a reim-

408 bursement from the estate of a deceased recipient of
 409 medical assistance for the aged for payments made
 409a during

410 his lifetime, but no claim shall be paid until after the
 411 death of a surviving spouse, if there is one, except a
 412 claim made in respect to improper payments of

412a medical

413 assistance. Such claims shall be in the same class as
 414 other claims to be made by the public welfare board
 414a against

415 estates of recipients, as provided for under chapter
 415a 50-07

of the North Dakota Century Code.

417 SECTION 22. AUTHORITY TO

418 COMPROMISE AND SETTLE.) The state

419 agency shall have the authority to enter the appear-
 419a ance of

420 the state in any proceeding affecting property upon
 420a which

421 the state may have a claim for medical assistance for
 421a the

422 aged, to prosecute and defend in any such proceedings,
 422a to

423 institute probate proceedings as a creditor to deceased
 424 persons, and either in the course of or in the absence
 424a of

425 and apart from any action or proceeding enter into any
 426 stipulation, compromise, settlement or other agree-

426a ment or

427 arrangement in respect to such claim as may seem
427a wise.

428 SECTION 23. HOW MONEY COLLECTED
429 FROM RECIPIENT OR ESTATE OF RECIPIENT
430 DIVIDED.) Any amounts received from any recipi-
430a ent

431 of medical assistance for the aged or collected from his
432 estate for medical assistance for the aged paid under
432a the

433 provisions of this Act shall be deposited promptly
433a in the

434 North Dakota old age assistance fund and credited
435 respectively to the federal government, the state, and
435a the

436 county in proportion to the amounts in which the
436a assistance

437 payments represented funds contributed by the federal
438 government, state, and county.

439 SECTION 24. CERTIFICATION.) Medical assist-
440 ance shall be rendered upon certification by the
440a attending

441 licensed doctor that a service is required for the
441a medical

442 assistance of an individual. Services of a medical
442a insti-

443 tution shall be rendered only after referral by a
443a licensed

444 physician and certification by him that the services
444a of the

445 medical institution are required for the medical
445a treatment

446 of the individual except that referral shall not be
447 necessary in case of an emergency.

448 SECTION 25. CHOICE OF SERVICES.)

449 The applicant shall be entitled to free choice of those
450 physicians, hospitals, nursing homes, and other

450a licensed
451 dispensers of medical services.

452 SECTION 26. PAYMENT FOR SERVICES.)

453 The public welfare board is authorized to pay dis-
453a pensers of

454 medical services according to the usual and customary
454a fees

455 being charged in the local community for services
455a rendered

456 to persons of comparable economic status. Should
456a the board

457 contract with private agencies or carriers for all or
457a part

458 of such medical services, it is authorized to make
458a payment

459 direct to such agencies or carriers.

460 SECTION 27. CONFIDENTIAL CHARACTER
461 OF MEDICAL ASSISTANCE FOR THE AGED.)

462 All applications, information, and records concerning
462a any

463 applicant or recipient of medical assistance for the
463a aged

464 under the provisions of this Act shall be confidential,
464a and

465 shall not be disclosed or used for any purpose not
 465a directly
 466 connected with the administration of medical
 466a assistance for
 467 the aged.

468 SECTION 28. FRAUDULENT ACTS —
 469 PENALTY.) • Whoever knowingly obtains, or attempts
 470 to obtain, or aids or abets another, by means of a will-
 471 fully false statement or representation, or by
 471a impersona-
 472 tion, or by other fraudulent device, medical
 472a assistance to
 473 which he is not entitled, or assistance greater than
 473a that
 474 to which he is justly entitled, is guilty of a mis-
 474a demeanor
 475 and shall be punished by a fine of not more than five
 476 hundred dollars, or by imprisonment in the county
 476a jail for
 477 not more than twelve months, or by both such fine
 477a and
 478 imprisonment. In assessing the penalty, the court
 478a shall
 479 take into consideration, along with other factors, the
 480 amount of money fraudulently received.

481 SECTION 29. LIMITATIONS
 482 OF ACT.) All medical assistance for the aged granted
 483 under this Act shall be deemed to be granted and to
 483a be held
 484 subject to the provisions of any amending or repealing
 485 Act that hereafter may be passed. No recipient shall
 485a have
 486 any claim for compensation or otherwise because his
 486a medical
 487 assistance for the aged is affected in any way by any
 487a amend-
 488 ing or repealing act.

489 SECTION 30. SUSPENSION OF
 490 ACT.) In the event that any provision or provisions
 490a of
 491 this Act shall be in conflict with Title VI — Medical
 492 Services for the Aged, being amendments of Title I
 492a of the
 493 Social Security Act, being Public Law 86-778, 86th
 493a Con-
 494 gress, H. R. 12580, dated September 13, 1960, provid-
 494a ing a
 495 state plan for medical assistance for the aged; under
 496 which, if this Act were not in conflict, the state would
 497 be entitled to receive contributions from the United
 497a States
 498 for medical aid to the aged, such provision or pro-
 498a visions
 499 of this Act so in conflict with such law of the United
 500 States shall be considered as suspended and non-
 500a effective
 501 until fifty days after convening of the legislative
 501a assem-
 502 bly in the year 1963 so as to enable the state to qualify
 503 and participate in such contributions for medical
 503a assist-

504 ance to the aged from the United States.

And when so amended recommends the same do pass.

SENATOR MILLER, Chairman.

Senator Miller moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 283 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MILLER, Chairman.

Senator Miller moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 289 has had the same under consideration and recommends that the same be amended as follows:

In line 9 after the word "thereof" insert the following: "only where same has been first authorized by a majority vote of those persons voting on the question at a special election duly called upon a minimum of two weeks published notice"

In line 45 after the word "pool" insert the following: "only where same has been first authorized by a majority vote of those persons voting on the question at a special election duly called upon a minimum of two weeks published notice"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 292 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted.

Senator Garaas made the substitute motion that Senate Bill No. 292 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 296 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Concurrent Resolution "Y" has had the same under consideration and recommends that the same be amended as follows:

In line 40 delete "; and" and insert in lieu thereof a period

Delete all of lines 41, 42, 43, 44, 45, 46, and 47.

And when so amended recommends the same do pass

and be re-referred to the Legislative Research Resolutions Committee.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion was lost.

Senator Baeverstad requested a division, which request was granted.

ROLL CALL

The question being on the motion of Senator Baeverstad that the committee report on Senate Concurrent Resolution "Y" be adopted, the roll was called and there were ayes, 34; nays, 13; absent and not voting, 2.

Those voting in the affirmative were:

Baeverstad	Harris	Miller
Baker	Holand	Morgan
Becker	Johnson	Mutch
Berube	Kamrath	Reichert
Brooks	Kee	Ringsak
Erickson	Kisse	Roen
Erickstad	Lautenschlager	Saumur
Foss	Lips	Schrock
Gefreh	Longmire	Solberg
George	Luick	Trenbeath
Gilbertson	Meidinger	Wadeson
Gronvold		

Those voting in the negative were:

Andre	Murphy	Thompson
Bopp	Nesvig	Van Horn
Fiedler	Paulson	Witteman
Garaas	Redlin	Yunker

Absent and not voting:

Hernett	Wartner
---------	---------

So the motion was declared carried.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution "GG" has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 563 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 13, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 19

Senate Bill No. 34

Senate Bill No. 46

Senate Bill No. 49
Senate Bill No. 58
Senate Bill No. 75
Senate Bill No. 80
Senate Bill No. 89
Senate Bill No. 90
Senate Bill No. 105
Senate Bill No. 127
Senate Bill No. 128
Senate Bill No. 130
Senate Bill No. 145
Senate Bill No. 166
Senate Bill No. 172
Senate Bill No. 182
Senate Bill No. 189
Senate Bill No. 198
Senate Bill No. 212
Senate Bill No. 216
Senate Bill No. 220
Senate Bill No. 229
Senate Bill No. 232
Senate Bill No. 234
Senate Bill No. 239
Senate Bill No. 249
Senate Bill No. 250
Senate Bill No. 252
Senate Bill No. 253
Senate Bill No. 258
Senate Bill No. 262
Senate Bill No. 267
Senate Bill No. 270
Senate Bill No. 281
Senate Bill No. 284
Senate Bill No. 294
Senate Bill No. 299
Senate Concurrent Resolution "C"
Senate Concurrent Resolution "S"
Senate Concurrent Resolution "W"
Senate Concurrent Resolution "BB"

Which the Senate has passed and your favorable consideration is requested.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, February 13, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 553
House Bill No. 556
House Bill No. 568
House Bill No. 637
House Bill No. 665
House Concurrent Resolution "N"

Which the Senate has passed unchanged.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, February 13, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 595
Which the Senate has amended.

HOWARD F. DOHERTY, Secretary.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and En-grossment respectfully reports that it has examined the following Concurrent Resolution:

Senate Concurrent Resolution "B"

And finds the same correctly enrolled.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution "B"

And the President signed the same in the presence of the Senate.

SECOND READING OF SENATE BILLS

Senate Bill No. 156. A Bill for an Act to provide that all employers must grant time for all employees to vote at any special, primary, or general election, and providing for 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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

Senate Bill No. 171. A Bill for an Act to amend and re-enact Section 21-03-15 of the North Dakota Century Code relating to taxes for municipal bonds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
-------	---------	--------

Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

MOTIONS

Senator Holand moved that after the reading of Senate Bill Nos. 2, 40, 44, 85, 181, 213, 214, 230, 242, 255, 301 and 306 that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

Senator Holand moved that Senate Bill No. 2 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2. A Bill for an Act making an appropriation for the general maintenance, plant improvements, and new buildings of the state institutions of higher learning of the State of 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, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker

Absent and not voting:

Berube

So the bill passed and the title was agreed to and the emergency clause carried.

Senator Foss moved that the vote by which Senate Bill No. 2 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 201. A Bill for an Act to amend and reenact sections 57-33-05, 57-33-06, and 57-33-07 of the North Dakota Century Code relating to apportionment and allocation of taxes received from certain cooperatives.

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:

Andre	Hystad	Paulson
Baeverstad	Johnson	Redlin
Baker	Kamrath	Reichert
Becker	Kee	Ringsak
Bopp	Kisse	Roen
Erickson	Lautenschlager	Saumur
Erickstad	Lips	Schrock
Fiedler	Longmire	Solberg
Foss	Luick	Thompson
Garaas	Meidinger	Trenbeath
Gefreh	Miller	Van Horn
George	Morgan	Wadson
Gilbertson	Murphy	Wartner
Harris	Mutch	Witteaman
Hernett	Nesvig	Yunker
Holand		

Those voting in the negative were:

Brooks	Gronvold
--------	----------

Absent and not voting:

Berube

So the bill passed and the title was agreed to.

Senate Bill No. 231. A Bill for an Act to amend and reenact section 52-04-05 of the North Dakota Century Code as amended by House Bill 558 of the Thirty-seventh Legislative Assembly of North Dakota relating to Standard Rate of Contributions — Reduction of Rates; and subsection 1 of section 52-04-06 of the North Dakota Century Code relating to Variations in Standard Rate of Contributions — How Determined.

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, 12; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Gilbertson	Nesvig
Baeverstad	Gronvold	Redlin
Baker	Harris	Reichert
Becker	Hernett	Ringsak
Berube	Holand	Saumur

Bopp	Hystad	Schrock
Erickstad	Kamrath	Solberg
Fiedler	Kee	Thompson
Foss	Lautenschlager	Van Horn
Garaas	Longmire	Wadeson
Gefreh	Meidinger	Wartner
George	Murphy	Witteman
	Mutch	

Those voting in the negative were:

Brooks	Lips	Paulson
Erickson	Luick	Roen
Johnson	Miller	Trenbeath
Kisse	Morgan	Yunker

So the bill passed and the title was agreed to.

MOTIONS

Senator Holand moved that the Senate recess until 1:00 p.m., February 14, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FORTY-SECOND DAY AFTER RECESS
AND FORTY-THIRD DAY

Bismarck, February 14, 1961

The Senate convened at 1:00 p.m., the President presiding.

REPORT OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and En-grossment respectfully reports it has examined the following bill:

Senate Bill No. 136

And finds the same correctly re-engrossed.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

MESSAGE FROM THE GOVERNOR

State of North Dakota

Office of the Governor

Bismarck

February 14, 1961

Members of the Senate
Thirty-seventh Legislative Assembly
Bismarck, North Dakota

Greetings:

On February 13, 1961, I signed Senate Bill No. 186.

This bill has been filed with the Secretary of State.

Sincerely yours,

WILLIAM L. GUY

Governor

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 32 has had the same under consideration and recommends that the same be amended as follows:

In line 3 delete the figure "\$1,491,815.00" and insert the figure "\$1,527,320.00" in lieu thereof.

In line 10 delete the figure "756,000.00" and insert the figure "802,800.00" in lieu thereof.

In line 21 after the word "Security" insert the following words: "and Retirement".

In line 21 delete the figure "51,095.00" and insert the figure "39,800.00" in lieu thereof.

In line 23 delete the figure "\$1,491,815.00" and insert the figure "\$1,527,320.00" in lieu thereof.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 82 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 101 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: The majority of your Committee on Finance and Taxation to whom was referred Senate Bill No. 168 has had the same under consideration and recommends that the same be indefinitely postponed.

H. B. Baeverstad
Lloyd Erickson
Dan Kisse
Evan E. Lips
O. S. Johnson
Dwight Kamrath

Senator Baeverstad moved that the report be adopted.

Mr. President: The minority of your committee recommends that the same do pass.

Charles L. Murphy
Raymond Andre
Iver Solberg
Orville P. Witteman

Senator Murphy moved that the report of the minority be substituted for that of the majority.

The question being on the motion of Senator Murphy that the report of the minority be substituted for that of the majority, which motion was lost.

The question being on the motion of Senator Baeverstad that the committee report on Senate Bill No. 168 be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 170 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 179 has had the same under consideration and recommends that the same do pass and be re-referred to the Committee on Appropriations.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 190 has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 192 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 203 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 211 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted.

Senator Baker made the substitute motion that Senate Bill No. 211 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 241 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 295 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 300 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted.

Senator Baker made the substitute motion that Senate Bill No. 300 be placed on the calendar.

ROLL CALL

The question being on the substitute motion of Senator Baker that Senate Bill No. 300 be placed on the calendar, the roll was called and there were ayes, 30; nays, 19; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Hernett	Morgan
Baker	Holand	Murphy
Becker	Hystad	Nesvig
Brooks	Kee	Paulson
Erickson	Kisse	Redlin
Erickstad	Lautenschlager	Reichert
Fiedler	Lips	Roen
Foss	Longmire	Van Horn
Gefreh	Luick	Wartner
Gronvold	Miller	Witteman

Those voting in the negative were:

Andre	Johnson	Schrock
Berube	Kamrath	Solberg
Bopp	Meidinger	Thompson
Garaas	Mutch	Trenbeath
George	Ringsak	Wadeson
Gilbertson	Saumur	Yunker
Harris		

So the motion was declared carried.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 308 has had the same under consideration and recommends that the same do pass.

SENATOR KEE, Chairman.

Senator Kee moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 647 has had the same under consideration and recommends that the same be amended as follows:

In line 4 delete the figure "\$10,000.00" and insert the figure "\$4,000.00" in lieu thereof.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 737 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 14, 1961

Mr. President: I have the honor to transmit:

House Bill No. 501

House Bill No. 506

House Bill No. 535
 House Bill No. 646
 House Bill No. 721
 House Bill No. 747
 House Bill No. 779
 House Bill No. 784
 House Bill No. 810
 House Bill No. 821
 House Bill No. 822
 House Bill No. 835
 House Bill No. 850
 House Bill No. 854
 House Bill No. 862
 House Bill No. 869
 House Bill No. 874
 House Bill No. 875
 House Bill No. 876
 House Bill No. 890
 House Bill No. 904
 House Bill No. 909
 House Bill No. 915

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 14, 1961

Mr. President: I have the honor to return:

Senate Concurrent Resolution "D"

Senate Concurrent Resolution "F"

Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 14, 1961

Mr. President: I have the honor to transmit:

House Bill No. 553

House Bill No. 556

House Bill No. 568

House Bill No. 637

House Bill No. 665

House Concurrent Resolution "N"

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports it has examined the following resolution:

Senate Concurrent Resolution "A"

And finds the same correctly enrolled.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Holand moved that the rules be suspended and that the reading of the amendments to Senate Bills Nos.

45, 41, 78, 111, and 254 be dispensed with, which motion prevailed.

Senator Trenbeath moved that the amendments to Senate Bill No. 45 be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to Senate Bill No. 41 be adopted, which motion prevailed.

Senator Kee moved that the amendments to Senate Bill No. 78 be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to Senate Bill No. 111 be adopted, which motion prevailed.

Senator George moved that the amendments to Senate Bill No. 254 be adopted, which motion prevailed.

FIRST READING OF A SENATE BILL

The Committee on Delayed Bills introduced:

Senate Bill No. 310. A Bill for an Act to amend and reenact subsections 6 and 7 of section 54-03-01 of the North Dakota Century Code relating to legislative districts.

Was read the first time and referred to the Committee on State and Federal Government.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Brooks, Johnson, Nesvig, Lips, and Saumur introduced:

Senate Concurrent Resolution "HH". A concurrent resolution directing a study of sections 5-05-04, 5-05-05 and 5-05-07 of the North Dakota Century Code relating to food and alcoholic beverages for a report and recommendations concerning the operation of such laws.

Was read the first time and referred to the Committee on Industry, Business and Labor.

Senator Brooks introduced:

Senate Concurrent Resolution "II". A concurrent resolution authorizing various state associations to celebrate and commemorate their respective association activities during legislative sessions.

Was read the first time.

MOTIONS

Senator Brooks moved that the rules be suspended and that Senate Concurrent Resolution "II" be not referred to a committee, not printed as a bill but printed in the Journal and laid over one legislative day, which motion prevailed.

SENATE CONCURRENT RESOLUTION "II"

Introduced by Senator Brooks

A concurrent resolution authorizing various state associations to celebrate and commemorate their respective association activities during legislative sessions.

- 1 WHEREAS, the Thirty-seventh Legislative
- 2 -Assembly has recently authorized a joint session
- 3 relating to and in commemoration of Newspaperman's
- 4 Day; and
- 5 WHEREAS, many other state associations are
- 6 deserving of, and have requested recognition by the
- 7 North Dakota Legislature for the many contributions
- 8 they and their members have made for the betterment
- 9 of the state; and

10 WHEREAS, it is fitting and proper that
 11 such associations or organizations, their members,
 12 and their activities be recognized and honored by
 13 setting aside a day or part thereof for each of
 14 them so that there can be a suitable and proper
 15 observance by all members of the Legislature
 16 and the state generally;

17 NOW, THEREFORE, BE IT RESOLVED BY THE
 18 SENATE OF THE STATE OF NORTH DAKOTA, THE
 19 HOUSE OF REPRESENTATIVES CONCURRING
 20 THEREIN:

21 That the legislative assembly set aside during
 22 each session a day for each of such associations
 23 or organizations so that proper observance can be
 24 accorded them for the many contributions they have
 25 made and are making, including but not limited to
 26 the following North Dakota associations:

- 27 1. Bankers Association
- 28 2. Bar Association
- 29 3. Beer Wholesalers Association
- 30 4. Broadcasters Association
- 31 5. Chiropractic Association
- 32 6. Contractors Association
- 33 7. Dental Association
- 34 8. Farm Bureau
- 35 9. Farmers Union
- 36 10. Implement Dealers Association
- 37 11. Independent Insurance Agents
- 38 12. Labor Unions
- 39 13. Medical Association
- 40 14. Newspapermen's Association
- 41 15. Osteopathic Association
- 42 16. Petroleum Council
- 43 17. Professional Engineers
- 44 18. Radio & Television Associations
- 45 19. Retail Liquor Dealers Association
- 46 20. Stockmen's Association
- 47 21. United Temperance Movement
- 48 22. Wheatgrowers Association
- 49 23. Business and Professional Women's Club
- 50 24. Legal Secretaries
- 51 25. Dental Association
- 52 26. N. D. Firemen's Ass'n.
- 53 27. American Legion
- 54 28. VFW
- 55 29. American Legion Auxiliary
- 56 30. PTA
- 57 31. VFW Auxiliary
- 58 32. Boy Scouts
- 59 33. Girl Scouts
- 60 34. Campfire girls
- 61 35. Council of juvenile judges
- 62 36. Elks
- 63 37. Eagles
- 64 38. Odd Fellows
- 65 39. Lions
- 66 40. Kiwanis
- 67 41. Moose, Order of
- 68 42. Toastmistress' Club
- 69 43. Exchange Club

- 70 44. 4-H Clubs
- 71 45. Federation of Women's Clubs
- 72 46. Restaurant Owners Association
- 73 47. Social Welfare Workers
- 74 48. NDEA
- 75 49. Peace Officers
- 76 50. County Officials Association
- 77 51. Flying Farmers Association
- 78 52. Chamber of Commerce
- 79 53. GNDA
- 80 54. Safety Council
- 81 55. American Bowlers Association
- 82 56. National Wildlife Association
- 83 57. Izaak Walton League
- 84 58. Bulk Oil Dealers Association
- 85 59. Implement Dealers Association
- 86 60. Pharmacists Association

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senator Trenbeath introduced:

Senate Concurrent Resolution "JJ". A concurrent resolution memorializing the Congress and the President of the United States to safeguard and preserve established state and individual rights to the use of water within the separate states.

Was read the first time and referred to the Committee on Natural Resources.

Senators Yunker, Lautenschlager, Bopp and Nesvig introduced:

Senate Concurrent Resolution "KK". A concurrent resolution directing the legislative research committee to study the feasibility of authorizing limited farming and ranching by corporations.

Was read the first time and referred to the Committee on Judiciary.

Senators Roen, Saumur, Ringsak, Erickson, Lips, Meidinger and Mutch introduced:

Senate Concurrent Resolution "LL". A concurrent resolution extending an invitation to Lawrence Welk and his band to come to North Dakota during the summer of 1961 to participate in the Dakota Territory Centennial Celebration.

Was read the first time and referred to the Committee on State and Federal Government.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "O-1". A concurrent resolution urging the President to appoint a presidential emergency board under authority of the Railway Labor Act in regard to the strike involving Northwest Airlines.

Was read the first time.

MOTIONS

Senator Holand moved that the rules be suspended and that House Concurrent Resolution "O-1" be placed on second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE
CONCURRENT RESOLUTION

House Concurrent Resolution "O-1". A concurrent resolution urging the President to appoint a presidential emergency board under authority of the Railway Labor Act in regard to the strike involving Northwest Airlines.

Was read the second time.

Senator Holand moved that House Concurrent Resolution "O-1" be adopted.

Senator Garaas made the substitute motion that House Concurrent Resolution "O-1" be laid over one legislative day, which motion prevailed.

FIRST READING OF HOUSE BILLS
AND CONCURRENT RESOLUTIONS

House Bill No. 508. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous, and special projects, of the State Penitentiary.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 518. 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.

House Bill No. 534. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the State Wheat Commission.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 538. A Bill for an Act making an appropriation for the purpose of paying the wolf, coyote, fox, bobcat and magpie bounty.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 573. A Bill for an Act to make an appropriation to the state historical society for the construction of new buildings for the International Music Camp at the International Peace Garden.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 578. A Bill for an Act to amend and reenact section 1 of chapter 147 of the 1959 Session Laws relating to the payment of bonds issued to finance revenue producing buildings at institutions of higher learning.

Was read the first time and referred to the Committee on Education.

House Bill No. 592. A Bill for an Act to amend and reenact section 15-40-17 of the North Dakota Century Code, relating to admission of high school students from other districts and tuition charges.

Was read the first time and referred to the Committee on Education.

House Bill No. 601. A Bill for an Act to amend and reenact sections 15-53-16 and 15-53-20 of the North Dakota Century Code relating to school district reorganization elections and property and assets of reorganized school districts.

Was read the first time and referred to the Committee on Education.

House Bill No. 666. A Bill for an Act providing for a fire prevention code for the construction and remodeling of school buildings.

Was read the first time and referred to the Committee on Education.

House Bill No. 668. A Bill for an Act to amend and reenact section 11-15-07 of the North Dakota Century Code, relating to fees charged by the county sheriff.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 669. A Bill for an Act authorizing the board of administration to sell and convey to the board of education of the city of Devils Lake a tract of land located in section 27 in township 154 north of range 64, west of the fifth principal meridian.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 677. A Bill for an Act to repeal Chapter 61-18, embodying sections 61-18-01 to 61-18-20, both inclusive, of the North Dakota Century Code, relating to erection and maintenance of dams.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 680. A Bill for an Act to amend and reenact section 57-39-02 of the North Dakota Century Code relating to the imposition of a sales tax.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 700. A Bill for an Act to amend and reenact Section 57-52-11 of the North Dakota Century Code relating to the distribution of money collected under the provisions of Chapter 57-52 of the North Dakota Century Code.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 704. A Bill for an Act to amend and reenact Section 40-23-13 of the North Dakota Century Code relating to the publication of notice of confirmation of assessment list and meeting for action upon assessments.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 705. A Bill for an Act validating, ratifying, approving and confirming bonds and other instruments or obligations, heretofore issued by public bodies of this state, and all proceedings heretofore taken by such public bodies, to authorize and issue such bonds, instruments and other obligations, however described, and to provide funds for their payment; providing that this Act

may be cited as "The 1961 Bond Validating Act", and declaring an emergency.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 711. A Bill for an Act to amend and reenact section 40-26-08 of the North Dakota Century Code, relating to the contingent obligation of municipalities to levy general taxes for the payment of deficiencies in special improvement funds.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 712. A Bill for an Act to amend and reenact sections 40-24-18, 40-24-19, 40-24-21, 40-24-22, and 40-24-23 of the North Dakota Century Code, relating to municipal special improvement district funds and the issuance of warrants thereon, providing for the issuance of temporary and definitive warrants on such funds, validating obligations issued and proceedings taken as provided in said sections as so amended, and declaring an emergency.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 714. A Bill for an Act to amend and reenact section 52-02-06 of the North Dakota Century Code relating to Bureau to appoint and make rules and regulations governing personnel; and section 52-08-04 relating to Director and employees of employment service - appointment - agreements for free employment service.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 718. A Bill for an Act to amend and reenact section 40-40-10 of the North Dakota Century Code relating to the time when municipal tax levies must be certified to the county auditor.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 748. A Bill for an Act to amend and reenact sections 15-19-06 and 15-19-07 of the North Dakota Century Code, relating to receipts and expenditures of the high school correspondence study division.

Was read the first time and referred to the Committee on Education.

House Bill No. 751. A Bill for an Act requiring the state tax commissioner to provide all boards of county commissioners with instructions on methods and procedures of assessment of all radio and television equipment, including towers.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 760. A Bill for an Act to amend and reenact subsection 3 of section 11-10-10 of the North Dakota Century Code relating to salary and expenses of county commissioners.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 769. A Bill for an Act to amend and reenact section 57-23-05, relating to applications for abatement or refund of property taxes, and section 57-23-07, relating to abatement and compromise of property taxes, of the North Dakota Century Code.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 787. A Bill for an Act to amend and reenact subsection 21 of section 57-02-08 of the North Dakota Century Code, relating to property exempt from taxation for blind persons or permanently and totally disabled persons.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 792. A Bill for an Act to authorize the Bismarck school district to sell tax exempt bonds for the purpose of constructing revenue producing dormitories.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 793. A Bill for an Act to amend and reenact sections 40-04-08, 40-04-09, and 40-04-10 of the North Dakota Century Code relating to a change from the commission system of government, providing the petition required therefor, the determination of the sufficiency of said petition by the city auditor, the procedure to be followed when said petition is filed, and for a special election and ballot thereon.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 801. A Bill for an Act to amend and reenact section 32-09-28 of the North Dakota Century Code, relating to liability of a garnishee.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 807. A Bill for an Act to amend and reenact section 39-06-16 of the North Dakota Century Code relating to the carrying of one's operator's license or permit in his possession at all times.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 811. A Bill for an Act to amend and reenact Section 40-22-06.1 of the North Dakota Century Code relating to agreements by cities with a population of over ten thousand with the state highway department or county for certain improvements.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 818. A Bill for an Act to amend and reenact section 41-10-04 of the North Dakota Century Code, relating to the definition of inland and foreign bills of exchange.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 819. A Bill for an Act to amend and reenact subsection 4 of section 21-03-07 of the North Dakota

Century Code, relating to the issuance of general obligation bonds of certain municipalities by authority of the governing bodies thereof for the purpose of street improvements on federal aid highways and arterial streets and at railway intersections, and declaring an emergency.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 826. A Bill for an Act to amend and reenact subsection 20 of section 57-02-08 of the North Dakota Century Code, providing for an exemption of net assessed valuation of property of disabled veterans.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 827. A Bill for an Act to amend and reenact section 61-21-45 of the North Dakota Century Code relating to contracts for work of cleaning and repairing drains.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 843. A Bill for an Act to amend and reenact Section 39-11-20 of the North Dakota Century Code relating to lights on motor vehicles.

Was read the first time and referred to the Committee on Education.

House Bill No. 845. A Bill for an Act to create and enact section 1-01-50 of the North Dakota Century Code, establishing a time limit for the filing of petitions.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 852. A Bill for an Act to require the lapse of time before resubmission of certain proposals to the electors of school districts.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 888. A Bill for an Act to amend section 57-38-21 of the North Dakota Century Code by creating and adding thereto subsection 8 relating to subtraction of certain dividends in computing net income of individuals, estates and trusts; to amend section 57-38-22.1 of the North Dakota Century Code by creating and adding thereto a new subsection relating to deduction of federal income taxes by certain persons who as stockholders in certain corporations have earnings or liquidation dividends of such corporations taxed directly to them for federal income tax purposes; to repeal subdivision c of subsection 2 of section 57-38-22.1 of the North Dakota Century Code; to provide for an effective date; and declaring an emergency.

Was read the first time and referred to the Committee on Finance and Taxation.

House Concurrent Resolution "Q". A Concurrent resolution commending the action of the state water conservation commission in withdrawing from appropriation and reserving 2,640,000 acre-feet of water of the Missouri River for use of the Garrison Diversion Unit of the Missouri

River basin project; and recommending that the commission reserve additional quantities of water of the Missouri River for future needs for irrigation and other purposes.

Was read the first time and referred to the Committee on Natural Resources.

House Concurrent Resolution "Z". A concurrent resolution urging that more time be devoted and more emphasis be placed on the teaching of patriotism, good citizenship, and respect for law and order in all elementary and secondary schools and in institutions of higher learning in this state.

Was read the first time and referred to the Committee on Education.

House Bill No. 507. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous, new building and special projects for the State Training School at Mandan, North Dakota.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 512. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Gasoline Tax Division in the office of the State Auditor.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 514. A Bill for an Act making an appropriation for Vocational Agriculture, Vocational Home Economics, Business Education, Trade and Industrial Education.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 522. A Bill for an Act making an appropriation for salaries and expenses for the State Seed Department.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 531. A Bill for an Act to provide for payment of expenses to certain State Officers, making an appropriation and declaring an emergency.

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 paying expenses of the Children's Psychiatric Outpatient Clinic, located at Bismarck, North Dakota.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 537. A Bill for an Act making an appropriation to continue the operation of North Dakota Civil Defense as provided for by Chapter 37-17 of the North Dakota Century Code.

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 section 15-53-19 of the North Dakota Century Code relating to continuance of elementary and high schools in reorganized districts.

Was read the first time and referred to the Committee on Education.

House Bill No. 692. A Bill for an Act authorizing the state board of higher education to lease certain state-owned land to the federal government, for the purpose of permitting the erection of a forestry research laboratory-office building on the campus of the school of forestry.

Was read the first time and referred to the Committee on Education.

House Bill No. 744. A Bill for an Act to repeal section 36-14-08 of the North Dakota Century Code, relating to the immunization of all swine to be exhibited at any state or county fairs.

Was read the first time and referred to the Committee on Agriculture.

House Bill No. 757. A Bill for an Act to amend and reenact Section 6-09-03 of the North Dakota Century Code relating to property of The Bank of North Dakota.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 768. A Bill for an Act authorizing the state historical society to exchange certain lands owned by the state of North Dakota in connection with the Fort Union historic site.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 770. A Bill for an Act authorizing the state historical society to exchange certain lands owned by the state of North Dakota in connection with the Walhalla historic site.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 809. A Bill for an Act to amend and reenact section 27-16-35 of the North Dakota Century Code relating to hearing and service of notice thereon in juvenile court.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 812. A Bill for an Act providing for a notice of intention to adopt to be given to the division of child welfare and providing exceptions.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 813. A Bill for an Act to amend and reenact section 14-11-10 of the North Dakota Century Code relating to hearings in adoption proceedings and service of notice thereof.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 815. A Bill for an Act to amend and reenact section 27-16-36 of the North Dakota Century Code relating to the termination of parental rights upon petition of parent and notice of hearing such petition.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 824. A Bill for an Act to amend and reenact subsection 7 of section 39-01-01, relating to the definition of trailer; section 39-04-48, relating to driveaway transporters; subsection 1 of section 39-04A-01, relating to the definition of trailer section 39-05-01, relating to the definition of motor vehicle; section 39-05-12, relating to carrying of registration cards for vehicles; section 39-18-01, relating to the definition of mobile home; section 39-18-02, relating to bond required from mobile home dealers; section 39-18-03, relating to titling and licensing of mobile homes; section 57-40-12, relating to use tax on motor vehicles and house trailers or mobile homes; subsection 4 of section 39-18-05, relating to speed limit; and to repeal section 35-05-29; all of the North Dakota Century Code.

Was read the first time and referred to the Committee on Transportation.

House Bill No. 830. A Bill for an Act to provide for quasi-contractual recovery by employees for the value of services properly rendered.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 833. A Bill for an Act to permit the State Fire and Tornado Fund to insure certain risks under vandalism and malicious mischief, and providing rates therefor.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 837. A Bill for an Act to provide for a right of payment to employees who terminate employment for cause and employees who are discharged for cause, and to repeal sections 34-03-07 and 34-03-08 of the North Dakota Century Code.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 838. A Bill for an Act to amend and reenact section 34-08-07 of the North Dakota Century Code, relating to the basis upon which restraining orders or injunctions may be issued in labor disputes.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 849. A Bill for an Act to repeal sections 38-02-16, 38-02-17, and 38-02-18 of the North Dakota Century Code, dealing with injunctions against seizure of mining property by threats, force, or stealth, and making it a misdemeanor to form a conspiracy to seize a lode, gulch, or placer claim in the possession of another.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 856. A Bill for an Act to create and enact section 36-05-12.1 of the North Dakota Century Code,

relating to the sale of bred female livestock through livestock auction markets, and providing a penalty.

Was read the first time and referred to the Committee on Agriculture.

House Bill No. 861. A Bill for an Act to create and enact subsection 8 of section 27-16-02 of the North Dakota Century Code relating to powers of juvenile commissioners.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 896. A Bill for an Act to provide for the patenting of inventions and discoveries of faculty, officers and employees of state institutions of higher learning in the name of the institution or a foundation authorized by it; to provide for the sharing of income therefrom with the inventor or discoverer; to provide cooperating agencies in cooperative research with an equity in inventions or discoveries resulting from cooperative research; and to repeal sections 15-11-16, 15-11-17, and 15-11-18 of the North Dakota Century Code relating to the patenting of inventions and assignment thereof.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 913. A Bill for an Act to provide scholarships in North Dakota institutions of higher learning for North Dakota residents of Indian blood and providing qualifications therefor, and making an appropriation.

Was read the first time and referred to the Committee on Education.

House Concurrent Resolution "E-1". A concurrent resolution acknowledging the progress of the state in the modernization of its highway systems and the results of a comparative study on construction costs, maintenance and life expectancy of surface types and commending the North Dakota state highway department for its accomplishments.

Was read the first time and referred to the Committee on Transportation.

MOTIONS

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FORTY-THIRD DAY

Bismarck, February 14, 1961

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. Frank Rumer, District Superintendent, Methodist Church, Mandan.

Let us pray:

Master of men, we are always in Thy presence. It surrounds our every day. We do not presume to come to Thee without due regard for this boundless love. Our problem is in our inability to know how to be aware of Thee. Our personal pride, selfishness and greed get into the way. Our personal ambitions influence so much of what we do. So often we regard life as something we should adore for what we can get out of it. Thou, O

Christ didst teach men that the greatest commandment is to love God, and our neighbor as ourselves. We fail miserably here. Forgive us we pray.

We need Thy guidance for we are entrusted with a great responsibility. What we do here during these days will affect the moral, spiritual and physical welfare of many people. We pray Thee, guide us. Guide the leaders of our nation. May decisions wisely be made in the fear of God. So much depends on this.

Our troubled world needs help. We have achieved so much and yet the human heart can be so wicked. The power and wealth is not fully shared in the spirit of our Lord's Prayer . . . when He taught men to pray . . . "Thy Kingdom come, Thy will be done on earth as in Heaven." Only Thy Spirit can bring this to pass.

We most humbly bow in recognition of our need of Thee. Forgive where we have failed. Inspire us to greater love toward Thee and toward our fellowman. We pray, for Jesus sake. AMEN.

Roll Call: All Senators present.

A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fortieth day after recess and forty-second day and recommends that the same be corrected as follows:

On page 450 delete all of line 13.

On page 453, delete lines 23, 24, 25 and 26, and insert in lieu thereof the following: "Delete everything after the words 'A BILL' and insert the following:"

And when so corrected recommends that the same be approved.

SENATOR HARRIS, Chairman.

Senator Harris moved that the report be adopted, which motion prevailed.

MOTIONS

Senator Holand moved that a committee of three be appointed to escort Senator Young, Congressman Short and Congressman Nygaard, to the rostrum, which motion prevailed.

The President appointed as such committee Senators Holand, Roen and Becker and Senator Young, Congressman Short and Congressman Nygaard were escorted to the rostrum.

Lt. Gov. Hagen: I presume it is proper to introduce the junior Congressman first so Congressman Nygaard, it is a pleasure to have you here and do you have a few remarks you would like to make at this time?

Congressman Nygaard: Mr. President, Members of the Senate, citizens in the gallery and members of the pastoral conference that I heard being introduced here a moment ago, I would like to address my remarks to you people, too; the reason for that being that in the past four sessions I believe that when that group was meeting here in Bismarck, it was my pleasure to meet with them at the beginning of their exercises to explain something in regard

to procedure that takes place in the legislature here in North Dakota. You know, a fellow feels quite a bit at home when he looks down on the faces of you gentlemen. I can see among you so many people that I have had the pleasure of serving with in the House.

You people here were able in some manner to seek and gain election to this august body on this side of the hall. We in the lower house, you know, always admired you people for your great stability and statesmanship, but occasionally you would let us get into the corridor here, and we appreciated that. Maybe I did not tell you that before, but I tell you now that I appreciated it. My way of getting up to the podium is sort of a sneaky way to do it. I took a roundabout route, I went by way of Washington to get here. It is a long road, but I am very happy that I did get access to the podium of the Senate, and I appreciate very much being your representative in Washington. It is a tremendous experience that can come, I am sorry to say, to too few people. The deliberations you concern yourself with here are many and great, and I certainly see the volume that you have here when I see the size of the two volumes you have on your desks; and I have always marveled, when I was in the legislature here, as I do at this time also, how as much — and I don't mean to imply that you do a lot of bad things — but as much good, sound, solid and stable legislation comes out as it does in the 60 days that you are allotted to go through the tremendous volume of material you have before you. I wish the citizens of the State of North Dakota would fully appreciate the sincere deliberations that you people put forth in your work here.

I can speak very little about the work in Washington as yet, except they have much more than you have here. I have learned that. Up until this time our activity has been mostly confined to establishing an office, and we have had routine work, and, beginning about the time I return, our committee work will start; and, of course, that is when the volume of work will take place, and I imagine that some over 3,000 bills are introduced in the House. I would not even dare to start stacking them on my desk because I would not be able to see over the top except to say as the days go by, the pile becomes greater. I would not be able to carry the volumes, although I am certainly used to carrying kegs of nails in my work at home. Again, I would state it is a pleasure to be back in North Dakota and to also state to each of you that it will be my pleasure to be of service to you while I am serving in the capacity of being your liaison between the various departments of state and maybe be able to provide for you a quicker answer through a Congressman than you would be able to get directly from the department. That is part of the work that we are assigned to as your servants down there, as well as, of course, working with legislation as you do here.

I thank you for the pleasure of appearing before you.

Lt. Gov. Hagen: The next Congressman requires no introduction but I will introduce him to you as the cowboy Congressman from North Dakota, a neighbor and friend of mine from the western part of North Dakota.

Congressman Short: Thank you, Mr. President. Senator Young and Congressman Burdick — if this is one of the most glaring experiences of my life, I want it to be put down in history — Congressman Nygaard, my good friend and colleague in Congress. I almost made another glaring mistake by starting out by addressing you, Mr. President, as Mr. Speaker. You hear that so many times on the floor of the House that it almost becomes automatic without thinking.

Certainly it is an honor for me to have the opportunity to stand here and bring you greetings from the House of Representatives in Washington. When I was a member of the House of Representatives a few years ago I used to come rather cautiously over into this chamber, usually up in the gallery so I would not be intruding into your deliberations. I might add that I still have that feeling when I enter the Senate Chambers in Washington. I think Milt would concur in saying that he has not seen me over there very many times. It isn't that I don't like to go over there but a Congressman perhaps feels a little bit ill at ease in the United States Senate and perhaps a member of the House of Representatives feels just a little bit ill at ease in the State Senate also, and maybe I demonstrated how ill at ease I was in coming up here today when I started talking to you.

It is certainly a privilege to say hello to you folks. I consider it a very high honor to be one of the Congressmen from the State of North Dakota. I would like to reiterate a little bit of what Hjalmer said. We are down there to serve the people of North Dakota and certainly you are some of the most important people in North Dakota. Perhaps all the things we can do in the way of service to the people of North Dakota could be a great service to all of you who are members of the state legislature of North Dakota. I might add right here, as long as Milt is present, if you really want prompt action and if you want a response quickly, I would suggest that perhaps you contact your United States Senator. They have much more influence, particularly the senior United States Senator, than a Congressman does although we will do the best we can and I assure you we can get you a lot of information from the various agencies and bureaus in Washington, we can get it much quicker surprisingly than just a common ordinary citizen can.

I am not going to indulge in taking advantage of the Senate's time of unlimited debate, going to try to adhere to the five minute rule we have in the House of Representatives of the United States.

Thank you. It is certainly nice to be back in North Dakota with the ice and snow that happens to be in Washington this winter.

Lt. Gov. Hagen: It is a pleasure for me to introduce this next gentleman who served as a member of the Senate when my father was President of the Senate in 1941, Senator Young, do you have a few remarks you would like to make?

Senator Young:

Mr. President and members of the North Dakota Senate:

It is a great pleasure to come here again and visit the members of the Senate and House. This is home to me. It was here that I met some of the best friends I ever had. It was here that I gained most valuable information and experience to help me as a member of the United States Senate.

The legislatures of the various states are the anvils on which are shaped the lives, the personality, and the character of a great many members of the United States Congress. Presently 31 of the 100 members of the United States Senate had been members of their respective State Legislatures. Yes, most of the great statesmen of American history began their careers as members of legislative bodies. There is no finer training or experience.

Twenty of our 35 Presidents were members of their State Legislatures. Some of the most outstanding were George Washington, Thomas Jefferson, James Madison, Abraham Lincoln, Theodore Roosevelt, and Franklin D. Roosevelt.

I have always noted that no political party or faction in the North Dakota Legislature ever had any monopoly on brains, judgment, or good fellowship. It was here that I spent some of the happiest years of my life. Much of the time that I served here was during the 1930's when most of us were broke or worse than broke if that is possible. Five dollars a day looked pretty big then. To use an old expression, dollars looked like cartwheels!

During the past thirty years or more, there is one attribute or quality that characterized every legislative assembly no matter which party or faction was in control. That was the determination to have a balanced budget. During all this time, no matter how difficult our financial condition was, our budgets were either balanced or very nearly so. We have established a record that I believe no other state can equal.

This I believe represents one of the major differences between the legislature of North Dakota and the Congress of the United States. There haven't been many balanced budgets during the past thirty years. I doubt if there is the determination in Congress that we have here in the legislature to tailor the appropriations to meet the income. This represents a serious situation.

Far too many people have come to think that the Federal Government has an inexhaustible source of income and that if the Federal Government pays for it, it isn't going to hurt them. Nothing could be further from the truth. Unbalanced budgets are the major cause of inflation. This money has to be repaid sometime. The taxation to raise money for Federal expenditures represents a terrific burden and the ill effects of an unbalanced budget and inflation fall heaviest on the economy of a farm state such as ours.

Thank you for your courtesy and this opportunity to address the North Dakota Senate. It is a real pleasure to be here.

Senator Holand moved that the remarks of Senator Young, Congressman Short and Congressman Nygaard be printed in the Journal, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 14, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2
 Senate Bill No. 136
 Senate Bill No. 156
 Senate Bill No. 171
 Senate Bill No. 201
 Senate Bill No. 207
 Senate Bill No. 209
 Senate Bill No. 223
 Senate Bill No. 225
 Senate Bill No. 231
 Senate Bill No. 246
 Senate Bill No. 248
 Senate Bill No. 259
 Senate Bill No. 277
 Senate Bill No. 305
 Senate Concurrent Resolution "FF"

Which the Senate has passed and your favorable consideration is requested.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, February 14, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 724

Which the Senate has passed unchanged.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, February 14, 1961

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "B"

Which the President has signed and your signature is respectfully requested.

HOWARD F. DOHERTY, Secretary

MOTIONS

Senator Holand moved that after the reading of Senate Bills Nos. 215, 292, 296, Senate Concurrent Resolution "GG" and House Bill No. 563, that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

SECOND READING OF SENATE BILLS

Senate Bill No. 237. A Bill for an Act to amend and reenact sections 16-04-01, 16-04-11, 16-06-04, 16-17-01, 16-17-10, 16-17-15, and 16-17-17 of the North Dakota Century Code relating to the time for primary elections, time for secretary of state to give notice to the county auditor, time for county party committee organization meetings, state central committee meetings, time for meeting of the precinct committeemen to elect delegates to state party convention and time for the holding of state party conventions.

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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

Senate Bill No. 240. A Bill for an Act to amend and re-enact sections 43-07-05, 43-07-07, and 43-07-10 of the North Dakota Century Code relating to classes, fees, and renewals of contractors' licenses.

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, 24; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Hernett	Mutch
Baker	Johnson	Reichert
Becker	Kee	Saumur
Brooks	Lautenschlager	Thompson
Erickson	Lips	Trenbeath
Erickstad	Longmire	Wadeson
Foss	Meidinger	Wartner
George	Miller	Yunker
Gronvold		

Those voting in the negative were:

Andre	Holand	Paulson
Berube	Hystad	Redlin
Bopp	Kamrath	Ringsak
Fiedler	Kisse	Roen
Garaas	Luick	Schrock
Gefreh	Morgan	Solberg
Gilbertson	Murphy	Van Horn
Harris	Nesvig	Witteman

So the bill passed and the title was agreed to.

Senator Lips moved that the vote by which Senate Bill No. 240 was passed be reconsidered and the motion to reconsider be laid on the table.

ROLL CALL

The question being on the motion of Senator Lips that the vote by which Senate Bill No. 240 was passed be reconsidered and the motion to reconsider be laid on the table, the roll was called and there were ayes, 25; nays, 24; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Johnson	Mutch
Becker	Kee	Paulson
Brooks	Lips	Saumur
Erickson	Longmire	Solberg
Erickstad	Luick	Thompson
Foss	Meidinger	Trenbeath
George	Miller	Wadeson
Gronvold	Morgan	Wartner
Hernett		

Those voting in the negative were:

Andre	Harris	Redlin
Baker	Holand	Reichert
Berube	Hystad	Ringsak
Bopp	Kamrath	Roen
Fiedler	Kisse	Schrock
Garaas	Lautenschlager	Van Horn
Gefreh	Murphy	Witteman
Gilbertson	Nesvig	Yunker

So the motion was declared carried.

Senator Holand moved that the Senate recess until 1:00 p.m., February 15, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FORTY-THIRD DAY AFTER RECESS
AND FORTY-FOURTH DAY

Bismarck, February 15, 1961

The Senate convened at 1:00 p.m., the President presiding.

REPORT OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 41
Senate Bill No. 45
Senate Bill No. 78
Senate Bill No. 111
Senate Bill No. 254

And finds the same correctly engrossed.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution "A"
House Bill No. 553
House Bill No. 556
House Bill No. 568
House Bill No. 637
House Bill No. 665
House Concurrent Resolution "N"

And the President signed the same in the presence of the Senate.

FIRST READING OF HOUSE BILLS

House Bill No. 501. A Bill for an Act to appropriate money for the expenses of the executive, legislative and judicial departments of the State government, and for all of the subdivisions thereof, and for public schools, specifying the amount and time for which such appropriations shall be available, and repealing all acts, or parts of acts, insofar as the same shall relate to appropriations conflicting herewith or to appropriations for the same matters or purposes provided for herein.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 506. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous items, new buildings and special projects for the State Hospital at Jamestown, North Dakota.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 535. A Bill for an Act making an appropriation to the State Board of Higher Education for the purpose of payment of reciprocal agreements with other states' institutions of higher learning for higher education of North Dakota students.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 646. A Bill for an Act to amend and reenact sections 36-05-03, 36-05-04, 36-05-05, 36-05-06, 36-05-09, and 36-05-13 of the North Dakota Century Code, relating to the licensing of livestock auction markets, and to create and enact sections 36-05-03.1 and 36-05-03.2 of the North Dakota Century Code, relating to applicant's right to administrative hearings and setting forth procedure.

Was read the first time and referred to the Committee on Agriculture.

House Bill No. 721. A Bill for an Act to amend and reenact sections 51-07-01, 51-07-02 and 51-07-03 of the North Dakota Century Code, relating to retail implement or car dealer, prices of implements, machinery, and automobiles, and failure to pay sum specified on cancellation of contract.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 747. A Bill for an Act creating a new Title 66 of the North Dakota Century Code to be known as the Uniform Commercial Code, relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning them, including sales, commercial paper, bank deposits and collections, letters of credit, bulk transfers, warehouse receipts, bills of lading, other documents of title, investment securities, and secured transactions, including certain sales of accounts, chattel paper, and contract rights; providing for public notice to third parties in certain circumstances; regulating procedure, evidence, and damages in certain court actions involving such transactions, contracts or documents; to make uniform the law with respect thereto; amending and reenacting sections 3-02-06, 9-03-21, 9-03-22, 11-18-01, 11-18-05, 11-18-13, 28-01-16, 28-26-04, 28-26-05, 28-29-07, 32-20-08, 35-01-01, 35-01-04, 35-01-05, 35-01-09, 35-01-26, 35-01-28, 35-01-29, 35-01-30, 35-05-01, 35-05-04, 35-05-05, 35-05-06, 35-06-01, 49-09-12, 60-07-08, and chapter 35-03 of the North Dakota Century Code; creating sections 35-01-05.1, 57-22-13.1, 57-22-13.2; repealing sections 6-03-68, 6-03-73, 6-03-74, 6-08-07, 9-06-05, 28-29-07.1, 35-05-02, 35-05-07, 35-06-12, 35-06-13, 35-06-14, 35-06-15, 35-06-16, 35-06-17, 35-06-18, 35-06-19, 35-06-20, 35-06-21, 35-06-22, 35-06-23, 35-06-24, 49-09-13, 51-07-10, chapter 04 of Title 8, chapter 18 of Title 10, chapter 04 of Title 22, chapters 02, 04, 23 and 25 of Title 35, and chapters 01 and 02 of

Title 51, chapter 08 of Title 60, and Title 41 and inconsistent provisions of the North Dakota Century Code; and prescribing an effective date.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 779. 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 Judiciary.

House Bill No. 784. A Bill for an Act to amend and reenact section 20-05-05 of the North Dakota Century Code, relating to required clothing for hunters.

Was read the first time and referred to the Committee on Natural Resources.

House Bill No. 810. A Bill for an Act to amend and reenact section 16-12-05 of the North Dakota Century Code relating to the preparation of a ballot by an elector.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 821. A Bill for an Act to create and enact chapter 10-18.1 and to amend and reenact section 10-18-02.3 of the North Dakota Century Code, relating to the transfer of shares of stock by a fiduciary, and to repeal sections 10-18-02.1 and 10-18-02.2 of the North Dakota Century Code, relating to the transfer of shares of stock by a fiduciary.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 822. A Bill for an Act to amend and reenact section 43-07-11 of the North Dakota Century Code relating to non-resident contractors — bond requirements; and to create and enact section 52-04-18 of the North Dakota Century Code relating to reporting of all public contracts — provision relating to contributions required in contractors bond.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 835. A Bill for an Act to repeal chapter 34-04 of the North Dakota Century Code, relating to the principles of the law of master and servant.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 850. A Bill for an Act to create and enact sections 34-07-05.1 and 34-07-05.2, and to amend and reenact sections 34-07-01, 34-07-03, 34-07-05, 34-07-13, 34-07-15, 34-07-18, 34-07-19, 34-07-20, and 34-07-21, and to repeal sections 34-07-06, 34-07-07, 34-07-08, 34-07-09, 34-07-10, and 34-07-11, relating to child labor.

Was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

House Bill No. 854. A Bill for an Act to amend and reenact subsection 1 of section 39-12-04 of the North Dakota Century Code relating to width limitations on vehicles and equipment operated on the highways of this state and providing for an exception for haystack moving.

Was read the first time and referred to the Committee on Transportation.

House Bill No. 862. A Bill for an Act to amend and reenact section 20-03-12 of the North Dakota Century Code, relating to hunting license fees.

Was read the first time and referred to the Committee on Natural Resources.

House Bill No. 869. A Bill for an Act to create and enact subsections 24, 25, 26, and 27 of section 4-09-01, and sections 4-09-25, 4-09-27, and 4-09-28, and to amend and reenact section 4-09-21 of the North Dakota Century Code, relating to licensing, bonding, and regulation of seed dealers.

Was read the first time and referred to the Committee on Agriculture.

House Bill No. 874. A Bill for an Act to amend and reenact section 65-04-04 of the North Dakota Century Code, relating to determinations of premiums by the Workmen's Compensation Bureau and declaring an emergency.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 875. A Bill for an Act to create and enact chapter 14-10.1 of the North Dakota Century Code, the Uniform Securities Ownership by Minors Act, relating to the ownership and transfer of securities by or in the name of a minor, and prescribing the rights and duties of a person dealing with such securities.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 876. A Bill for an Act to amend and reenact section 27-16-13 of the North Dakota Century Code, relating to the waiver of jurisdiction of the juvenile court.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 890. A Bill for an Act to amend and reenact section 57-38-38 and section 57-38-44 of the North Dakota Century Code relating to the period of time within which the tax commissioner may assess income tax, and providing for a longer period of time within which the tax commissioner may assess the tax where a taxpayer has failed to report on his tax return a substantial portion of his income.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 904. A Bill for an Act to amend and reenact subsections 2 and 6 of section 57-38-04 of the North Dakota Century Code relating to the credit against tax allowed in the case of taxes paid to another state or foreign country.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 909. A Bill for an Act to create and enact subsection 13 of section 35-24-01 of the North Dakota Century Code, relating to definitions of "working interest" for well or pipeline construction liens.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 915. A Bill for an Act to create and enact chapter 56-07 of the North Dakota Century Code, the Uni-

form Testamentary Additions to Trusts Act, relating to additions of property by will to existing trusts.

Was read the first time and referred to the Committee on Judiciary.

MOTIONS

Senator Holand moved that House Bill No. 664 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 664. A Bill for an Act to amend and reenact section 36-07-11 of the North Dakota Century code relating to rendering done by packing plants operating under federal inspection, and declaring an emergency.

Which has been read.

Senator Murphy: I do not rise to oppose this bill but I want my remarks printed in the Journal. I intend to vote for House Bill No. 664. I want this chamber to know the records of the Clerk for the City of West Fargo, which I understand is the city within which this plant was constructed, do not disclose any competitive bidding or effort to seek competitive bidding for construction of that plant, the bonds for which were purchased by the Bank of North Dakota pursuant to motion adopted by the Industrial Commission. I would like to add too — this same defect and error was made by that same Industrial Commission in regard to construction of a plant in Williston.

ROLL CALL

The question being on the final passage of House Bill No. 664, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witterman
Gronvold	Mutch	Yunker

Absent and not voting:

Hystad

So the bill passed and the title was agreed to and the emergency clause carried.

Senator Holand moved that the vote by which House Bill No. 664 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

**SECOND READING OF SENATE BILLS
AND CONCURRENT RESOLUTIONS**

Senate Bill No. 266. A Bill for an Act to amend and re-enact section 6-03-59 of the North Dakota Century Code relating to limitation of loans by banks.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteaman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

Senate Bill No. 274. A Bill for an Act relating to a change from the council system of government, providing the petition required therefor, the determination of the sufficiency of said petition by the city auditor, the procedure to be followed when said petition is filed, and for a special election and ballot thereon.

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, 1; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteaman
Gronvold	Mutch	Yunker

Those voting in the negative were:

Murphy

So the bill passed and the title was agreed to.

Senate Bill No. 297. A Bill for an Act to amend and reenact section 21-03-38 of the North Dakota Century Code relating to proceeds from bond issue kept in separate fund for protection of purchaser and to authorize investment 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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

Senate Bill No. 302. A Bill for an Act relating to election and filling vacancies of directors for Garrison Diversion Conservancy District.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman

Gronvold Mutch Yunker
 Harris

So the bill passed and the title was agreed to.

Senate Bill No. 307. A Bill for an Act to amend and re-enact sections 40-45-01, 40-45-02, 40-45-08, 40-45-09, 40-45-13 and 40-45-16 of the North Dakota Century Code relating to police pensions in cities, 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, 2; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Berube	Kamrath	Roen
Bopp	Kee	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Erickstad	Longmire	Thompson
Fiedler	Luick	Trenbeath
Foss	Meidinger	Van Horn
Garaas	Miller	Wadeson
Gefreh	Morgan	Wartner
George	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris	Nesvig	

Those voting in the negative were:

Gilbertson Kisse

So the bill passed and the title was agreed to and the emergency clause carried.

Senate Concurrent Resolution "V". A concurrent resolution urging North Dakota public utilities to extend natural gas service for heating and industrial use to North Dakota communities.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson

George
Gilbertson
Gronvold
Harris

Morgan
Murphy
Mutch

Wartner
Witteman
Yunker

So the resolution was declared adopted.

Senate Concurrent Resolution "CC". A concurrent resolution requesting the Legislative Assembly of the state of Minnesota to direct the appropriate agency of that state to cooperate with the North Dakota state water conservation commission and the North Dakota state health department in matters of pollution control along the Red River of the North.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the resolution was declared adopted.

Senate Concurrent Resolution "X". A concurrent resolution urging the board of higher education to adopt salary schedules for faculty members at institutions of higher learning.

Which has been read.

MOTIONS

After some discussion on Senate Concurrent Resolution "X" Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution "X". A concurrent resolution urging the board of higher education to adopt salary schedules for faculty members at institutions of higher learning.

ROLL CALL

The question being on the final passage of Senate Con-

current Resolution "X", as amended, the roll was called and there were ayes, 17; nays, 32; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baker	Hystad	Redlin
Berube	Kee	Reichert
Bopp	Lautenschlager	Thompson
Fiedler	Murphy	Van Horn
Garaas	Nesvig	

Those voting in the negative were:

Baeverstad	Holand	Ringsak
Becker	Johnson	Roen
Brooks	Kamrath	Saumur
Erickson	Kissé	Schrock
Erickstad	Lips	Solberg
Foss	Longmire	Trenbeath
Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gilbertson	Miller	Wittman
Gronvold	Morgan	Yunker
Harris	Mutch	

So the resolution was declared lost.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 15, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 664

Which the Senate has amended.

HOWARD F. DOHERTY, Secretary.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 53 has had the same under consideration and recommends that the same be amended as follows:

In line 44 delete the words "agricultural college" and insert in lieu thereof the words "North Dakota State University of Agriculture and Applied Science"

In line 51 delete the word "county"

In line 52 after the word "assessors" insert the words "and county supervisors of assessment"

In line 53 after the word "property" insert the words "and shall have authority to require all county supervisors of assessment to do any act necessary to obtain uniform methods and procedures of assessment"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 52 has had the same under consideration and recommends that the same be amended as follows:

Delete everything after the words "A BILL" and insert the following in lieu thereof:

"For an Act providing for a county supervisor of assessment, prescribing his powers and duties, and to amend and reenact section 57-02-12 of the North Dakota Century Code relating to the manner of listing personal property for taxation and providing a penalty.
BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

- 1 SECTION 1. COUNTY SUPERVISOR OF
 2 ASSESSMENTS — APPOINTMENT — DUTIES.) The
 3 board of county commissioners of each county shall
 4 appoint a county supervisor of assessments who shall
 5 serve at the pleasure of the county commissioners. The
 6 compensation of such supervisor shall be determined
 6a by
 7 the county commissioners and such position may be
 7a either
 8 on a full-time or part-time basis in their discretion.
 9 The county commissioners may appoint as supervisor
 9a of
 10 assessments either the county auditor or a deputy
 10a county
 11 auditor or other elected county official, or any other
 12 person who is qualified. It shall be the responsibility
 13 of the county supervisor of assessments to supervise
 13a all
 14 assessors in the county to insure that uniform methods
 15 and procedures of real and personal property assess-
 15a ments
 16 are adhered to and to require them to conform to all
 17 state laws and to all rules and regulations regarding
 18 assessment methods and procedures as may be
 18a promulgated
 19 by the state tax commissioner or the board of county
 20 commissioners. In addition to insuring that uniform
 21 methods and procedures of assessments are adhered
 21a to in
 22 the county the supervisor of assessments shall perform
 23 the following duties:
- 24 1. Require all assessors to add all omitted prop-
 25 erty to the assessment rolls in said county at
 26 any time up to their delivery to the county
 27 auditor and to give notice to the taxpayer that
 28 such property is to be added to the assessment
 29 rolls; and
 - 30 2. Prepare and keep available in his office a land
 31 valuation map or maps of the county in such
 31a form
 32 as may be prescribed by the state tax commis-
 33 sioner. Such maps shall include and show the
 34 current, true and full value per acre of all
 35 lands which lie outside the corporate limits
 36 of cities. As prescribed by the state tax com-
 37 missioner, he shall show the average assessed
 38 valuation per acre of real property located
 39 within the corporate limits of cities, as
 40 equalized by the state board of equalization for
 41 the last assessment year; and
 - 42 3. Regularly examine all conveyances of real estate
 43 in the county as filed with the register of deeds
 44 and keep a record by description of the con-

- 45 siderations shown thereon; and
 46 4. Give all possible assistance to the boards of
 47 equalization in the county to enable them to per-
 48 form their duties and furnish such board with
 49 all necessary charts, tables, comparison, and
 50 data which they may require; and
 51 5. Immediately commence and complete as soon as
 52 possible large-scale topographical maps of the
 53 county in such form as may be prescribed by the
 54 state tax commissioner, showing thereon the
 55 location of all railroads, highways, roads,
 56 bridges, rivers, lakes, swamp areas, wooded
 57 tracts, stony ridges or areas, soil types, and
 58 any other features that may affect the value of
 59 real estate; and such lands shall be classified
 60 in accordance with their fair and true market
 61 value;
 62 6. Adopt a real estate classification schedule in
 63 the manner prescribed by the state tax commis-
 63a sion-
 64 er and establish unit values for each category
 65 of all rural real estate and for all urban real
 66 estate assessed by all assessors in the county
 67 and make a valuation for each tract of land
 68 using such methods and in such manner as may
 68a be
 69 prescribed by the state tax commissioner in
 70 order to provide uniformity in determining the
 71 fair and true market value of such property;
 72 7. Attend all meetings or schools of instruction
 73 as directed by the state tax commissioner.
 74 In addition the county supervisor of assessments shall
 74a have
 75 the power to enter upon and inspect all property for
 75a the
 76 purpose of determining the value thereof or to
 76a discover
 77 and list property that has been omitted from the
 77a assess-
 78 ment rolls, and to subpoena and examine any person
 78a in
 79 relation to any assessment or in regard to any state-
 79a ment
 80 furnished by such person in regard to property which
 80a is
 81 assessable in the county. The power of subpoena may
 81a be
 82 exercised by the county supervisor in any county
 82a where the
 83 person whom he desires to examine may be found,
 83a but the
 84 supervisor shall have no power to require such per-
 84a sons to
 85 appear before him in any county other than that in
 85a which
 86 the subpoena is served, unless such person appears in
 87 such other county voluntarily.
 88 SECTION 2. SPOT CHECKS OF REAL AND
 89 PERSONAL PROPERTY.) The county board of
 90 equalization shall make such spot checks upon real

- 90a and
 91 personal property within such county as may be
 91a necessary to
 92 properly verify the accuracy of the personal property
 93 listings and the real property valuations, which spot
 94 checks shall not be less than one percent of the total
 95 personal property listings in the case of personal prop-
 96 erty, and not less than one percent of the separately
 97 owned tracts or lots in the case of real property. The
 98 county board of equalization shall direct the boards of
 99 equalization of townships or cities to make any neces-
 99a sary
 100 correction where omissions or errors in assessment
 100a have
 101 been found.
 102 SECTION 3. AMENDMENT.) Section 57-02-12
 102a of the
 103 North Dakota Century Code is hereby amended and
 103a reenacted
 104 to read as follows:
 105 57-02-12. MANNER OF LISTING PERSONAL
 106 PROPERTY — PENALTY.) On or before the first day
 107 of January in each and every year, the county super-
 108 visor of assessments of every county may mail
 108a personal
 109 property listing blanks, in a form prescribed by the
 110 state tax commissioner, to each owner of personal
 110a prop-
 111 erty located in the county. Personal property shall
 112 be listed in duplicate for taxation by the following
 113 persons and in the following manner:
 114 1. Every person of full age and sound mind shall
 115 list all taxable personal property of which he
 116 is the owner, or which is in his possession, or
 117 under his control as guardian, parent, husband,
 118 trustee, executor, administrator, receiver,
 119 accounting officer, partner, agent, or corporation
 120 official. Clothing will be listed by the tax-
 121 payer on the basis of a lump sum dollar value
 122 for all clothing in the taxpayer's household.
 123 The following items of household goods and
 124 musical instruments, which will be printed on
 125 all personal property listing blanks in the
 126 discretion of the state tax commissioner, shall
 127 be listed by the taxpayer:
- | | | |
|------------------|----------------------------|-----------------|
| 128 bedroom | stove | clothes dryer |
| 128a suite | | |
| 129 deep freezer | electric toaster | refrigerator |
| 130 desks | garbage dis-
posal unit | sewing machine |
| 130a | | |
| 131 dining room | kitchen table | typewriter |
| 131a set | and chairs | |
| 132 dishwasher | living room suite | vacuum cleaner |
| 133 electric | mangle | washing machine |
| 133a mixer | | |
| 134 bicycle | fur coat | shotgun |
| 135 boat | outboard motor | organ |
| 136 diamond | rifle | band instrument |
| 137 phonograph | piano | radio |
| 138 hi-fi set | television set | |
| 139 | | |
- In addition to the above list the state tax commis-

- 140 sioner may add such other items of household
 140a goods
 141 and musical instruments as he may deem
 141a necessary
- 142 2. Every person required to list property, (((when
 143 called upon by the assessor, shall))) upon
 144 receiving the personal property listing blank
 145 shall on or before the first day of April of each
 146 and every year make out and deliver to the
 146a assessor
 147 (((a statement, verified by oath,))) the list of
 147a all
 148 the personal property in his possession or under
 148a his
 149 control which he is required to list for taxation.
 150 (((Such sworn statement shall be in such form
 150a and
 151 shall contain such classifications of property as
 151a the
 152 tax commissioner may prescribe, subject to the
 152a super-
 153 vision of the state board of equalization.)))
 154 It shall be the responsibility of each taxpayer to
 155 obtain such listing blanks should they not be
 155a mailed
 156 to him as provided herein.
- 157 3. The assessor shall determine the true and full
 157a value
 158 of each item of personal property listed for
 159 taxation and which is not exempt from taxation
 160 and shall add omitted property so that when
 161 completed the assessment shall include all the
 162 personal property of the taxpayer subject to
 163 taxation in (((his))) the assessment district.
 164 A copy of such personal property listing form
 165 together with the assessed valuation thereon
 166 shall be mailed to the taxpayer by ordinary mail.
 167 In case any person whose duty it is to list
 168 property (((with the assessor))) shall fail,
 169 neglect, or refuse to list property (((which it
 170 is his duty to list))), the assessor shall list
 171 such property, and, as a penalty for such refusal
 172 or omission, shall assess such property in an
 173 amount twenty-five percent in excess of its true
 174 valuation. In such case, he shall report to the
 175 local board of review the name of the taxpayer,
 176 the property with respect to which he has made
 177 such additional assessment by way of penalty,
 178 and the amount of the assessment in excess of
 179 actual value. The assessor, for good cause
 180 shown, may waive the penalty provided in this
 181 subsection. The assessor shall check the prop-
 182 erty of taxpayers to properly verify the accuracy
 183 of the personal property listings.
- 184 4. Any person, officer or employee of a corporation
 185 or association, fiduciary, or member or employee
 186 of a partnership, who with intent to evade any
 187 requirement of this section or to make, sign or
 188 verify any property tax listing or to supply any
 189 information required by law, or who with like

190 intent shall make, render, sign, or verify any
 191 false or fraudulent information shall be liable
 192 to a penalty of not more than one thousand
 193 dollars to be recovered by the state's attorney
 194 or the attorney general in the name of the state
 195 by action in any court of competent jurisdiction.
 196 He shall also be guilty of a misdemeanor and
 196a shall
 197 be punished by a fine of not more than one
 198 thousand dollars or by imprisonment for not
 198a more
 199 than one year in the county jail or by both such
 200 fine and imprisonment."

And when so amended recommends the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 122 has had the same under consideration and recommends that the same be amended as follows:

In line 48 delete "Twenty" and insert in lieu thereof "Thirty-five"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 131 has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 149 has had the same under consideration and recommends that the same be amended as follows:

In line 61 delete the words "general fund of this state" and insert in lieu thereof the following: "state highway construction fund for use on state highways designated by the highway commissioner as serving farm to market roads"

Following line 79 insert the following

"57-51.1-04. CREDIT UPON TAXES DUE.) The state tax commissioner shall provide by rule for the crediting upon taxes due under this chapter of the amount of gross production taxes paid by the distributor during the calendar year immediately preceding any quarter in which taxes are due under this chapter. In addition, the state tax commissioner shall provide by rule for the crediting upon the taxes due under this chapter of the amount of gross production taxes paid upon oil, gas, or petroleum products purchased in this state by the distributor during the calendar year immediately preceding any quarter in which taxes are due under this chapter. Unused tax

credits may be carried forward for a period of not exceeding twelve months after the date of payment of the gross production tax or the date of purchase of the oil, gas or petroleum product resulting in such credit."

In line 80 delete the numeral "57-51.1-04" and insert in lieu thereof the numeral "57-51.1-05"

In line 100 delete the numeral "57-51.1-05" and insert in lieu thereof the numeral "57-51.1-06"

In line 123 delete the numeral "57-51.1-06" and insert in lieu thereof the numeral "57-51.1-07"

Renumber the lines accordingly.

And when so amended recommends the same be placed on the calendar without recommendation.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 151 has had the same under consideration and recommends that the same be amended as follows:

In line 1 delete the words "That section" and insert in lieu thereof the word "Section"

In line 2 delete the words "be and"

In line 4 delete everything after the numeral "61-04-02" and insert in lieu thereof the words "APPLICATION FOR BENEFICIAL USE OF WATER"

Delete lines 5 and 6 and insert in lieu thereof the following "REQUIRED.) ((Any))) The United States, any department or agency thereof and any person, association or corporation intend."

In lines 8 and 9 underscore the words "construction for such purpose or before taking the same from any"

In line 18 delete the words "That section" and insert in lieu thereof the word "Section"

In line 19 delete the words "be and"

Delete all of line 21 and insert in lieu thereof the following "61-04-04. FILING AND CORRECTION OF APPLICATION.)"

In line 23 delete the numeral "60-04-02" and insert in lieu thereof the numeral "61-04-02"

In line 48 delete the words "That section" and insert in lieu thereof the word "Section"

In line 49 delete the words "be and"

In line 51 delete the whole line and insert in lieu thereof the words "61-04-06. APPROVAL OF APPLICATION — ENDORSING APPROVAL"

In line 52 delete the word "— Contents. —" and insert in lieu thereof the word "— CONTENTS.)"

In line 65 delete the words "That section" and insert in lieu thereof the word "Section"

In line 66 delete the words "be and"

Delete lines 68 and 69 and insert in lieu thereof the following "61-04-09. COMPLETION OF WORK — INSPECTION — CERTIFICATE OF COMPLETION — INSPECTION BY OTHERS THAN STATE"

In line 70 delete the word "engineer" and insert in lieu thereof the word "ENGINEER"

In line 76 insert a comma after the word "safety"

In line 93 delete the words "That section" and insert in lieu thereof the word "Section"

In line 94 delete the words "be and"

In line 96 after the numeral "61-04-11." delete the words "Inspection of works.—" and insert in lieu thereof the words "INSPECTION OF WORKS.)"

In line 126 delete the words "That section" and insert in lieu thereof the word "Section"

In line 127 delete the words "be and"

In lines 129 and 130 delete both lines and insert the following in lieu thereof: "61-04-14. EXTENDING TIME FOR COMPLETION OF CONSTRUCTION OR APPLICATION TO BENEFICIAL USE.) The state"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 179 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 184 has had the same under consideration and recommends that the same be amended as follows:

Delete everything after the words "A BILL" and insert the following:

For an Act authorizing preparation, issuance and sale of revenue anticipation certificates of the state school construction fund by the state board of public school education, the purchase of such certificates by The Bank of North Dakota, and by other state departments, making provision for payment and retirement of such certificates, and making an appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 **SECTION 1. PREPARATION OF STATE SCHOOL**

1a **CONSTRUCTION**

2 **FUND REVENUE ANTICIPATION CERTIFICATES.)**

2a From time to

3 time on request of the superintendent of public in-

3a struction

4 to meet the needs of the state equalization fund the

4a state

5 board of public school education may prepare revenue

5a anti-

6 cipation certificates of the state school construction

7 fund. Such certificates shall be signed by the chairman

8 of the state board of public school education, shall

8a mature

9 in not more than ten years from the date of issue and

10 shall bear interest at a rate to be determined by the
 10a state
 11 industrial commission. They shall be eligible for
 11a purchase
 12 by The Bank of North Dakota and by other agencies,
 12a depart-
 13 ments and trust funds of the state, except school trust
 14 funds.

15 SECTION 2. ISSUANCE OF STATE SCHOOL
 15a CONSTRUCTION FUND
 16 REVENUE ANTICIPATION CERTIFICATES.) Cer-
 16a tificates prepared
 17 in accordance with Section 1 of this Act may be issued
 18 from time to time to meet the needs of the state
 18a equaliza-
 19 tion fund. The proceeds of such certificates shall be
 20 paid to the state treasurer for the state equalization
 20a fund
 21 and shall be by him deposited therein. The purchaser
 21a and
 22 holder of such certificates shall be entitled to payment
 23 thereof with interest, in accordance with their terms
 23a out
 24 of rents and other revenues accruing to the state school
 25 construction fund, and such certificates shall be a para-
 26 mount charge in the order of issuance against all
 26a rentals
 27 and revenues collected and received for the state school
 28 construction fund. The maximum amount of such
 28a certifi-
 29 cates outstanding at any one time shall not exceed the
 29a sum
 30 of three million dollars.

31 SECTION 3. APPROPRIATION.) There is hereby
 31a appropri-
 32 ated from the state school construction fund to the pur-
 33 chasers of revenue anticipation certificates authorized
 34 and issued under this Act, and to the state equalization
 35 fund, the sum of three million dollars or such portion
 36 thereof as may be needed for the state equalization
 36a fund
 37 and for the payment of interest on such certificates.

And when so amended recommends the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 188 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 193 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: The majority of your Committee on State and Federal Government to whom was referred Senate Bill No. 194 has had the same under consideration and the majority recommends that the same be indefinitely postponed.

Senators:

George Longmire
A. F. Gronvold
Aloys Wartner, Jr.
Kenneth L. Morgan
Elton W. Ringsak
P. L. Foss

Senator Longmire moved that the report be adopted.

Mr. President: A minority of your Committee recommends that the same do pass.

Senators:

Selmer Gilbertson
Clayton Paulson
Walter R. Fiedler
Jerome Nesvig
John O. Garaas

Senator Fiedler moved that the report of the minority be substituted for that of the majority.

The question being on the motion of Senator Fiedler that the report of the minority be substituted for that of the majority, which motion was lost.

Senator Garaas requested a division, which request was granted.

ROLL CALL

The question being on the motion of Senator Feidler that the report of the minority be substituted for that of the majority, the roll was called and there were ayes, 19; nays, 30; absent and not voting, 0.

Those voting in the affirmative were:

Berube	Kamrath	Reichert
Bopp	Lautenschlager	Schrock
Fiedler	Murphy	Solberg
Garaas	Nesvig	Thompson
Gilbertson	Paulson	Van Horn
Hystad	Redlin	Witteman
Johnson		

Those voting in the negative were:

Andre	Gronvold	Miller
Baeverstad	Harris	Morgan
Baker	Hernett	Mutch
Becker	Holand	Ringsak
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lips	Trenbeath
Foss	Longmire	Wadeson
Gefreh	Luick	Wartner
George	Meidinger	Yunker

So the motion was declared lost.

The question being on the motion of Senator Longmire that the report of the majority be adopted on Senate Bill No. 194, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 218 has had the same under consideration and recommends that the same be amended as follows:

In line 17 after the word "auditor" insert the following "or which may become due"

In line 54 after the word "for" insert the following "installments of"

In line 55 after the word "auditor" insert the following "or which may become due"

In line 93 after the word "for" insert the following "installments of"

In line 95 after the word "auditor" insert the following "or which may become due"

In line 123 after the word "for" insert the following "installments of"

In line 125 after the word "auditor" insert the following "or which may become due"

In line 145 after the word "auditor" insert the following "or which may become due"

In line 146 after the word "redemption" insert the following "; provided that so long as the county holds title under a tax deed to such property, it shall not be liable for the payment of any such installments which may become due unless the board of county commissioners has leased or contracted to sell such property"

In line 160 after the first comma insert the following "installments of"

In line 161 after the word "extended" insert the following "and due"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 221 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 244 has had the same under consideration and recommends that the same be amended as follows:

In line 36 after the word "domain." insert the following: "Any property, property rights, easements or air rights acquired for an airport or landing field by the North Dakota aeronautics commission shall be acquired on behalf of the state of North Dakota."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 257 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 272 has had the same under consideration and recommends that the same be amended as follows:

After line 107 insert the following: "11. In any instance where the project consists of the construction, reconstruction, improvement, betterment of real property, buildings and improvement on real property and buildings, the provisions of Chapter 48-02 of the North Dakota Century Code and other applicable statutes shall apply."

In line 141 after the word "exceed" insert the word "five"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 278 has had the same under consideration and recommends that the same be amended as follows:

Delete all of line 2 of the title and insert in lieu thereof the words "cause persons under parole to violate their parole"

In line 2 delete the word "encourages" and the word "or"

Delete all of line 3

In line 4 delete the words "so that"

In line 4 delete the word "violates" and insert in lieu thereof the words "to violate"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: The majority of your Committee on Appropriations to whom was referred Senate Bill No. 279 has had the same under consideration and recommends that the same be indefinitely postponed.

Senators:

P. L. Foss, Chairman
 George Saumur, Vice Chairman
 C. W. Baker
 Ralph J. Erickstad
 A. F. Gronvold
 Gail H. Hernettt

O. S. Johnson
 C. G. Kee
 A. W. Luick
 Elton W. Ringsak
 Leland Roen
 Harry W. Wadeson

Senator Foss moved that the report be adopted.

Mr. President: A minority of your Committee recommends that the same be amended as follows:

In line 35 delete the figure "\$500,000.00" and insert in lieu thereof the following:

"\$85,000.00 for Agricultural Research and Survey Matching and \$75,000.00 for Industrial Development Research and Survey Matching".

Renumber the lines accordingly.

Senators:

Leonard A. Bopp
 Walter R. Fiedler
 Isak Hystad
 Jerome Nesvig
 Clark Van Horn

And when so amended recommends the same do pass.

SENATOR FIEDLER

Senator Fiedler moved that the report of the minority be substituted for that of the majority.

The question being on the motion of Senator Fiedler that the report of the minority be substituted for that of the majority, which motion was lost.

Senator Garaas requested a division, which request was granted.

ROLL CALL

The question being on the motion of Senator Fiedler, the roll was called and there were ayes, 20; nays, 29; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Kamrath	Schrock
Berube	Lautenschlager	Solberg
Bopp	Murphy	Thompson
Fiedler	Nesvig	Van Horn
Garaas	Paulson	Witteman
Gilbertson	Redlin	Yunker
Hystad	Reichert	

Those voting in the negative were:

Baeverstad	Harris	Miller
Baker	Hernett	Morgan
Becker	Holand	Mutch
Brooks	Johnson	Ringsak
Erickson	Kee	Roen
Erickstad	Kisse	Saumur
Foss	Lips	Trenbeath
Gefreh	Longmire	Wadeson
George	Luick	Wartner
Gronvold	Meidinger	

So the motion was declared lost.

The question being on the motion of Senator Foss that

the report of the majority be adopted on Senate Bill No. 279, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 285 has had the same under consideration and recommends that the same be amended as follows:

In line 17 delete the period, insert in lieu thereof a comma and add the following: "insofar as common or contract carriers of property are concerned."

In line 57 delete the period, insert in lieu thereof a comma and add the following: "insofar as common or contract carriers of property are concerned."

Re-number the lines and sections accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and En-grossment to whom was referred Senate Bill No. 309 has had the same under consideration and recommends that the same do pass.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 310 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution "KK" has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution "LL" has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: The majority of your Committee on Ap-propriations to whom was referred Senate Bill No. 303 has had the same under consideration and recommends that the same be indefinitely postponed.

Senators:

C. W. Baker
Leonard A. Bopp
Ralph J. Erickstad
Walter R. Fiedler
A. F. Gronvold
Isak Hystad

O. S. Johnson
 C. G. Kee
 Elton W. Ringsak
 Leland Roen
 Clark Van Horn

Senator Hystad moved that the report be adopted.

Mr. President: A minority of your Committee recommends that the same do pass.

Senators:

P. L. Foss, Chairman
 George Saumur, Vice Chairman
 Gail H. Hernet
 A. W. Luick
 Jerome Nesvig
 Harry W. Wadeson

SENATOR FOSS, Chairman.

Senator Foss moved that the report of the minority be substituted for that of the majority.

The question was on the motion of Senator Foss that the report of the minority be substituted for that of the majority, which motion was lost.

The question was on the motion of Senator Hystad that the report of the majority on Senate Bill No. 303 be adopted, which motion prevailed.

MOTIONS

Senator Baker moved that the Senate reconsider the action by which Senate Bill No. 240 was passed.

ROLL CALL

The question being on the motion of Senator Baker the roll was called and there were ayes, 33; nays, 15; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hystad	Paulson
Baker	Kamrath	Redlin
Berube	Kee	Reichert
Bopp	Kisse	Ringsak
Erickstad	Lautenschlager	Roen
Fiedler	Luick	Schrock
Garaas	Meidinger	Solberg
Gefreh	Morgan	Thompson
Gilbertson	Murphy	Van Horn
Gronvold	Mutch	Witteaman
Harris	Nesvig	Yunker

Those voting in the negative were:

Baeverstad	Hernet	Miller
Becker	Holand	Saumur
Brooks	Johnson	Trenbeath
Erickson	Lips	Wadeson
George	Longmire	Wartner

Absent and not voting:

Foss

So the motion was declared carried.

SECOND READING OF A SENATE BILL

Senate Bill No. 240. A Bill for an Act to amend and reenact sections 43-07-05, 43-07-07, and 43-07-10 of the North

Dakota Century Code relating to classes, fees, and renewals of contractors' licenses.

Which has been read.

Senator Hernettt moved that Senate Bill No. 240 be placed at the foot of the calendar.

ROLL CALL

The question being on the motion of Senator Hernettt, the roll was called and there were ayes, 25; nays, 23; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Holand	Reichert
Becker	Johnson	Roen
Brooks	Kee	Saumur
Erickson	Lips	Thompson
Erickstad	Longmire	Trenbeath
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Harris	Mutch	Yunker
Hernettt		

Those voting in the negative were:

Andre	Hystad	Paulson
Baker	Kamrath	Redlin
Berube	Kisse	Ringsak
Bopp	Lautenschlager	Schrock
Fiedler	Luick	Solberg
Garaas	Morgan	Van Horn
Gilbertson	Murphy	Witteman
Gronvold	Nesvig	

Absent and not voting:

Foss

So the motion was declared carried.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 15, 1961

Mr. President: I have the honor to transmit:

House Bill No. 515

House Bill No. 699

House Bill No. 729

House Bill No. 796

House Bill No. 878

House Bill No. 914

House Bill No. 920

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 15, 1961

Mr. President: I have the honor to return:

Senate Concurrent Resolution "B"

Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

REPORT OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and En-grossment respectfully reports that it has examined the following resolutions:

Senate Concurrent Resolution "D"

Senate Concurrent Resolution "F"

And finds the same correctly enrolled.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed and the report was adopted.

MOTIONS

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 123 has had the same under consideration and recommends that the same be placed on the calendar without recommendation.

For the bill were:

Senators:

Evan Lips

C. W. Baker

C. F. Harris

Iver Solberg

Leonard Bopp

C. W. Schrock

Charles Murphy

Against the bill were:

Senators:

Aloys Wartner, Jr.

Adam Gefreh

George Longmire

Ralph Erickstad

John Garaas

William Reichert

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 146 has had the same under consideration and recommends that the same be amended as follows:

Delete everything after the words "A BILL" and insert in lieu thereof the following:

For an Act to create and enact chapter 50-22 of the North Dakota Century Code, relating to licensing and regulation of charitable organizations which solicit funds, and to repeal chapter 50-15 of the North Dakota Century Code, relating to solicitations for benevolent associations, and providing a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

- 1 SECTION 1.) Chapter 50-22 of the North Dakota
- 2 Century Code is hereby created and enacted to read

3 as follows:

4 50-22-01. DEFINITIONS.) As used in this
5 chapter, unless the context otherwise requires, the
6 term:

- 7 1. "Person" means any individual, organization,
8 group, association, partnership, corporation,
9 or any combination of them;
- 10 2. "Charitable organization" means any benevolent,
11 philanthropic, patriotic, or eleemosynary
12 organization or one purporting to be such,
13 except organizations soliciting funds for
14 institutions of higher learning, and
15 organizations soliciting funds for
16 churches operating and having a place
17 of worship within the state; and
- 18 3. "Contribution" means the promise or grant of
19 any money or property of any kind or value.

20 50-22-02. LICENSE TO SOLICIT —
21 TERM — REVOCATION.) No charitable organiza-

21a tion shall
22 solicit contributions from persons in this state by
23 any means whatsoever without first having obtained a
24 license from the secretary of state. The secretary of
25 state shall investigate the financial responsibility,
26 experience, character, and general fitness of the
27 applicant, and if such investigation warrants the
27a belief
28 that the solicitations are for a worthy charitable
29 purpose and that the applicant will conduct solicita-

29a tions
30 in accordance with the law, a license shall be issued
31 to such applicant, giving him the right to solicit
32 within the state for a period of one year. If the
33 secretary of state shall find the applicant is not
34 qualified to be issued a license, he shall deny the
35 application, forthwith notify the applicant of the
36 denial, but the license fee shall be retained. All
37 fees collected under the provisions of this chapter
38 shall be credited to the general fund of the state.
39 The fee for such license shall be ten dollars and may
40 be renewed from year to year, but shall be subject to
41 revocation by the secretary of state at any time for
42 just cause. This Act shall not apply to solicitations
43 conducted by or on behalf of any religious corporation.

44 50-22-03. APPLICATION FOR LICENSE —
45 CONTENTS.) The application for a license
46 shall contain the information concerning such solicita-
47 tion, as required by this Act, submitted on forms pro-
48 vided by the secretary of state. This information
49 shall be filed with the secretary of state and shall
50 be available to the public as a matter of public
50a record.

51 The forms containing such information shall be sworn
52 to and shall include the following:

- 53 1. The name of the charitable organization for
53a whom
54 the solicitation is to be conducted;
- 55 2. The address thereof;
- 56 3. The purpose or purposes for which the contribu-
57 tions solicited are to be used;
- 58 4. The individual or officer who will have custody

- 59 of the contributions;
 60 5. The individuals responsible for the distribution
 61 thereof;
 62 6. The period of time during which such solicita-
 63 tion is to be conducted;
 64 7. A description of the method or methods of
 65 solicitation in such detail as may from time
 66 to time be determined by the secretary of state;
 67 8. Whether such solicitation is to be conducted
 68 by voluntary unpaid solicitors, by paid solicitors,
 69 or both, and if in whole or in part by paid
 70 solicitors, the name and address of each pro-
 71 fessional fund raiser supplying such solicitors,
 72 the basis of payment and the nature of the
 73 arrangement; and
 74 9. Such additional information as may be deemed
 75 necessary by the secretary of state for the
 76 proper administration of this Act.

77 50-22-04. INFORMATION REQUIRED TO
 78 BE FILED ANNUALLY.) On or before March thirty-
 79 first of each year every charitable organization sub-
 79a ject
 80 to the provisions of this Act which has received
 81 contributions during the previous calendar year shall
 82 file the following information in the manner here-
 82a inbefore
 83 provided and on forms to be provided by the secre-
 83a tary
 84 of state:

- 85 1. The gross amount of the contributions pledged
- 86 or collected;
- 87 2. The amount thereof given or to be given to the
- 88 charitable purpose represented;
- 89 3. The aggregate amount paid and to be paid for
- 90 the expenses of such solicitation; and
- 91 4. The aggregate amount paid to and to be paid to
- 92 professional fund raisers and solicitors.

93 In addition, the secretary of state may make a detailed
 94 examination of the accounts of any charitable
 94a organiza-
 95 tion conducting a solicitation for funds within this
 96 state. Upon request the attorney general shall assist
 97 the secretary of state in carrying out the provisions
 98 of this Act and, for this purpose, shall have all
 99 powers herein granted to the secretary of state.
 99a Every

100 charitable organization subject to the provisions of
 101 this Act shall keep a full and true record in such
 102 form as will enable such charitable organization to
 103 accurately provide the information required by this
 103a Act.

104 50-22-05. PENALTY.) Any person conducting
 105 a solicitation in violation of the provisions of this
 106 Act or filing false information hereunder shall be
 107 punished by a fine not to exceed one thousand dollars
 108 or by imprisonment for not more than six months in
 109 jail, or both, and each officer or agent of a charitable
 110 organization who authorizes or conducts such solicita-
 111 tion, shall be subject to the penalty provided in this
 112 section.

113 SECTION 2. REPEAL.) Chapter 50-15 of the
114 North Dakota Century Code is hereby repealed.

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 162 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 224 has had the same under consideration and recommends that the same be amended as follows:

In line 2 of the title delete "\$500,000" and insert in lieu thereof "one hundred thousand dollars"

In line 4 of the bill delete "on any project which shall have a total"

Delete all of lines 5 through 9 and insert in lieu thereof the following: "if such architect or engineer is performing consulting services to the state or its political subdivisions on projects which have a total estimated cost in excess of one hundred thousand dollars, unless such architect or engineer shall furnish proof of professional liability insurance coverage satisfactory to the state or political subdivision executing such contract in a sum at least equal to five percent of the total estimated cost of all state and political subdivision projects upon which such architect or engineer is currently performing consulting services, but in no event shall the architect's or engineer's total professional liability insurance coverage be required to be in excess of one hundred thousand dollars."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 290 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted.

Senator Murphy made the substitute motion that Senate Bill No. 290 be placed on the calendar, which motion was declared lost.

The question being on the motion of Senator Hernettt that the committee report on Senate Bill No. 290 be adopted, which motion prevailed.

Mr. President: The majority of your Committee on Finance and Taxation to whom was referred Senate Bill No. 120 has had the same under consideration and the

majority recommends that the same be indefinitely postponed.

Senators:

O. S. Johnson
Dwight Kamrath
Charles L. Murphy
Raymond Andre
Iver Solberg
Orville Witteman
Harry W. George

Senator Johnson moved the report be adopted.

Mr. President: The minority of your Committee recommends that the same do pass.

Senators:

Lloyd Erickson
H. B. Baeverstad
Dan Kisse

Senator Erickson moved that the report of the minority be substituted for that of the majority.

The question being on the motion of Senator Erickson that the report of the minority be substituted for the report of the majority, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 217 has had the same under consideration and recommends that the same be amended as follows:

In line 18 delete the numeral "4" in the Code section number and insert in lieu thereof the numeral "3"

After line 118 insert the following paragraph: "Deduction of the credit provided by this subsection shall be limited to personal property taxes paid during the income year which were levied for 1960 and years following for the county equalization fund pursuant to section 57-15-24 even though the taxes were paid prior to 1961."

In line 122 delete the word "chapter" and insert in lieu thereof the word "section"

After the period in line 177 insert the following: "For the year 1961 and on or before December 31 of that year, the county treasurer shall issue a certificate to the taxpayer showing the amount of personal property taxes paid by the taxpayer which were levied for 1960 for the county equalization fund pursuant to section 57-15-24."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: The majority of your Committee on Finance and Taxation to whom was referred Senate Bill No. 95 has had the same under consideration and the majority recommends that the same be indefinitely postponed.

Senators:

Charles L. Murphy
Raymond Andre
Iver Solberg

Orville P. Witteman
O. S. Johnson
Dwight Kamrath

Senator Murphy moved the report be adopted.

Mr. President: A minority of your Committee recommends that the same do pass.

Senators:

Lloyd Erickson
Evan E. Lips
H. B. Baeverstad
Dan Kisse

Senator Erickson moved that the report of the minority be substituted for that of the majority.

The question being on the motion of Senator Erickson that the report of the minority be substituted for the report of the majority, which motion prevailed.

Senator Garaas requested a division, which request was granted.

ROLL CALL

The question being on the motion of Senator Erickson, the roll was called and there were ayes, 28; nays, 21; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Harris	Miller
Baker	Hernett	Morgan
Becker	Holand	Mutch
Brooks	Kee	Ringsak
Erickson	Kisse	Roen
Erickstad	Lips	Saumur
Foss	Longmire	Trenbeath
Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gronvold		

Those voting in the negative were:

Andre	Johnson	Reichert
Berube	Kamrath	Schrock
Bopp	Lautenschlager	Solberg
Fiedler	Murphy	Thompson
Garaas	Nesvig	Van Horn
Gilbertson	Paulson	Witteman
Hystad	Redlin	Yunker

So the motion was declared carried.

Senator Garaas: I want to explain my vote. In view of the fact that there is a proposed killing of Senate Bill No. 199 I voted that this bill 95 not be placed on the calendar so that the money that is derived from the sale of beer and liquor under Bill 199 and Bill 95 shall go into the equalization fund to support our schools. I feel the equalization fund is in desperate need and it is in more desperate need than the general fund. I feel that this is one of the solutions that should be taken toward solving the problem in the equalization fund.

Senator Murphy: I ask that the record show that I concur in the explanation of the Senator from McKenzie County for the same reasons.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 199 has had the same under consideration and recommends that the same be amended as follows:

In line 18 delete the triple parentheses.

In line 20 delete the numeral "1961" and insert in lieu thereof the numeral "1967" and delete the triple parentheses.

In line 28 delete the triple parentheses before and after the number "1."

In line 53 delete the triple parentheses.

In line 56 delete the numeral "1961" and insert in lieu thereof the numeral "1967" and delete the triple parentheses before the first period. Also delete the triple parentheses before and after the number "2."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted.

Senator Mutch made the substitute motion that the amendments to Senate Bill No. 199 be laid on the table, which motion prevailed.

Senator Garaas requested a division, which request was granted.

ROLL CALL

The question being on the motion of Senator Mutch, the roll was called and there were ayes, 28; nays, 21; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Harris	Miller
Baker	Hernett	Morgan
Becker	Holand	Mutch
Brooks	Kee	Ringsak
Erickson	Kisse	Roen
Erickstad	Lips	Saumur
Foss	Longmire	Trenbeath
Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gronvold		

Those voting in the negative were:

Andre	Johnson	Reichert
Berube	Kamrath	Schrock
Bopp	Lautenschlager	Solberg
Fiedler	Murphy	Thompson
Garaas	Nesvig	Van Horn
Gilbertson	Paulson	Witteman
Hystad	Redlin	Yunker

So the motion was declared carried.

Mr. President: A majority of your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 235 has had the same under consideration and the majority recommends that the same be indefinitely postponed.

Senators:

Gail H. Hernett
Lee F. Brooks

R. E. Meidinger
 Harry W. George
 C. G. Kee
 Duane Mutch
 Edwin C. Becker

Senator Hernett moved that the report be adopted.

Mr. President: A minority of your Committee recommends that the same do pass.

Senators:

Bronald Thompson
 Lester N. Lautenschlager
 Isak Hystad
 Dwight Kamrath
 Orville P. Witteman
 John E. Yunker

Senator Thompson moved that the report of the minority be substituted for that of the majority.

The question being on the motion of Senator Thompson that the report of the minority be substituted for that of the majority, which motion was lost.

Senator Brooks requested a division, which request was granted.

ROLL CALL

The question being on the motion of Senator Thompson, the roll was called and there were ayes, 20; nays, 29; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Kamrath	Schrock
Berube	Lautenschlager	Solberg
Bopp	Murphy	Thompson
Fiedler	Nesvig	Van Horn
Garaas	Paulson	Witteman
Gilbertson	Redlin	Yunker
Hystad	Reichert	

Those voting in the negative were:

Baeverstad	Harris	Miller
Baker	Hernett	Morgan
Becker	Holand	Mutch
Brooks	Johnson	Ringsak
Erickson	Kee	Roen
Erickstad	Kisse	Saumur
Foss	Lips	Trenbeath
Gefreh	Longmire	Wadson
George	Luick	Wartner
Gronvold	Meidinger	

So the motion was declared lost.

The question being on the motion of Senator Hernett that the report of the majority be adopted, which motion prevailed.

Mr. President: A majority of your Committee on Judiciary to whom was referred Senate Bill No. 263 has had the same under consideration and a majority recommends that the same do pass.

Senators:

Aloys Wartner, Jr.
 Adam Gefreh

George Longmire
 C. W. Baker
 C. F. Harris
 Evan Lips
 Ralph Erickstad

Senator Wartner moved that the report be adopted.

Mr. President: A minority of your Committee recommends that the same be indefinitely postponed.

Senators:

Iver Solberg
 John Garaas
 Charles Murphy
 Leonard Bopp
 C. W. Schrock

Senator Garaas moved that the report of the minority be substituted for that of the majority.

ROLL CALL

The question being on the motion of Senator Garaas that the report of the minority be substituted for that of the majority, the roll was called and there were ayes, 21; nays, 28; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Schrock
Bopp	Lautenschlager	Solberg
Fiedler	Murphy	Thompson
Garaas	Nesvig	Van Horn
Gilbertson	Paulson	Witterman

Those voting in the negative were:

Baeverstad	Hernett	Morgan
Baker	Holand	Mutch
Brooks	Kee	Ringsak
Erickson	Kisse	Roen
Erickstad	Lips	Saumur
Foss	Longmire	Trenbeath
Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gronvold	Miller	Yunker
Harris		

So the motion was declared lost.

The question being on the motion of Senator Wartner that the report of the majority be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 275 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 293 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted.
 Senator Holand made the substitute motion that Senate Bill No. 293 be placed on the calendar.

ROLL CALL

The question being on the motion of Senator Holand, the roll was called and there were ayes, 39; nays, 10; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	Paulson
Becker	Johnson	Redlin
Berube	Kamrath	Reichert
Bopp	Kee	Saumur
Brooks	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Longmire	Van Horn
Foss	Luick	Wadeson
Garaas	Miller	Wartner
Gefr�h	Morgan	Witteaman
Gilbertson	Murphy	Yunker

Those voting in the negative were:

Baker	Hernettt	Ringsak
George	Meidinger	Roen
Gronvold	Mutch	Trenbeath
Harris		

So the motion was declared carried.

MOTIONS

Senator Holand moved that Senate Bill No. 293 be referred to the Committee on Appropriations, which motion prevailed.

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 293 has had the same under consideration and recommends that the same be amended as follows:

In line 221 delete the word "fifty" and insert in lieu thereof the word "twelve"

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 569 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal

Government to whom was referred House Bill No. 593 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 708 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution "F"

Senate Concurrent Resolution "D"

And the President signed the same in the presence of the Senate.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FORTY-FOURTH DAY

Bismarck, February 15, 1961

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. Henry Hottmann, First Methodist, Bismarck.

We are grateful, our Father in Heaven, for this sacred moment when we have been called to observe one of the priorities of life—a time of prayer. We pause for a moment to think of Thee and the deep needs of the human spirit.

- Down through the centuries Thou hast been waiting for a people to answer Thy love with their lives. Anoint each of us with the holy oil of public service. Make us Thine ambassadors, putting in our hearts a great concern for our fellow men. Give us the concern to put the welfare of others ahead of our own. Then shall our lives fulfill Thy yearning for the unanswered love of man.

We ask through Thy Holy Spirit, who can think within us. Amen.

Roll Call: All Senators present.

A quorum was declared by the President.

REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the forty-second day after recess and forty-third day and recommends that the same be corrected as follows:

On page 492, in line 6 from the bottom of the page delete the word "House" and insert in lieu thereof the word "Senate"

On page 492, in line 5 from the bottom of the page

delete the words "Speaker of the House" and insert in lieu thereof "President of the Senate"

And when so corrected recommends that the same be approved.

SENATOR HARRIS, Chairman.

Senator Harris moved that the report be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 15, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 553

House Bill No. 556

House Bill No. 568

House Bill No. 637

House Bill No. 665

House Concurrent Resolution "N"

Which the President has signed.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, February 15, 1961

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "A"

Which the President has signed and your signature is respectfully requested.

HOWARD F. DOHERTY, Secretary.

Senator Holand moved that the Senate recess until 11:00 a.m., February 16, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FORTY-FOURTH DAY AFTER RECESS
AND FORTY-FIFTH DAY

Bismarck, February 16, 1961

The Senate convened at 11:00 a.m., the President presiding.

REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution "B"

Was delivered to the Secretary of State at the hour of 11:15 o'clock a.m., February 16, 1961.

SENATOR KISSE, Chairman.

MOTIONS

Senator Foss moved that the Senate reconsider the action by which Senate Bill No. 303 was indefinitely postponed, which motion was lost.

Senator Foss requested a division, which request was granted.

ROLL CALL

The question being on the motion of Senator Foss, the roll was called and there were ayes, 23; nays, 24; absent, 1; present and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Hernett	Nesvig
Becker	Holand	Redlin
Brooks	Johnson	Reichert
Erickson	Longmire	Saumur
Foss	Luick	Solberg
Garaas	Meidinger	Wadeson
George	Miller	Yunker
Gilbertson	Morgan	

Those voting in the negative were:

Andre	Hystad	Paulson
Baker	Kamrath	Roen
Bopp	Kee	Schrock
Erickstad	Kisse	Thompson
Fiedler	Lautenschlager	Trenbeath
Gefreh	Lips	Van Horn
Gronvold	Murphy	Wartner
Harris	Mutch	Witteman

Absent and not voting:

Ringsak

Present and not voting:

Berube

So the motion was declared lost.

Senator Holand: Mr. President, on Senate Bill No. 303, the machine did not record the vote of one of our Senators who was present in the chamber and I would request at this time that a recheck be made of that vote in order to establish a record.

Mr. President: I will open the key for a verification. Senator Gronvold requested a call of the Senate, which request was granted.

Senator Schrock: Mr. President, the call of the Senate is out of order for the reason that there were some Senators who were absent when the vote was taken. The question is: "How did Senator Berube vote?"

Senator Gronvold: I withdraw the request for a call of the Senate.

Senator Berube: Mr. President. I would like to ask the Senate vote to show a "no" vote for me on reconsideration of Senate Bill No. 303.

The President announced that the roll call shows 23 ayes, and 25 nays, 1 absent and not voting, so the motion to reconsider was declared lost.

CONSIDERATION OF AMENDMENTS

Senator Holand moved that the reading of the amendments to Senate Bills Nos. 43, 219, 227, 289, Senate Concurrent Resolution "Y", Senate Bills Nos. 53, 52, 122, 149, 151, 184, 218, 244, 272, 278, 285, 217, 224, 293, and 146, be dispensed with, which motion prevailed.

Senator Becker moved that the amendments to Senate Bill No. 43 be adopted, which motion prevailed.

Senator Trenbeath moved that Senate Bill No. 43 be further amended as follows:

Delete the title and insert the following in lieu thereof: "For an Act to amend and reenact sections 38-08-04 and 38-08-06 of the North Dakota Century Code relating to powers of the industrial commission in regard to oil and gas conservation and authorizing oil and gas marketing districts."

Delete lines 1 through 6 inclusive.

In line 7 delete the numeral "2" and insert in lieu thereof the numeral "1"

In line 13 delete the words "The commission"

Delete lines 14 through 17 inclusive.

In line 18 delete the words "shall employ a suitable staff." and delete the triple parentheses around the words "state geologist"

In line 19 delete the word "director"

In line 27 delete the triple parentheses around the words "state geologist"

In line 28 delete the word "director"

In line 40 delete the triple parentheses around the words "state geologist" and delete the word "director"

Delete lines 106 through 116 inclusive.

In line 117 delete the numeral "4" and insert in lieu thereof the numeral "2"

Delete lines 177 through 203 inclusive.

Renumber the lines accordingly.

ROLL CALL

The question being on the motion of Senator Trenbeath to amend Senate Bill No. 43, the roll was called and there were ayes, 27; nays, 21, absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Harris	Meidinger
Baker	Hernett	Miller
Brooks	Holand	Morgan
Erickson	Johnson	Mutch
Erickstad	Kee	Roen
Foss	Kisse	Saumur
Gefreh	Lips	Trenbeath
George	Longmire	Wadeson
Gronvold	Luick	Wartner

Those voting in the negative were:

Andre	Hystad	Reichert
Becker	Kamrath	Schrock
Berube	Lautenschlager	Solberg
Bopp	Murphy	Thompson
Fiedler	Nesvig	Van Horn
Garaas	Paulson	Witteman
Gilbertson	Redlin	Yunker

Absent and not voting:

Ringsak

So the motion was declared carried.

Senator Longmire moved that the amendments to Senate Bill No. 219 be adopted, which motion prevailed.

Senator Miller moved that the amendments to Senate Bill No. 227 be adopted, which motion prevailed.

Senator Gefreh moved that Senate Bill No. 227 be further amended as follows:

In line 26 after the word "services" insert the following language: "or as payment for maintenance to the recipient as determined by the rules of the public welfare board of North Dakota"

In line 114 after the word "expenses" insert the following words: "in the amount of five hundred dollars" and delete the following words: "in any cal-"

Delete all of lines 115, 116 and 117 and insert in lieu thereof the following words: "during the twelve month period prior to making application."

In line 120 delete the word "five" and insert in lieu thereof the word "two"

In line 123 delete the word "two" and insert in lieu thereof the word "one"

In line 124 delete the word "five" and insert in lieu thereof the word "eight"

In line 147 after the word "tution" insert the following words: "(except as a patient in a medical institution)"

In line 161 delete the word "applicant" and insert in lieu thereof the words "the state agency"

Re-number the lines accordingly.

Which motion prevailed.

Senator Baeverstad moved that the amendments to Senate Bill No. 289 be adopted, which motion prevailed.

Senator Baeverstad moved that the amendments to Senate Concurrent Resolution "Y" be adopted, which motion prevailed.

Senator Foss moved that the amendments to Senate Bill No. 32 be adopted, which motion prevailed.

Senator Foss moved that the amendments to House Bill No. 647 be adopted, which motion prevailed.

Senator Baeverstad moved that the amendments to Senate Bill No. 53 be adopted, which motion prevailed.

Senator Baeverstad moved that the amendments to Senate Bill No. 52 be adopted, which motion prevailed.

Senator Baeverstad moved that the amendments to Senate Bill No. 122 be adopted, which motion prevailed.

Senator Baeverstad moved that the amendments to Senate Bill No. 149 be adopted.

Senator Garaas made the substitute motion that the amendments to Senate Bill No. 149 be laid on the table, which motion was declared lost.

Senator Garaas requested a division, which request was granted.

ROLL CALL

The question being on the motion of Senator Garaas, the roll was called and there were ayes, 20; nays, 28; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Johnson	Reichert
Berube	Kamrath	Schrock
Bopp	Lautenschlager	Solberg
Fiedler	Murphy	Thompson
Garaas	Nesvig	Van Horn
Gilbertson	Paulson	Witteman
Hystad	Redlin	

Those voting in the negative were:

Baeverstad	Harris	Miller
Baker	Hernett	Morgan
Becker	Holand	Mutch
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lips	Trenbeath
Foss	Longmire	Wadson
Gefreh	Luick	Wartner
George	Meidinger	Yunker
Gronvold		

Absent and not voting:

Ringsak

So the motion was declared lost.

The question being on the motion of Senator Baeverstad that the amendments to Senate Bill No. 149 be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to Senate Bill No. 151 be adopted, which motion prevailed.

Senator Meidinger moved that the amendments to Senate Bill No. 184 be adopted, which motion prevailed.

Senator Holand moved that Senate Bill No. 184 be not re-referred to the Committee on Appropriations, which motion prevailed.

Senator Wartner moved that the amendments to Senate Bill No. 218 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 244 be adopted, which motion prevailed.

Senator Hernettt moved that the amendments to Senate Bill No. 272 be adopted, which motion prevailed.

Senator Wartner moved that the amendments to Senate Bill No. 278 be adopted, which motion prevailed.

Senator Hernettt moved that the amendments to Senate Bill No. 285 be adopted, which motion prevailed.

Senator Baeverstad moved that the amendments to Senate Bill No. 217 be adopted, which motion prevailed.

Senator Hernettt moved that the amendments to Senate Bill No. 224 be adopted, which motion prevailed.

Senator Foss moved that the amendments to Senate Bill No. 293 be adopted, which motion prevailed.

Senator Holand moved that Senate Bill No. 293 be further amended as follows:

In the 3rd line of the title after the word "sections" insert the numeral "16-04-16,"

In the 6th line of the title delete the word "and" and after the numeral "34-10-02" insert the numeral "and 54-06-02"

In the 11th line of the title delete the word "and"

In the 12th line of the title after the word "appropriation" insert the following language ", and providing for an effective date"

In lines 8 and 9 of the bill delete the words "appointed by the governor with the consent of the senate" and insert in lieu thereof the words "elected by the qualified voters of the state"

In line 11 delete the words ", and who shall be qualified by training"

In line 12 delete the words "and experience" and in the same line delete the word "serve" after the word "shall" and insert the following language "receive an annual salary of six thousand dollars. The commissioner and other employees of the department of labor shall be reimbursed for expenses incurred in carrying out the duties of their office at the same rate and in the same manner as other state officials"

Delete lines 13 and 14

In line 15 delete the words "legislative appropriation"

After line 225 and before line 226 insert new sections as follows:

"SECTION 16. AMENDMENT.) Section 16-04-16 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

16-04-16. ORDER IN WHICH NAMES OF OFFICES SHALL APPEAR ON BALLOT.) The names of offices for which party nominations shall be made on the primary ballot shall be the following, which shall appear in each party column in this order:

1. Congressional:
 - United States senator
 - Representatives in Congress
2. Legislative:
 - State senatordistrict
 - Member of house of representativesdistrict
3. State offices:
 - Governor
 - Lieutenant governor
 - Secretary of state
 - State auditor
 - State treasurer
 - Attorney general
 - Commissioner of insurance
 - Commissioner of agriculture (((and labor)))
 - Commissioner of labor
 - Commissioner of public service.

SECTION 17. AMENDMENT.) Section 54-06-02 of the North Dakota Century Code is hereby amended and re-enacted to read as follows:

54-06-02. STATE OFFICERS RESIDE AT CAPITAL.) The following state officers shall reside at the capital of the state:

1. Attorney general;
2. Secretary of state;
3. State auditor;
4. State treasurer;
5. Commissioner of agriculture (((and labor; and)))
6. Commissioner of insurance (((.))); and
7. Commissioner of labor.

SECTION 18. EFFECTIVE DATE.) The provisions of this Act shall become effective January 1, 1963 except all provisions concerning the election of the commissioner of labor."

In line 226 delete the numeral "16" and insert in lieu thereof the numeral "19"

Renumber the lines accordingly.

Senator Garaas made the substitute motion that Senate Bill No. 293 be amended as follows:

In the 6th line of the title delete the words "and 34-10-02"

In line 9 of the bill delete the words "the first"

Delete all of line 10

In line 11 delete the words "numbered year" and insert in lieu thereof the words "July 1, 1961"

Delete all of lines 203 through 218

In line 219 delete the numeral "15" and insert in lieu thereof the numeral "14"

In line 226 delete the numeral "16" and insert in lieu thereof the numeral "15"

Renumber the lines accordingly.

Which motion was declared lost.

Senator Garaas requested a division, which request was granted.

ROLL CALL

The question being on the substitute motion of Senator Garaas to amend Senate Bill No. 293, the roll was called and there were ayes, 22; nays, 26; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Johnson	Reichert
Berube	Kamrath	Schrock
Bopp	Lautenschlager	Solberg
Brooks	Murphy	Thompson
Fiedler	Nesvig	Van Horn
Garaas	Paulson	Witteman
Gilbertson	Redlin	Yunker
Hystad		

Those voting in the negative were:

Baeverstad	Harris	Miller
Baker	Hernett	Morgan
Becker	Holand	Mutch
Erickson	Kee	Roen
Erickstad	Kisse	Saumur
Foss	Lips	Trenbeath
Gefreh	Longmire	Wadeson
George	Luick	Wartner
Gronvold	Meidinger	

Absent and not voting:

Ringsak

So the motion was declared lost.

The question being on the motion of Senator Holand that Senate Bill No. 293 be amended, which motion prevailed.

Senator Wartner moved that the amendments to Senate Bill No. 146 be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 16, 1961

Mr. President: I have the honor to inform you that the Speaker has appointed as a committee to act with a like committee from the Senate, Representatives: Goebel, Reimers, Stallman, to arrange for a visiting speaker to be here on February 27th, Mr. Cal Johnson from Pennsylvania.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 16, 1961

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:

House Bill No. 595

House Bill No. 664

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 16, 1961

Mr. President: I have the honor to transmit:

House Bill No. 545

House Bill No. 735

House Bill No. 754

House Bill No. 775
 House Bill No. 780
 House Bill No. 782
 House Bill No. 789
 House Bill No. 797
 House Bill No. 839
 House Bill No. 840
 House Bill No. 847
 House Bill No. 863
 House Bill No. 872
 House Bill No. 894
 House Bill No. 897
 House Bill No. 899
 House Bill No. 922
 House Bill No. 923
 House Bill No. 928

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 16, 1961

Mr. President: I have the honor to transmit:

House Bill No. 595

House Bill No. 724

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 16, 1961

Mr. President: I have the honor to return:

Senate Concurrent Resolution "A"

Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 16, 1961

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "D"

Senate Concurrent Resolution "F"

Which the President has signed and your signature is respectfully requested.

HOWARD F. DOHERTY, Secretary.

MOTIONS

Senator Holand moved that after the reading of Senate Bills Nos. 45, 41, 78, 111, 190, 211, 254, 295, 300, 308, House Bill No. 737, Senate Concurrent Resolution "II", Senate Bills Nos. 131, 179, 188, 221, 309, 310, Senate Concurrent Resolutions "KK", and "LL", Senate Bills Nos. 123, 95, 263, 120, and House Bills Nos. 569, 593, and 708, that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that Senate Concurrent Resolution "A" was delivered to the Secretary of State at the hour of 3:45 o'clock p.m., February 16, 1961.

SENATOR KISSE, Chairman.

SECOND READING OF SENATE BILLS

Senator Holand moved that Senate Bills Nos. 245, 211, 292, 95, Senate Concurrent Resolution "II" and House Concurrent Resolution "O-1" be placed at the head of the calendar, which motion prevailed.

Senate Bill No. 245. A Bill for an Act to amend and reenact sections 15-40-02, 15-40-18, 15-34-26, and 57-15-24 of the North Dakota Century Code relating to payments to the county equalization fund from the state equalization fund and for county mill levies for the balance of payments due from the county equalization fund.

Which has been read.

Senator Gefreh moved that Senate Bill No. 245 be amended as follows:

In line 45 delete the word "seventy-five" and insert in lieu thereof the word "ninety"

In line 47 delete the word "sixty-" and in line 48 delete the words "two dollars and fifty cents" and insert in lieu thereof the words "seventy-five dollars"

In line 50 delete the word "fifty" and insert in lieu thereof the word "sixty"

In line 51 delete the words "sixty-six dollars" and insert in lieu thereof the words "seventy-nine dollars and twenty cents"

In line 81 delete the figure ".0035" and insert in lieu thereof the figure ".004"

Renumber the lines accordingly.

Which motion prevailed.

Senate Bill No. 211. A Bill for an Act to amend and reenact section 20-01-15 of the North Dakota Century Code relating to posting of lands to prohibit hunting.

Which has been read.

Senator Luick moved that Senate Bill No. 211 be amended as follows:

In the first line of the title of the bill after the numeral "20-01-15" insert the following: ", and to create and enact section 20-01-15.1"

In the third line of the title after the word "hunting" insert the words "and driving vehicles or setting fires when hunting, and providing a penalty"

After line 23 insert the following section:

"SECTION 2.) Section 20-01-15.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

20-01-15.1. SMOKING OR SETTING FIRES OR DRIVING A VEHICLE ON SOIL BANK LAND — PENALTY.) No person hunting upon land subject to a soil bank contract shall smoke any tobacco or otherwise light while on such land or set or cause to be set any fire upon such land

nor drive or move any motor vehicle upon such land without permission of the owner or tenant of the land. Any person violating any provision of this section shall be punished by a fine of not more than one hundred dollars or by imprisonment by not more than thirty days, or by such fine and imprisonment."

Renumber the lines accordingly.

Which motion prevailed.

Senator Brooks moved that Senate Bill No. 211 be further amended as follows:

Proposed amendment to Senate Bill No. 211:

In line 17 following the period insert the following words: "All agricultural leases of state-owned land executed after July 1, 1961, shall contain provisions prohibiting the posting of such lands against hunting."

Renumber the lines accordingly,

Which motion prevailed.

MOTIONS

Senator Murphy moved that the Senate reconsider the action by which Senate Bill No. 290 was indefinitely postponed, which motion was declared lost.

SECOND READING OF SENATE BILLS AND A SENATE CONCURRENT RESOLUTION

Senate Bill No. 292. A Bill for an Act to provide for the letting of insurance contracts by the state and its agencies and institutions.

Which has been read.

Senator Longmire moved that Senate Bill No. 292 be amended as follows:

In line 28 after the word "lowest" insert the words "and best".

In line 30 after the word "lowest" insert the words "and best".

Renumber the lines accordingly.

Which motion prevailed.

Senate Bill No. 95. A Bill for an Act to amend and reenact sections 5-02-22 and 5-03-22 of the North Dakota Century Code, relating to the imposition of taxes on the sale of beer and liquor.

Which has been read.

Senator Holand moved that Senate Bill No. 95 be amended as follows:

In line 17 delete the triple parentheses.

In line 19 delete the numeral "1961" and insert in lieu thereof the numeral "1967" and delete the triple parentheses.

In line 27 delete the triple parentheses before and after the numeral "1."

In line 51 delete the triple parentheses.

In line 53 delete the numeral "1961" and insert in lieu thereof the numeral "1967" and delete the triple parentheses before the first period; also delete the triple parentheses before and after the numeral "2."

Renumber the lines accordingly.

Which motion prevailed.

Senate Concurrent Resolution "II". A concurrent resolution authorizing various state associations to celebrate and commemorate their respective association activities during legislative sessions.

Which has been read.

Senator Brooks moved that Senate Concurrent Resolution "II" be amended as follows:

In line 51, after the word "Dental" insert the word "Technicians"

In line 59 delete the word "Implement" and insert in lieu thereof the word "Automobile"

After line 86 add the following:

"87. 61. North Dakota Railway Lines.

88. 62. And all other associations."

Senator Murphy moved that the amendments to Senate Concurrent Resolution "II" be laid on the table, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "O-1". A concurrent resolution urging the President to appoint a presidential emergency board under authority of the Railway Labor Act in regard to the strike involving Northwest Airlines.

Which has been read.

Senator Murphy moved that House Concurrent Resolution "O-1" be amended as follows:

In line 1 delete everything after the word "strike"

In line 2 delete the words "union jurisdiction"

In line 10 delete the words "it has become intolerable that" and after the word "public" insert the words "should not"

In line 11 delete the words "and that thousands of innocent"

In line 12 delete "workers continue to be deprived of their employment"

Renumber the lines accordingly.

Which motion prevailed.

Senator Holand moved that Senate Bill No. 120 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 120. A Bill for an Act to amend and reenact sections 57-20-08 and 57-38-31 and to create and enact sections 15-40-33 and 57-38-58 of the North Dakota Century Code relating to the imposition of an additional tax on the net income of certain taxpayers and providing for credits therefrom and also providing for the proceeds therefrom to be deposited into the state equalization fund, providing for the distribution thereof, and providing further that this Act shall apply to income accruing after December 31, 1960.

Which has been read.

Senator Erickson moved that Senate Bill No. 120 be amended as follows:

In line 5 of the title following the word "taxpayers" insert a comma and the following language:

"relating to the imposition of a separate and additional tax on banks and trust companies for the privilege of transacting business in this state,"

In line 9 delete the word "three" and insert in lieu thereof the words "one and one-half"

In line 11 after the word "between" insert the following words:

"(1) the sum of federal income taxes paid and"

In line 12 after the word "and" insert the number "(2)"

In line 15 after the word "between" insert the following words:

"(1) The sum of federal income taxes paid and"

In line 16 after the word "and" insert the number "(2)"

In line 20 after the semicolon insert the word "and"

Delete all of lines 21 and 22

In line 23 delete the numeral "(3)" and insert in lieu thereof the numeral "(2)"

In line 25 after the numeral "57-38-22" delete the period and insert the following language:

" , except that such amount shall be limited to cash distributions;"

After line 25, add the following subsection:

"d. In the case of banks and trust companies taxed under the provisions of chapter 57-35, a separate and additional annual tax for the grant of the privilege of doing business within this state is hereby imposed, which annual tax shall be imposed at the rate of one and one-half percent of net income of the bank or trust company as determined under the provisions of section 57-35-04."

In line 28 delete the words "to all banks and trust companies"

In line 29 delete the words "taxed under the provisions of chapter 57-35,"

In line 31 after the comma insert the words "except those paying a premium tax,"

After line 101 add the following subsection:

"f. In the case of trucks or combination trucks and trailers, including commercial and noncommercial trucks, on which the registration fees are in lieu of personal property tax under the provisions of section 39-04-38, the amount allocated to the counties under subsection 3 of section 39-04-39."

Renumber the lines accordingly.

Senator Brooks moved that the question be divided, which motion prevailed.

The question being on the motion of Senator Erickson to amend Senate Bill No. 120 as follows:

In line 5 of the title following the word "taxpayers" insert a comma and the following language:

"relating to the imposition of a separate and additional tax on banks and trust companies for the privilege of transacting business in this state,"

In line 9 delete the word "three" and insert in lieu thereof the words "one and one-half"

In line 11 after the word "between" insert the following words:

"(1) The sum of federal income taxes paid and"

In line 12 after the word "and" insert the number "(2)"

In line 15 after the word "between" insert the following words:

"(1) The sum of federal income taxes paid and"

In line 16 after the word "and" insert the number "(2)"

In line 20 after the semicolon insert the word "and".

Delete all of lines 21 and 22

In line 23 delete the numeral "(3)" and insert in lieu thereof the numeral "(2)"

In line 25 after the numeral "57-38-22" delete the period and insert the following language:

" , except that such amount shall be limited to cash distributions;"

After line 25, add the following subsection:-

"d. In the case of banks and trust companies taxed under the provisions of chapter 57-35, a separate and additional annual tax for the grant of the privilege of doing business within this state is hereby imposed, which annual tax shall be imposed at the rate of one and one-half percent of net income of the bank or trust company as determined under the provisions of section 57-35-04."

In line 28 delete the words "to all banks and trust companies"

In line 29 delete the words "taxed under the provisions of chapter 57-35,"

In line 31 after the comma insert the words "except those paying a premium tax,"

Renumber the lines accordingly.

Which motion prevailed.

Senator Garaas requested a division, which request was granted.

ROLL CALL

The question being on the motion of Senator Erickson, the roll was called and there were ayes, 25; nays, 23; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Hernett	Miller
Baker	Holand	Morgan
Becker	Kee	Mutch
Brooks	Kisse	Roen
Erickson	Lips	Saumur
Erickstad	Longmire	Trenbeath
Gefreh	Luick	Wadeson
Gronvold	Meidinger	Wartner
Harris		

Those voting in the negative were:

Andre	Hystad	Reichert
Berube	Johnson	Schrock
Bopp	Kamrath	Solberg
Fiedler	Lautenschlager	Thompson
Foss	Murphy	Van Horn
Garaas	Nesvig	Witteman
George	Paulson	Yunker
Gilbertson	Redlin	

Absent and not voting:

Ringsak

So the motion was declared carried.

The question being on the motion of Senator Erickson that Senate Bill No. 120 be amended as follows:

After line 101 add the following subsection:

"f. In the case of trucks or combination trucks and trailers, including commercial and noncommercial trucks, on which the registration fees are in lieu of personal property tax under the provisions of section 39-04-38, the amount allocated to the counties under subsection 3 of section 39-04-39."

Renumber the lines accordingly.

Senator Brooks made the substitute motion that Senate Bill No. 120 be amended as follows:

After line 101 add the following:

"f. In the case of passenger motor vehicles, including buses for hire, hearses and ambulances and trucks or combination trucks and trailers, including commercial and noncommercial trucks, on which the taxes and fees are in lieu of personal property tax under the provisions of Sections 39-04-19 and 39-04-38 of the North Dakota Century Code, the amount allocated to the counties under subsection 3 of Section 39-04-39."

Renumber the lines accordingly.

Which motion prevailed.

Senate Bill No. 40. A Bill for an Act to amend and reenact subsection 2 of section 38-08-08 of the North Dakota Century Code relating to the payment of costs of oil and gas operations when fractional oil and gas interests are pooled by order of the industrial commission, and to the method of requiring that such costs be paid by all owners of fractional interests, and to repeal section 38-08-10 of the North Dakota Century Code relating to the filing and foreclosure of liens upon the interests of parties not sharing costs of pooled operations.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson

Becker	Hystad	Redlif
Berube	Johnson	Reichert
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker

Absent and not voting:
Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 44. A Bill for an Act relating to the obligation to pay royalties under oil and gas leases and providing remedies for breach of such obligation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker

Absent and not voting:
Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 85. A Bill for an Act to amend and reenact sections 63-03-01, 63-03-05, and 63-03-06 of the North Dakota Century Code, relating to weeds and grasses on highways, streets and alleys, and to repeal sections 63-03-02, 63-03-03, and 63-03-04 of the North Dakota Century Code.

Which has been read.

Senator Holand moved that Senate Bill No. 85 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, 25; nays, 23; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Hystad	Redlin
Baker	Kisse	Reichert
Fiedler	Lautenschlager	Saumur
Garaas	Lips	Schrock
Gefreh	Longmire	Thompson
Gilbertson	Murphy	Van Horn
Gronvold	Nesvig	Wadeson
Harris	Paulson	Yunker
Holand		

Those voting in the negative were:

Andre	George	Morgan
Becker	Hernett	Mutch
Berube	Johnson	Roen
Bopp	Kamrath	Solberg
Brooks	Kee	Trenbeath
Erickson	Luick	Wartner
Erickstad	Meidinger	Witteaman
Foss	Miller	

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 181. A Bill for an Act to amend and reenact Section 27-17-01 of the North Dakota Century Code relating to retirement of supreme court judges and district court judges.

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:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Roen
Bopp	Kamrath	Saumur
Brooks	Kee	Schrock
Erickson	Kisse	Solberg
Erickstad	Lautenschlager	Thompson
Fiedler	Lips	Trenbeath
Foss	Longmire	Van Horn
Garaas	Luick	Wadeson
Gefreh	Meidinger	Wartner
George	Miller	Witteaman
Gilbertson	Morgan	Yunker
Gronvold	Murphy	

Absent and not voting:

Mutch Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 213. A Bill for an Act to amend and reenact sections 11-11-28, 24-02-20, 39-03-08.3, 40-22-20 and 61-19-08, of the North Dakota Century Code relating to cashiers checks for bidders deposits.

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:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Roen
Bopp	Kamrath	Saumur
Brooks	Kee	Schrock
Erickson	Kisse	Solberg
Erickstad	Lautenschlager	Thompson
Fiedler	Lips	Trenbeath
Foss	Longmire	Van Horn
Garaas	Luick	Wadeson
Gefreh	Meidinger	Wartner
George	Miller	Witteaman
Gilbertson	Morgan	Yunker
Gronvold	Murphy	

Absent and not voting:

Mutch Ringsak

So the bill passed and the title was agreed-to.

Senate Bill No. 214. A Bill for an Act to amend and reenact section 6-03-62 of the North Dakota Century Code relating to interest of bank loans.

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, 3; nays, 44; absent and not voting, 2.

Those voting in the affirmative were:

Baker George Lips

Those voting in the negative were:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Roen
Bopp	Kamrath	Saumur
Brooks	Kee	Schrock
Erickson	Kisse	Solberg
Erickstad	Lautenschlager	Thompson
Fiedler	Longmire	Trenbeath
Foss	Luick	Van Horn
Garaas	Meidinger	Wadeson
Gefreh	Miller	Wartner
Gilbertson	Morgan	Witteaman
Gronvold	Murphy	Yunker
Harris	Nesvig	

Absent and not voting:

Mutch Ringsak

So the bill was declared lost.

Senate Bill No. 230. A Bill for an Act to amend and reenact section 39-01-09 of the North Dakota Century Code

relating to the use of parking meters by cities and villages, 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, 23; nays, 24; absent and not voting, 2.

Those voting in the affirmative were:

Baeverstad	Harris	Reichert
Baker	Hernett	Roen
Brooks	Holand	Saumur
Erickson	Kee	Thompson
Erickstad	Lips	Wadeson
Foss	Longmire	Wartner
Gefreh	Luick	Yunker
George	Meidinger	

Those voting in the negative were:

Andre	Hystad	Nesvig
Becker	Johnson	Paulson
Berube	Kamrath	Redlin
Bopp	Kisse	Schrock
Fiedler	Lautenschlager	Solberg
Garaas	Miller	Trenbeath
Gilbertson	Morgan	Van Horn
Gronvold	Murphy	Witteman

Absent and not voting:

Mutch Ringsak

So the bill was declared lost.

MOTIONS

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bill:

Senate Bill No. 149

And finds the same correctly engrossed.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 242. A Bill for an Act to amend and reenact section 43-07-12 of the North Dakota Century Code relating to and providing for information on bidders to be contained on bid envelopes.

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, 12; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Holand	Morgan
Baker	Hystad	Mutch
Becker	Johnson	Reichert
Brooks	Kamrath	Roen
Erickson	Kee	Saumur
Erickstad	Kisse	Schrock
Foss	Lautenschlager	Thompson
Gefreh	Lips	Trenbeath
George	Longmire	Van Horn
Gronvold	Luick	Wadeson
Harris	Meidinger	Wartner
Hernett	Miller	Yunker

Those voting in the negative were:

Andre	Garaas	Paulson
Berube	Gilbertson	Redlin
Bopp	Murphy	Solberg
Fiedler	Nesvig	Witteman

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 255. A Bill for an Act creating a conservation council which shall be a factfinding body comprised of the chiefs of state agencies dealing with the management of the state's natural resources for the purpose of coordinating the activities of such agencies in managing such resources.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 40; nays, 8; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hystad	Paulson
Baeverstad	Johnson	Redlin
Baker	Kamrath	Reichert
Becker	Kee	Roen
Erickson	Lautenschlager	Saumur
Erickstad	Lips	Schrock
Fiedler	Luick	Solberg
Foss	Meidinger	Thompson
Gefreh	Miller	Trenbeath
George	Morgan	Van Horn
Gronvold	Murphy	Wadeson
Harris	Mutch	Witteman
Hernett	Nesvig	Yunker
Holand		

Those voting in the negative were:

Berube	Garaas	Longmire
Bopp	Gilbertson	Wartner
Brooks	Kisse	

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 301. A Bill for an Act to amend and reenact subsection 9 of section 61-24-08 of the North Dakota Century Code, relating to funds of the Garrison Conservancy District.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteaman
Gronvold	Murphy	Yunker

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 306. A Bill for an Act to amend and reenact section 50-12-09 of the North Dakota Century Code relating to child placement agencies.

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, 3; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Gronvold	Murphy
Baeverstad	Harris	Mutch
Baker	Hernett	Nesvig
Becker	Hystad	Paulson
Berube	Johnson	Redlin
Bopp	Kamrath	Reichert
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Wadeson
George	Miller	Witteaman
Gilbertson	Morgan	Yunker

Those voting in the negative were:

Holand	Van Horn	Wartner
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Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senator Brooks moved that Senate Bill No. 149 be further amended as follows:

In line 61 after the word "credited" insert the words: "fifty percent"

In line 63 after the word "roads" insert the following: "and the balance is hereby appropriated and shall be distributed by the state treasurer on a per capita basis to the incorporated cities and villages of this state, to be used by such incorporated cities and villages solely for construction, reconstruction, repair and maintenance of public streets and highways, the allocation to be based upon the population of each incorporated city and village according to the last official regular or special federal or state census, or the census taken in accordance with the provisions of Chapter 40-02 of the North Dakota Century Code in case of a city or village incorporated subsequent to the last federal or state census, and warrants shall be drawn payable to the treasurers of such cities and villages"

Renumber the lines accordingly.

Which motion prevailed.

Senate Bill No. 215. A Bill for an Act to amend Chapter 57-40 of the North Dakota Century Code by creating and adding thereto two new sections providing for penalties for failure to pay the tax imposed by section 57-40-02 and for failure to comply with other provisions of Chapter 57-40, and providing for a lien for such tax and penalties thereon

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:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 296. A Bill for an Act to amend and re-enact section 57-37-06 of the North Dakota Century Code relating to inclusion of various joint interests in a decedent's gross estate for estate tax 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, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wittman
Gronvold	Murphy	Yunker

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution "GG". A concurrent resolution urging the support of the economic development of the state by all public officials and citizens regardless of political affiliations.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner

Gilbertson
Gronvold

Morgan
Murphy

Witteman
Yunker

Absent and not voting:
Ringsak

So the resolution was declared adopted.

MOTIONS

Senator Brooks moved that House Bills Nos. 563 and 737 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 45. A Bill for an Act to create and enact section 38-08-04.1 of the North Dakota Century Code, authorizing the industrial commission to appoint examiners to conduct hearings with respect to oil and gas conservation matters coming before the commission, and to make findings and recommendations with respect thereto to the commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre
Baeverstad
Baker
Becker
Berube
Bopp
Brooks
Erickson
Erickstad
Fiedler
Foss
Garaas
Gefreh
George
Gilbertson
Gronvold

Harris
Hernett
Holand
Hystad
Johnson
Kamrath
Kee
Kisse
Lautenschlager
Lips
Longmire
Luick
Meidinger
Miller
Morgan
Murphy

Mutch
Nesvig
Paulson
Redlin
Reichert
Roen
Saumur
Schrock
Solberg
Thompson
Trenbeath
Van Horn
Wadeson
Wartner
Witteman
Yunker

Absent and not voting:
Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 41. A Bill for an Act to amend and reenact section 38-08-09 of the North Dakota Century Code relating to the approval by the industrial commission of voluntary agreements for the unit or cooperative development and operation of common sources of oil and gas.

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, 1.

Those voting in the affirmative were:

Andre
Baeverstad

Hernett
Holand

Mutch
Nesvig

Baker	Hystad	Paulson
Becker	Johnson	Redlin
Berube	Kamrath	Reichert
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Trenbeath
Foss	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteaman
Gronvold	Murphy	Yunker
Harris		

Those voting in the negative were:

Garaas Thompson

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senator Garaas: I want to state for the record the reason for my vote. The contents of this bill, in my opinion, have strictly disregarded the correlative rights of the land owners involved in the voluntary unitization, and even though the bill was written for the purpose of protecting the correlative rights of the land owners it has eliminated such and made it so that the correlative rights are not involved in this bill at all.

Senate Bill No. 78. A Bill for an Act to amend and reenact section 39-09-02 of the North Dakota Century Code relating to speed limitations.

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, 1.

Those voting in the affirmative were:

Andre	Hernett	Mutch
Baeverstad	Holand	Nesvig
Baker	Hystad	Paulson
Becker	Johnson	Redlin
Berube	Kamrath	Reichert
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Yunker
Harris		

Those voting in the negative were:

Garaas Witteaman

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 111. A Bill for an Act to create and enact subsection 18 of section 20-01-01, and to amend and reenact sections 20-01-04 and 20-04-07 of the North Dakota Century Code, relating to use of artificial blinds in the taking of game birds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 190. A Bill for an Act to amend and reenact section 20-03-06 of the North Dakota Century Code relating to the taking of any game bird on posted lands by nonresidents.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 12; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hystad	Paulson
Baker	Johnson	Redlin
Becker	Kamrath	Reichert
Berube	Kee	Saumur
Brooks	Lautenschlager	Schrock
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Morgan	Witteman
Gronvold	Mutch	Yunker

Those voting in the negative were:

Bopp	Hernett	Murphy
Erickson	Holand	Roen

Erickstad
Gilbertson

Kisse
Miller

Solberg
Wartner

Present and not voting:
Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 254. A Bill for an Act to amend and reenact sections 18-10-07, 18-10-08, and 18-10-09 of the North Dakota Century Code relating to rural fire protection districts.

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:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker
Harris	Mutch	

Absent and not voting:

Berube Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 295. A Bill for an Act to authorize the board of administration to sell certain land owned by the state of North Dakota in connection with the operation of the state penitentiary and making an appropriation.

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, 3; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Roen
Bopp	Kamrath	Saumur
Brooks	Kee	Schrock
Erickson	Kisse	Solberg
Erickstad	Lautenschlager	Thompson
Foss	Lips	Trenbeath
Garaas	Longmire	Van Horn

Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gilbertson	Miller	Witteman
Gronvold	Mutch	Yunker

Those voting in the negative were:

Fiedler	Morgan	Murphy
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Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 300. A Bill for an Act to create and enact section 15-19-03.1 of the North Dakota Century Code, relating to approval of enrollments in high school correspondence courses.

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, 31; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hystad	Redlin
Baker	Longmire	Thompson
Brooks	Morgan	Van Horn
Fiedler	Mutch	Wadeson
Garaas	Nesvig	Wartner
George	Paulson	

Those voting in the negative were:

Baeverstad	Hernett	Miller
Becker	Holand	Murphy
Berube	Johnson	Reichert
Bopp	Kamrath	Roen
Erickson	Kee	Saumur
Erickstad	Kisse	Schrock
Foss	Lautenschlager	Solberg
Gefreh	Lips	Trenbeath
Gilbertson	Luick	Witteman
Gronvold	Meidinger	Yunker
Harris		

Absent and not voting:

Ringsak

So the bill was declared lost.

Senate Bill No. 308. A Bill for an Act to create and enact section 24-14-04 of the North Dakota Century Code relating to meetings of the highway commissioner, motor vehicle registrar, superintendent of the highway patrol, public safety director, and the director of the safety responsibility division of the state highway department for the purpose of coordination of all phases of highway and traffic safety.

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:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
Georgé	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 240. A Bill for an Act to amend and reenact sections 43-07-05, 43-07-07, and 43-07-10 of the North Dakota Century Code relating to classes, fees, and renewals of contractors' licenses.

Which has been read.

Senator Lips requested unanimous consent of the Senate to withdraw Senate Bill No. 240, which consent was granted.

Senate Bill No. 131. A Bill for an Act to amend and reenact sections 61-21-13, 61-21-14 and 61-21-15 of the North Dakota Century Code relating to the establishment of drainage projects.

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:

Andre	Harris	Murphy
Baeverstad	Hernett	Mutch
Baker	Holand	Nesvig
Becker	Hystad	Paulson
Berube	Johnson	Redlin
Bopp	Kamrath	Reichert
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Witteman
Gronvold	Morgan	Yunker

Absent and not voting:

Gilbertson

Solberg

Wartner

Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 179. A Bill for an Act to authorize the superintendent of public instruction to contract with non-profit corporations for the provision of educational television services in the state, 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, 43; nays, 5; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Becker	Holand	Redlin
Berube	Hystad	Reichert
Bopp	Johnson	Roen
Brooks	Kamrath	Saumur
Erickson	Kee	Schrock
Erickstad	Lautenschlager	Thompson
Fiedler	Lips	Trenbeath
Foss	Longmire	Van Horn
Garaas	Luick	Wadeson
Gefreh	Meidinger	Wartner
George	Murphy	Witteman
Gilbertson	Mutch	Yunker
Gronvold		

Those voting in the negative were:

Baker	Miller	Solberg
Kisse	Morgan	

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 188. A Bill for an Act to amend and re-enact section 44-08-10 of the North Dakota Century Code, relating to public notices and printing.

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:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Yunker
Gronvold		

Those voting in the negative were:

Murphy Witteman

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 221. A Bill for an Act to amend and reenact section 57-39-02 of the North Dakota Century Code relating to the imposition of a sales tax.

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:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 309. A Bill for an Act to amend and reenact sections 54-04-01 and 54-04-02 of the North Dakota Century Code relating to engrossing and enrolling of legislative bills.

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:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Roen
Bopp	Kamrath	Saumur
Brooks	Kee	Schrock
Erickson	Kisse	Solberg
Erickstad	Lautenschlager	Thompson
Fiedler	Lips	Trenbeath
Foss	Longmire	Van Horn

Garaas	Luick	Wadeson
Gefreh	Meidinger	Wartner
George	Miller	Witteman
Gilbertson	Morgan	Yunker
Grönvold	Mutch	

Those voting in the negative were:

Murphy

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 310. A Bill for an Act to amend and re-enact subsections 6 and 7 of section 54-03-01 of the North Dakota Century Code relating to legislative 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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Roen
Bopp	Kamrath	Saumur
Brooks	Kee	Schrock
Erickson	Kisse	Solberg
Erickstad	Lautenschlager	Thompson
Fiedler	Lips	Trenbeath
Foss	Longmire	Van Horn
Garaas	Luick	Wadeson
Gefreh	Meidinger	Wartner
George	Miller	Witteman
Gilbertson	Morgan	Yunker
Gronvold	Murphy	

Absent and not voting:

Paulson Ringsak

So the bill passed and the title was agreed to.

**SECOND READING OF SENATE
CONCURRENT RESOLUTIONS**

Senate Concurrent Resolution "KK". A concurrent resolution directing the legislative research committee to study the feasibility of authorizing limited farming and ranching by corporations.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 29; nays, 19; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Holand	Mutch
Becker	Johnson	Nesvig
Bopp	Kamrath	Redlin

Erickson	Kee	Reichert
Erickstad	Kisse	Roen
Fiedler	Lautenschlager	Saumur
Foss	Lips	Schrock
Gefreh	Longmire	Wadeson
George	Morgan	Yunker
Harris	Murphy	

Those voting in the negative were:

Andre	Hernett	Solberg
Baker	Hystad	Thompson
Berube	Luick	Trenbeath
Brooks	Meidinger	Van Horn
Garaas	Miller	Wartner
Gilbertson	Paulson	Witteman
Gronvold		

Absent and not voting:

Ringsak

So the resolution was declared adopted.

Senate Concurrent Resolution "LL". A concurrent resolution extending an invitation to Lawrence Welk and his band to come to North Dakota during the summer of 1961 to participate in the Dakota Territory Centennial Celebration.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker

Absent and not voting:

Ringsak

So the resolution was declared adopted.

SECOND READING OF SENATE BILLS

Senate Bill No. 123. A Bill for an Act to create and enact section 27-18-06 and to amend and reenact section 11-10-02 of the North Dakota Century Code, relating to the office of county 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, 26; nays, 22; absent and not voting, 1.

Those voting in the affirmative were:

Baker	Kisse	Paulson
Berube	Lautenschlager	Redlin
Bopp	Lips	Roen
Fiedler	Luick	Schrock
Gilbertson	Meidinger	Trenbeath
Harris	Morgan	Van Horn
Hernett	Murphy	Wadson
Hystad	Mutch	Yunker
Johnson	Nesvig	

Those voting in the negative were:

Andre	Gefreh	Miller
Baeverstad	George	Reichert
Becker	Gronvold	Saumur
Brooks	Holand	Solberg
Erickson	Kamrath	Thompson
Erickstad	Kee	Wartner
Foss	Longmire	Witteaman
Garaas		

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 263. A Bill for an Act to provide that all electors must be registered in the precinct prior to being authorized to vote in any statewide special, primary, or general election, providing for the method of registration and to amend and reenact section 16-18-06 of the North Dakota Century Code relating to absent voters' ballots, 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, 26; nays, 22; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Harris	Morgan
Baker	Hernett	Mutch
Brooks	Holand	Roen
Erickson	Kee	Saumur
Erickstad	Kisse	Trenbeath
Foss	Lips	Wadson
Gefreh	Longmire	Wartner
George	Luick	Yunker
Gronvold	Meidinger	

Those voting in the negative were:

Andre	Johnson	Redlin
Becker	Kamrath	Reichert
Berube	Lautenschlager	Schrock
Bopp	Miller	Solberg
Fiedler	Murphy	Thompson
Garaas	Nesvig	Van Horn
Gilbertson	Paulson	Witteaman
Hystad		

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FORTY-FIFTH DAY

Bismarck, February 16, 1961

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. Glenn Field, Capital Heights Baptist, Bismarck.

Almighty God, full of mercy, full of love, full of truth, we humbly offer ourselves before Thee this day in Thy Service. We recognize our own inadequacy in the complex affairs of men and we therefore turn to Thee our very present help in time of need. Search us today and see if there are attitudes or motives which lack approval in Thy sight. We ask for Thy forgiveness and for Thy cleansing that we may be acceptable with Thee.

We are mindful of Thy compassion, and willingness to guide the affairs of men and of the state. We know that in Thy Wisdom and Direction, all people regardless of state or condition of servitude, will receive that which is due and just. We therefore beseech Thee to come in Thine own way and guide the people of this assembly this day. We are grateful for our beloved state of North Dakota and therefore have a deep concern for her welfare and for her people. Let unselfishness be the motive and let service be the theme of this assembly.

We seek Thy favor upon all of these United States and upon all others who seek to better the lot of mankind in a way consistent with Thy Will.

Let the Peace of God become a reality everywhere in the Name of Jesus Christ our Lord. Amen.

Roll Call: All Senators present except Senator Ringsak. A quorum was declared by the President.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the forty-third day after recess and forty-fourth day and finds the same correct.

SENATOR HARRIS, Chairman.

Senator Harris moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 32

Senate Bill No. 43

Senate Bill No. 289

Senate Bill No. 293

And finds the same correctly engrossed.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

MESSAGE FROM THE GOVERNOR

February 15, 1961

The Honorable Orville Hagen
Lieutenant Governor
President of the Senate
Bismarck, North Dakota

Dear Sir:

Due to important matters before the Legislative Assembly and the State of North Dakota, I wish to appear before you in joint assembly at the beginning of the 46th Legislative Day.

Sincerely yours,
WILLIAM L. GUY
Governor

SECOND READING OF SENATE BILLS

Senate Bill No. 32. A Bill for an Act making an appropriation out of the State Treasury for the operation, maintenance, equipment, supplies, outfitting of patrolmen, travel and miscellaneous expenses for the Highway Patrol.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 43. A Bill for an Act to create and enact subsection 17 of section 38-08-02 of the North Dakota Century Code relating to definition of the word "director" for oil and gas purposes and to amend and reenact sections 38-08-04, 38-08-05, 38-08-06, and subsection 3 of section 38-08-07 of the North Dakota Century Code relating to the authority of the industrial commission to appoint the state geologist or some other person to direct its operations regarding oil and gas conservation and to the authority of the commission to establish oil and gas marketing districts.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Yunker
Gronvold		

Those voting in the negative were:

Murphy Witteman

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senator Garaas: I want to explain my vote and I want my remarks recorded in the Journal. I voted "yes" on Senate Bill No. 43 because it sets up new marketing districts. However, I should have voted "no" because it left out the part that was deleted in that a director could be appointed which need not necessarily be the state geologist. Much has been said about Dr. Wilson Laird as the state geologist and I am of the opinion that the state geologist is prejudiced in favor of the oil companies and puts less emphasis on the rights of the land owners in my county.

Senate Bill No. 289. A Bill for an Act to create and enact section 40-33-17.1 of the North Dakota Century Code relating to authority of municipality to construct a swimming pool as part of a waterworks and to issue revenue bonds for payment thereof; providing for the operation thereof; and to amend and reenact section 40-35-02 of the North Dakota Century Code, relating to undertakings for which a municipality may issue revenue bonds.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 39; nays, 9; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Morgan
Baeverstad	Hernett	Murphy
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert

Brooks	Kamrath	Roen
Erickson	Kee	Saumur
Erickstad	Kisse	Solberg
Foss	Lautenschlager	Thompson
Garaas	Lips	Trenbeath
Gefreh	Longmire	Van Horn
George	Meidinger	Wadeson
Gronvold	Miller	Yunker

Those voting in the negative were:

Bopp	Luick	Schrock
Fiedler	Mutch	Wartner
Gilbertson	Nesvig	Witteman

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 293. A Bill for an Act to create a North Dakota department of labor and to prescribe the duties and organization thereof, to amend and reenact sections 34-05-01, 34-05-03, 34-05-04, subsection 1 of section 34-06-01, subsection 4 of section 34-07-03, sections 34-07-15, 34-07-18, 34-07-19, 34-07-20, 34-07-21, and 34-10-02 of the North Dakota Century Code, relating to responsibilities and powers of the commissioner of agriculture and labor, to repeal section 34-05-02 of the North Dakota Century Code, relating to the labor division within the department of agriculture and labor, and providing for an appropriation.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 29; nays, 19; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hystad	Saumur
Baeverstad	Johnson	Schrock
Berube	Kamrath	Solberg
Erickstad	Kee	Thompson
Fiedler	Lautenschlager	Van Horn
Foss	Lips	Wadeson
Garaas	Longmire	Wartner
Gefreh	Nesvig	Witteman
Gronvold	Paulson	Yunker
Holand	Redlin	

Those voting in the negative were:

Baker	Harris	Morgan
Becker	Hernett	Murphy
Bopp	Kisse	Mutch
Brooks	Luick	Reichert
Erickson	Meidinger	Roen
George	Miller	Trenbeath
Gilbertson		

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senator Holand moved that the Senate recess until 11:00 a.m., February 17, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FORTY-FIFTH DAY AFTER RECESS AND
FORTY-SIXTH DAY

Bismarck, February 17, 1961

The Senate convened at 11:00 a.m., the President presiding.

REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 52
Senate Bill No. 53
Senate Bill No. 122
Senate Bill No. 146
Senate Bill No. 184
Senate Bill No. 224
Senate Bill No. 227
Senate Bill No. 272
Senate Bill No. 278
Senate Bill No. 285
Senate Bill No. 292

And finds the same correctly engrossed.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 95
Senate Bill No. 120
Senate Bill No. 151
Senate Bill No. 217
Senate Bill No. 244
Senate Bill No. 245

And finds the same correctly engrossed.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bill:

Senate Bill No. 149

And finds the same correctly re-engrossed.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 595

House Bill No. 724

And the President signed the same in the presence of the Senate.

MOTIONS

Senator Holand moved that after the reading of Senate Bills Nos. 52, 53, 122, 146, 184, 224, 227, 272, 273, 285, 292, 95, 120, 151, 217, 244, 245 and 149, that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

Senator Holand moved that Senate Bills Nos. 120, 52, 53, 122, 146, and 151 be placed at the head of the calendar.

Senator Garaas made the substitute motion that Senate Bill No. 120 be placed at the foot of the calendar, which motion was lost.

The question being on the motion of Senator Holand, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 120. A Bill for an Act to amend and reenact sections 57-20-08 and 57-38-31 and to create and enact sections 15-40-33 and 57-38-58 of the North Dakota Century Code relating to the imposition of an additional tax on the net income of certain taxpayers, relating to the imposition of a separate and additional tax on banks and trust companies for the privilege of transacting business in this state, and providing for credits therefrom and also providing for the proceeds therefrom to be deposited into the state equalization fund, providing for the distribution thereof, and providing further that this Act shall apply to income accruing after December 31, 1960.

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, 11; nays, 37; absent and not voting, 1.

Those voting in the affirmative were:

Erickson	Kisse	Roen
Gefreh	Luick	Trenbeath
Hernett	Morgan	Wadson
Kee	Mutch	

Those voting in the negative were:

Andre	Harris	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Berube	Kamrath	Saumur
Bopp	Lautenschlager	Schrock
Brooks	Lips	Solberg
Erickstad	Longmire	Thompson
Fiedler	Meidinger	Van Horn

Foss
Garaas
George
Gronvold

Miller
Murphy
Nesvig

Wartner
Witteman
Yunker

Absent and not voting:
Gilbertson.

So the bill was declared lost.

MOTIONS

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 211

Senate Bill No. 218

Senate Bill No. 219

And finds the same correctly engrossed.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following resolution: Senate Concurrent Resolution "Y", and finds the same correctly engrossed.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 17, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 32
Senate Bill No. 40
Senate Bill No. 41
Senate Bill No. 43
Senate Bill No. 44
Senate Bill No. 45
Senate Bill No. 78
Senate Bill No. 85
Senate Bill No. 111
Senate Bill No. 123
Senate Bill No. 131
Senate Bill No. 179
Senate Bill No. 181
Senate Bill No. 188
Senate Bill No. 190
Senate Bill No. 213
Senate Bill No. 215
Senate Bill No. 221
Senate Bill No. 237
Senate Bill No. 242
Senate Bill No. 254

Senate Bill No. 255
 Senate Bill No. 263
 Senate Bill No. 266
 Senate Bill No. 274
 Senate Bill No. 289
 Senate Bill No. 293
 Senate Bill No. 295
 Senate Bill No. 296
 Senate Bill No. 297
 Senate Bill No. 301
 Senate Bill No. 302
 Senate Bill No. 306
 Senate Bill No. 307
 Senate Bill No. 308
 Senate Bill No. 309
 Senate Bill No. 310
 Senate Concurrent Resolution "V"
 Senate Concurrent Resolution "CC"
 Senate Concurrent Resolution "GG"
 Senate Concurrent Resolution "KK"
 Senate Concurrent Resolution "LL"

Which the Senate has passed and your favorable consideration is requested.

HOWARD F. DOHERTY, Secretary

Senate Chamber

Bismarck, February 17, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 595

House Bill No. 724

Which the President has signed.

HOWARD F. DOHERTY, Secretary.

SECOND READING OF SENATE BILLS

Senate Bill No. 52. A Bill for an Act providing for a county supervisor of assessment, prescribing his powers and duties, and to amend and reenact section 57-02-12 of the North Dakota Century Code relating to the manner of listing personal property for taxation 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, 36; nays, 11; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Gefreh	Longmire
Baeverstad	George	Luick
Baker	Gilbertson	Meidinger
Becker	Hernett	Redlin
Berube	Holand	Reichert
Bopp	Hystad	Schrock
Brooks	Johnson	Solberg
Erickson	Kamrath	Trenbeath
Erickstad	Kee	Van Horn
Fiedler	Kisse	Wartner
Foss	Lautenschlager	Wittman
Garaas	Lips	Yunker

Those voting in the negative were:

Gronvold	Murphy	Saumur
Harris	Nesvig	Thompson
Miller	Ringsak	Wadeson
Morgan	Roen	

Absent and not voting:

Mutch	Paulson
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So the bill passed and the title was agreed to.

Senate Bill No. 53. A Bill for an Act creating the office of state supervisor of assessments in the state tax commissioner's office and providing for his appointment and duties.

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, 6; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Gilbertson	Miller
Baeverstad	Gronvold	Mutch
Baker	Hernett	Nesvig
Becker	Holand	Redlin
Berube	Hystad	Reichert
Bopp	Johnson	Schrock
Brooks	Kamrath	Solberg
Erickson	Kee	Thompson
Erickstad	Kisse	Trenbeath
Fiedler	Lautenschlager	Van Horn
Foss	Lips	Wadeson
Garaas	Longmire	Wartner
Gefreh	Luick	Witteman
George	Meidinger	Yunker

Those voting in the negative were:

Harris	Murphy	Roen
Morgan	Ringsak	Saumur

Absent and not voting:

Paulson

So the bill passed and the title was agreed to.

Senator Murphy: I rise to a point of personal privilege to explain my vote in regard to both Senate Bills 52 and 53. The Finance and Taxation Committee had before it the product of the work of the interim study committee report on Senate Bill No. 52, and those portions of 53 that were a product of that work. From what reading I can do on the subject it appears evident to me the fundamental underlying problem intended to be solved by both bills is the problem of assessing real property in townships and such related problems on personal property as tax experts advise us need correction and improvement. This Bill 52, and insofar as 53 relates to the subject, do not resolve that problem. They do not meet it head on. They do not get down in the pit, as Oliver Wendell Holmes once said when dealing with a problem of law, and grasp the lion by the tail as is required. Our committee instead has gone down into the pit with the lion, grasped the lion by the tail, spent several weeks pulling real hard, off came

the tail, off came the hide, underneath was the same old jacket.

Senate Bill No. 122. A Bill for an Act to amend and reenact Section 39-04-39 of the North Dakota Century Code relating to the distribution of registration fees collected from the licensing of motor vehicles, and to the crediting of the application of the certificate of title to the county wherein the buyer of the motor vehicle resides.

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, 11; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Miller
Baeverstad	Hernett	Murphy
Baker	Holand	Mutch
Becker	Hystad	Nesvig
Bopp	Johnson	Redlin
Brooks	Kamrath	Reichert
Erickstad	Kee	Ringsak
Fiedler	Kisse	Saumur
Foss	Lautenschlager	Schrock
Garaas	Lips	Solberg
Gefreh	Longmire	Trenbeath
George	Meidinger	Wartner
Gilbertson		

Those voting in the negative were:

Berube	Morgan	Wadeson
Erickson	Roen	Witteaman
Gronvold	Thompson	Yunker
Luick	Van Horn	

Absent and not voting:

Paulson

So the bill passed and the title was agreed to.

Senate Bill No. 146. A Bill for an Act to create and enact chapter 50-22 of the North Dakota Century Code, relating to licensing and regulation of charitable organizations which solicit funds, and to repeal chapter 50-15 of the North Dakota Century Code, relating to solicitations for benevolent associations, 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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg

Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

Senate Bill No. 151. A Bill for an Act to amend and reenact sections 61-04-02, 61-04-04, 61-04-06, 61-04-09, 61-04-11 and 61-04-14 of the North Dakota Century Code relating to acquisition of right to appropriate water for beneficial use.

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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

Senator Holand moved that Senate Bills Nos. 184 and 217 be placed at the head of the calendar, which motion prevailed.

Senate Bill No. 184. A Bill for an Act authorizing preparation, issuance and sale of revenue anticipation certificates of the state school construction fund by the state board of public school education, the purchase of such certificates by The Bank of North Dakota, and by other state departments, making provision for payment and retirement of such certificates, and making an appropriation.

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, 7; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Holand	Redlin

Baker	Hystad	Reichert
Becker	Kamrath	Ringsak
Berube	Kee	Roen
Bopp	Kisse	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Erickstad	Longmire	Thompson
Fiedler	Luick	Trenbeath
Foss	Meidinger	Van Horn
Garaas	Miller	Wadeson
Gefreh	Morgan	Wartner
Gronvold	Mutch	Yunker

Those voting in the negative were:

George	Johnson	Paulson
Gilbertson	Murphy	Witteman
Hernett		

So the bill passed and the title was agreed to.

Senate Bill No. 217. A Bill for an Act to amend chapter 57-38 of the North Dakota Century Code by creating and adding thereto a new section relating to the imposition of an additional tax on the income of certain taxpayers, providing for deduction of credits from such tax, providing for the administration of and penalties for failure to comply with the provisions of said section, providing for the attachment of a lien for such tax, providing for the proceeds therefrom to be deposited in the state equalization fund, and providing for an effective date for such section; and to amend and reenact section 57-20-08 of the North Dakota Century Code, relating to receipts issued by the county treasurer.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 29; nays, 20; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Redlin
Baeverstad	Kamrath	Reichert
Berube	Kisse	Schrock
Bopp	Lautenschlager	Solberg
Erickson	Luick	Thompson
Fiedler	Miller	Van Horn
Garaas	Morgan	Wadeson
George	Murphy	Witteman
Gilbertson	Nesvig	Yunker
Hernett	Paulson	

Those voting in the negative were:

Baker	Harris	Mutch
Becker	Holand	Ringsak
Brooks	Johnson	Roen
Erickstad	Kee	Saumur
Foss	Lips	Trenbeath
Gefreh	Longmire	Wartner
Gronvold	Meidinger	

So the bill passed and the title was agreed to.

Senator Holand moved that Senate Bills Nos. 227, 244,

272, and 278, be placed at the head of the calendar, which motion prevailed.

Senate Bill No. 227. A Bill for an Act to provide for medical assistance to the aged.

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:

Andre	Holand	Paulson
Baker	Hystad	Redlin
Becker	Jöhnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker
Hernett	Nesvig	

Absent and not voting:

Baeverstad Garaas

So the bill passed and the title was agreed to.

Senator Fiedler: I would like to explain my vote. I went along with this bill because I think there is great need for this kind of a program in the state. However, I felt that we should have lowered the figure of 500 to 300 but the majority saw fit to not do that. Yesterday I think we proved one point in this session of the legislature and that is that we believe in socialized medicine for cows but we do not believe in it for people.

Senate Bill No. 244. A Bill for an Act to amend and re-enact sections 2-02-01, 2-02-02, 2-02-04, 2-02-05 and 2-05-06.1 of the North Dakota Century Code, relating to authority to acquire and regulate airports, acquisition of property, air rights, rights for making fields and authorization to accept federal or other moneys.

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, 2; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Roen
Bopp	Kee	Saumur
Erickson	Kisse	Schrock

Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker
Harris	Mutch	

Those voting in the negative were:
Brooks Ringsak

So the bill passed and the title was agreed to.

Senate Bill No. 272. A Bill for an Act to create and enact section 40-57-19 and to amend and reenact sections 40-57-02, 40-57-03, 40-57-10, and 40-57-14 of the North Dakota Century Code relating to the issuance of revenue producing bonds by municipalities for municipal industrial development and to authorize state chartered banks to purchase a certain percentage of these bonds, and authorizing the municipality to issue general obligation bonds and levy taxes to pay the interest and principal thereof in certain industrial development cases, if approved by the municipality.

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, 6; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Harris	Paulson
Baeverstad	Hernett	Redlin
Baker	Holand	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Longmire	Trenbeath
Foss	Luick	Van Horn
Garaas	Meidinger	Wadeson
Gefreh	Miller	Wartner
George	Morgan	Witteman
Gilbertson	Mutch	Yunker
Gronvold		

Those voting in the negative were:

Becker	Johnson	Nesvig
Hystad	Murphy	Schrock

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

A committee from the House was announced and the Senate was informed that the House was ready to receive the Senate in joint session to hear a message from the Governor.

MOTIONS

Senator Holand moved that after the reading of Senate Bills Nos. 211, 218 and 219, that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 17, 1961

Mr. President: I have the honor to transmit:

House Bill No. 547

House Bill No. 661

House Bill No. 684

House Bill No. 687

House Bill No. 690

House Bill No. 723

House Bill No. 726

House Bill No. 736

House Bill No. 762

House Bill No. 802

House Bill No. 866

House Bill No. 886

House Bill No. 891

House Bill No. 929

House Concurrent Resolution "J-1"

House Concurrent Resolution "A-1"

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 17, 1961

Mr. President: I have the honor to transmit:

House Bill No. 505

House Bill No. 527

House Bill No. 550

House Bill No. 842

House Bill No. 844

House Bill No. 857

House Bill No. 893

House Bill No. 905

House Bill No. 908

House Bill No. 921

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 17, 1961

Mr. President: I have the honor to return:

Senate Concurrent Resolution "D"

Senate Concurrent Resolution "F"

Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 17, 1961

Mr. President: I have the honor to transmit:

House Bill No. 664

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, February 17, 1961

Mr. President: I have the honor to return:

Senate Bill No. 165

Senate Bill No. 229

Which the house has indefinitely postponed.

GERALD L. STAIR, Chief Clerk.

SECOND READING OF SENATE BILLS

Senate Bill No. 278. A Bill for an Act making unlawful knowingly and willfully to cause persons under parole to violate their parole and providing for 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, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Berube	Kamrath	Roen
Bopp	Kee	Saumur
Brooks	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Erickstad	Longmire	Thompson
Fiedler	Luick	Trenbeath
Foss	Meidinger	Van Horn
Garaas	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Mutch	Witteman
Gronvold	Nesvig	Yunker
Harris		

Those voting in the negative were:

Murphy

Absent and not voting:

Gefreh Lips

So the bill passed and the title was agreed to.

Senate Bill No. 211. A Bill for an Act to amend and reenact section 20-01-15, and to create and enact section 20-01-15.1 of the North Dakota Century Code relating to posting of lands to prohibit hunting and driving vehicles or setting fires when hunting, and providing a penalty.

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, 16; nays, 33; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Johnson	Saumur
Baker	Kee	Schrock
Brooks	Longmire	Wartner
Foss	Luick	Witteman
Gefreh	Reichert	Yunker
George		

Those voting in the negative were:

Andre	Hernett	Mutch
Becker	Holand	Nesvig
Berube	Hystad	Paulson
Bopp	Kamrath	Redlin
Erickson	Kisse	Ringsak
Erickstad	Lautenschlager	Roen
Fiedler	Lips	Solberg
Garaas	Meidinger	Thompson
Gilbertson	Miller	Trenbeath
Gronvold	Morgan	Van Horn
Harris,	Murphy	Wadeson

So the bill was declared lost.

Senate Bill No. 292. A Bill for an Act to provide for the letting of insurance contracts by the state and its agencies and institutions.

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, 28; nays, 21; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Harris	Ringsak
Brooks	Holand	Roen
Erickson	Johnson	Saumur
Erickstad	Lautenschlager	Thompson
Fiedler	Longmire	Trenbeath
Foss	Miller	Van Horn
Garaas	Nesvig	Wadeson
Gefreh	Paulson	Wartner
Gilbertson	Redlin	Witteaman
Gronvold		

Those voting in the negative were:

Andre	Hystad	Morgan
Baker	Kamrath	Murphy
Becker	Kee	Mutch
Berube	Kisse	Reichert
Bopp	Lips	Schrock
George	Luick	Solberg
Hernett	Meidinger	Yunker

So the bill passed and the title was agreed to.

Senate Bill No. 95. A Bill for an Act to amend and reenact sections 5-02-22 and 5-03-22 of the North Dakota Century Code, relating to the imposition of taxes on the sale of beer and liquor.

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, 47; nays, 2; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Berube	Kamrath	Roen

Bopp	Kee	Saumur
Brooks	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Longmire	Trenbeath
Foss	Luick	Van Horn
Garaas	Meidinger	Wadeson
Gefreh	Miller	Wartner
George	Morgan	Witteman
Gronvold	Mutch	Yunker
Harris	Nesvig	

Those voting in the negative were:

Gilbertson	Murphy
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So the bill passed and the title was agreed to.

Senate Bill No. 218. A Bill for an Act to amend and reenact sections 57-27-05, 57-28-05, 57-28-07, 57-28-08, 57-28-09 and 57-28-10 of the North Dakota Century Code relating to tax deed proceedings.

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, 1.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Van Horn
Garaas	Meidinger	Wadeson
Gefreh	Miller	Wartner
George	Morgan	Witteman
Gilbertson	Murphy	Yunker
Gronvold	Mutch	

Those voting in the negative were:

Trenbeath

Absent and not voting:

Holand

So the bill passed and the title was agreed to.

Senate Bill No. 219. A Bill for an Act to amend and reenact sections 5-03-06, 5-03-08, 5-03-09, 5-03-14, 5-03-21 and 5-04-03 of the North Dakota Century Code, and to repeal section 5-03-07 of the North Dakota Century Code, and to enact supplemental sections, relating to levy and collection of excise taxes on alcoholic beverages, providing for the elimination of the use of excise tax stamps and the inauguration of a monthly return system to pay such taxes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker

Absent and not voting:

Holand

So the bill passed and the title was agreed to.

Senate Bill No. 224. A Bill for an Act requiring that consulting engineers and architects working on projects exceeding one hundred thousand dollars for governmental agencies carry professional liability insurance.

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, 19; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Morgan
Baker	Holand	Mutch
Becker	Kamrath	Nesvig
Bopp	Kee	Paulson
Brooks	Lautenschlager	Redlin
Erickstad	Lips	Schrock
Fiedler	Longmire	Solberg
Foss	Luick	Trenbeath
Gronvold	Meidinger	Wadeson
Harris	Miller	Wartner

Those voting in the negative were:

Baeverstad	Hystad	Roen
Berube	Johnson	Saumur
Erickson	Kisse	Thompson
Garaas	Murphy	Van Horn
Gefreh	Reichert	Witteman
George	Ringsak	Yunker
Gilbertson		

So the bill passed and the title was agreed to.

Senate Bill No. 235. A Bill for an Act to amend and re-enact sections 49-05-05 and 49-05-06 of the North Dakota Century Code, relating to the filing by public utilities of

rates, fares, schedules, classifications, contracts, rules, and regulations, with the public service commission, and the investigation thereof by the commission.

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, 20; nays, 29; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	George	Luick
Baker	Gronvold	Meidinger
Brooks	Hernett	Morgan
Erickson	Holand	Mutch
Erickstad	Kee	Ringsak
Foss	Lips	Thompson
Gefreh	Longmire	

Those voting in the negative were:

Andre	Kamrath	Saumur
Becker	Kisse	Schrock
Berube	Lautenschlager	Solberg
Bopp	Miller	Trenbeath
Fiedler	Murphy	Van Horn
Garaas	Nesvig	Wadeson
Gilbertson	Paulson	Wartner
Harris	Redlin	Wittman
Hystad	Reichert	Yunker
Johnson	Roen	

So the bill was declared lost.

Senate Bill No. 149. A Bill for an Act to create and enact chapter 57-51.1 of the North Dakota Century Code, relating to establishment of a use tax on oil, gas, and petroleum products to be supplementary to the North Dakota gross production tax and upon which no gross production tax has been paid, providing for its administration, 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, 17; nays, 32; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	George	Mutch
Baker	Gronvold	Ringsak
Brooks	Harris	Roen
Erickson	Hernett	Wadeson
Foss	Luick	Wartner
Gefreh	Morgan	

Those voting in the negative were:

Andre	Kamrath	Redlin
Becker	Kee	Reichert
Berube	Kisse	Saumur
Bopp	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Garaas	Meidinger	Trenbeath
Gilbertson	Miller	Van Horn

Holand	Murphy	Witteinan
Hystad	Nesvig	Yunker
Johnson	Paulson	

So the bill was declared lost.

Senate Bill No. 245. A Bill for an Act to amend and reenact sections 15-40-02, 15-40-18, 15-34-26, and 57-15-24 of the North Dakota Century Code relating to payments to the county equalization fund from the state equalization fund and for county mill levies for the balance of payments due from the county equalization fund.

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, 22; nays, 27; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Harris	Mutch
Becker	Johnson	Ringsak
Brooks	Kee	Saumur
Erickstad	Lips	Trenbeath
Foss	Longmire	Wadeson
Gefreh	Meidinger	Wartner
George	Morgan	Yunker
Gronvold		

Those voting in the negative were:

Andre	Holand	Paulson
Baker	Hystad	Redlin
Berube	Kamrath	Reichert
Bopp	Kisse	Roen
Erickson	Lautenschlager	Schrock
Fiedler	Luick	Solberg
Garaas	Miller	Thompson
Gilbertson	Murphy	Van Horn
Hernett	Nesvig	Witteinan

So the bill was declared lost.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senator Hernett introduced:

Senate Concurrent Resolution "MM". A concurrent resolution commending the many achievements made by the North Dakota Federation of Women's Clubs in North Dakota and to direct that a resolution adopted by such organization be printed in the senate and house journals.

Was read the first time and referred to the Committee on Transportation.

Senators Lips, Longmire and Becker introduced:

Senate Concurrent Resolution "NN". A concurrent resolution urging the Congress of the United States to pass enabling legislation authorizing individuals to withhold ten percent of their due federal income tax, to be used for school purposes, if an individual state determines such additional money is needed.

Was read the first time and referred to the Committee on Education.

Senators Roen and Reichert introduced:

Senate Concurrent Resolution "OO". A concurrent resolution commending the sponsors of legislation presently in Congress which seeks to remedy the sanitation and water supply facilities of Medora, North Dakota, and also urging the Congress to favorably consider such proposed legislation.

Was read the first time and referred to the Committee on State and Federal Government.

Senator Lips introduced:

Senate Concurrent Resolution "PP". A concurrent resolution approving a lease contract between the state board of administration and Bismarck special school district.

Was read the first time and referred to the Committee on State and Federal Government.

Senators Holand and Erickstad introduced:

Senate Concurrent Resolution "QQ". A concurrent resolution directing the legislative research committee to study methods of equalizing the tax burden; the feasibility of shifting a portion of such tax burden from property to income; methods of equalizing local effort in support of schools as a requirement for participation in the school foundation program; and the portion of school costs that should be borne by the state and the portion that should be borne by local levels of government.

Was read the first time and referred to the Committee on Finance and Taxation.

Senators Holand and Erickstad introduced:

Senate Concurrent Resolution "RR". A concurrent resolution directing the legislative research committee to conduct a study of the possibility of extending the services of the state in the fields of law enforcement, education, health, and welfare to certain Indian citizens not presently receiving such services.

Was read the first time and referred to the Committee on State and Federal Government.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 17, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 52
 Senate Bill No. 53
 Senate Bill No. 95
 Senate Bill No. 122
 Senate Bill No. 146
 Senate Bill No. 151
 Senate Bill No. 184
 Senate Bill No. 217
 Senate Bill No. 218
 Senate Bill No. 219
 Senate Bill No. 224
 Senate Bill No. 227
 Senate Bill No. 244
 Senate Bill No. 272
 Senate Bill No. 278
 Senate Bill No. 292

Which the Senate has passed and your favorable consideration is requested.

HOWARD F. DOHERTY, Secretary.

MOTIONS

Senator Holand moved that the absent Senator be excused, which motion prevailed.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FORTY-SIXTH DAY

Bismarck, February 17, 1961

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. E. O. Grunstead, Charles Wesley Burns Memorial Methodist, Mandan.

Our heavenly father, humbly we stand before Thee today to say praise to the Lord to whom all praise is due. Thou art the ruler of all nature, Thy love and Thy wisdom is beyond the measure of man's mind, and the heart of the eternal is most wonderfully kind. O Lord, may we have such a realization of our sonship to Thee that we may look upon all this wonderful world, filled with so many responsibilities and recognize always that we must be used in accordance with Thy will. Give us reverence for the truth, help us always to have the desire to think and speak honestly, and we pray that Thou will save us from being afraid of that which is just and true. Help us we pray, to keep open the windows of our souls to Thee in prayer, and renew us every day by Thy grace, that through all the restlessness and complexity of life we may always possess the peace of God which passeth all understanding.

We pray today for this group of people who are endeavoring in the closing days of this Legislative Assembly to do what they feel is best for our state and its people. Give them wisdom and understanding as well as courage, as they face up to their duties may it be in the spirit of Him who faced every issue with faith in what he believed to be right.

Lord of the nations, thus to Thee
Our country we commend;

Be Thou her refuge and her trust,
Her everlasting friend.

Amen.

Roll Call: All Senators present.

A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the forty-fourth day after recess and forty-fifth day and finds the same correct.

SENATOR HARRIS, Chairman.

Senator Harris moved that the report be adopted, which motion prevailed.

Senator Holand moved that the Senate recess until 1:00 p.m., February 18, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary

FORTY-SIXTH DAY AFTER RECESS AND
FORTY-SEVENTH DAY

Bismarck, February 18, 1961

The Senate convened at 1:00 p.m., the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution "DD" has had the same under consideration and recommends that the same be amended as follows:

In line 7 delete the word "adverse"

Delete all of lines 19 through 21 and insert in lieu thereof the following: "The Postmaster"

In line 23 delete the word "such" and insert in lieu thereof the following: "the metro mail"

In line 24 delete the semicolon and insert in lieu thereof "in any area located on any mail line for passenger service."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred House Bill No. 542 has had the same under consideration and recommends that the same do pass.

SENATOR MILLER, Chairman.

Senator Miller moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred House Bill No. 543 has had the same under consideration and recommends that the same do pass.

SENATOR MILLER, Chairman.

Senator Miller moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 561 has had the same under consideration and recommends that the same be amended as follows:

In line 7 after the word "disability" insert the words "or death"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred House Bill No. 579 has had the same under consideration and recommends that the same do pass.

SENATOR MILLER, Chairman.

Senator Miller moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred House Bill No. 588 has had the same under consideration and recommends that the same do pass.

SENATOR MILLER, Chairman.

Senator Miller moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 594 has had the same under consideration and recommends that the same be amended as follows:

In line 11 delete the period, insert in lieu thereof a comma and add the following: "provided, that in no event shall the rules and regulations adopted by the state fire marshal be more restrictive than those promulgated by the National Fire Codes of the National Fire Protection Association and shall not apply to the transportation of explosives and dangerous articles regulated by the Interstate Commerce Commission. Provided, however, that the state fire marshal may make reasonable provision for the application or nonapplication thereof."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 608 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred House Bill No. 636 has had the same under consideration and recommends that the same do pass.

SENATOR MILLER, Chairman.

Senator Miller moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 642 has had the same under consideration and recommends that the same do pass.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 655 has had the same under consideration and recommends that the same be amended as follows:

In line 1 of the title delete "providing for" and insert in lieu thereof "prohibiting"

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 671 has had the same under consideration and recommends that the same do pass.

SENATOR KEE, Chairman.

Senator Kee moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 697 has had the same under consideration and recommends that the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 698 has had the same under consideration and recommends that the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred House Bill No. 814 has had the same under consideration and recommends that the same do pass.

SENATOR MILLER, Chairman.

Senator Miller moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 824 has had the same under consideration and recommends that the same be amended as follows:

In line 13 of the title delete the words "subsection 4 of"

In line 14 of the title delete the words "speed limit" and insert in lieu thereof "restrictions on the operation of mobile homes"

In line 17 delete the underscore and insert in lieu thereof a parenthesis

In lines 58 and 95 delete the double dash and insert in lieu thereof a parenthesis

In line 157 after the word "PENALTY." delete the double dash and insert in lieu thereof a parenthesis

In line 176 delete the words "Subsection 4 of section" and insert in lieu thereof "Section"

Delete everything after line 178 and insert in lieu thereof the following:

39-18-05. WIDTH, LENGTH AND HEIGHT OF MOBILE HOMES, OPERATED IN THE STATE OF NORTH DAKOTA — OVERSIZE PERMITS.) It shall be unlawful for for any person to operate or tow a mobile home upon the highways of the state of North Dakota, the length of which mobile home shall be over (((fifty))) sixty feet, or which shall have a body width of over eight feet, and a height of over twelve and one-half feet, except as otherwise provided in this section. Mobile homes moved in the interest of merchandising or relocation of a man's home shall be considered "good cause."

1. For good cause shown, therefore, the state highway department may, at their discretion, issue single trip permits for movement of a mobile home exceeding statutory size to persons or firms having adequate towing vehicle and insurance coverage. The state highway department shall have authority to establish reasonable permit conditions and regulations in the interest of safety, public interest and adverse weather conditions. The state highway department shall have authority to revoke permits when such holder violates or abuses the privilege or conditions of permit.
2. For good cause shown, therefore, the state highway department may, in their ordinary course of business, issue annual permits for movement of mobile homes exceeding statutory size, to mobile home manufacturers, dealers or transport companies; providing, however, that the towing vehicle shall consist of a three-fourths ton or larger truck with dual wheels, and that no annual permits shall be issued for movement of mobile homes exceeding over-all dimensions of one hundred and twenty inches wide, plus safety equipment, if required.
3. No oversize permits shall be valid during period of sunset to sunrise or during period of twelve o'clock noon Saturday to sunrise Monday or on holidays of New Year's, Memorial, Independence, Labor, Thanksgiving and Christmas days.
4. For each permit issued there shall be charged a fee of five dollars, except that on annual permits each movement shall be charged a transit fee of five dollars. Further, no mobile home having a width in excess of eight feet shall be moved at a speed in excess of (((thirty-five))) fifty miles per hour. No mobile home shall be moved unless such movement is covered by liability insurance in the amount of at least one hundred thousand dollars for bodily injury liability for one person, at least three hundred thousand dollars for bodily injury liability for one accident, and at least twenty thousand dollars property damage liability.

Provided, however, that the limitations as to width, length and height of mobile homes herein provided for, shall not apply to mobile homes which are now in use in North Dakota which exceed these limitations and which have heretofore been licensed by the state of North Dakota.

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR KEE, Chairman.

Senator Kee moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred House Concurrent Resolution "B" has had the same under consideration and recommends that the same do pass.

SENATOR MILLER, Chairman.

Senator Miller moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Concurrent Resolution "U" has had the same under consideration and recommends that the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Concurrent Resolution "E-1" has had the same under consideration and recommends that the same be amended as follows:

In line 8 delete the words "and conclusive"

Delete all of lines 18, 19, 20, 21 and 22 and insert in lieu thereof the following: "That the state highway department receive acknowledgement of its thorough study on surface types and is hereby directed to submit the report to the Commissioner of the Bureau of Public Roads requesting his views and comments relative to its use as a guide for continued highway planning and construction."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR KEE, Chairman.

Senator Kee moved that the report be adopted, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 515. 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 the two agricultural schools on the basis of enrollment.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 545. A Bill for an Act to amend and reenact sections 12-46-01, 12-46-15, 12-52-02, and 54-23-01 relating to the name of the state training school and records of training school students.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 699. A Bill for an Act to amend and reenact section 36-11-07 of the North Dakota Century Code, relating to liability of owners of livestock inflicting damage to persons or property of another.

Was read the first time and referred to the Committee on Agriculture.

House Bill No. 729. A Bill for an Act to amend and reenact sections 16-04-15 and 16-04-20 of the North Dakota

Century Code, relating to establishment of the upside down consolidated primary election ballot and the political parties entitled to space thereon.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 735. A Bill for an Act to amend and reenact sections 26-22-11, 26-22-30, 26-22-46, and 26-22-54 of the North Dakota Century Code, relating to the state hail insurance department coverage of fire losses and declaring an emergency.

Was read the first time and referred to the Committee on Agriculture.

House Bill No. 754. A Bill for an Act to amend and reenact section 15-22-21 of the North Dakota Century Code, relating to the dissolution of school districts.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 775. A Bill for an Act to amend and reenact Section 15-47-24 of the North Dakota Century Code relating to teaching conservation of natural resources.

Was read the first time and referred to the Committee on Education.

House Bill No. 780. A Bill for an Act to authorize county auditors to designate any official of any state or national bank as agent for such county auditor in the distribution of absent voters' ballots and providing for the delivery of such ballots to persons who will act as inspectors of elections.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 782. A Bill for an Act to amend and reenact section 57-15-10.1 of the North Dakota Century Code; relating to the authority of counties and cities to levy a tax for advertising purposes.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 789. A Bill for an Act to amend and reenact section 15-39-40 of the North Dakota Century Code relating to the teachers' insurance and retirement fund membership.

Was read the first time and referred to the Committee on Education.

House Bill No. 796. A Bill for an Act to amend and reenact subsection 1 of section 4-09-10 of the North Dakota Century Code relating to labeling requirements for agricultural seed.

Was read the first time and referred to the Committee on Agriculture.

House Bill No. 797. A Bill for an Act to amend and reenact subsection 11 of section 57-02-08 of the North Dakota Century Code, relating to exclusions and exemptions from taxation of non-profit fraternal organizations and associations, and providing for taxation of that portion not used exclusively for places of meeting and conduct of fraternal business, providing for taxation of that portion of such premises where food or alcoholic beverages are consumed or sold at a profit.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 839. A Bill for an Act to create and enact sections 11-33-21, 11-34-05, 40-47-14, and 58-03-16 of the North Dakota Century Code relating to penalties for violation of zoning laws.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 840. A Bill for an Act to amend and reenact sections 58-03-11 and 58-03-13 of the North Dakota Century Code relating to zoning districts and township zoning commissions.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 847. A Bill for an Act to amend and reenact section 40-45-03 of the North Dakota Century Code, relating to the membership of the board of trustees of policemen's pension funds.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 863. A Bill for an Act to require persons who claim real property to be exempt from assessment and taxation to file annually with the assessor and county auditor a certificate setting out the basis for claiming the exemption; and providing exceptions.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 872. A Bill for an Act to amend and reenact section 16-17-15 of the North Dakota Century Code relating to state's central committee meetings.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 878. A Bill for an Act to amend and reenact section 10-22-01 of the North Dakota Century Code relating to admission of foreign corporation.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 894. A Bill for an Act to amend and reenact sections 57-15-22 and 57-15-22.1 of the North Dakota Century Code, relating to tax levy limitations in unorganized townships; to provide for transfer of funds for special roads and bridges; and to repeal section 57-15-19.1 of the North Dakota Century Code relating to levies for surfacing highways in unorganized townships.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 897. A Bill for an Act to amend and reenact section 57-20-06 of the North Dakota Century Code, relating to delivery of tax lists to county treasurer.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 899. A Bill for an Act to amend and reenact section 15-52-20 of the North Dakota Century Code relating to repayment for medical scholarship loans.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 914. A Bill for an Act to amend and reenact section 63-01-17 of the North Dakota Century Code, relating to the establishment of emergency areas for the control of leafy spurge and perennial peppergrass, and declaring an emergency.

Was read the first time and referred to the Committee on Agriculture.

House Bill No. 920. A Bill for an Act to amend and reenact sections 43-22-02; 43-22-03 and 43-22-08 of North Dakota Century Code relating to Oil, Gas, and Mineral Broker.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 922. A Bill for an Act to amend and reenact Subsection 1 of section 10-04-03 of the North Dakota Century Code relating to administration and supervision of issue and sale of securities.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 923. A Bill for an Act to amend and reenact section 6-08-16 and to create and enact section 6-08-16.1 of the North Dakota Century Code relating to the issuance of a check or draft without sufficient funds or an account, and providing a penalty.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 928. A Bill for an Act repealing subsections 2, 7, 8, 9, 10, 11, 12, 13, 15, 17, and 19 of section 54-21-13 and section 54-21-14 of the North Dakota Century Code relating to the powers and duties of the board of administration in child welfare matters.

Was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

House Bill No. 505. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, and equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 527. A Bill for an Act making an appropriation for the salaries and miscellaneous expenses of the Division of Supervised Study.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 547. A Bill for an Act to amend and reenact chapter 37-17 of the North Dakota Century Code, relating to civil defense within the State by creating a civil defense division within the office of the adjutant general to serve in event of major man-made or natural disasters; to provide for a director thereof; to define the powers and duties of the director and the governor in relation thereto; to provide for the organization of civil defense organizations on the local levels within the state; to provide immunities from certain liabilities for civil defense workers; to create and enact section 37-12-14 of the North Dakota Century Code relating to the authority of the governor to commission local civil defense directors as officers in the state guard; and declaring an emergency.

Was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

House Bill No. 550. A Bill for an Act to amend and reenact subsection 2 of section 39-04-19 and section 39-04-39 of the North Dakota Century Code relating to the motor vehicle registration fees and the distribution thereof.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 661. A Bill for an Act making an appropriation to the state board of higher education for the purpose of taking advantage of the National Defense Student Loan Program.

Was read the first time and referred to the Committee on Education.

House Bill No. 684. A Bill for an Act to amend and reenact subsection 9 of section 10-15-03 of the North Dakota Century Code relating to donations by cooperatives for educational scholarships; and to repeal subdivision a of subsection 2 of section 10-15-33 of the North Dakota Century Code relating to educational funds of cooperatives.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 687. A Bill for an Act to repeal subsection 10 of section 57-38-22 of the North Dakota Century Code, relating to the income tax deductibility of dividends paid by cooperatives.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 690. A Bill for an Act to amend and reenact section 15-34-24 of the North Dakota Century Code, relating to aid for transportation of school children.

Was read the first time and referred to the Committee on Education.

House Bill No. 723. A Bill for an Act to provide for tuition payments for children residing in a home maintained by any nonprofit corporation pursuant to a court order.

Was read the first time and referred to the Committee on Education.

House Bill No. 726. A Bill for an Act to amend and reenact section 52-09-13 of the North Dakota Century Code relating to Employer tax payments.

Was read the first time and referred to the Committee on State and Federal Government.

House Bill No. 736. A Bill for an Act to repeal chapter 27-18 of the North Dakota Century Code relating to county justices, and providing for fees to be charged by county justices.

Was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 762. A Bill for an Act to amend and reenact sections 15-62-02 and 15-62-05 of the North Dakota Century Code, relating to scholarship loans and to make an appropriation.

Was read the first time and referred to the Committee on Education.

House Bill No. 802. A Bill for an Act to create and enact section 6-08-24.1 of the North Dakota Century Code, relating to the disposition of certain unclaimed checking accounts.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 842. A Bill for an Act relating to taxation of building and loan associations, repealing subsection 6 of section 57-38-09 and amending subsection 12 of section 57-02-08 of the North Dakota Century Code, and providing penalties.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 844. A Bill for an Act amending and reenacting section 7-01-04 of the North Dakota Century Code, relating to capital requirements of building and loan associations or savings and loan associations.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 857. A Bill for an Act providing for the escheat of certain unclaimed property and providing a procedure for enforcement thereof, providing for a reserve fund in certain instances and providing a penalty.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 866. A Bill for an Act to amend and reenact section 57-15-06 of the North Dakota Century Code relating to tax levy limitations on counties.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 886. A Bill for an Act to repeal section 7-04-14 of the North Dakota Century Code, relating to advancement of funds by savings and loan associations to protect liens.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 891. A Bill for an Act to amend and reenact section 51-06-02 of the North Dakota Century Code relating to trading stamps and requiring certain reports and to require retailers electing to furnish trading stamps or similar devices to grant discounts to purchasers who may so elect.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 893. A Bill for an Act to amend and reenact subsection 3 of section 36-15-01, section 36-15-02, section 36-15-04, section 36-15-09, and subsection 7 of section 36-15-11 of the North Dakota Century Code relating to the condemnation, and the appraisal, by the livestock sanitary board or its agents of diseased animals afflicted with tuberculosis or paratuberculosis (John's disease), providing for maximum indemnity payments to livestock owners, and providing when livestock owners may not be indemnified; and to repeal section 36-15-05 of the North Dakota Century Code relating to maximum valuations of diseased animals.

Was read the first time and referred to the Committee on Agriculture.

House Bill No. 905. A Bill for an Act to amend and reenact section 60-02-17 of the North Dakota Century Code relating to warehouse and storage contracts for the storage of grain.

Was read the first time and referred to the Committee on Agriculture.

House Bill No. 908. A Bill for an Act to amend and reenact subsection 7 of section 57-38-01 to provide for a definition of "taxable year"; subsection 21 of section 57-38-01 and subdivision c of subsection 8 or section 57-38-18 relating to the definition of "Internal Revenue Code of 1954, as amended"; subsection 2 of section 57-38-31 to provide for the filing of separate returns at any time within three years after the due date of the return by a married couple who have previously filed a joint return; section 57-38-29 relating to rates of tax on income of individuals; section 57-38-36 to provide for the acceleration of the payment of quarterly installments where the taxpayer has failed to pay an installment in full on or before the date fixed or its payment; section 57-38-40 to provide for an extension of the period of time within which a taxpayer may apply for a revision of the tax assessed, where the revision has been occasioned by the three-year carry-back of a net operating loss; and to repeal section 57-38-23 and subsection 11 of section 57-38-01; all of the North Dakota Century Code.

Was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 921. A Bill for an Act to amend and reenact subsection 3 of section 10-04-03, sections 10-04-04, 10-04-05, 10-04-06, subsection 2 of section 10-04-08, sections 10-04-08.2 and 10-04-10, and to create and enact section 10-04-07.1 and subsection 10 of section 10-04-08.1 of the North Dakota Century Code, relating to the administration, registration and exemption of securities and securities laws.

Was read the first time and referred to the Committee on Industry, Business and Labor.

House Bill No. 929. A Bill for an Act to amend and reenact section 18-06-11 of the North Dakota Century Code, relating to contracts for fire protection in unorganized townships and mill levy, and declaring an emergency.

Was read the first time and referred to the Committee on Finance and Taxation.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution "A-1". A concurrent resolution requesting the Congress of the United States, acting through the United States Department of Agriculture and the Commodity Credit Corporation, to modify certain provisions of the uniform grain storage agreement now utilized by the Commodity Credit Corporation.

Was read the first time and referred to the Committee on Agriculture.

House Concurrent Resolution "J-1". A concurrent resolution urging appropriate county officials to make the maximum possible utilization of existing legal procedures for the collection of delinquent personal property taxes.

Was read the first time and referred to the Committee on State and Federal Government.

MOTIONS

Senator Murphy moved that House Bill No. 545 be returned to the Senate from the Committee on Judiciary.

Senator Fiedler made the substitute motion that further consideration of the motion of Senator Murphy be laid over until Monday, which motion prevailed.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FORTY-SEVENTH DAY

Bismarck, February 18, 1961

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. Clifford Nuss, First Baptist, Bismarck.

Our Heavenly Father, we come before Thee and Thy throne of grace praying for divine guidance upon this Senate and upon the deliberations of its members.

We thank Thee for our life and for the privilege of serving Thee and our fellowmen today. Grant to each the courage to accept the challenges and opportunities which are set before us this day.

Guide the efforts of these lawmakers to produce the kind of legislation that will bring about sound government for our beloved state.

For our own personal needs, reinforce our moral and spiritual beings with integrity. Refine our thoughts of mind and motives of heart. Remold our character to pattern our lives after Thy Son, the master of men.

In Jesus' name we pray. Amen.

Roll call: All Senators present except Senators Baker, Berube, Bopp, Erickson, Garaas, George, Gronvold, Kee, Lautenschlager, Reichert, Roen, Solberg, Trenbeath, Van Horn, and Witteman.

A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the forty-fifth day after recess and forty-sixth day and finds the same correct.

SENATOR HARRIS, Chairman.

Senator Harris moved that the report be adopted, which motion prevailed.

Senator Holand moved that the Senate recess until 1:00 p.m., on February 20, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

**FORTY-SEVENTH DAY AFTER RECESS AND
FORTY-NINTH DAY**

Bismarck, February 20, 1961

The Senate convened at 1:00 p.m., the President presiding.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 664

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 "D"

Senate Concurrent Resolution "F"

Were delivered to the Secretary of State at the hour of 11:00 o'clock a.m., February 20, 1961.

SENATOR KISSE, Chairman.

MOTIONS

The question being on the motion of Senator Murphy that House Bill No. 545 be returned to the Senate from the Committee on Judiciary, which motion was lost.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 550 has had the same under consideration and recommends that the same be amended as follows:

In line 134 delete "72,001-73,286" and insert in lieu thereof "72,001-73,280"

And when so amended recommends the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 555 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: The majority of your Committee on State and Federal Government to whom was referred House Bill No. 582 has had the same under consideration and the majority recommends that the same be indefinitely postponed.

Senators:

George Longmire
A. F. Gronvold
P. L. Foss
Aloys Wartner, Jr.
Kenneth L. Morgan
Elton W. Ringsak
Clayton Paulson

Senator Longmire moved that the report be adopted.

Mr. President: A minority of your Committee recommends that the same do pass.

Senators:

Walter R. Fiedler
Jerome Nesvig
John O. Garaas
Selmer Gilbertson

Senator Fiedler moved that the report of the minority be substituted for that of the majority.

Senator Longmire made the substitute motion that House Bill No. 582 be re-referred to the Committee on State and Federal Government, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 596 has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 598 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 607 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 641 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 652 has

had the same under consideration and recommends that the same be amended as follows:

In line 14, delete "thirty" and insert in lieu thereof "three"

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 669 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 677 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 680 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 703 has had the same under consideration and recommends that the same be amended as follows:

In line 27 delete the words "apply for" and insert in lieu thereof the word "purchase"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 714 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 717 has had the same under consideration and recommends that the same be amended as follows:

In line 11 delete "follow" and insert in lieu thereof "follows"

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 751 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 769 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 784 has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 888 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Concurrent Resolution "JJ" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted.

Senator Garaas moved that further consideration of the adoption of the committee report on Senate Concurrent Resolution "JJ" be laid over one legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Longmire moved that the amendments to Senate concurrent Resolution "DD" be adopted, which motion prevailed.

Senator Hernet moved that the amendments to House Bill No. 561 be adopted, which motion prevailed.

Senator Hernet moved that the amendments to House Bill No. 594 be adopted, which motion prevailed.

Senator Hernet moved that the amendments to House Bill No. 655 be adopted, which motion prevailed.

Senator Holand moved that the reading of the amendments to House Bill No. 824 be dispensed with, which motion prevailed.

Senator Kee moved that the amendments to House Bill No. 824 be adopted, which motion prevailed.

Senator Kee moved that the amendments to House Con-

current Resolution "E-1", be adopted, which motion prevailed.

MOTIONS

Senator Fiedler: Mr. President, we have with us today two distinguished ladies, Mrs. Rosamond O'Brien Lowe, Chairman Dakota Territory Centennial Commission, and Mrs. Marion J. Piper, Executive Director Centennial, and I move at this time that a committee of two be appointed to escort these ladies to the rostrum.

The question being on the motion of Senator Fiedler, which motion prevailed.

The President appointed as such committee Senators Fiedler and Lips, and Mrs. Lowe and Mrs. Piper were escorted to the rostrum and invited to address the Senate.

Mrs. Lowe: Mr. President, members of the Senate, visitors and North Dakotans all. I am certainly happy to be back here but I don't believe I ever expected to have the opportunity to stand up here and give any sage remarks. It will be now twenty years since the name O'Brien first appeared in the North Dakota Senate and it was my husband, the late Harry O'Brien, who first used that phrase about the Democrat caucus being held in the telephone booth. Thank heavens that day is long gone. I am not here today to make any political observation and I am sure you are very happy to hear that. This affair I am going to discuss with you today is strictly nonpolitical. I was appointed to my position by former Governor John Davis and Governor Guy has asked me to continue in the position so that should make me neither fish nor fowl so far as political activity is concerned. Our commission is made up of a large number of people, twenty-five at least, and they are from all walks of life and all political affiliations and so we expect to have a very fine observance of this 100th anniversary of Dakota Territory. We have had a late start and I want to thank you, members of the Legislature, for passing the appropriations bill that made it possible for us to get our office started and for your interest in helping us to promote the centennial during this year. Mrs. Piper and I made a trip a week or so ago to South Dakota, which is our sister state in observing this centennial simultaneously with us. We found that they have a two years and two months headstart on us because they had foresight to organize their commission that long ago. Consequently we are going to have to make up for lost time in the remaining months of 1961. We are going to have to go at top speed in order to make it a thorough going observance. We have placed on your desks today our official button for the centennial and Mrs. Piper will tell you something about that a little later, and a certificate that will make you an honorary citizen of South Dakota as we are joining with South Dakota for this centennial year. We are not going to sponsor any one celebration. However, we are going to encourage throughout the state and in every home, school and other activities the use of the centennial theme. I want to thank you for listening to me and thank you very much for your kindness to us at all times. Now, I shall have Mrs. Piper speak to you just very briefly.

Mrs. Piper: Thank you, Governor Hagen, and members of the Senate. We are proud you are wearing our official

emblem this afternoon. I won't say anything about Four Bears because you heard a lot about him in the last session. The reproduction of Four Bears is taken from an original painting. The design includes the covered wagon, pioneer home, and wheat design which is symbolic of agriculture. We have adopted as our slogan for the centennial the one adopted by the 35th Legislative Assembly "Strength from the Soil". Objective of the centennial in North Dakota is to kindle state pride and to invite the rest of the nation to enjoy with us some publicity material on the resources and wonders which we have in this northern part of Dakota Territory.

I will join with Jim Foley, and I think this should be expounded more throughout our State, in saying:

"There's a wholesomeness about it that I couldn't quite explain;

Once you breathe this air you love it and you long for it again;"

"Makes you bigger, broader, better; makes you know the worth of toil;

Makes you free as are her prairies and as noble as her soil;"

Senator Ringsak moved that the remarks of Mrs. Lowe and Mrs. Piper be placed in the Journal, which motion prevailed.

MOTIONS

Senator George moved that House Bill No. 583 be returned to the Senate from the Committee on Political Subdivisions, which motion prevailed.

Senator George moved that House Bill No. 583 be referred to the Committee on Judiciary, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, February 20, 1961

Mr. President: I have the honor to return:

Senate Bill No. 3
Senate Bill No. 10
Senate Bill No. 12
Senate Bill No. 16
Senate Bill No. 18
Senate Bill No. 64
Senate Bill No. 76
Senate Bill No. 79
Senate Bill No. 106
Senate Bill No. 125
Senate Bill No. 133
Senate Bill No. 135
Senate Bill No. 145
Senate Bill No. 147
Senate Bill No. 152
Senate Bill No. 154
Senate Bill No. 159
Senate Bill No. 180

Senate Concurrent Resolution "E"

Senate Concurrent Resolution "M"

Senate Concurrent Resolution "R"

Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 20, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 664

Which the President has signed.

HOWARD F. DOHERTY, Secretary.

SECOND READING OF HOUSE BILLS

House Bill No. 563. A Bill for an Act authorizing the board of administration to sell certain farm buildings and lands belonging to the state tuberculosis sanatorium.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold		

Those voting in the negative were:

Murphy

Absent and not voting:

Roen Yunker

So the bill passed and the title was agreed to.

House Bill No. 569. A Bill for an Act to amend and reenact sections 54-15-01 and 54-15-03 of the North Dakota Century Code, relating to the appointment of alternate members of the state budget 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, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak

Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold		

Those voting in the negative were:

Murphy

Absent and not voting:

Roen

Yunker

So the bill passed and the title was agreed to.

Senator Gefreh moved that the absent Senators be excused, which motion prevailed.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FORTY-NINTH DAY

Bismarck, February 20, 1961

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. Erwin Wieland, American Lutheran, Bismarck.

O Lord, our Heavenly Father, Whose blessed Son came not to be ministered unto, but to minister: We beseech Thee to bless all who following in His steps, give themselves to the service of their fellowmen. Endue them with wisdom, patience, and courage — inspire them by Thy love — that they minister in Thy Name to the suffering, the friendless, and the needy — for the sake of Him Who laid down His life for us. O Lord Jesus Christ, who Didst consecrate Thyself wholly to the doing of Thy Father's will: Conform our wills unto Thine, take our hearts and fill them with Thy love, take our lips and speak through them to Thy Kingdom's spread, take our lives and use them to Thy blessed purpose; make us, Lord, vessels of Thy grace, examples of Thy teaching, witnesses of Thy truth and glory; Who livest and reignest with the Father and the Holy Ghost, One God world without end. Amen.

Roll Call: All Senators present except Senators Roen and Yunker.

A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the forty-sixth day after recess and forty-seventh day and recommends that the same be corrected as follows:

On page 601, after line 46 insert the following: "House Bill No. 736. A Bill for an Act to repeal chapter 27-18 of the North Dakota Century Code relating to county justices, and providing for fees to be charged by county justices.

Was read the first time and referred to the Committee on Political Subdivisions."

And when so corrected recommends that the same be approved.

SENATOR HARRIS, Chairman.

Senator Harris moved that the report be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 593. A Bill for an Act authorizing the board of administration to sell, transfer and convey certain real property now owned by the State of North Dakota under the control of the State Training School.

Which has been read.

Senator Murphy: Pursuant to Rule 25, I would like to ask permission of the Senate not to vote on this measure. I would like to assign the reason that more than a year ago I was asked by one of my constituents to investigate a legal problem in connection with this type of a bill and whether or not it could be done in one manner or another, and I did so and charged a fee for it and therefore don't believe I should vote on the measure because of the action I have taken on behalf of the sponsors of this bill.

The question being on the request of Senator Murphy that he be excused from voting because of reasons stated, which request was granted and Senator Murphy was excused from voting.

ROLL CALL

The question being on the final passage of House Bill No. 593, the roll was called and there were ayes, 43; nays, 3; absent and not voting, 2; excused, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Kamrath	Reichert
Berube	Kee	Ringsak
Bopp	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gronvold	Mutch	Witteaman
Harris		

Those voting in the negative were:

Brooks	Gilbertson	Johnson
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Absent and not voting:

Roen	Yunker
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Excused from voting:

Murphy

So the bill passed and the title was agreed to.

House Bill No. 647. A Bill for an Act making an appropriation to the North Dakota state soldiers home for the

purpose of remodeling, air-conditioning and additional lighting for the laundry.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hernett	Mutch
Baeverstad	Holand	Nesvig
Becker	Hystad	Paulson
Berube	Johnson	Redlin
Bopp	Kamrath	Reichert
Brooks	Kee	Ringsak
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris		

Those voting in the negative were:

Baker

Absent and not voting:

Roen Yunker

So the bill passed and the title was agreed to.

House Bill No. 708. A Bill for an Act transferring any moneys in the penitentiary coffin manufacture fund 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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Harris	Murphy
Baeverstad	Hernett	Mutch
Baker	Holand	Nesvig
Becker	Hystad	Paulson
Berube	Johnson	Redlin
Bopp	Kamrath	Ringsak
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Witteman

Absent and not voting:

Garaas Roen Yunker

Reichert

So the bill passed and the title was agreed to.

House Bill No. 737. A Bill for an Act providing for the continuation of the North Dakota National Statuary Hall Commission and for an appropriation for the procurement of a statue of the Honorable John Burke for placement in National Statuary Hall and to pay the expenses of the 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, 3; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hernett	Murphy
Baeverstad	Holand	Nesvig
Baker	Hystad	Paulson
Becker	Johnson	Redlin
Berube	Kamrath	Reichert
Bopp	Kee	Ringsak
Brooks	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Gefreh	Luick	Trenbeath
George	Meidinger	Van Horn
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Witteaman
Harris		

Those voting in the negative were:

Erickson	Mutch	Wartner
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Absent and not voting:

Garaas	Roen	Yunker
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So the bill passed and the title was agreed to.

SECOND READING OF A HOUSE CONCURRENT

RESOLUTION

House Concurrent Resolution "O-1". A concurrent resolution urging the President to appoint a presidential emergency board under authority of the Railway Labor Act in regard to the strike involving Northwest Airlines.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 1; nays, 44; absent and not voting, 4.

Those voting in the affirmative were:

Murphy

Those voting in the negative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Schrock
Erickson	Kisse	Solberg
Erickstad	Lautenschlager	Thompson
Fiedler	Lips	Trenbeath

Foss	Longmire	Van Horn
Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gilbertson	Miller	Witteman
Gronvold	Morgan	
Absent and not voting:		
Garaas	Saumur	Yunker
Roen		

So the resolution was declared lost.

MOTIONS

Senator Holand moved that after the reading of House Bills Nos. 542, 543, 579, 588, 608, 636, 642, 671, 697, 698, 814 and House Concurrent Resolutions "B" and "U", that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

SECOND READING OF HOUSE BILLS

House Bill No. 542. A Bill for an Act to amend and reenact sections 23-08-03 and 23-08-06 of the North Dakota Century Code, relating to sterilization of persons in state institutions.

Which has been read.

Senator Murphy moved that House Bill No. 542 be referred to the Committee on Judiciary, which motion prevailed.

Senator Miller requested a division, which request was granted.

ROLL CALL

The question being on the motion of Senator Murphy, the roll was called and there were ayes, 17; nays, 19; absent and not voting, 13.

Those voting in the affirmative were:

Andre	Hystad	Redlin
Bopp	Johnson	Schrock
Brooks	Kamrath	Solberg
Fiedler	Murphy	Thompson
Gilbertson	Nesvig	Witteman
Hernett	Paulson	

Those voting in the negative were:

Baker	Holand	Meidinger
Becker	Kee	Miller
Erickstad	Kisse	Saumur
Foss	Lautenschlager	Trenbeath
Gefreh	Lips	Wadeson
George	Luick	Wartner
Harris		

Absent and not voting:

Baeverstad	Longmire	Ringsak
Berube	Morgan	Roen
Erickson	Mutch	Van Horn
Garaas	Reichert	Yunker
Gronvold		

So the motion was declared lost.

Senator Holand moved that House Bill No. 542 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 543. A Bill for an Act to amend and reenact section 25-04-06 of the North Dakota Century Code relating to voluntary admission to the Grafton state school.

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:

Andre	Harris	Morgan
Baeverstad	Hernett	Murphy
Baker	Holand	Nesvig
Becker	Hystad	Paulson
Bopp	Johnson	Redlin
Brooks	Kamrath	Saumur
Erickson	Kee	Schrock
Erickstad	Kisse	Solberg
Fiedler	Lautenschlager	Thompson
Foss	Lips	Trenbeath
Garaas	Luick	Wadeson
Gefreh	Meidinger	Wartner
George	Miller	Witteman
Gilbertson		

Absent and not voting:

Berube	Mutch	Roen
Gronvold	Reichert	Van Horn
Longmire	Ringsak	Yunker

So the bill passed and the title was agreed to.

House Bill No. 579. A Bill for an Act to create and enact section 15-54-08 of the North Dakota Century Code, relating to health certificates of employees of school lunch programs.

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, 6.

Those voting in the affirmative were:

Andre	Gronvold	Miller
Baeverstad	Harris	Morgan
Baker	Hernett	Nesvig
Becker	Holand	Paulson
Bopp	Hystad	Redlin
Brooks	Johnson	Ringsak
Erickson	Kamrath	Saumur
Erickstad	Kee	Schrock
Fiedler	Kisse	Solberg
Foss	Lautenschlager	Thompson
Garaas	Lips	Trenbeath
Gefreh	Longmire	Wadeson
George	Luick	Wartner
Gilbertson	Meidinger	Witteman

Those voting in the negative were:

Murphy

Absent and not voting:

Berube	Reichert	Van Horn
Mutch	Roen	Yunker

So the bill passed and the title was agreed to.

House Bill No. 588. A Bill for an Act to amend and reenact subsection 5 of section 23-06-21 and section 23-06-23 of the North Dakota Century Code, relating to the state department of health enforcement of cemetery regulations including furnishing reports and submitting plans.

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, 4.

Those voting in the affirmative were:

Andre	Gronvold	Morgan
Baeverstad	Harris	Murphy
Baker	Hernett	Nesvig
Becker	Holand	Ringsak
Berube	Hystad	Redlin
Bopp	Johnson	Saumur
Brooks	Kamrath	Schrock
Erickson	Kee	Solberg
Erickstad	Kisse	Thompson
Fiedler	Lautenschlager	Trenbeath
Foss	Lips	Van Horn
Garaas	Longmire	Wadeson
Gefreh	Luick	Wartner
George	Meidinger	Witteman
Gilbertson	Miller	

Those voting in the negative were:

Paulson

Absent and not voting:

Mutch	Roen	Yunker
Reichert		

So the bill passed and the title was agreed to.

House Bill No. 608. A Bill for an Act to amend and reenact section 43-25-06 and repeal section 43-25-17 of the North Dakota Century Code relating to registration of masseurs and the bond of the secretary-treasurer of the board of massage.

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:

Andre	Harris	Murphy
Baeverstad	Hernett	Mutch
Baker	Holand	Nesvig
Becker	Hystad	Paulson
Berube	Johnson	Redlin
Bopp	Kamrath	Ringsak
Brooks	Kee	Saumur
Erickson	Kisse	Schrock

Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold		

Absent and not voting:

Reichert	Roen	Yunker
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So the bill passed and the title was agreed to.

House Bill No. 636. A Bill for an Act to amend and reenact subsection 5 of section 50-08-03 of the North Dakota Century Code, relating to eligibility of assistance.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold		

Those voting in the negative were:

Murphy

Absent and not voting:

Roen	Yunker
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So the bill passed and the title was agreed to.

House Bill No. 642. A Bill for an Act to prohibit municipalities from adopting seasonal standards of time.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 8; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Harris	Murphy
Baeverstad	Hernett	Mutch
Becker	Holand	Nesvig
Berube	Hystad	Paulson
Bopp	Johnson	Redlin
Erickson	Kamrath	Reichert

Erickstad	Kisse	Schrock
Fiedler	Lautenschlager	Solberg
Foss	Lips	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Witteman

Those voting in the negative were:

Baker	Kee	Saumur
Brooks	Longmire	Wartner
George	Ringsak	

Absent and not voting:

Roen	Yunker
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So the bill passed and the title was agreed to.

Senator Brooks: Mr. President. I want to explain my vote. I voted against House Bill No. 642 for the reason I don't think it is incumbent on us to tell each community in the state how to run their affairs. It is true, as Senator Morgan has stated, many more cities used to go on daylight savings time, a lot of them don't now. We don't know when that thinking may change. They may desire to go back on it. Here we are now tying their hands.

MOTIONS

Senator Holand moved that the Senate recess until 1:00 p.m., February 21, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FORTY-NINTH DAY AFTER RECESS
AND FIFTIETH DAY

Bismarck, February 21, 1961

The Senate convened at 1:00 p.m., the President presiding.

REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 3
Senate Bill No. 10
Senate Bill No. 12
Senate Bill No. 16
Senate Bill No. 18
Senate Bill No. 64
Senate Bill No. 76
Senate Bill No. 79
Senate Bill No. 106
Senate Bill No. 125
Senate Bill No. 133
Senate Bill No. 135
Senate Bill No. 145
Senate Bill No. 147
Senate Bill No. 152
Senate Bill No. 154
Senate Bill No. 159
Senate Bill No. 180

And finds the same correctly enrolled.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following resolutions:

Senate Concurrent Resolution "E"
Senate Concurrent Resolution "M"

And finds the same correctly enrolled.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and En-grossment respectfully reports that it has examined the following resolution:

Senate Concurrent Resolution "DD"

And finds the same correctly engrossed.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 3
 Senate Bill No. 10
 Senate Bill No. 12
 Senate Bill No. 16
 Senate Bill No. 18
 Senate Bill No. 64
 Senate Bill No. 76
 Senate Bill No. 79
 Senate Bill No. 106
 Senate Bill No. 125
 Senate Bill No. 133
 Senate Bill No. 135
 Senate Bill No. 145
 Senate Bill No. 147
 Senate Bill No. 152
 Senate Bill No. 154
 Senate Bill No. 159
 Senate Bill No. 180

Senate Concurrent Resolution "E"

Senate Concurrent Resolution "M"

And the President signed the same in the presence of the Senate.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Education to whom was referred House Bill No. 544 has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 581 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 592 has had the same under consideration and recommends that the same be amended as follows:

In line 54 after the word "convenience" insert a comma and the following: "including previous attendance in another high school,"

In line 122 after the word "attendance" insert a comma and the following: "including legal school holidays and

days set aside for a North Dakota education association convention,"

Renumber the lines accordingly,

And when so amended recommends the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 597 has had the same under consideration and recommends that the same be amended as follows:

In line 12 after the word "surfacing" insert a comma and the following: "except that special fuel known as liquified petroleum gasoline used for heating purposes"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 615 has had the same under consideration and recommends that the same be amended as follows:

In line 6 delete "Ten" and insert in lieu thereof "Eight"

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 617 has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 618 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 620 has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 685 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted.

Senator Garaas made the substitute motion that House Bill No. 685 be placed on the calendar, which motion was declared lost.

The question being on the motion of Senator Longmire that the committee report on House Bill No. 685 be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 718 has had the same under consideration and recommends that the same be amended as follows:

In line 10, delete "December first" and insert in lieu thereof "September fifteenth"

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 740 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BAEVERSTAD Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 768 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 770 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 782 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 787 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 797 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 807 has had the same under consideration and recommends that the same be amended as follows:

In line 11 delete the word "fined" and insert in lieu thereof the word "assessed"

In line 12 delete the triple parenthesis

In line 13 delete the triple parenthesis

Remember the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 826 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 843 has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 863 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 890 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 897 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 904 has had the same under consideration and recommends that the same be amended as follows:

At the end of the title to the bill, delete the period and insert in lieu thereof the following:

“, and to amend and reenact section 57-38-22.1 relating to deductions of individuals in computing taxable income and to provide for deduction of income taxes paid to foreign countries”.

At the end of the bill after line 61 add the following:

“SECTION 3. AMENDMENT.) Section 57-38-22.1 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-38-22.1. DEDUCTIONS — (((OPTIONAL STANDARD —))) INDIVIDUALS. — In computing taxable income of individuals, there shall be deducted from net income the amount of federal incomes taxes, but not social security and self-employment taxes, plus income taxes of foreign countries, paid or accrued as the case may be, during the applicable tax year, adjusted by any federal or foreign tax refunds, to the extent that they were paid or accrued upon income which becomes a part of the North Dakota taxable income against which the North Dakota income tax rates are applied; plus (except as otherwise required by subsection 3 of this section) the larger of the amounts defined in subsections 1 and 2 of this section as follows:

1. (((An optional))) A standard deduction of five percentum of the net income after the deduction of federal income taxes (((,))) and income taxes of foreign countries, (((but not social security and self-employment taxes,))) not to exceed five hundred dollars, or
2. The total of (1) contributions, interest, taxes, child-care expense, losses and miscellaneous expenses deductible for federal income tax purposes under the United States Internal Revenue Code of 1954, as amended, and (2) all expenses paid during the income year, not compensated for by insurance or otherwise, for medical care, as defined for federal income tax purposes under the United States Internal Revenue Code of 1954, as amended, of the taxpayer, his spouse, or a dependent, with (((adjustments as follows:))) the following adjustment:
 - a. Subtract from said total the deduction for North Dakota income taxes.
 - (((b. Add to said total the amount of federal income taxes, but not social security and self-employment taxes paid or accrued, as the case may be, during the applicable tax year, adjusted by any federal tax refunds. Provided, however, that where married persons who have filed a joint federal income tax return file separately, such total of deductions under this subsection shall be divided between them according to law; and provided further that where a taxpayer has used an optional standard deduction on his federal return, he shall use the optional standard deduction provided in this section.
 - c. Add to said total any dividends or income received from stock or interest in any corporation and included in the adjusted gross income as computed for federal income tax purposes where the income of such corporation has been assessed and tax paid by the corporation under this chapter

and such dividends or income were received by the taxpayer as income during the income year if such corporation has reported the name and address of each person owning stock and the amount of dividends or income paid each such person during the year; when only part of the income of any corporation shall have been assessed and corporation income tax paid thereon under this chapter, only a corresponding part of the dividends or income received therefrom and included in federal adjusted gross income shall be deducted.))

3. Where married persons filed a joint federal income tax return but separate North Dakota income tax returns, the total of the deductions under subsection 2 of this section shall be divided between them according to law; and where a taxpayer has used an optional standard deduction on his federal return, he shall use the standard deduction provided in this section on his North Dakota return. Where married persons file separate North Dakota income tax returns, both must use the (((optional))) standard deduction if either elects to use it.
4. A taxpayer affected by income allocation provisions of this chapter applicable to persons other than corporations shall, if the (((optional))) standard deduction is not used, be permitted to deduct only such portion of the (((total))) deductions referred to in (((subsection 2 of))) this section as is fairly and equitably allocable to North Dakota under rules and regulations prescribed by the state tax commissioner."

And when so amended recommends the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 929 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution "J-1" has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

The question being on the motion of Senator Trenbeath that the committee report on Senate Concurrent Resolution "JJ" recommending indefinite postponement be adopted, which had been laid over one legislative day, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution "OO" has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution "PP" has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Concurrent Resolution "QQ" has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution "RR" has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

FIRST READING OF A SENATE BILL

The Committee on Delayed Bills introduced:

Senate Bill No. 311. A Bill for an Act to amend and reenact section 38-08-13 of the North Dakota Century Code, relating to applications for rehearings before the industrial commission.

Was read the first time and referred to the Committee on State and Federal Government.

CONSIDERATION OF AMENDMENTS

Senator Baeverstad moved that the amendments to House Bill No. 550 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to House Bill No. 652 be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to House Bill No. 703 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to House Bill No. 717 be adopted, which motion prevailed.

Senator Holand moved that the absent Senators be excused, which motion prevailed.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FIFTIETH DAY

Bismarck, February 21, 1961.

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. W. Cliffurd Thurman, Church of God, Bismarck.

Almighty God Creator of us all, we do acknowledge our need of Thee this day.

In the beginning of our great land those concerned with governmental affairs realized the future of this undeveloped country depended upon how its leaders and people walked before Thee.

Thou hast brought us from the East to the West, from smallness to greatness and given us riches for our poverty. May we not forget from whence these blessings have come to us, and in this modern era may we anew recognize the need of the Almighty One, lest these blessings become too commonplace with us, and we lose them thereby.

Guide us, for we often walk in paths that seem uncertain.

Preserve us, for we live in dangerous times.

Help us, to do Thy will above all else.

Grant us, wisdom for judgment between right and wrong.

May we keep strong that foundation our fathers have laid, by: giving ourselves to earnest prayer believing the promises of God often searching our own hearts.

Bless Oh God, this Senate in all matters coming before them this day. May their love for our state, their experience, and their vote always equal that which is for the good of us all, and pleasing to our God. All this we do ask in the name of Jesus Christ, Amen.

Roll Call: All Senators present.

A quorum was declared by the President.

REPORT OF A STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the forty-seventh day after recess and forty-ninth day and finds the same correct.

SENATOR HARRIS, Chairman.

Senator Harris moved that the report be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

House Bill No. 671. A Bill for an Act to amend and reenact sections 39-04-22 and 39-04-26 relating to the registration of motor vehicles or combinations thereof which are used for the transportation of property; providing for a minimum gross weight registration and to exempt certain farm vehicles.

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:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg

Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Harris	Mutch	Yunker

Absent and not voting:

Gronvold

So the bill passed and the title was agreed to.

House Bill No. 697. A Bill for an Act to amend and reenact section 36-08-05 of the North Dakota Century Code, relating to election of directors of co-operative grazing associations.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

House Bill No. 698. A Bill for an Act to provide for a quorum of members at meetings of co-operative grazing associations.

Which has been read.

Senator Wadeson moved that House Bill No. 698 be referred to the Committee on Agriculture, which motion prevailed.

House Bill No. 814. A Bill for an Act to amend and reenact section 27-16-22 of the North Dakota Century Code relating to the placement of children in a family or institution of the same religious faith as that of the parents of said child.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

House Concurrent Resolution "B". A concurrent resolution relating to the administration and operation of the state training school.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Absent and not voting:		
Yunker		

So the resolution was declared adopted.

House Concurrent Resolution "U". A concurrent resolution requesting the Congress of the United States to enact legislation permitting depreciation, over a five-year period, of buildings and facilities used in the operation of live-stock feedlots.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the resolution was declared adopted.

House Bill No. 542. A Bill for an Act to amend and reenact sections 23-08-03 and 23-08-06 of the North Dakota Century Code, relating to sterilization of persons in state institutions.

Which has been read.

Senator Murphy requested that he be excused from voting on House Bill No. 542, assigning as his reasons therefor that he could not honestly vote on this measure one way or another, which request was denied.

ROLL CALL

The question being on the final passage of House Bill No. 542, the roll was called and there were ayes, 44; nays, 5; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Kamrath	Reichert
Berube	Kee	Ringsak
Brooks	Kisse	Roen
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gronvold	Murphy	Yunker
Harris	Mutch	

Those voting in the negative were:

Bopp	Johnson	Witteman
Gilbertson	Saumur	

So the bill passed and the title was agreed to.

Senator Murphy: I would like to explain my vote. I took the only course that was possibly open to me under the circumstances, as suggested by Senator Brooks, who seems somewhat in sympathy with me in objecting to the

contents of this bill and what it means. It seems to me the exercise of the power to divest any human being of the possibility of becoming a parent is a very serious thing and this statute doesn't spell out what the qualifications are of any individual or individuals empowered to perform such surgery as may be required to bring about the result the statute contemplates. This is a very serious matter and certainly bearing on capital punishment. I only voted for the measure because there was virtually no alternative.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 21, 1961

Mr. President: I have the honor to return:

Senate Bill No. 54
 Senate Bill No. 74
 Senate Bill No. 81
 Senate Bill No. 86
 Senate Bill No. 99
 Senate Bill No. 130
 Senate Bill No. 172
 Senate Bill No. 205
 Senate Bill No. 287
 Senate Bill No. 288

Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

MOTIONS

Senator Holand moved that after the reading of House Bills Nos. 555, 561, 594, 596, 607, 641, 655, 669, 677, 714, 751, 769, 784, 824, 888, House Concurrent Resolution "E-1", and Senate Concurrent Resolution "DD", that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 21, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 598
 House Bill No. 680
 House Concurrent Resolution "O-1"

Which the Senate has indefinitely postponed.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, February 21, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 647

Which the Senate has amended.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, February 21, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 543
 House Bill No. 563

House Bill No. 569
 House Bill No. 579
 House Bill No. 588
 House Bill No. 593
 House Bill No. 608
 House Bill No. 636
 House Bill No. 642
 House Bill No. 708
 House Bill No. 737

Which the Senate has passed unchanged.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, February 21, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 3
 Senate Bill No. 10
 Senate Bill No. 12
 Senate Bill No. 16
 Senate Bill No. 18
 Senate Bill No. 64
 Senate Bill No. 76
 Senate Bill No. 79
 Senate Bill No. 106
 Senate Bill No. 125
 Senate Bill No. 133
 Senate Bill No. 135
 Senate Bill No. 145
 Senate Bill No. 147
 Senate Bill No. 152
 Senate Bill No. 154
 Senate Bill No. 159
 Senate Bill No. 180

Senate Concurrent Resolution "E"

Senate Concurrent Resolution "M"

Which the President has signed and your signature is respectfully requested.

HOWARD F. DOHERTY, Secretary.

SECOND READING OF HOUSE BILLS

House Bill No. 555. A Bill for an Act to amend and reenact subsection 2 of section 57-38-22.1 of the North Dakota Century Code, relating to medical expenses as a deduction for income tax purposes, and providing for an applicable date.

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:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock

Erickstad	Lautenschlager	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris	Nesvig	

Absent and not voting:

Berube	Lips
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So the bill passed and the title was agreed to.

House Bill No. 561. A Bill for a Act to amend and reenact subdivision d of subsection 9 of section 65-01-02 of the North Dakota Century Code, relating to firemen's compensation and death payments under workmen's compensation.

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 1; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Bopp	Johnson	Ringsak
Brooks	Kamrath	Saumur
Erickson	Kee	Solberg
Erickstad	Kisse	Thompson
Fiedler	Lautenschlager	Trenbeath
Foss	Longmire	Van Horn
Garaas	Luick	Wadeson
Gefreh	Meidinger	Wartner
George	Miller	Witteman
Gilbertson	Morgan	Yunker
Gronvold	Murphy	

Those voting in the negative were:

Schrock

Absent and not voting:

Berube	Mutch	Roen
Lips		

So the bill passed and the title was agreed to.

House Bill No. 594. A Bill for an Act to provide for the promulgation of safety rules and regulations concerning the storage, sale and use of combustibles and explosives, and providing a penalty for failure to comply with the safety rules and regulations.

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:

Andre	Harris	Paulson
Baeverstad	Hernett	Redlin
Baker	Holand	Reichert
Becker	Hystad	Ringsak
Berube	Johnson	Roen
Bopp	Kamrath	Saumur
Brooks	Kee	Schrock
Erickson	Kisse	Solberg
Erickstad	Lautenschlager	Thompson
Fiedler	Longmire	Trenbeath
Foss	Luick	Van Horn
Garaas	Meidinger	Wadeson
Gefreh	Miller	Wartner
George	Morgan	Witteman
Gilbertson	Murphy	Yunker
Gronvold	Nesvig	

Absent and not voting:

Lips Mutch

So the bill passed and the title was agreed to.

House Bill No. 596. A Bill for an Act to amend and reenact section 61-04-05 of the North Dakota Century Code, relating to publication of notice of application to appropriate water rights.

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:

Andre	Harris	Paulson
Baeverstad	Hernett	Redlin
Becker	Holand	Reichert
Berube	Hystad	Ringsak
Bopp	Johnson	Roen
Brooks	Kamrath	Saumur
Erickson	Kee	Schrock
Erickstad	Kisse	Solberg
Fiedler	Lautenschlager	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Nesvig	Yunker

Those voting in the negative were:

Baker Murphy

Absent and not voting:

Lips Mutch

So the bill passed and the title was agreed to.

House Bill No. 607. A Bill for an Act to create and enact section 15-08-26 of the North Dakota Century Code, relating to leases of university and school lands, and to repeal section 15-04-05 of the North Dakota Century Code relating to the leasing of grant 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, 45; nays, 2; absent and not voting 2.

Those voting in the affirmative were:

Andre	Gronvold	Murphy
Baeverstad	Harris	Nesvig
Baker	Hernett	Paulson
Becker	Holand	Redlin
Berube	Hystad	Reichert
Bopp	Johnson	Ringsak
Brooks	Kamrath	Roen
Erickson	Kee	Saumur
Erickstad	Kisse	Schrock
Fiedler	Lautenschlager	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Witteman
Gilbertson	Morgan	Yunker

Those voting in the negative were:

Solberg* Wartner

Absent and not voting:

Lips Mutch

So the bill passed and the title was agreed to.

House Bill No. 641. A Bill for an Act to amend section 57-23-03 of the North Dakota Century Code, relating to abatement of invalid, inequitable, or unjust assessments, for purposes of clarification.

Which has been read.

Senator Baeverstad moved that House Bill No. 641 be laid over one legislative day, which motion prevailed.

House Bill No. 655. A Bill for an Act providing for the obtaining of telecommunications service fraudulently, 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, 10; absent and not voting, 2.

Those voting in the affirmative were:

Baker	Hystad	Nesvig
Becker	Kamrath	Redlin
Bopp	Kee	Reichert
Brooks	Kisse	Roen
Erickstad	Lautenschlager	Saumur
Fiedler	Longmire	Schrock
Garaas	Luick	Solberg
Gefreh	Meidinger	Thompson
George	Miller	Trenbeath
Gronvold	Morgan	Van Horn
Harris	Murphy	Wartner
Hernett	Mutch	Yunker
Holand		

Those voting in the negative were:

Andre	Foss	Paulson
Baeverstad	Gilbertson	Ringsak
Berube	Johnson	Witteman
Erickson		

Absent and not voting:

Lips	Wadeson
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So the bill passed and the title was agreed to.

House Bill No. 669. A Bill for an Act authorizing the board of administration to sell and convey to the board of education of the city of Devils Lake a tract of land located in section 27 in township 154 north of range 64, west of the fifth principal meridian.

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:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker

Absent and not voting:

Lips

So the bill passed and the title was agreed to.

House Bill No. 677. A Bill for an Act to repeal Chapter 61-18, embodying sections 61-18-01 to 61-18-20, both inclusive, of the North Dakota Century Code, relating to erection and maintenance of dams.

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:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen

Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witte-man
Gronvold	Mutch	Yunker

Absent and not voting:

Lips

So the bill passed and the title was agreed to.

House Bill No. 714. A Bill for an Act to amend and re-enact section 52-02-06 of the North Dakota Century Code relating to Bureau to appoint and make rules and regulations governing personnel; and section 52-08-04 relating to Director and employees of employment service - appointment - agreements for free employment service.

Which has been read.

Senator Holand moved that House Bill No. 714 be laid over one legislative day, which motion prevailed.

House Bill No. 751. A Bill for an Act requiring the state tax commissioner to provide all boards of county commissioners with instructions on methods and procedures of assessment of all radio and television equipment, including towers.

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, 25; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Johnson	Mutch
Baker	Kamrath	Saumur
Becker	Kee	Solberg
Erickson	Kisse	Trenbeath
Erickstad	Lautenschlager	Van Horn
Fiedler	Longmire	Wadeson
Foss	Luick	Yunker
Holand	Morgan	

Those voting in the negative were:

Andre	Harris	Redlin
Berube	Hernett	Reichert
Bopp	Hystad	Ringsak
Brooks	Meidinger	Roen
Garaas	Miller	Schrock
Gefreh	Murphy	Thompson
George	Nesvig	Wartner
Gilbertson	Paulson	Witte-man
Gronvold		

Absent and not voting:

Lips

So the bill was declared lost.

House Bill No. 769. A Bill for an Act to amend and reenact section 57-23-05, relating to applications for abatement or refund of property taxes, and section 57-23-07, relating to abatement and compromise of property taxes, of the North Dakota Century Code.

Which has been read.

Senator Baeverstad moved that House Bill No. 769 be laid over one legislative day, which motion prevailed.

House Bill No. 784. A Bill for an Act to amend and reenact section 20-05-05 of the North Dakota Century Code, relating to required clothing for hunters.

Which has been read.

Senator Schrock moved that House Bill No. 784 be amended as follows:

In line 14, after the word "hunting" insert the word "antelope".

Which motion was lost.

ROLL CALL

The question being on the final passage of House Bill No. 784, the roll was called and there were ayes, 12; nays, 35; absent and not voting, 2.

Those voting in the affirmative were:

Baker	Holand	Redlin
Becker	Kee	Reichert
Erickson	Morgan	Trenbeath
Erickstad	Murphy	Wadeson

Those voting in the negative were:

Andre	Harris	Paulson
Baeverstad	Hernett	Ringsak
Berube	Hystad	Roen
Bopp	Johnson	Saumur
Brooks	Kamrath	Schrock
Fiedler	Kisse	Solberg
Foss	Lautenschlager	Thompson
Garaas	Longmire	Van Horn
Gefreh	Luick	Wartner
George	Miller	Witteman
Gilbertson	Mutch	Yunker
Gronvold	Nesvig	

Absent and not voting:

Lips	Meidinger
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So the bill was declared lost.

House Bill No. 824. A Bill for an Act to amend and reenact subsection 7 of section 39-01-01, relating to the definition of trailer; section 39-04-48, relating to driveway transporters; subsection 1 of section 39-04A-01, relating to the definition of trailer section 39-05-01, relating to the definition of motor vehicle; section 39-05-12, relating to carrying of registration cards for vehicles; section 39-18-01, relating to the definition of mobile home; section 39-18-02, relating to bond required from mobile home dealers; section 39-18-03, relating to titling and licensing of mobile homes; section 57-40-12, relating to use tax on motor vehicles and house trailers or mobile homes; subsection 4

of section 39-18-05, relating to speed limit; and to repeal section 35-05-29; all of the North Dakota Century Code.

Which has been read.

Senator Kee moved that House Bill No. 824 be amended as follows:

In the next to the last line of the title delete the numeral "35-05-29" and insert in lieu thereof the numeral "39-05-29

In the last line of the title before the period insert the words ", and providing a penalty"

Which motion prevailed.

ROLL CALL

The question being on the final passage of House Bill No. 824, as amended from the floor, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Harris	Paulson
Baeverstad	Hernett	Redlin
Baker	Holand	Reichert
Becker	Hystad	Ringsak
Berube	Johnson	Roen
Bopp	Kamrath	Saumur
Brooks	Kee	Schrock
Erickson	Kisse	Solberg
Erickstad	Lautenschlager	Thompson
Fiedler	Longmire	Trenbeath
Foss	Luick	Van Horn
Garaas	Miller	Wadeson
Gefreh	Morgan	Wartner
George	Murphy	Witteaman
Gilbertson	Mutch	Yunker
Gronvold	Nesvig	

Absent and not voting:

Lips Meidinger

So the bill passed and the title was agreed to.

House Bill No. 888. A Bill for an Act to amend section 57-38-21 of the North Dakota Century Code by creating and adding thereto subsection 8 relating to subtraction of certain dividends in computing net income of individuals, estates and trusts; to amend section 57-38-22.1 of the North Dakota Century Code by creating and adding thereto a new subsection relating to deduction of federal income taxes by certain persons who as stockholders in certain corporations have earnings or liquidation dividends of such corporations taxed directly to them for federal income tax purposes; to repeal subdivision c of subsection 2 of section 57-38-22.1 of the North Dakota Century Code; to provide for an effective date; and declaring an emergency.

Which has been read.

Senator Baeverstad moved that House Bill No. 888 be laid over one legislative day, which motion prevailed.

**SECOND READING OF A HOUSE
CONCURRENT RESOLUTION**

House Concurrent Resolution "E-1". A concurrent resolution acknowledging the progress of the state in the mod-

ernization of its highway systems and the results of a comparative study on construction costs, maintenance and life expectancy of surface types and commending the North Dakota state highway department for its accomplishments.

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, 23; nays, 24; absent and not voting, 2.

Those voting in the affirmative were:

Baeverstad	Holand	Ringsak
Baker	Johnson	Roen
Becker	Keen	Saumur
Erickson	Kisse	Trenbeath
Erickstad	Longmire	Wadeson
George	Luick	Wartner
Gronvold	Morgan	Yunker
Harris	Mutch	

Those voting in the negative were:

Andre	Gilbertson	Paulson
Berube	Hernett	Redlin
Bopp	Hystad	Reichert
Brooks	Kamrath	Schrock
Fiedler	Lautenschlager	Solberg
Foss	Miller	Thompson
Garaas	Murphy	Van Horn
Gefreh	Nesvig	Witteman

Absent and not voting:

Lips	Meidinger
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So the resolution was declared lost.

SECOND READING OF A SENATE

CONCURRENT RESOLUTION

Senate Concurrent Resolution "DD". A concurrent resolution urging the Postmaster General of the United States to curtail the operation of the metro mail service within the state of North Dakota.

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, 25; nays, 22; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Kisse	Redlin
Bopp	Lautenschlager	Reichert
Erickson	Longmire	Saumur
Fiedler	Miller	Solberg
Garaas	Morgan	Thompson
Holand	Murphy	Van Horn
Hystad	Nesvig	Witteman
Johnson	Paulson	Yunker
Kamrath		

Those voting in the negative were:

Baeverstad	George	Mutch
Baker	Gilbertson	Ringsak
Becker	Gronvold	Roen

TUESDAY, FEBRUARY 21, 1961

621

Berube
Brooks
Erickstad
Foss
Gefreh

Harris
Hernett
Kee
Luick

Schrock
Trenbeath
Wadeson
Wartner

Absent and not voting:

Lips Meidinger

So the resolution was declared adopted.

MOTIONS

Senator Holand moved that the Senate recess until 1:00 p.m., February 22, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

**FIFTIETH DAY AFTER RECESS AND
FIFTY-FIRST DAY**

Bismarck, February 22, 1961

The Senate convened at 1:00 p.m., the President presiding.

REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and En-grossment respectfully reports that it has examined the following bills:

Senate Bill No. 54
Senate Bill No. 74
Senate Bill No. 81
Senate Bill No. 86
Senate Bill No. 99
Senate Bill No. 130
Senate Bill No. 172
Senate Bill No. 205
Senate Bill No. 287
Senate Bill No. 288

And finds the same correctly enrolled.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

Senate Concurrent Resolution "R"

Mr. President: Your Committee on Enrollment and En-grossment respectfully reports that it has examined the following resolution:

Senate Concurrent Resolution "R"

And finds the same correctly enrolled.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution "R"

And the President signed the same in the presence of the Senate.

MOTIONS

Senator Holand moved that after the reading of House Bills Nos. 544, 550, 617, 620, 652, 703, 717, 768, 770, 787, 797,

826, 843, 890, 929, Senate Concurrent Resolutions "OO", "PP", "QQ", "RR" and House Concurrent Resolution "J-1", that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 502 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 508 has had the same under consideration and recommends that the same be amended as follows:

In line 13 delete the figure "349,000.00" and insert the figure "365,000.00" in lieu thereof.

In line 20 delete the figure "10,000.00" and insert the figure "8,000.00" in lieu thereof.

In line 21 delete the figure "8,000.00" and insert the figure "10,000.00" in lieu thereof.

In line 26 delete the figure "\$1,392,400.00" and insert the figure "\$1,408,400.00" in lieu thereof.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 509 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 510 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 511 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 514 has had the same under consideration and recommends that the same be amended as follows:

In line 4 delete the figure "\$344,000.00" and insert the figure "\$374,000.00" in lieu thereof.

In line 11 delete the figure "150,000.00" and insert the figure "180,000.00" in lieu thereof.

In line 14 delete the figure "\$344,000.00" and insert the figure "\$374,000.00" in lieu thereof.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 518 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 519 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 520 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 611 has had the same under consideration and recommends that the same be amended as follows:

In line 18 delete the figure "2%" and insert in lieu thereof the words "two percent"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 613 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 614 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 629 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 634 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 639 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 650 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 709 has had the same under consideration and recommends that the same be indefinitely postponed

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 728 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 744 has had the same under consideration and recommends that the same do pass.

SENATOR WADESON, Chairman.

Senator Wadson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 771 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 809 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 812 has had the same under

consideration and recommends that the same be indefinitely postponed.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 813 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 815 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 856 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 876 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 893 has had the same under consideration and recommends that the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Concurrent Resolution "EE" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Meidinger moved that the amendments to House Bill No. 592 be adopted, which motion prevailed.

Senator Baeverstad moved that the amendments to House Bill No. 597 be adopted, which motion prevailed.

Senator Longmire moved that House Bill No. 615 be re-referred to the Committee on State and Federal Government, which motion prevailed.

Senator Longmire moved that the amendments to House Bill No. 718 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to House Bill No. 807 be adopted, which motion prevailed.

Senator Holand moved that the reading of the amendments to House Bill No. 904 be dispensed with, which motion prevailed.

Senator Baeverstad moved that the amendments to House Bill No. 904 be adopted, which motion prevailed.

MOTIONS

Senator Hernettt moved that the Senate reconsider the action by which House Concurrent Resolution "E-1" was lost.

ROLL CALL

The question being on the motion of Senator Hernettt, the roll was called and there were ayes, 28; nays, 19; absent and not voting, 2.

Those voting in the affirmative were:

Baeverstad	Hernettt	Miller
Baker	Holand	Morgan
Becker	Johnson	Mutch
Erickson	Kee	Ringsak
Erickstad	Kisse	Roen
Foss	Lips	Trenbeath
Gefreh	Longmire	Wadeson
George	Luick	Wartner
Gronvold	Meidinger	Yunker
Harris		

Those voting in the negative were:

Andre	Hystad	Redlin
Berube	Kamrath	Reichert
Bopp	Lautenschlager	Schrock
Brooks	Murphy	Solberg
Fiedler	Nesvig	Van Horn
Garaas	Paulson	Witteman
Gilbertson		

Absent and not voting:

Saumur Thompson

So the motion was declared carried.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "E-1". A concurrent resolution acknowledging the progress of the state in the modernization of its highway systems and the results of a comparative study on construction costs, maintenance and life expectancy of surface types and commending the North Dakota state highway department for its accomplishments.

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, 28; nays, 21; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Holand	Mutch
Baker	Johnson	Reichert
Becker	Kee	Ringsak
Erickson	Lips	Roen

Erickstad	Longmire	Saumur
Foss	Luick	Trenbeath
George	Meidinger	Wadeson
Gronvold	Miller	Wartner
Harris	Morgan	Yunker
Hernett		

Those voting in the negative were:

Andre	Gilbertson	Paulson
Berube	Hystad	Redlin
Bopp	Kamrath	Schrock
Brooks	Kisse	Solberg
Fiedler	Lautenschlager	Thompson
Garaas	Murphy	Van Horn
Gefreh	Nesvig	Witteaman

So the resolution was declared adopted.

SECOND READING OF HOUSE BILLS

House Bill No. 544. A Bill for an Act to provide for the appointment of county or multiple county boards of special education, the formulation and approval of programs and budgets, the authorization of excess mill levies to finance such programs, and the distribution of state funds to counties conducting such programs.

Which has been read.

Senator Murphy moved that House Bill No. 544 be referred to the Committee on Education, which motion prevailed.

House Bill No. 550. A Bill for an Act to amend and reenact subsection 2 of section 39-04-19 and section 39-04-39 of the North Dakota Century Code relating to the motor vehicle registration fees and the distribution thereof.

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, 6; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Miller	Van Horn
Gefreh	Murphy	Wadeson
George	Mutch	Wartner
Harris	Nesvig	Witteaman

Those voting in the negative were:

Becker	Gronvold	Morgan
Gilbertson	Meidinger	Yunker

Absent and not voting:

Kee

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, February 22, 1961

Mr. President: I have the honor to return:

Senate Bill No. 60
Senate Bill No. 83
Senate Bill No. 107
Senate Bill No. 166
Senate Bill No. 173
Senate Bill No. 182
Senate Bill No. 197
Senate Bill No. 207
Senate Bill No. 228
Senate Bill No. 243
Senate Bill No. 258
Senate Bill No. 262
Senate Concurrent Resolution "W"

Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, February 22, 1961

Mr. President: I have the honor to return:

Senate Bill No. 67
Senate Bill No. 85
Senate Bill No. 105
Senate Bill No. 126
Senate Bill No. 139
Senate Bill No. 191

Which the House has indefinitely postponed.

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, February 22, 1961

Mr. President: I have the honor to return:

Senate Bill No. 3
Senate Bill No. 10
Senate Bill No. 12
Senate Bill No. 16
Senate Bill No. 18
Senate Bill No. 64
Senate Bill No. 76
Senate Bill No. 79
Senate Bill No. 106
Senate Bill No. 125
Senate Bill No. 133
Senate Bill No. 135
Senate Bill No. 145
Senate Bill No. 147
Senate Bill No. 152
Senate Bill No. 154
Senate Bill No. 159
Senate Bill No. 180
Senate Concurrent Resolution "E"
Senate Concurrent Resolution "M"

Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

MOTIONS

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FIFTY-FIRST DAY

Bismarck, February 22, 1961

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. E. Walter Erdman, 1st Evangelical United Brethren, Bismarck.

Our Father we thank thee for this our native land, the land of the free and the home of the brave. We praise thee for our nation under God, indivisible with liberty and justice for all. We praise thee for the great heritage that is ours and which has made our country great. Enable us, we pray, to be faithful to the high principles and ideals of our founding fathers. Help us always to be mindful of the unfailing truth that righteousness exalteth a nation but sin is a reproach to any people.

Direct us then as citizens and those in authority to work together for the common good, that thy kingdom may truly come and thy will be done on earth as it is in heaven. In the name of Jesus Christ we pray. Amen.

Roll Call: All Senators present.

A quorum was declared by the President.

REPORT OF A STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the forty-ninth day after recess and fiftieth day and finds the same correct.

SENATOR HARRIS, Chairman.

Senator Harris moved that the report be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 617. A Bill for an Act to amend and reenact section 15-12-01 of the North Dakota Century Code, relating to the location and official name of the North Dakota State University of Agriculture and Applied Science.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson

Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

House Bill No. 620. A Bill for an Act to amend and reenact Section 39-11-36 of the North Dakota Century Code relating to special lighting and warning equipment on school buses.

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, 1; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Thompson
Erickson	Kisse	Trenbeath
Erickstad	Lautenschlager	Saumur
Fiedler	Lips	Schrock
Foss	Longmire	Solberg
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Mutch	Yunker

Those voting in the negative were:

Murphy

So the bill passed and the title was agreed to.

House Bill No. 652. A Bill for an Act to amend and reenact subsection 2 of section 39-08-01 of the North Dakota Century Code relating to persons driving motor vehicles while under the influence of intoxicating liquor or narcotic drugs, and providing penalties therefor.

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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock

Erickstad
Fiedler
Foss
Garaas
Gefreh
George
Gilbertson
Gronvold
Harris

Lips
Longmire
Luick
Meidinger
Miller
Morgan
Murphy
Mutch

Solberg
Thompson
Trenbeath
Van Horn
Wadeson
Wartner
Witteman
Yunker

So the bill passed and the title was agreed to.

House Bill No. 703. A Bill for an Act to amend and re-enact section 20-08-03 of the North Dakota Century Code relating to contents of the governor's proclamation relating to the taking of game birds, fish, and game animals.

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, 1; absent and not voting, 0.

Those voting in the affirmative were:

Andre
Baeverstad
Baker
Becker
Berube
Bopp
Brooks
Erickson
Erickstad
Fiedler
Foss
Garaas
Gefreh
George
Gilbertson
Gronvold

Harris
Hernett
Holand
Hystad
Johnson
Kamrath
Kee
Kisse
Lautenschlager
Lips
Longmire
Luick
Meidinger
Miller
Morgan
Murphy

Mutch
Nesvig
Paulson
Redlin
Reichert
Roen
Saumur
Schrock
Solberg
Thompson
Trenbeath
Van Horn
Wadeson
Wartner
Witteman
Yunker

Those voting in the negative were:

Ringsak

So the bill passed and the title was agreed to.

House Bill No. 717. A Bill for an Act authorizing the board of administration to sell certain described lands belonging to the state of 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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre
Baeverstad
Baker
Becker
Berube
Bopp
Brooks
Erickson

Hernett
Holand
Hystad
Johnson
Kamrath
Kee
Kisse
Lautenschlager

Nesvig
Paulson
Redlin
Reichert
Ringsak
Roen
Saumur
Schrock

Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

House Bill No. 768. A Bill for an Act authorizing the state historical society to exchange certain lands owned by the state of North Dakota in connection with the Fort Union historic site.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

House Bill No. 770. A Bill for an Act authorizing the state historical society to exchange certain lands owned by the state of North Dakota in connection with the Walhalla historic site.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock

Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

House Bill No. 787. A Bill for an Act to amend and reenact subsection 21 of section 57-02-08 of the North Dakota Century Code, relating to property exempt from taxation for blind persons or permanently and totally disabled 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, 48; nays, 1; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker

Those voting in the negative were:

Gefreh

So the bill passed and the title was agreed to.

House Bill No. 797. A Bill for an Act to amend and reenact subsection 11 of section 57-02-08 of the North Dakota Century Code, relating to exclusions and exemptions from taxation of non-profit fraternal organizations and associations, and providing for taxation of that portion not used exclusively for places of meeting and conduct of fraternal business, providing for taxation of that portion of such premises where food or alcoholic beverages are consumed or sold at a profit.

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, 13; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Gronvold	Mutch
Baeverstad	Harris	Redlin

Baker	Hernett	Ringsak
Bopp	Holand	Roen
Brooks	Hystad	Saumur
Erickstad	Kamrath	Schrock
Fiedler	Kee	Solberg
Foss	Lips	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Wadeson
Gilbertson	Morgan	

Those voting in the negative were:

Becker	Miller	Reichert
Erickson	Murphy	Wartner
Johnson	Nesvig	Witteaman
Kisse	Paulson	Yunker
Lautenschlager		

Absent and not voting:

Berube

So the bill passed and the title was agreed to.

House Bill No. 826. A Bill for an Act to amend and reenact subsection 20 of section 57-02-08 of the North Dakota Century Code, providing for an exemption of net assessed valuation of property of disabled veterans.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteaman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

House Bill No. 843. A Bill for an Act to amend and reenact Section 39-11-20 of the North Dakota Century Code relating to lights on motor vehicles.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

House Bill No. 890. A Bill for an Act to amend and reenact section 57-38-38 and section 57-38-44 of the North Dakota Century Code relating to the period of time within which the tax commissioner may assess income tax, and providing for a longer period of time within which the tax commissioner may assess the tax where a taxpayer has failed to report on his tax return a substantial portion of his income.

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, 3; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Baker	Johnson	Reichert
Becker	Kamrath	Ringsak
Berube	Kisse	Roen
Bopp	Lautenschlager	Saumur
Brooks	Lips	Schrock
Erickson	Longmire	Solberg
Erickstad	Luick	Thompson
Fiedler	Meidinger	Trenbeath
Foss	Miller	Van Horn
Garaas	Morgan	Wadeson
George	Murphy	Wartner
Gilbertson	Mutch	Witteman
Harris	Nesvig	Yunker
Hernett		

Those voting in the negative were:

Gefreh	Gronvold	Kee
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So the bill passed and the title was agreed to.

House Bill No. 929. A Bill for an Act to amend and reenact section 18-06-11 of the North Dakota Century Code, relating to contracts for fire protection in unorganized townships and mill levy, 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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to and the emergency clause carried.

**SECOND READING OF A SENATE
CONCURRENT RESOLUTION**

Senate Concurrent Resolution "OO". A concurrent resolution commending the sponsors of legislation presently in Congress which seeks to remedy the sanitation and water supply facilities of Medora, North Dakota, and also urging the Congress to favorably consider such proposed legislation.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the resolution was declared adopted.

MOTIONS

Senator Holand moved that Senate Concurrent Resolutions "QQ" and "RR" be re-referred to the Legislative Research Resolutions Committee, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 22, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 561

House Bill No. 594

House Bill No. 655

House Bill No. 824

Which the Senate has amended.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, February 22, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 542

House Bill No. 555

House Bill No. 596

House Bill No. 607

House Bill No. 669

House Bill No. 671

House Bill No. 677

House Bill No. 697

House Bill No. 814

House Concurrent Resolution "B"

House Concurrent Resolution "U"

Which the Senate has passed unchanged.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, February 22, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 581

House Bill No. 618

House Bill No. 685

House Bill No. 740

House Bill No. 751

House Bill No. 782

House Bill No. 784

House Bill No. 863

House Bill No. 897

Which the Senate has indefinitely postponed.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, February 22, 1961

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "R"

Which the President has signed and your signature is respectfully requested.

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, February 22, 1961

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "DD"

Which the Senate has passed and your favorable consideration is requested.

HOWARD F. DOHERTY, Secretary.

MESSAGE FROM THE HOUSE

A committee from the House was announced and said committee informed the Senate that the House was ready to receive the Senate in a joint memorial session.

Senator Holand moved that the Senate recess until 1:00 p.m., February 23, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

**FIFTY-FIRST DAY AFTER RECESS AND
FIFTY-SECOND DAY**

Bismarck, February 23, 1961

The Senate convened at 1:00 p.m., the President presiding.

REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 60
Senate Bill No. 83
Senate Bill No. 107
Senate Bill No. 166
Senate Bill No. 173
Senate Bill No. 182
Senate Bill No. 197
Senate Bill No. 207
Senate Bill No. 228
Senate Bill No. 243
Senate Bill No. 258
Senate Bill No. 262

And finds the same correctly enrolled.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 3
Senate Bill No. 10
Senate Bill No. 12
Senate Bill No. 16
Senate Bill No. 18
Senate Bill No. 64
Senate Bill No. 76
Senate Bill No. 79
Senate Bill No. 106
Senate Bill No. 125
Senate Bill No. 133
Senate Bill No. 135
Senate Bill No. 145
Senate Bill No. 147
Senate Bill No. 152
Senate Bill No. 154

Senate Bill No. 159

Senate Bill No. 180

Were delivered to the Governor for his approval at the hour of 2:55 o'clock p.m., February 22, 1961.

SENATOR KISSE, Chairman.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 54

Senate Bill No. 74

Senate Bill No. 81

Senate Bill No. 86

Senate Bill No. 99

Senate Bill No. 130

Senate Bill No. 172

Senate Bill No. 205

Senate Bill No. 287

Senate Bill No. 288

And the President signed the same in the presence of the Senate.

MOTIONS

Senator Holand moved that after the reading of House Bills Nos. 502, 509, 510, 511, 518, 519, 520, 592, 597, 613, 614, 634, 650, 718, 728, 744, 771, 807, 809, 813, 815, 893, 904, that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

REPORTS OF A STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution "E"

Senate Concurrent Resolution "M"

Were delivered to the Secretary of State at the hour of 2:50 o'clock p.m., Feb. 22, 1961.

SENATOR KISSE, Chairman.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following Resolution:

Senate Concurrent Resolution "W"

And finds the same correctly enrolled.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 23, 1961

Mr. President: I have the honor to return:

Senate Concurrent Resolution "R"

Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 22, 1961

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to

House Bill No. 647 and the Speaker has appointed as a conference committee to act with a like committee from the Senate:

Representatives Lindberg, Rolfsrud, Saugstad.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 23, 1961.

Mr. President: I have the honor to transmit:

House Bill No. 543

House Bill No. 563

House Bill No. 569

House Bill No. 579

House Bill No. 588

House Bill No. 593

House Bill No. 608

House Bill No. 636

House Bill No. 642

House Bill No. 708

House Bill No. 737

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on House Bill No. 647:

Senator Holand, Ringsak, Van Horn.

MOTIONS

Senator Roen moved that Senate Memorial Resolution No. 1001, which was adopted in the joint session on February 22, 1961 be printed in the Journal, and not as a bill, which motion prevailed.

SENATE MEMORIAL RESOLUTION No. 1,001

Introduced by Committee on
Senate Memorial Resolutions

A memorial resolution for deceased members of the Senate of the state of North Dakota.

- 1 WHEREAS, since the adjournment of the Thirty-
 1a sixth
 2 Legislative Assembly, God in His wisdom has seen
 2a fit to
 3 summon to eternal rest His servants and our former
 3a col-
 4 leagues:
 5 Walter R. Blume, who served in the thirty-first
 6 and the thirty-second legislative assemblies from the
 7 twenty-ninth legislative district, died March 18, 1960.
 8 J. E. Davis, who served in the eleventh to the
 9 fourteenth legislative assemblies, inclusive, from the
 10 thirty-fifth legislative district, died June 8, 1959.
 11 G. F. Drew, who served in the twenty-third to the
 12 thirtieth legislative assemblies, inclusive, from the
 13 twenty-first legislative district, died June 8, 1960.
 14 John H. Dyste, who served in the ninth and the
 15 tenth legislative assemblies from the thirteenth

16 legislative district, died May 21, 1960.

17 C. E. Erickson, who served in the seventeenth and
18 the nineteenth legislative assemblies in the house of
19 representatives and who, subsequently, served as a
20 member of the senate in the twentieth to the twenty-
21 third legislative assemblies, inclusive, from the
22 fortieth legislative district, died March 20, 1959.

23 Edward Greene, who served in the twenty-third
24 and twenty-fourth legislative assemblies from the
25 twenty-third legislative district, died May 1, 1959.

26 P. A. Peterson, who served in the twenty-ninth
27 and thirtieth legislative assemblies from the forty-
28 ninth legislative district, died November 14, 1960.

29 Joseph A. Reinke, who served in the twenty-ninth
30 to the thirty-second legislative assemblies, inclusive,
31 from the thirty-seventh legislative district, died
32 October 6, 1959.

33 Herman Thorson, who served in the twenty-first
34 to the twenty-sixth legislative assemblies, inclusive,
35 from the forty-ninth legislative district, died Decem-
36 ber 12, 1960.

37 William H. Tuff, who served in the twenty-fourth
38 to the twenty-ninth legislative assemblies, inclusive,
39 in the house of representatives and who, subsequently,
40 served as a member of the senate in the thirtieth and
41 thirty-first legislative assemblies from the forty-
42 second legislative district, died April 20, 1960.

43 WHEREAS, today, we as members of the Senate of
44 the Thirty-seventh Legislative Assembly of the state
45 of North Dakota, pause to mourn the passing of our
46 former colleagues and to honor their memories; and

47 WHEREAS, these men rendered outstanding service
48 to the people of this state by their contribution to
49 their fellow men and their communities:

50 NOW, THEREFORE, BE IT RESOLVED BY THE
50a SENATE OF

51 THE THIRTY-SEVENTH LEGISLATIVE ASSEMBLY
51a OF THE STATE
52 OF NORTH DAKOTA:

53 That we express our keen sorrow on their passing
54 and our appreciation, on behalf of the people of
55 North Dakota, of the loyal and devoted service of
56 these, our former colleagues.

57 BE IT FURTHER RESOLVED, that for the perpetu-
57a ation
58 of their memory, this token of respect and sympathy
59 by their successors in trust be printed in the
60 Journal of the Senate and that duly enrolled copies
61 of this resolution be presented by the secretary of
62 state to the surviving families of these deceased
63 senators.

MOTIONS

Senator George moved that House Bill No. 852 be returned to the Senate from the Committee on Political Subdivisions, which motion prevailed.

Senator George moved that House Bill No. 852 be referred to the Committee on Education, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Education to whom was referred House Bill No. 539 has had the same under

consideration and recommends that the same be amended as follows:

- In line 135 delete "In the case of a non-"
- Delete all of lines 135a and 136.
- In line 136a delete "mitted in this section."
- In line 178 delete "upon farms"
- In line 183 delete "upon farms"
- In line 189 delete "upon farms"
- In line 190 delete "but upon farmsteads"
- In line 191 delete "and sending children"
- In line 192 delete "to school in such school districts"
- In line 193 delete "upon a farm" and insert in lieu thereof "from"
- In line 242 delete "special"
- In line 243 after the word "district" insert "special"
- In line 394 after the period insert the following: "Every member of any school board shall receive mileage as is provided in Section 11-10-15 for every mile actually traveled by such member in the performance of his official duty as a member of such school board."
- In line 2136 after the period insert the following: "Under every such adjustment, property of component areas of reorganized districts shall become the property thereof, and the bonded indebtedness of the component areas and affected districts, or an equitable fraction thereof, shall be assumed by and shall become indebtedness of the reorganized district. Taxes for bonded indebtedness so assumed shall be assessed and apportioned uniformly throughout the reorganized district."
- In line 2136 after the word "of" insert "not"
- Delete all of lines 2423, 2424, 2425.
- In line 2426 delete the following: "member of the board of county commissioners."
- In line 2437 after the period insert the following: "Regardless of the length of the initial term of any director, no person who has been appointed for two consecutive terms to a board of directors governing a public library or reading room shall be eligible for further appointment to such board until one year after the expiration of the second term; provided, that appointments made prior to July 1, 1961 shall not be counted in determining eligibility hereunder."
- In line 2538 delete "except the Fargo school district,"
- In line 2551 delete "twenty-seven" and insert in lieu thereof "thirty-two" and after the semicolon insert the following: "provided that there shall be no limitation upon the taxes which may be levied by any school district having a total population in excess of seven thousand five hundred according to the last federal census;"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 575 has had the same under

consideration and recommends that the same be indefinitely postponed.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 643 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 646 has had the same under consideration and recommends that the same be amended as follows:

In line 5 of the title delete the word "and" and insert in lieu thereof a comma and after the numeral "36-05-03.2" insert "and 36-05-13.1"

In line 74 delete ", and shall"

Delete all of lines 75 and 76

In line 77 delete "months of the year"

After line 205 insert the following section:

"SECTION 9.) Section 36-05-13.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

36-05-13.1. REVIEW BY THE COURT.)

The action of the livestock sanitary board in revoking or suspending a license may be appealed to the district court of Burleigh County by procedure applicable to appeals taken in the manner provided in chapter 28-32 of the title Judicial Procedure, Civil, as now or hereafter amended, except that the livestock sanitary board's order revoking or suspending the license may be stayed by the court appealed to upon filing with the clerk of said court a bond approved by and in the amount set by the judge of said district court for the faithful observance of the laws of the state relative to the operation of the business licensed during the pendency of the appeal.

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 699 has had the same under consideration and recommends that the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee of Industry, Business and Labor to whom was referred House Bill No. 722 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted.

Senator Mutch made the substitute motion that House Bill No. 722 be re-referred to Committee on Finance and Taxation, which motion lost.

The question being on the motion of Senator Hernettt that the committee report on House Bill No. 722 be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 743 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 749 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

Senator Baeverstad moved that House Bill No. 904 be placed at the head of the calendar, which motion prevailed.

House Bill No. 904. A Bill for an Act to amend and reenact subsections 2 and 6 of section 57-38-04 of the North Dakota Century Code relating to the credit against tax allowed in the case of taxes paid to another state or foreign country.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernettt	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker

Absent and not voting:
Thompson

So the bill passed and the title was agreed to.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 755 has

had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 761 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 796 has had the same under consideration and recommends that the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 810 has had the same under consideration and recommends that the same be amended as follows:

In line 9 delete the words "line, check,"

In line 9 delete the words "or writing" and insert in lieu thereof the words "or other mark"

In line 15 after the word "mark" insert the following: "(X) or other mark which clearly shows the intention of the voter"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 905 has had the same under consideration and recommends that the same be amended as follows:

In line 10 delete "twenty-" and insert in lieu thereof "twentieth"

In line 11 delete "fifth"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Concurrent Resolution "A-1" has had the same under consideration and recommends that the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Foss moved that the amendments to House Bill No. 508 be adopted, which motion prevailed.

Senator Foss moved that the amendments to Senate Bill No. 514 be adopted, which motion prevailed.

Senator Wartner moved that the amendments to House Bill No. 611 be adopted, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 597. A Bill for an Act to create and to enact subsection 8 of section 57-52-03 and to amend and reenact section 57-52-10 of the North Dakota Century Code, relating to the special fuels tax.

Which has been read.

Senator Baeverstad moved that House Bill No. 597 be re-referred to the Committee on Finance and Taxation, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution "PP". A concurrent resolution approving a lease contract between the state board of administration and Bismarck special school district.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the resolution was declared adopted.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "J-1". A concurrent resolution urging appropriate county officials to make the maximum possible utilization of existing legal procedures for the collection of delinquent personal property taxes.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
-------	---------	--------

Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadson
George	Morgan	Wartner
Gilbertson	Murphy	Witteaman
Gronvold	Mutch	Yunker
Harris		

So the resolution was declared adopted.

SECOND READING OF HOUSE BILLS

House Bill No. 641. A Bill for an Act to amend section 57-23-03 of the North Dakota Century Code, relating to abatement of invalid, inequitable, or unjust assessments, for purposes of clarification.

Which has been read.

Senator Ringsak moved that House Bill No. 641 be laid on the table, which motion prevailed.

House Bill No. 714. A Bill for an Act to amend and reenact section 52-02-06 of the North Dakota Century Code relating to Bureau to appoint and make rules and regulations governing personnel; and section 52-08-04 relating to Director and employees of employment service - appointment - agreements for free employment service.

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, 1; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadson
George	Miller	Wartner
Gilbertson	Morgan	Witteaman
Gronvold	Mutch	Yunker

Those voting in the negative were:

Murphy

So the bill passed and the title was agreed to.

MOTIONS

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FIFTY-SECOND DAY

Bismarck, February 23, 1961

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. John H. Nicolai, Trinity Lutheran, Bismarck.

Heavenly Father, Bless these our Senators, whose responsibility it is to represent us in our Government. Thou hast established in our midst these law making powers dedicated to the upholding of order and liberty. Bless, we pray, our Government in State and Union. Grant that these our legislators may ever be mindful of the welfare of all their constituents. May they be guided to serve unselfishly the common good of the people. Preserve them from all pettiness and self-seeking. Help us to preserve those liberties of rule by representation which are the cornerstone of our government.

Bless these men now as they proceed into another day's work and the many decisions that lie before them. Grant them wisdom and understanding. Give them direction and guidance. May all that they do be done to Thy glory and honor. In Jesus' name. Amen.

Roll Call: All Senators present.

A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fiftieth day after recess and fifty-first day and finds the same correct.

SENATOR HARRIS, Chairman.

Senator Harris moved that the report be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 23, 1961

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "OO"

Which the Senate has passed and your favorable consideration is requested.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, February 23, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 617

House Bill No. 620

House Bill No. 768

House Bill No. 770

House Bill No. 787

House Bill No. 797

House Bill No. 826
House Bill No. 843
House Bill No. 890
House Bill No. 929

Which the Senate has passed unchanged.

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, February 23, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 550
House Bill No. 652
House Bill No. 703
House Bill No. 717
House Concurrent Resolution "E-1"

Which the Senate has amended.

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, February 23, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 629
House Bill No. 639
House Bill No. 709
House Bill No. 812
House Bill No. 856
House Bill No. 876

Which the Senate has indefinitely postponed.

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, February 23, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 54
Senate Bill No. 74
Senate Bill No. 81
Senate Bill No. 86
Senate Bill No. 99
Senate Bill No. 130
Senate Bill No. 172
Senate Bill No. 205
Senate Bill No. 287
Senate Bill No. 288

Which the President has signed and your signature is respectfully requested.

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, February 23, 1961

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 647, Senators:

Holand
Ringsak
Van Horn

HOWARD F. DOHERTY, Secretary.

REPORT OF A STANDING COMMITTEE

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 597 has had the same under consideration and recommends that the same be amended as follows:

In line 12 after the word "surfacing" insert a comma and the following: "except that special fuel known as liquefied petroleum gas used for heating purposes"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 769. A Bill for an Act to amend and reenact section 57-23-05, relating to applications for abatement or refund of property taxes, and section 57-23-07, relating to abatement and compromise of property taxes, of the North Dakota Century Code.

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:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad.	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wartner
Gilbertson	Morgan	Witteaman
Gronvold	Murphy	Yunker

Absent and not voting:

Wadeson

So the bill passed and the title was agreed to.

House Bill No. 888. A Bill for an Act to amend section 57-38-21 of the North Dakota Century Code by creating and adding thereto subsection 8 relating to subtraction of certain dividends in computing net income of individuals, estates and trusts; to amend section 57-38-22.1 of the North Dakota Century Code by creating and adding thereto a new subsection relating to deduction of federal income taxes by certain persons who as stockholders in certain corporations have earnings or liquidation dividends of such corporations taxed directly to them for federal income tax purposes; to repeal subdivision c of subsection 2 of section 57-38-22.1 of the North Dakota

Century Code; to provide for an effective date; 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, 41; nays, 7; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Gronvold	Murphy
Baker	Harris	Mutch
Becker	Hernett	Nesvig
Berube	Holand	Paulson
Bopp	Johnson	Redlin
Brooks	Kee	Reichert
Erickson	Kisse	Ringsak
Erickstad	Lautenschlager	Roen
Fiedler	Lips	Saumur
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wartner
George	Miller	Yunker
Gilbertson	Morgan	

Those voting in the negative were:

Andre	Schrock	Thompson
Hystad	Solberg	Witteaman
Kamrath		

Absent and not voting:

Wadeson

So the bill passed and the title was agreed to and the emergency clause carried.

House Bill No. 502. 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 Grand Forks, 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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteaman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

House Bill No. 509. A Bill for an Act making an appropriation for the general maintenance and operation of the North Dakota State Farm, Bismarck, 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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

House Bill No. 510. A Bill for an Act making an appropriation for the general maintenance and operation of the Tag and Sign Plant at the State Penitentiary.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

House Bill No. 511. 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, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

House Bill No. 518. 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, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

House Bill No. 519. A Bill for an Act making an appropriation for the Division of Vocational Rehabilitation and for the Governor's Committee on Employment of the Physically Handicapped.

Which has been read.

RÓLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

House Bill No. 520. A Bill for an Act making an appropriation to the Department of Public Instruction, for the purpose of paying salaries and other expenses of the Director of Surplus 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, 48; nays, 1; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker

Those voting in the negative were:

Garaas

So the bill passed and the title was agreed to.

House Bill No. 592. A Bill for an Act to amend and re-enact section 15-40-17 of the North Dakota Century Code, relating to admission of high school students from other districts and tuition charges.

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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Wittman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

House Bill No. 613. A Bill for an Act to amend and reenact section 27-18-01 of the North Dakota Century Code relating to the establishment of the office of county justice in counties other than counties which have a county court of increased jurisdiction.

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:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Wittman
Gronvold	Murphy	Yunker

Absent and not voting:
Thompson

So the bill passed and the title was agreed to.

House Bill No. 614. A Bill for an Act to amend and reenact section 11-11-49 of the North Dakota Century Code relating to rewards for apprehension and conviction of persons who committed certain crimes.

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:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadson
George	Miller	Wartner
Gilbertson	Morgan	Witteaman
Gronvold	Murphy	Yunker

Absent and not voting:

Thompson

So the bill passed and the title was agreed to.

House Bill No. 634. A Bill for an Act to amend and reenact section 16-05-08 of the North Dakota Century Code, relating to use of stickers when a vacancy occurs after election ballots are printed and crossing out name of original nominee causing such vacancy.

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:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadson
George	Miller	Wartner
Gilbertson	Morgan	Witteaman
Gronvold	Murphy	Yunker

Absent and not voting:

Thompson

So the bill passed and the title was agreed to.

House Bill No. 650. A Bill for an Act to amend and reenact section 28-20-34 of the North Dakota Century Code, relating to the interest rate upon judgments.

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, 1.

Those voting in the affirmative were:

Andre	Harris	Murphy
Baeverstad	Hernett	Mutch
Baker	Holand	Nesvig
Becker	Hystad	Paulson
Berube	Kamrath	Reichert
Bopp	Kee	Ringsak
Brooks	Kisse	Roen
Erickson	Lautenschlager	Saumur
Erickstad	Lips	Solberg
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Yunker
Gronvold		

Those voting in the negative were:

Fiedler	Redlin	Witteman
Johnson	Schrock	

Absent and not voting:

Thompson

So the bill passed and the title was agreed to.

House Bill No. 718. A Bill for an Act to amend and reenact section 40-40-10 of the North Dakota Century Code relating to the time when municipal tax levies must be certified to the county auditor.

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, 1.

Those voting in the affirmative were:

Andre	Hernett	Mutch
Baeverstad	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker
Harris		

Those voting in the negative were:

Baker Nesvig

Absent and not voting:

Thompson

So the bill passed and the title was agreed to.

House Bill No. 728. A Bill for an Act to provide a measure of damages for injury to property caused by the breach of an obligation not arising from contract.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 15; nays, 33; absent and not voting, 1.

Those voting in the affirmative were:

Brooks	Holand	Mutch
Erickstad	Kee	Reichert
Garaas	Kisse	Saumur
Gefreh	Lautenschlager	Schrock
Harris	Longmire	Wartner

Those voting in the negative were:

Andre	Gronvold	Nesvig
Baeverstad	Hernett	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Ringsak
Berube	Kamrath	Roen
Bopp	Lips	Solberg
Erickson	Luick	Trenbeath
Fiedler	Meidinger	Van Horn
Foss	Miller	Wadeson
George	Morgan	Witteman
Gilbertson	Murphy	Yunker

Absent and not voting:

Thompson

So the bill was declared lost.

House Bill No. 744. A Bill for an Act to repeal section 36-14-08 of the North Dakota Century Code, relating to the immunization of all swine to be exhibited at any state or county fairs.

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, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Kamrath	Reichert
Berube	Kee	Roen
Bopp	Kisse	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Erickstad	Longmire	Trenbeath
Foss	Luick	Van Horn
Garaas	Meidinger	Wadeson
Gefreh	Miller	Wartner
George	Morgan	Witteman
Gilbertson	Mutch	Yunker
Gronvold		

Those voting in the negative were:

Fiedler	Johnson	Ringsak
Harris	Murphy	

Absent and not voting:

Thompson

So the bill passed and the title was agreed to.

House Bill No. 771. A Bill for an Act to amend and reenact section 47-19-07 of the North Dakota Century Code to require that the state tax commissioner be notified of the recording of certain deeds, and providing for 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, 11; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Becker	Hystad	Paulson
Brooks	Johnson	Redlin
Erickson	Kamrath	Reichert
Erickstad	Kee	Ringsak
Foss	Lautenschlager	Roen
Garaas	Lips	Saumur
Gefreh	Longmire	Schrock
George	Luick	Wadeson
Gilbertson	Meidinger	Wartner
Harris	Miller	Yunker
Hernett	Morgan	

Those voting in the negative were:

Baker	Gronvold	Solberg
Berube	Kisse	Van Horn
Bopp	Murphy	Witteaman
Fiedler	Mutch	

Absent and not voting:

Baeverstad	Thompson	Trenbeath
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So the bill passed and the title was agreed to.

MOTIONS

Senator Erickson moved that the Senate reconsider the action by which House Bill No. 728 was lost, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 728. A Bill for an Act to provide a measure of damages for injury to property caused by the breach of an obligation not arising from contract.

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, 22; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Meidinger
Brooks	Holand	Miller
Erickson	Hystad	Nesvig
Erickstad	Kamrath	Reichert
Foss	Kee	Roen
Garaas	Kisse	Saumur
Gefreh	Lautenschlager	Schrock

Gronvold	Longmire	Thompson
Harris	Luick	Wartner
Those voting in the negative were:		
Baeverstad	Johnson	Ringsak
Baker	Lips	Solberg
Becker	Morgan	Trenbeath
Berube	Murphy	Van Horn
Bopp	Mutch	Wadeson
Fiedler	Paulson	Witteman
George	Redlin	Yunker
Gilbertson		

Senator Gronvold changed his vote from Nay to Aye for the purpose of reconsideration.

So the bill passed and the title was agreed to.

REPORT OF A STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that Senate Concurrent Resolution "R" was delivered to the Secretary of State at the hour of 3:10 o'clock p.m., February 23, 1961.

SENATOR KISSE, Chairman.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 23, 1961

Mr. President: I have the honor to return:

Senate Bill No. 73
 Senate Bill No. 91
 Senate Bill No. 109
 Senate Bill No. 110
 Senate Bill No. 115
 Senate Bill No. 134
 Senate Bill No. 138
 Senate Bill No. 143
 Senate Bill No. 183
 Senate Bill No. 198
 Senate Bill No. 215
 Senate Bill No. 250

Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 23, 1961

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 824 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives:

Leet
 Renfrow
 Giffey

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 23, 1961

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to:

House Bill No. 561

House Bill No. 594
House Bill No. 655

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, February 23, 1961

Mr. President: I have the honor to return:

Senate Bill No. 69
Senate Bill No. 226
Senate Concurrent Resolution "O"

Which the House has indefinitely postponed.

GERALD L. STAIR, Chief Clerk.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on
House Bill No. 824, Senators:

Wadeson
Mutch
Hystad

MOTIONS

Senator Holand moved that the Senate recess until 1:00
p.m., February 24, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FIFTY-SECOND DAY AFTER RECESS
AND FIFTY-THIRD DAY

Bismarck, February 24, 1961

The Senate convened at 1:00 p.m., the President presiding.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 60
Senate Bill No. 83
Senate Bill No. 107
Senate Bill No. 166
Senate Bill No. 173
Senate Bill No. 182
Senate Bill No. 197
Senate Bill No. 207
Senate Bill No. 228
Senate Bill No. 243
Senate Bill No. 258
Senate Bill No. 262
Senate Concurrent Resolution "W"

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. 543
House Bill No. 563
House Bill No. 569
House Bill No. 579
House Bill No. 588
House Bill No. 593
House Bill No. 608
House Bill No. 636
House Bill No. 642
House Bill No. 708
House Bill No. 737

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

February 24, 1961

Members of the Senate
 Thirty-seventh Legislative Assembly
 Bismarck, North Dakota

Greetings:

Yesterday, February 23, I signed Senate Bills Nos. 64, 76, 79, 106, 125, 133, 154, 159, and 180. Today I have signed Senate Bills Nos. 3, 10, 12, 16, 18, 145, 147 and 152.

These bills have been filed with the Secretary of State.

Sincerely yours,
 WILLIAM L. GUY
 Governor

REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and En-grossment respectfully reports that it has examined the following bills:

Senate Bill No. 73
 Senate Bill No. 91
 Senate Bill No. 110
 Senate Bill No. 115
 Senate Bill No. 134
 Senate Bill No. 138
 Senate Bill No. 143
 Senate Bill No. 183
 Senate Bill No. 198
 Senate Bill No. 215
 Senate Bill No. 250

And finds the same correctly enrolled.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and En-grossment respectfully reports that it has examined the following resolution:

Senate Memorial Resolution No. 1,001

And finds the same correctly enrolled.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and En-grossment respectfully reports that it has examined the following bill:

Senate Bill No. 109

And finds the same correctly enrolled.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber
 Bismarck, February 24, 1961

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 824, Senators:

Wadeson
Mutch
Hystad

HOWARD F. DOHERTY, Secretary.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 512 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 513 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 517 has had the same under consideration and recommends that the same be amended as follows:

In line 3 delete the figure "\$366,000.00" and insert the figure "\$400,000.00" in lieu thereof.

In line 9 delete the figure "350,280.00" and insert the figure "384,280.00" in lieu thereof.

In line 10 delete the figure "\$366,000.00" and insert the figure "\$400,000.00" in lieu thereof.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 530 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 533 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 536 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 537 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 571 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 573 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 584 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 616 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 658 has had the same under consideration and recommends that the same do pass.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 662 has had the same under consideration and recommends that the same be amended as follows:

Delete all of lines 78 through 83.

Renumber the lines and sections accordingly.

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 675 has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 693 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 694 has had the same under consideration and recommends that the same do pass.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 700 has had the same under consideration and recommends that the same do pass.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 705 has had the same under consideration and recommends that the same do pass.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 712 has had the same under consideration and recommends that the same do pass.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 716 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KEE, Chairman.

Senator Kee moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 738 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 742 has had the same under consideration and recommends that the same do pass.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 747 has had the same under consideration and recommends that the same be amended as follows:

In line 10,468 delete the numeral "35-03-09" and insert in lieu thereof the numeral "35-03-06"

In line 10,632 delete everything after the word "on" and insert in lieu thereof the date "July 1, 1963"

In line 10,633 delete the partial word "ment"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 777 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 779 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 792 has had the same under consideration and recommends that the same do pass.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 793 has had the same under consideration and recommends that the same do pass.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 801 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 817 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 821 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 822 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 833 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted.

Senator Baker made the substitute motion that House Bill No. 833 be placed on the calendar, which motion was declared lost.

The question being on the motion of Senator Hernettt that the committee report on House Bill No. 833 be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 835 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 839 has had the same under consideration and recommends that the same do pass.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 840 has had the same under consideration and recommends that the same do pass.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 849 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 854 has had the

same under consideration and recommends that the same be amended as follows:

In line 28 after the word "dollars" insert the following: "which shall be in lieu of registration requirements while such vehicle is used for haystack moving only"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR KEE, Chairman.

Senator Kee moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 861 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 862 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 610 has had the same under consideration and recommends that the same be amended as follows:

In line 9 delete the words "two dollars" and insert in lieu thereof the words "one dollar and fifty cents"

In line 15 delete the word "six" and insert in lieu thereof the word "five"

Renumber the lines accordingly.

And when so amended be placed on the calendar without recommendation.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 865 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 875 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 894 has had the

same under consideration and recommends that the same do pass.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 909 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 915 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Concurrent Resolution "HH" has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Concurrent Resolution "MM" has had the same under consideration and recommends that the same do pass.

SENATOR KEE, Chairman.

Senator Kee moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Holand moved that the reading of the amendments to House Bill No. 539 be dispensed with, which motion prevailed.

Senator Meidinger moved that the amendments to House Bill No. 539 be adopted.

Senator Murphy moved that the question on the adoption of amendments to House Bill No. 539 be divided, which motion prevailed.

The question being on the motion of Senator Meidinger that House Bill No. 539 be amended as follows:

In line 135 delete "In the case of a non-"

Delete all of lines 135a and 136.

In line 136a delete "mitted in this section."

In line 178 delete "upon farms"

In line 183 delete "upon farms"

In line 189 delete "upon farms"

In line 190 delete "but upon farmsteads"

In line 191 delete "and sending children"

In line 192 delete "to school in such school district"

In line 193 delete "upon a farm" and insert in lieu thereof "from"

In line 242 delete "special"

In line 243 after the word "district" insert "special"

In line 394 after the period insert the following: "Every member of any school board shall receive mileage as is provided in Section 11-10-15 for every mile actually traveled by such member in the performance of his official duty, as a member of such school board."

In line 2136 after the period insert the following: "Under every such adjustment, property of component areas of reorganized districts shall become the property thereof, and the bonded indebtedness of the component areas and affected districts, or an equitable fraction thereof, shall be assumed by and shall become indebtedness of the reorganized district. Taxes for bonded indebtedness so assumed shall be assessed and apportioned uniformly throughout the reorganized district."

In line 2136 after the word "of" insert "not"

Delete all of lines 2423, ~~2424~~, 2425.

In line 2426 delete the following: "member of the board of county commissioners."

In line 2437 after the period insert the following: "Regardless of the length of the initial term of any director, no person who has been appointed for two consecutive terms to a board of directors governing a public library or reading room shall be eligible for further appointment to such board until one year after the expiration of the second term; provided, that appointments made prior to July 1, 1961 shall not be counted in determining eligibility hereunder."

Which motion prevailed.

The question being on the motion of Senator Meidinger that House Bill No. 539 be further amended as follows:

In line 2538 delete "except the Fargo school district,"

In line 2551 delete "twenty-seven" and insert in lieu thereof "thirty-two" and after the semicolon insert the following: "provided that there shall be no limitation upon the taxes which may be levied by any school district having a total population in excess of seven thousand five hundred according to the last federal census;"

Remember the lines accordingly.

Which motion prevailed.

Senator Wadson moved that the amendments to House Bill No. 646 be adopted, which motion prevailed.

Senator Wartner moved that the amendments to Senate Bill No. 810 be adopted, which motion prevailed.

Senator Wadson moved that House Bill No. 905 be referred to the Committee on Agriculture, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 24, 1961

Mr. President: I have the honor to return:

Senate Bill No. 5

Senate Bill No. 6

Senate Bill No. 11
 Senate Bill No. 13
 Senate Bill No. 14
 Senate Bill No. 17
 Senate Bill No. 21
 Senate Bill No. 38
 Senate Bill No. 75
 Senate Bill No. 118
 Senate Bill No. 119
 Senate Bill No. 142
 Senate Bill No. 160
 Senate Bill No. 189
 Senate Bill No. 201
 Senate Bill No. 209
 Senate Bill No. 212
 Senate Bill No. 220
 Senate Bill No. 222
 Senate Bill No. 252
 Senate Bill No. 269
 Senate Bill No. 308

Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 24, 1961

Mr. President: I have the honor to return:

Senate Bill No. 61

Senate Bill No. 92

Which the House has amended as follows:

Amendments to Senate Bill No. 61:

Following line 24, add a new subsection to read as follows:

5. State School of Science, Wahpeton, North Dakota

a. Men's Dormitory \$550,000.00

Renumber the lines accordingly.

Amendments to Senate Bill No. 92:

In line 28 of the engrossed bill after the word "below" insert the following: "three-hundred forty-seven degrees Fahrenheit (one hundred seventy-five degrees Centigrade) and not less than ninety-five per cent distilled (recovered) below"

In line 263 of the engrossed bill, delete the word "receive" and insert in lieu thereof the word "receipt"

Renumber the lines accordingly.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 24, 1961

Mr. President: I have the honor to return:

Senate Bill No. 70

Senate Bill No. 87

Senate Bill No. 270

Which the House has indefinitely postponed.

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, February 24, 1961

Mr. President: I have the honor to return:

Senate Bill No. 54
Senate Bill No. 74
Senate Bill No. 81
Senate Bill No. 86
Senate Bill No. 99
Senate Bill No. 130
Senate Bill No. 172
Senate Bill No. 205
Senate Bill No. 287
Senate Bill No. 288

Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, February 24, 1961

Mr. President: I have the honor to transmit:

House Bill No. 542
House Bill No. 596
House Bill No. 607
House Bill No. 669
House Bill No. 671
House Bill No. 677
House Bill No. 697
House Bill No. 814
House Concurrent Resolution "B"

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, February 24, 1961

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to:

House Bill No. 550
House Bill No. 652
House Bill No. 703
House Bill No. 717
House Concurrent Resolution "E-1"

GERALD L. STAIR, Chief Clerk.

MOTIONS

Senator Mutch moved that the Senate reconsider the action by which House Bill No. 722 was indefinitely postponed, which motion was declared lost.

Senator Mutch requested a division, which request was granted.

ROLL CALL

The question being on the motion of Senator Mutch, the roll was called and there were ayes, 21; nays, 27; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Gilbertson	Nesvig
Baker	Gronvold	Paulson
Becker	Lautenschlager	Redlin
Bopp	Lips	Saumur

Fiedler
Garaas
Gefreh

Luick
Morgan
Mutch

Schrock
Trenbeath
Wartner

Those voting in the negative were:

Andre
Berube
Brooks
Erickson
Erickstad
Foss
George
Harris
Hernett

Holand
Hystad
Johnson
Kamrath
Kee
Kisse
Longmire
Meidinger
Miller

Murphy
Reichert
Ringsak
Roen
Solberg
Van Horn
Wadeson
Witteaman
Yunker

Absent and not voting:

Thompson

So the motion was declared lost.

Senator Longmire moved that the Senate reconsider the action by which House Bill No. 641 was tabled, which motion was declared lost.

Senator Holand moved that after the reading of House Bills Nos. 508, 514, 611, 643, 699, 749, 761, 796, and House Concurrent Resolution "A-1", that the Senate adjourn, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FIFTY-THIRD DAY

Bismarck, February 24, 1961

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. Glenn Field, Capital Heights Baptist, Bismarck.

Almighty God, to whom all hearts are open and from whom no secret is hidden, come and be our guide this day as we seek to find and to do Thy Will. Thou canst supply that which is lacking and Thou wouldst change even some of the things we would do. Give us enough wisdom so that that those things that we do will not be foolish in Thy sight. Lord, we would lean heavily upon Thy leadership knowing that to follow Thee is to find approval in Thy sight and to bring to pass that which is useful to Thyself and to all mankind.

Help us to practice Thine own maxim "Thou shalt love thy neighbor as thyself." Deliver us from that which is only expedient and help us to do what we do out of a sense of right and wrong and to benefit the people of the society of which we are a part. Help us to realize that we cannot live unto ourselves and be true to our country and to Thee.

May Thy hand guide the actions of this legislative body this day. This we ask in the name of the One who gave us the pattern of justice, wisdom, love, and salvation: even our Lord Jesus Christ. Amen.

Roll call: All Senators present.

A quorum was declared by the President.

REPORT OF A STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal

of the fifty-first day after recess and fifty-second day and recommends that the same be corrected as follows:

On page 666, in line 4 from the bottom of the page, delete the period and insert a comma in lieu thereof and add the following words: "which motion prevailed."

On page 669, in line 4, delete the word "prevailed" and insert in lieu thereof the word "lost".

And when so corrected recommends that the same be approved.

SENATOR HARRIS, Chairman.

Senator Harris moved that the report be adopted, which motion prevailed.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 647 has had the same under consideration and recommends that the Senate recede from its amendments and that House Bill No. 647 be amended as follows:

In line 4 delete the figure "\$10,000.00" and insert in lieu thereof the figure "\$5,000.00"

For the Senate:

Donald C. Holand
Elton W. Ringsak
Clark Van Horn

For the House:

C. L. Lindberg
Halvor Rolfsrud
Stanley Saugstad

Senator Holand moved that the report be adopted, which motion prevailed.

MOTIONS

Senator Holand moved that House Bill No. 647 be placed on second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 647. A Bill for an Act making an appropriation to the North Dakota state soldiers home for the purpose of remodeling, air-conditioning and additional lighting for the laundry.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 45; nays, 4; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Hystad	Paulson
Baker	Holand	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Foss	Lips	Solberg

Garaas	Longmire	Thompson
Gefreh	Luick	Trenbeath
George	Meidinger	Van Horn
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Harris	Mutch	Yunker

Those voting in the negative were:

Brooks	Murphy	Witteman
Fiedler		

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. 824 has had the same under consideration and recommends that the House concur with the Senate amendments,

For the Senate:

Harry W. Wadeson
Duane Mutch
Isak Hystad

For the House:

Louis Leet
Harry G. Renfrow
Donald Giffey

Senator Wadeson moved that the report be adopted, which motion prevailed.

REPORT OF A STANDING COMMITTEE

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 545 has had the same under consideration and recommends that the same be amended as follows:

Delete everything after the words "A BILL" and insert in lieu thereof the following:

For an Act to create and enact sections 12-46-10.1 and 12-52-02.1, and to amend and reenact sections 12-46-01, 12-46-15, 12-52-02, 27-16-02, 27-16-11, and 54-23-01 of the North Dakota Century Code, relating to name of state training school, creation of a disciplinary committee, parole of children into licensed foster homes, appointment of juvenile commissioners, and testing and evaluation of children for juvenile courts.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

- 1 SECTION 1.) Section 12-46-10.1 of the North Dakota
- 2 Century Code is hereby created and enacted to read as
- 3 follows:
- 4 12-46-10.1. DISCIPLINARY COMMITTEE —
- 5 MEMBERS — DUTIES.) The disciplinary committee
- 6 shall consist of the director of treatment or his
- 6a representa-
- 7 tive, as chairman, a member of the medical staff, and
- 7a the
- 8 director of cottage life or his representative. The com-
- 9 mittee shall advise the superintendent of Heart Valley
- 9a on
- 10 all disciplinary policies; review all cases involving
- 10a serious

11 breaches of discipline before punitive action is taken
 12 thereon and advise the superintendent in regard to
 12a such
 13 specific cases; and maintain written records of charges
 14 against students for disciplinary violations together
 14a with
 15 their recommendations thereon. These records shall
 15a be
 16 subject to review by the board of administration, the
 17 attorney general, or any legislative committee at their
 18 request. Nothing in this section shall be construed to
 18a pre-
 19 vent the superintendent from placing a child under
 19a close
 20 supervision immediately after that child commits a
 20a serious
 21 breach of discipline.

22 SECTION 2.) Section 12-52-02.1 of the North Dakota
 23 Century Code is hereby created and enacted to read as
 24 follows:

25 12-52-02.1. CHILD PLACED UNDER CUSTODY
 26 OF PUBLIC WELFARE BOARD.) Whenever the
 26a super-
 27 intendent of Heart Valley believes a person eligible
 27a for
 28 parole, he shall notify the public welfare board or its
 28a duly
 29 authorized agent. It shall be the duty of the public
 29a welfare
 30 board to find suitable placement homes or positions
 30a for such
 31 persons and to prepare written recommendations
 31a thereon
 32 which shall be sent to the superintendent. The
 32a superintend-
 33 ent shall release such persons into the custody of the
 33a public
 34 welfare board or its agents for the purpose of place-
 34a ment and
 35 supervision. Employees of the public welfare board
 35a shall
 36 act as agents of the superintendent concerning the
 36a supervi-
 37 sion of all persons paroled under the provisions of
 37a this
 38 section. The superintendent may return such paroled
 39 persons to Heart Valley at his discretion. The public
 40 welfare board shall be governed by the provisions of
 41 chapter 50-12 of this code concerning the placement
 41a of such
 42 paroled persons in foster homes.

43 SECTION 3. AMENDMENT.) Section 12-46-01
 44 of the North Dakota Century Code is hereby amended
 44a and
 45 reenacted to read as follows:

46 12-46-01. STATE TRAINING SCHOOL —
 47 LOCATION — PURPOSE — NAME.) The state
 47a training
 48 school shall be named Heart Valley, shall be located
 48a at

49 the city of Mandan in the county of Morton, and shall
 49a be
 50 the general reform and industrial school of the state
 50a for the
 51 detention, instruction, and reformation of juveniles of
 51a both
 52 sexes who are committed to it according to law.
 53 SECTION 4. AMENDMENT.) Section 12-46-15
 54 of the North Dakota Century Code is hereby amended
 54a and
 55 reenacted to read as follows:
 56 12-46-15. CONTENTS OF ORDER OF COMMIT-
 57 MENT.) Every order of commitment to (((the state
 58 training school))) Heart Valley shall specify the date,
 58a as
 59 near as may be ascertained by the juvenile court, at
 59a which
 60 the accused will attain majority. The date so
 60a ascertained
 61 and specified shall be conclusive for all purposes
 61a connected
 62 with the state training school. The judge shall cause
 62a to be
 63 transmitted to the superintendent, with each person
 63a com-
 64 mitted to (((the state training school))) Heart Valley,
 64a a
 65 statement of the nature of the complaint or charges
 66 (((together with such other particulars concerning the
 67 accused as he may be able to ascertain and as he deems
 68 necessary))) the person's social history, and all
 68a records
 69 of investigation and evaluation concerning such
 69a person.
 70 These statements and records shall be sent to Heart
 70a Valley
 71 at the time of commitment or immediately thereafter.
 72 SECTION 5. AMENDMENT.) Section 12-52-02
 73 of the North Dakota Century Code is hereby amended
 73a and
 74 reenacted to read as follows:
 75 12-52-02. PAROLE ON RECOMMENDATION
 76 OF SUPERINTENDENT.) No parole shall be granted
 77 to any person committed to (((the state training
 77a school)))
 78 Heart Valley or placed under the guardianship, con-
 78a trol and
 79 custody of the superintendent thereof unless the
 79a superin-
 80 tendent recommends the parole to the board of
 80a administra-
 81 tion and some suitable person will receive the person
 82 paroled under such conditions as may be approved by
 82a the .
 83 superintendent (((of the school))). Nothing ((herein
 83a con-
 84 tained))) in this chapter shall prevent the parole of
 84a any
 85 person into his own home (((, or with the approval of
 85a the

86 public welfare board of North Dakota or its duly
 86a authorized
 87 agent,))) or into a licensed foster home under one of
 87a the
 88 welfare programs administered by the public welfare
 88a board
 89 of North Dakota.
 90 SECTION 6. AMENDMENT.) Section 27-16-02
 91 of the North Dakota Century Code is hereby amended
 91a and
 92 reenacted to read as follows:
 93 27-16-02. JUVENILE COMMISSIONERS —
 94 APPOINTMENT — POWERS.) ((The judges of each
 95 judicial district may appoint not more than two suit-
 95a able and
 96 discreet persons of good moral character as juvenile
 96a com-
 97 missioners for each county of the judicial district, but
 97a the
 98 number of said juvenile commissioners so appointed
 98a shall be
 99 based upon the need therefor as determined by the
 99a judges
 100 of each judicial district.))) The judges of each judicial
 101 district shall appoint a minimum of one full-time
 101a juvenile
 102 commissioner for their judicial district and may ap-
 102a point not
 103 more than two persons as juvenile commissioners for
 103a each
 104 county in their judicial district. No person shall be
 105 appointed who is not a suitable and discreet person of
 105a good
 106 moral character. The number of juvenile commis-
 106a sioners so
 107 appointed shall be based upon the need therefor as
 107a deter-
 108 mined by the judges of each judicial district. Each
 108a juvenile
 109 commissioner so appointed shall have the powers
 109a generally
 110 conferred upon masters by the North Dakota Rules of
 110a Civil
 111 Procedure, and also shall have power to:
 112 1. Administer oaths;
 113 2. Take acknowledgments of instruments, for the
 113a pur-
 114 poses of this chapter;
 115 3. Receive complaints and have warrants issued
 115a within
 116 the provisions of this chapter;
 117 4. Examine fully into the merits of each case;
 118 5. Issue summonses and subpoenas for hearings
 118a within
 119 the provisions of this chapter. Such hearings may
 120 be held at any place within the county where the
 121 proceeding is commenced;
 122 6. Compel the attendance of witnesses before him
 122a and

123 report any witness or witnesses to one of the
 123a judges
 124 of the judicial district for nonattendance or
 124a refusal
 125 to be sworn or to testify as provided by section
 126 27-10-23; and
 127 7. Make such temporary order for the custody and
 128 control of a child as he may deem proper.
 129 upon petition of the board of county commissioners of
 129a any
 130 county asking that a juvenile commissioner be ap-
 130a pointed
 131 for the county, the judge of the district court shall
 131a appoint
 132 a juvenile commissioner for such county.
 133 SECTION 7. AMENDMENT.) Section 27-16-11
 134 of the North Dakota Century Code is hereby amended
 134a and
 135 reenacted to read as follows:
 136 27-16-11. INFORMATION GIVEN TO THE
 137 COURT — INVESTIGATION.) Any person having
 138 information that a child comes within the jurisdiction
 138a of-
 139 the juvenile court as defined by section 27-16-08, may
 140 give such information to one of the judges of the
 140a judicial
 141 district or to a juvenile commissioner. Such judge or
 142 juvenile commissioner shall make a preliminary in-
 142a quiry to
 143 determine whether the interest of the child or of the
 143a public
 144 requires that further action be taken. When
 144a practicable
 145 such inquiries shall include:
 146 1. Preliminary investigation of the home and en-
 146a viron-
 147 ment of the child; ((and))
 148 2. The history, facts, and circumstances of the con-
 149 dition alleged or of the misconduct complained of
 150 (((.))) ; and
 151 3. The placement of the child in the closed treat-
 151a ment
 152 unit at Heart Valley for the purpose of evalua-
 152a tion
 153 to the extent facilities at that institution permit.
 154 The child shall remain under the jurisdiction of
 154a the
 155 court while at Heart Valley for this purpose.
 156 After the evaluation is completed, the super-
 156a intend-
 157 ent of Heart Valley shall immediately return the
 158 child together with a written statement of the
 159 results of the evaluation to the court. Transporta-
 160 tion of such child shall be in the same manner as
 161 provided in section.12-46-14.
 162 SECTION 8. AMENDMENT.) Section 54-23-01
 163 of the North Dakota Century Code is hereby amended
 163a and
 164 reenacted to read as follows:
 165 54-23-01. INSTITUTIONS UNDER CONTROL

166 OF BOARD OF ADMINISTRATION.) The board of
 167 administration shall have full power to manage,
 167a control,
 168 and govern, subject only to the limitations contained
 168a in
 169 this chapter and in Title 25, the state hospital, the
 169a peni-
 170 tentiary, the school for the blind, the school for the
 170a deaf,
 171 the Grafton state school, (((the state training
 171a school)))
 172 Heart Valley, the state tuberculosis sanatorium, and
 172a such
 173 other charitable, reformatory, and penal institutions as
 174 have been or may be created or established according
 174a to
 175 law. The board shall not have the power to manage,
 176 control, and govern the soldiers' home. The term
 176a "board"
 177 as used in this chapter shall mean the board of
 177a adminis-
 178 tration.

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted,
 which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 807. A Bill for an Act to amend and re-
 enact section 39-06-16 of the North Dakota Century Code
 relating to the cartying of one's operator's license or per-
 mit in his possession at all times.

Which has been read.

ROLL CALL

The question being on the final passage of the bill,
 as amended, the roll was called and there were ayes, 48;
 nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteaman
Gronvold	Mutch	Yunker

Absent and not voting:

Meidinger

So the bill passed and the title was agreed to.

House Bill No. 809. A Bill for an Act to amend and re-enact section 27-16-35 of the North Dakota Century Code relating to hearing and service of notice thereon in juvenile 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, 2.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris	Nesvig	

Absent and not voting:

Baker Meidinger

So the bill passed and the title was agreed to.

House Bill No. 813. A Bill for an Act to amend and re-enact section 14-11-10 of the North Dakota Century Code relating to hearings in adoption proceedings and service of notice 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:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Becker	Hystad	Redlin
Brooks	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker

Absent and not voting:**Baker**

So the bill passed and the title was agreed to.

House Bill No. 815. A Bill for an Act to amend and reenact section 27-16-36 of the North Dakota Century Code relating to the termination of parental rights upon petition of parent and notice of hearing such 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, 43; nays, 6; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Mutch
Baeverstad	Holand	Nesvig
Baker	Hystad	Paulson
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Brooks	Kee	Roen
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Trenbeath
Foss	Longmire	Van Horn
Garaas	Luick	Wadeson
Gefreh	Meidinger	Wartner
George	Miller	Witteaman
Gronvold	Morgan	Yunker
Harris		

Those voting in the negative were:

Bopp	Murphy	Saumur
Gilbertson	Redlin	Thompson

So the bill passed and the title was agreed to.

House Bill No. 893. A Bill for an Act to amend and reenact subsection 3 of section 36-15-01, section 36-15-02, section 36-15-04, section 36-15-09, and subsection 7 of section 36-15-11 of the North Dakota Century Code relating to the condemnation, and the appraisal, by the livestock sanitary board or its agents of diseased animals afflicted with tuberculosis or paratuberculosis (John's disease), providing for maximum indemnity payments to livestock owners, and providing when livestock owners may not be indemnified; and to repeal section 36-15-05 of the North Dakota Century Code relating to maximum valuations of diseased animals.

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, 10; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Gronvold	Miller
Baker	Hernett	Morgan
Becker	Holand	Mutch
Berube	Hystad	Nesvig
Bopp	Johnson	Paulson
Erickson	Kamrath	Redlin

Erickstad	Kee	Reichert
Fiedler	Kisse	Saumur
Foss	Lautenschlager	Solberg
Garaas	Lips	Trenbeath
Gefreh	Longmire	Van Horn
George	Luick	Wadeson
Gilbertson	Meidinger	Yunker

Those voting in the negative were:

Andre	Ringsak	Thompson
Brooks	Roen	Wartner
Harris	Schrock	Wittman
Murphy		

So the bill passed and the title was agreed to.

House Bill No. 508. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous, and special projects, of the State Penitentiary:

Which has been read.

Senator Murphy moved that House Bill No. 508 be amended as follows:

In line 21, delete the figure "10,000.00" and insert in lieu thereof the figure "9,000.00".

In line 26 delete the figure "\$1,392,400.00" and insert in lieu thereof the figure "\$1,391,400.00".

Which motion was declared lost.

Senator Murphy requested a division, which request was denied.

ROLL CALL

The question being on the final passage of House Bill No. 508, as amended, the roll was called and there were ayes, 44; nays, 4; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Harris	Nesvig
Baker	Hernett	Redlin
Becker	Holand	Reichert
Berube	Hystad	Ringsak
Bopp	Johnson	Roen
Brooks	Kamrath	Saumur
Erickson	Kee	Schrock
Erickstad	Kisse	Thompson
Fiedler	Lautenschlager	Trenbeath
Foss	Lips	Van Horn
Garaas	Longmire	Wadeson
Gefreh	Luick	Wartner
George	Meidinger	Wittman
Gilbertson	Miller	Yunker
Gronvold	Morgan	

Those voting in the negative were:

Andre	Paulson	Solberg
Murphy		

Absent and not voting:

Mutch

So the bill passed and the title was agreed to.

House Bill No. 514. A Bill for an Act making an appropriation for Vocational Agriculture, Vocational Home

Economics, Business Education, Trade and Industrial Education.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker

Absent and not voting:

Mutch

So the bill passed and the title was agreed to.

House Bill No. 611. A Bill for an Act to amend and reenact section 39-17-10 of the North Dakota Century Code relating to amount to be repaid before privileges are restored after revocation of driver's permit.

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, 4; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker

Those voting in the negative were:

Baker	Morgan	Roen
Gilbertson		

So the bill passed and the title was agreed to.

House Bill No. 643. A Bill for an Act to regulate and license bottle clubs in this state, 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, 43; nays, 6; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Harris	Mutch
Baker	Hernett	Nesvig
Becker	Holand	Paulson
Berube	Hystad	Redlin
Bopp	Johnson	Ringsak
Brooks	Kamrath	Roen
Erickson	Kee	Schrock
Erickstad	Kisse	Solberg
Fiedler	Lautenschlager	Thompson
Foss	Lips	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gilbertson	Miller	Witteman
Gronvold		

Those voting in the negative were:

Andre	Murphy	Saumur
Morgan	Reichert	Yunker

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, February 24, 1961

Mr. President: I have the honor to transmit:
House Concurrent Resolution "C-1"

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, February 24, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 543
House Bill No. 563
House Bill No. 569
House Bill No. 579
House Bill No. 588
House Bill No. 593
House Bill No. 608
House Bill No. 636
House Bill No. 642
House Bill No. 708
House Bill No. 737

Which the President has signed.

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, February 24, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 60
Senate Bill No. 83
Senate Bill No. 107
Senate Bill No. 166
Senate Bill No. 173
Senate Bill No. 182
Senate Bill No. 197
Senate Bill No. 207
Senate Bill No. 228
Senate Bill No. 243
Senate Bill No. 258
Senate Bill No. 262
Senate Concurrent Resolution "W"

Which the President has signed and your signature is respectfully requested.

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, February 24, 1961

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "PP"

Which the Senate has passed and your favorable consideration is requested.

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, February 24, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 502
House Bill No. 509
House Bill No. 510
House Bill No. 511
House Bill No. 518
House Bill No. 519
House Bill No. 520
House Bill No. 613
House Bill No. 614
House Bill No. 634
House Bill No. 650
House Bill No. 714
House Bill No. 744
House Bill No. 769
House Bill No. 771
House Bill No. 888
House Concurrent Resolution "J-1"

Which the Senate has passed unchanged.

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, February 24, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 575
House Bill No. 641
House Bill No. 722

House Bill No. 743

House Bill No. 755

Which the Senate has indefinitely postponed.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, February 24, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 592

House Bill No. 718

House Bill No. 904

Which the Senate has amended.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, February 24, 1961

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the conference committee on House Bill No. 647.

The vote:

45 ayes

4 nays

0 absent

HOWARD F. DOHERTY, Secretary.

MOTIONS

Senator Holand moved that the Senate recess until 1:00 p.m., February 25, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FIFTY-THIRD DAY AFTER RECESS AND
FIFTY-FOURTH DAY

Bismarck, February 25, 1961

The Senate convened at 1:00 p.m., the President presiding.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 73
Senate Bill No. 91
Senate Bill No. 109
Senate Bill No. 110
Senate Bill No. 115
Senate Bill No. 134
Senate Bill No. 138
Senate Bill No. 143
Senate Bill No. 183
Senate Bill No. 198
Senate Bill No. 215
Senate Bill No. 250
Senate Memorial Resolution No. 1,001

And the President signed in the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Bill No. 542
House Bill No. 596
House Bill No. 607
House Bill No. 669
House Bill No. 671
House Bill No. 677
House Bill No. 697
House Bill No. 814
House Concurrent Resolution "B"

And the President signed the same in the presence of the Senate.

REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and En-grossment respectfully reports that it has examined the following bills:

Senate Bill No. 13
Senate Bill No. 17
Senate Bill No. 21
Senate Bill No. 38

Senate Bill No. 75
 Senate Bill No. 160
 Senate Bill No. 222
 Senate Bill No. 269

And finds the same correctly enrolled.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 54
 Senate Bill No. 74
 Senate Bill No. 81
 Senate Bill No. 86
 Senate Bill No. 99
 Senate Bill No. 130
 Senate Bill No. 172
 Senate Bill No. 205
 Senate Bill No. 287
 Senate Bill No. 288

Were delivered to the Governor for his approval at the hour of 3:50 o'clock p.m., February 24, 1961.

SENATOR KISSE, Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Memorial Resolution No. 1,001

Was delivered to the Secretary of State at the hour of 1:40 o'clock p.m. February 25, 1961.

SENATOR KISSE, Chairman.

SECOND READING OF HOUSE BILLS AND A CONCURRENT RESOLUTION

House Bill No. 699. A Bill for an Act to amend and reenact section 36-11-07 of the North Dakota Century Code, relating to liability of owners of livestock inflicting damage to persons or property of another.

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:

Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Berube	Hystad	Reichert
Bopp	Johnson	Ringsak
Erickson	Kamrath	Roen
Erickstad	Kisse	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Lips	Solberg
Gefreh	Longmire	Thompson
George	Luick	Trenbeath
Gilbertson	Meidinger	Van Horn
Gronvold	Miller	Wadeson
Harris	Morgan	Yunker

Those voting in the negative were:

Andre	Murphy	Wartner
Brooks	Redlin	Witteman

Absent and not voting:

Becker	Kee	Mutch
Garaas		

So the bill passed and the title was agreed to.

House Bill No. 749. A Bill for an Act to amend and reenact section 57-40-17 of the North Dakota Century Code, relating to contractor's performance bonds for payment of use tax, in order to clarify said section.

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:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Baker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kisse	Roen
Brooks	Lautenschlager	Saumur
Erickson	Lips	Schrock
Erickstad	Longmire	Solberg
Fiedler	Luick	Thompson
Foss	Meidinger	Trenbeath
Gefreh	Miller	Van Horn
George	Morgan	Wadeson
Gilbertson	Murphy	Wartner
Gronvold	Mutch	Witteman
Harris	Nesvig	Yunker
Hernett		

Absent and not voting:

Becker	Garaas	Kee
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So the bill passed and the title was agreed to.

House Bill No. 761. A Bill for an Act to amend and reenact section 51-05-13 of the North Dakota Century Code, relating to the licensing and bonding of auctioneers, 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, 44; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Redlin
Baeverstad	Hystad	Reichert
Baker	Johnson	Ringsak
Berube	Kamrath	Roen
Bopp	Kisse	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Erickstad	Longmire	Thompson

Fiedler	Luick	Trenbeath
Foss	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gronvold	Mutch	Witteman
Harris	Nesvig	Yunker
Hernett	Paulson	

Those voting in the negative were:

Gilbertson	Murphy
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Absent and not voting:

Becker	Garaas	Kee
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So the bill passed and the title was agreed to.

House Bill No. 796. A Bill for an Act to amend and reenact subsection 1 of section 4-09-10 of the North Dakota Century Code relating to labeling requirements for agricultural seed.

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:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Baker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kisse	Roen
Brooks	Lautenschlager	Saumur
Erickson	Lips	Schrock
Erickstad	Longmire	Solberg
Fiedler	Luick	Thompson
Foss	Meidinger	Trenbeath
Gefreh	Miller	Van Horn
George	Morgan	Wadeson
Gilbertson	Murphy	Wartner
Gronvold	Mutch	Witteman
Harris	Nesvig	Yunker
Hernett		

Absent and not voting:

Becker	Garaas	Kee
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So the bill passed and the title was agreed to.

House Concurrent Resolution "A-1". A concurrent resolution requesting the Congress of the United States, acting through the United States Department of Agriculture and the Commodity Credit Corporation, to modify certain provisions of the uniform grain storage agreement now utilized by the Commodity Credit Corporation.

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:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin

Baker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kisse	Roen
Brooks	Lautenschlager	Saumur
Erickson	Lips	Schrock
Erickstad	Longmire	Solberg
Fiedler	Luick	Thompson
Foss	Meidinger	Trenbeath
Gefreh	Miller	Van Horn
George	Morgan	Wadeson
Gilbertson	Murphy	Wartner
Gronvold	Mutch	Witteman
Harris	Nesvig	Yunker
Hernett		

Absent and not voting:

Becker	Garaas	Kee
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So the resolution was declared adopted.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 503 has had the same under consideration and recommends that the same be amended as follows:

After line 15 insert the following:

"Dormitory and Administration Building (any part or all to be built from State or Federal Funds, providing funds are available, at the discretion of the Budget Board and under the supervision of the Board of Administration) 500,000.00"

In line 16 delete the figure "\$573,790.00" and insert the figure "\$1,073,790.00" in lieu thereof.

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 504 has had the same under consideration and recommends that the same be amended as follows:

In line 16a delete the word "Repainting" and insert the word "Repointing" in lieu thereof.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 507 has had the same under consideration and recommends that the same be amended as follows:

Delete all of line 22a, including the figure, and insert in lieu thereof the following line:

"Replacement of Brown Cottage 100,000.00"

In line 23 delete the figure "\$1,132,524.00" and insert the figure "\$1,162,524.00" in lieu thereof.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 521 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 522 has had the same under consideration and recommends that the same be amended as follows:

In line 3 delete the figure "\$662,660.00" and insert the figure "\$705,740.00" in lieu thereof.

After line 25 insert the following line:

"Implementing House Bill 869 43,080.00"

In line 26 delete the figure "\$662,660.00" and insert the figure "\$705,740.00" in lieu thereof.

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 523 has had the same under consideration and recommends that the same be amended as follows:

In line 3 delete the figure "\$174,250.00" and insert the figure "\$175,600.00" in lieu thereof.

In line 8 delete the figure "\$11,250.00" and insert the figure "\$12,600.00" in lieu thereof.

In line 19 delete the figure "\$174,250.00" and insert the figure "\$175,600.00" in lieu thereof.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 528 has had the same under consideration and recommends that the same be amended as follows:

In line 9 delete the figure "\$797,900.00" and insert the figure "\$857,900.00" in lieu thereof.

After line 18 insert the following lines:

"18a New elevator and air conditioning

18b Bank building 60,000.00"

In line 27 delete the figure "\$779,100.00" and insert the figure "\$839,100.00" in lieu thereof.

In line 37 delete the figure "\$797,900.00" and insert the figure "\$857,900.00" in lieu thereof.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 529 has had the same under consideration and recommends that the same be amended as follows:

In line 11 delete the figure "140,050.00" and insert the figure "104,050.00" in lieu thereof.

After line 11 insert the following line:

"11a Manager's Salary 36,000.00"

And, when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 531 has had the same under consideration and recommends that the same be amended as follows:

In line 7 delete the figure "\$1,875.00" and insert the figure "\$2,400.00" in lieu thereof.

In line 14 delete the figure "\$2,875.00" and insert the figure "\$3,400.00" in lieu thereof.

In line 20 delete the figure "\$47,000.00" and insert the figure "\$59,600.00" in lieu thereof.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 532 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 534 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: A majority of your Committee on Industry, Business and Labor to whom was referred House Bill No. 541 has had the same under consideration and the majority recommends that the same be indefinitely postponed.

Senators:

R. E. Meidinger
 Edwin C. Becker, Jr.
 Lee F. Brooks
 John E. Yunker
 Harry W. George
 Duane Mutch
 Lester N. Lautenschlager
 Gail H. Hernet

Senator Meidinger moved that the report of the majority be adopted.

Mr. President: A minority of your Committee recommends that the same do pass.

• Senators:

Isak Hystad
Orville Witteman
C. G. Kee
Dwight Kamrath
Bronald Thompson

Senator Hystad moved that the report of the minority be substituted for that of the majority.

The question being on the motion of Senator Hystad that the report of the minority be substituted for that of the majority, which motion was declared lost.

The question being on the motion of Senator Meidinger that the report of the majority be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred House Bill No. 547 has had the same under consideration and recommends that the same be amended as follows:

In line 4 of the title delete the words "or natural"

In line 7 delete the words "or from"

Delete all of line 8 and insert in lieu thereof the words "and in"

In line 41 after the word "action" delete the comma and the word "or" and insert in lieu thereof a period

Delete all of line 42

In line 196 delete everything after the comma

Delete all of line 197 and insert in lieu thereof the words "and that the"

Delete all of line 342

In line 343 delete the words "bad faith,"

In line 348 after the comma insert the words "except in case of willful misconduct, gross negligence, or bad faith,"

After line 423 insert the following subsection:

"37-17-16. NATURAL DISASTERS.) Nothing herein provided shall prevent the governor from requesting and ordering the civil defense division from aiding in natural disasters."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MILLER, Chairman.

Senator Miller moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 603 has had the same under consideration and recommends that the same do pass.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 638 has had the

same under consideration and recommends that the same be amended as follows:

In line 25 delete the word "shall" and insert in lieu thereof the word "may"

Delete all of lines 27 and 28.

In line 29 delete the word "licenses."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 644 has had the same under consideration and recommends that the same do pass.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 645 has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred House Bill No. 654 has had the same under consideration and recommends that the same be amended as follows:

In line 2 of the title delete everything after the word "of"

In line 3 of the title delete the words "employment service, and"

In line 1 delete everything after the word "The"

Delete all of line 2

In line 3 delete the words "services provided in title 52, and the"

Delete all of line 4 and insert in lieu thereof the words "national guard is authorized"

In line 5 after the word "establish" insert the word "an"

In line 5 delete the word "programs" and insert in lieu thereof the word "program"

In line 9 delete the word "agencies" and insert in lieu thereof the word "agency"

In line 10 delete the word "programs" and insert in lieu thereof the word "program"

In line 12 delete the word "contracts" and insert in lieu thereof the word "contract"

In line 13 delete everything after the comma.

Delete all of line 14

In line 15 delete the words "service, and"

In line 17 delete the words "joint or separate contracts" and insert in lieu thereof "a contract"

In line 18 delete the word "programs" and insert in lieu thereof the word "program"

In line 39 delete the word "Gov." and insert in lieu thereof the word "gov."

In line 40 delete the word "agencies" and insert in lieu thereof the word "agency"

In line 53 delete the word "Each" and insert in lieu thereof the word "The"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MILLER, Chairman.

Senator Miller moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 667 has had the same under consideration and recommends that the same do pass.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 668 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 698 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 704 has had the same under consideration and recommends that the same be amended as follows:

Delete all of lines 4 and 5 and insert in lieu thereof:

40-23-13. PUBLICATION OF NOTICE OF CONFIRMATION OF ASSESSMENT LIST AND MEETING FOR ACTION UPON ASSESSMENTS.)

And when so amended recommends the same do pass.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 711 has had the same under consideration and recommends that the same do pass.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 721 has had the same under consideration and recommends that the same be amended as follows:

In line 11 after "a" insert "written" and after "contract" insert the following: "evidenced by franchised agreement whereby such retailer agrees to maintain a stock of parts or complete or whole machines, and attachments"

In line 23 after "all" insert "current"

In line 25 after "and" insert "eighty-five percent of the"

In line 26 after "parts" insert "listed in current price list or catalogue"

In line 28 after "trucks" insert "previously purchased from such wholesaler, manufacturer or distributor, and"

In line 36 after "and" insert "eighty-five percent of the current net prices on"

In line 37 after "parts" insert "only"

In line 40 after "parts" insert "only"

In line 67 after the second "and" insert "eighty-five percent of"

In line 96 delete "one hundred" and insert in lieu thereof "eighty-five"

In line 105 after the period insert the following: "Provided further that either party shall give at least ninety days notice to the other of their intention to cancel or terminate any contract under the provisions of this Act."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 736 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 741 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 753 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 766 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 767 has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 808 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 811 has had the same under consideration and recommends that the same do pass.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 819 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 827 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 828 has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 829 has had the same under consideration and recommends that the same be amended as follows:

In line 26 delete the word "four" and insert in lieu thereof the word "two"

And when so amended recommends the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 845 has had the same under consideration and recommends that the same do pass.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred House Bill No. 850 has had the same under consideration and recommends that the same be amended as follows:

In line 14, after the word "hours" insert the words: "conflicting with school classes of such minor"

Delete all of lines 74 and 75.

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MILLER, Chairman.

Senator Miller moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred House Bill No. 928 has had the same under consideration and recommends that the same do pass.

SENATOR MILLER, Chairman.

Senator Miller moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Concurrent Resolution "P" has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Concurrent Resolution "Q" has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Concurrent Resolution "R" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Foss moved that the amendments to House Bill No. 517 be adopted, which motion prevailed.

Senator Baeverstad moved that the amendments to House Bill No. 597 be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to House Bill No. 610 be adopted, which motion prevailed.

Senator Wartner moved that the amendments to House Bill No. 662 be adopted, which motion prevailed.

Senator Wartner moved that the amendments to House Bill No. 747 be adopted.

Senator Brooks made the substitute motion that the amendments to House Bill No. 747 be laid on the table, which motion prevailed.

Senator Kee moved that the amendments to House Bill No. 854 be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 25, 1961

Mr. President: I have the honor to return:

Senate Bill No. 60
 Senate Bill No. 83
 Senate Bill No. 107
 Senate Bill No. 166
 Senate Bill No. 173
 Senate Bill No. 182
 Senate Bill No. 197
 Senate Bill No. 207
 Senate Bill No. 228
 Senate Bill No. 243
 Senate Bill No. 258
 Senate Bill No. 262
 Senate Concurrent Resolution "W"
 Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 25, 1961

Mr. President: I have the honor to return:

Senate Bill No. 301
 Senate Bill No. 302
 Senate Concurrent Resolution "S"
 Senate Concurrent Resolution "CC"
 Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 25, 1961

Mr. President: I have the honor to return:

Senate Bill No. 93

Which the House has amended as follows:

Amendments to Senate Bill No. 93:

In line 25 of the engrossed bill, after the word "used" insert the following: ", except that liquefied petroleum gas used for heating purposes,"

Renumber the lines accordingly.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 25, 1961

Mr. President: I have the honor to transmit:

House Concurrent Resolution "N-1"

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, February 25, 1961

Mr. President: I have the honor to return:

Senate Bill No. 210
Senate Bill No. 224
Senate Concurrent Resolution "U"
Senate Concurrent Resolution "DD"

Which the House has indefinitely postponed.

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, February 25, 1961

Mr. President: I have the honor to transmit:

House Bill No. 561
House Bill No. 594
House Bill No. 617
House Bill No. 620
House Bill No. 655
House Bill No. 768
House Bill No. 770
House Bill No. 787
House Bill No. 797
House Bill No. 826
House Bill No. 843
House Bill No. 890
House Bill No. 929
House Concurrent Resolution "U"

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

FIRST READING OF SENATE BILLS

The Committee on Delayed Bills introduced:

Senate Bill No. 312. A Bill for an Act to amend and reenact subsection 1 of section 15-40-08 of the North Dakota Century Code relating to expenditures from the emergency fund of the state equalization fund in extreme emergencies.

Was read the first time and referred to the Committee on Education

The Committee on Delayed Bills introduced:

Senate Bill No. 313. A Bill for an Act to provide that all persons shall have equal rights in public places in North Dakota, and providing a penalty.

Was read the first time and referred to the Committee on State and Federal Government.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "C-1". A concurrent resolution for amendment of sections 26, 30, and 35 of the Constitution of the state of North Dakota, relating to the establishment of legislative districts and the apportionment of members of the senate and the house of representatives, and to repeal sections 29 and 214 of the Constitution of the state of North Dakota, relating to the establishment of legislative districts and the apportionment of members of the house of representatives.

Was read the first time and referred to the Committee on Judiciary.

MOTIONS

Senator Holand moved that after the reading of House Bills Nos. 512, 513, 530, 533, 536, 537, 539, 571, 573, 584, 616, 646, 658, 675, 693, 694, 700, 705, 712, 738, 742, 777, 779, 792, 793, 801, 810, 817, 821, 822, 835, 839, 840, 849, 865, 875, 894, 909, 915, and Senate Concurrent Resolutions "HH" and "MM", that the Senate adjourn, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FIFTY-FOURTH DAY

Bismarck, February 25, 1961

The Senate convened at 2:00 p.m., the President presiding.
Prayer by Chaplain Rev. Edward R. Kimball, 1st Evangelical Free, Bismarck.

Our Heavenly Father:

We acknowledge before Thee that we have sinned and come short of Thy glory. We confess to Thee our proneness to delinquency. We admit there is in our nature a rebellious attitude. Help us in these acknowledgments to not presume upon Thy mercy, but to forsake all that is displeasing to Thee.

Lead us, we pray, in paths of righteousness. Teach us to be kind to those we meet in our daily walk. Help us to be patient and understanding with those less fortunate than we are. Help us to be sensitive to the promptings of the Holy Spirit.

Grant unto these, who are in authority over us, insight and wisdom in the principles of good government. Help them to realize that governments are ordained of Thee and that they are responsible to Thee. Guide and direct them in every deliberation. Help them to realize that You have promised wisdom to those who would ask. Hear us we pray — in Jesus name. Amen.

Roll Call: All Senators present except Senators Garaas and Kee.

A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fifty-second day after recess and fifty-third day and finds the same correct.

SENATOR HARRIS, Chairman.

Senator Harris moved that the report be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 512. 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.

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	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kisse	Roen
Brooks	Lautenschlager	Saumur
Erickson	Lips	Schrock
Erickstad	Longmire	Solberg
Fiedler	Luick	Thompson
Foss	Meidinger	Trenbeath
Gefreh	Miller	Van Horn
George	Morgan	Wadeson
Gilbertson	Murphy	Wartner
Gronvold	Mutch	Witteman
Harris	Nesvig	Yunker
Hernett		

Absent and not voting:

Andre	Garaas	Kee
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So the bill passed and the title was agreed to.

House Bill No. 513. A Bill for an Act making an appropriation for School Districts operating Junior Colleges as provided for in Sections 15-18-07, 15-18-08, and 15-18-09 of the North Dakota Century Code.

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:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Berube	Kamrath	Roen
Bopp	Kisse	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Erickstad	Longmire	Thompson
Fiedler	Luick	Trenbeath
Foss	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Murphy	Wartner
Gronvold	Mutch	Witteman
Harris	Nesvig	Yunker

Those voting in the negative were:

Gilbertson	Morgan
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Absent and not voting:

Garaas	Kee
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So the bill passed and the title was agreed to.

House Bill No. 530. A Bill for an Act making an appropriation to pay the costs of the administration of the Old Age and Survivor Insurance 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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Berube	Kamrath	Roen
Bopp	Kisse	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Erickstad	Longmire	Thompson
Fiedler	Luick	Trenbeath
Foss	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris	Nesvig	

Absent and not voting:

Garaas Kee

So the bill passed and the title was agreed to.

House Bill No. 533. A Bill for an Act making an appropriation to pay for the education of children, who are deaf as well as blind, at any school or institution, outside the State of North Dakota, for which there are no facilities in the State.

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:

Andre	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kisse	Roen
Brooks	Lautenschlager	Saumur
Erickson	Lips	Schrock
Erickstad	Longmire	Solberg
Fiedler	Luick	Thompson
Foss	Meidinger	Trenbeath
Gefréh	Miller	Van Horn
George	Morgan	Wadeson
Gilbertson	Murphy	Wartner
Gronvold	Mutch	Witteman
Harris	Nesvig	Yunker
Hernett		

Absent and not voting:

Baeverstad Garaas Kee

So the bill passed and the title was agreed to.

House Bill No. 536. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Civil Air Patrol.

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:

Andre	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kisse	Roen
Brooks	Lautenschlager	Saumur
Erickson	Lips	Schrock
Erickstad	Longmire	Solberg
Fiedler	Luick	Thompson
Foss	Meidinger	Trenbeath
Gefreh	Miller	Van Horn
George	Morgan	Wadeson
Gilbertson	Murphy	Wartner
Gronvold	Mutch	Witteman
Harris	Nesvig	Yunker
Hernett		

Absent and not voting:

Baeverstad	Garaas	Kee
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So the bill passed and the title was agreed to.

House Bill No. 537. A Bill for an Act making an appropriation to continue the operation of North Dakota Civil Defense as provided for by Chapter 37-17 of the North Dakota Century Code.

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:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Berube	Kamrath	Roen
Bopp	Kisse	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Erickstad	Longmire	Thompson
Fiedler	Luick	Trenbeath
Foss	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris	Nesvig	

Absent and not voting:

Garaas	Kee
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So the bill passed and the title was agreed to.

House Bill No. 539. A Bill for an Act to amend and re-enact chapters 15-27, 15-28, and 15-29 of the North Dakota Century Code and sections 11-14-14, 15-18-01, 15-18-03, 15-21-07, 15-21-07.1, 15-34-03, 15-34-04, 15-34-05, 15-34-06, 15-34-08, 15-34-10, 15-34-12, 15-34-14, subsection 3 of section 15-34-15, sections 15-34-16, 15-34-22, 15-35-08, 15-35-09, 15-35-10, 15-35-13, 15-35-14, 15-36-12, 15-37-04, 15-38-01,

15-38-03, 15-38-09, 15-38-13, 15-38-14, 15-38-15, subdivision a of subsection 1 of section 15-39-01, subsection 1 of section 15-39-16, sections 15-39-19, 15-39-20, 15-39-22, 15-39-23, 15-39-24, 15-41-18, subdivisions b and d of subsection 2 of section 15-43-01, sections 15-43-03, 15-43-04, 15-43-06, 15-43-07, 15-43-08, 15-43-09, 15-43-10, 15-45-01, 15-46-01, 15-46-04, 15-47-05, 15-47-06, 15-47-07, 15-47-08, 15-47-10, 15-47-11, 15-47-13, 15-47-14, 15-47-15, 15-47-17, 15-47-18, 15-47-22, 15-47-23, 15-47-25, 15-47-26, 15-47-27, 15-48-01, 15-48-02, 15-49-02, 15-49-09, 15-49-11, 15-53-09, subsection 5 of section 15-53-10, sections 15-53-14, 15-53-18, 15-53-19, 15-53-26, subsections 1 and 2 of section 21-03-01, subsection 4 of section 21-03-06, subsections 2 and 3 of section 21-04-01, sections 21-04-13, 21-04-15, 40-38-03, 40-38-05, 40-41-04, 44-08-01, 57-15-13, 57-15-14, of the North Dakota Century Code, and to repeal chapters 15-23, 15-24, 15-25, 15-26, 15-30, 15-31, 15-32, 15-33, sections 15-41-09, 15-41-10, 15-41-11, 15-41-12, 15-41-13, 15-41-14, 15-41-15, 15-41-16, 15-41-17, 15-41-20, 15-41-21, 15-41-23, and 15-53-17 of the North Dakota Century Code, relating to provisions especially affecting common and independent school district law, and joint high school districts.

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:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Berube	Kamrath	Roen
Bopp	Kisse	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Erickstad	Longmire	Thompson
Fiedler	Luick	Trenbeath
Foss	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris	Nesvig	

Absent and not voting:

Garaas	Kee
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So the bill passed and the title was agreed to.

House Bill No. 571. A Bill for an Act to amend and reenact sections 49-09-13 and 62-01-08 of the North Dakota Century Code, relating to the filing of conditional sales contracts and pistol licenses.

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, 9; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Gronvold	Miller
Baeverstad	Harris	Morgan
Baker	Hernett	Mutch
Becker	Holand	Paulson
Bopp	Hystad	Redlin
Brooks	Johnson	Reichert
Erickson	Kamrath	Ringsak
Erickstad	Kisse	Roen
Fiedler	Lautenschlager	Trenbeath
Foss	Lips	Wartner
Gefreh	Longmire	Witteman
George	Luick	Yunker
Gilbertson	Meidinger	

Those voting in the negative were:

Berube	Saumur	Thompson
Murphy	Schrock	Van Horn
Nesvig	Solberg	Wadeson

Absent and not voting:

Garaas	Kee
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So the bill passed and the title was agreed to.

House Bill No. 573. A Bill for an Act to make an appropriation to the state historical society for the construction of new buildings for the International Music Camp at the International Peace Garden.

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, 6; absent and not voting, 2.

Those voting in the affirmative were:

Baeverstad	Holand	Reichert
Baker	Hystad	Ringsak
Becker	Johnson	Roen
Berube	Kamrath	Saumur
Brooks	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Foss	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Mutch	Witteman
Harris	Paulson	Yunker
Hernett	Redlin	

Those voting in the negative were:

Andre	Fiedler	Murphy
Bopp	Morgan	Nesvig

Absent and not voting:

Garaas	Kee
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So the bill passed and the title was agreed to.

House Bill No. 584. A Bill for an Act creating mechanic's liens; relating to lands subject to such liens; prescribing procedures to perfect and enforce such liens; declaring

certain acts as larceny; providing penalty for filing unlawful liens; making the provisions of Title 35 of the North Dakota Century Code not in conflict herewith applicable to this Act; and repealing chapter 35-12 of the North Dakota Century Code.

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:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Berube	Kamrath	Roen
Bopp	Kisse	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Erickstad	Longmire	Thompson
Fiedler	Luick	Trenbeath
Foss	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris	Nesvig	

Absent and not voting:

Garaas Kee

So the bill passed and the title was agreed to.

House Bill No. 616. A Bill for an Act authorizing the state board of higher education of the state of North Dakota to purchase additional land for use by the agricultural experiment station, North Dakota State University of Agriculture and Applied Science, making an appropriation therefor, 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, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Berube	Kamrath	Roen
Bopp	Kisse	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Erickstad	Longmire	Thompson
Fiedler	Luick	Trenbeath
Foss	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman

Gronvold
Harris

Mutch
Nesvig

Yunker

Absent and not voting:

Garaas Kee

So the bill passed and the title was agreed to and the emergency clause carried.

House Bill No. 646. A Bill for an Act to amend and reenact sections 36-05-03, 36-05-04, 36-05-05, 36-05-06, 36-05-09, and 36-05-13 of the North Dakota Century Code, relating to the licensing of livestock auction markets, and to create and enact sections 36-05-03.1 and 36-05-03.2 of the North Dakota Century Code, relating to applicant's right to administrative hearings and setting forth procedure.

Which has been read.

Senator Gefreh moved that House Bill No. 646 be amended as follows:

Delete lines 45 through 87.

Renumber the lines and sections accordingly.

Senator Kisse made the substitute motion that House Bill No. 646 be re-referred to the Committee on Agriculture, which motion prevailed.

House Bill No. 658. A Bill for an Act to amend and reenact section 11-18-14 of the North Dakota Century Code, relating to the authority of the register of deeds to destroy certain documents.

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:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Berube	Kamrath	Roen
Bopp	Kisse	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Erickstad	Longmire	Thompson
Fiedler	Luick	Trenbeath
Foss	Meidinger	Van Horn
Gefreh	Miller	Wadson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris	Nesvig	

Absent and not voting:

Garaas Kee

So the bill passed and the title was agreed to.

House Bill No. 675. A Bill for an Act to repeal section 20-11-05 of the North Dakota Century Code relating to the islands in the waters of Devils Lake and the Missouri River being set aside as state game refuges.

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:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Berube	Kamrath	Roen
Bopp	Kisse	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Erickstad	Longmire	Thompson
Fiedler	Luick	Trenbeath
Foss	Miller	Van Horn
Gefreh	Morgan	Wadson
George	Murphy	Wartner
Gilbertson	Mutch	Witteman
Gronvold	Nesvig	Yunker
Harris		

Absent and not voting:

Garaas	Kee	Meidinger
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So the bill passed and the title was agreed to.

House Bill No. 693. A Bill for an Act to amend and reenact subsection 3 of section 41-18-13 of the North Dakota Century Code, relating to filing fee and retention of trust receipt statements.

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:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Berube	Kamrath	Roen
Bopp	Kisse	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Erickstad	Longmire	Thompson
Fiedler	Luick	Trenbeath
Foss	Miller	Van Horn
Gefreh	Morgan	Wadson
George	Murphy	Wartner
Gilbertson	Mutch	Witteman
Gronvold	Nesvig	Yunker
Harris		

Absent and not voting:

Garaas	Kee	Meidinger
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So the bill passed and the title was agreed to.

House Bill No. 694. A Bill for an Act to provide that police magistrates and county justices give bond schedules to peace officers in their jurisdiction for purposes of author-

izing peace officers to permit a person arrested for certain traffic violations to mail the bond to such police magistrate or county justice under certain circumstances.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 9; nays, 38; absent and not voting, 2.

Those voting in the affirmative were:

Baker	Miller	Reichert
Gronvold	Nesvig	Wadeson
Longmire	Paulson	Yunker

Those voting in the negative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Redlin
Becker	Holand	Ringsak
Berube	Hystad	Roen
Bopp	Johnson	Saumur
Brooks	Kamrath	Schrock
Erickson	Kisse	Solberg
Erickstad	Lautenschlager	Thompson
Fiedler	Lips	Trenbeath
Foss	Luick	Van Horn
Gefreh	Meidinger	Wartner
George	Morgan	Witteman
Gilbertson	Murphy	

Absent and not voting:

Garaas	Kee
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So the bill was declared lost.

House Bill No. 700. A Bill for an Act to amend and reenact Section 57-52-11 of the North Dakota Century Code relating to the distribution of money collected under the provisions of Chapter 57-52 of the North Dakota Century Code.

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, 18; absent and not voting, 3.

Those voting in the affirmative were:

Baker	Lautenschlager	Paulson
Brooks	Lips	Redlin
Erickstad	Longmire	Reichert
Fiedler	Meidinger	Ringsak
Foss	Miller	Saumur
Gefreh	Morgan	Schrock
George	Murphy	Thompson
Harris	Mutch	Wartner
Hernett	Nesvig	Yunker
Kamrath		

Those voting in the negative were:

Andre	Gilbertson	Roen
Baeverstad	Gronvold	Solberg
Becker	Hystad	Trenbeath
Berube	Johnson	Van Horn

Bopp	Kisse	Wadeson
Erickson	Luick	Witteinan

Absent and not voting:

Garaas	Holand	Kee
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So the bill passed and the title was agreed to.

House Bill No. 705. A Bill for an Act validating, ratifying, approving and confirming bonds and other instruments or obligations, heretofore issued by public bodies of this state, and all proceedings heretofore taken by such public bodies, to authorize and issue such bonds, instruments and other obligations, however described, and to provide funds for their payment; providing that this Act may be cited as "The 1961 Bond Validating Act", 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, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Berube	Kamrath	Roen
Bopp	Kisse	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Erickstad	Longmire	Thompson
Fiedler	Luick	Trenbeath
Foss	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Warner
Gilbertson	Murphy	Witteinan
Gronvold	Mutch	Yunker
Harris	Nesvig	

Absent and not voting:

Garaas	Kee
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So the bill passed and the title was agreed to and the emergency clause carried.

House Bill No. 712. A Bill for an Act to amend and reenact sections 40-24-18, 40-24-19, 40-24-21, 40-24-22, and 40-24-23 of the North Dakota Century Code, relating to municipal special improvement district funds and the issuance of warrants thereon, providing for the issuance of temporary and definitive warrants on such funds, validating obligations issued and proceedings taken as provided in said sections as so amended, 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:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kisse	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Erickstad	Longmire	Thompson
Fiedler	Luick	Trenbeath
Foss	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Wittman
Gronvold	Mutch	Yunker
Harris		

Absent and not voting:

Garaas	Kee	Roen
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So the bill passed and the title was agreed to and the emergency clause carried.

House Bill No. 738. A Bill for an Act to amend and reenact section 64-02-10 of the North Dakota Century Code and to repeal sections 64-02-16, 64-02-17 and section 64-02-18 of the North Dakota Century Code, relating to licensing and inspecting coin-weighing machines, scales and public gasoline pumps.

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:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Berube	Kamrath	Roen
Bopp	Kisse	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Erickstad	Longmire	Thompson
Fiedler	Luick	Trenbeath
Foss	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Wittman
Gronvold	Mutch	Yunker
Harris	Nesvig	

Absent and not voting:

Garaas	Kee
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So the bill passed and the title was agreed to.

House Bill No. 742. A Bill for an Act to repeal subsection 11 of section 11-28-05 of the North Dakota Century Code, relating to the exercise of the power of eminent domain by the 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, 31; nays, 15; absent and not voting, 3.

Those voting in the affirmative were:

Baeverstad	Hystad	Nešvig
Becker	Johnson	Redlin
Berube	Kamrath	Reichert
Bopp	Kisse	Ringsak
Erickson	Lautenschlager	Roen
Erickstad	Luick	Saumur
Fiedler	Meidinger	Schrock
Foss	Morgan	Solberg
Gefreh	Murphy	Trenbeath
George	Mutch	Van Horn
Harris		

Those voting in the negative were:

Andre	Holand	Thompson
Baker	Lips	Wadeson
Brooks	Longmire	Wartner
Gronvold	Miller	Witteman
Hernett	Paulson	Yunker
Absent and not voting:		
Garaas	Gilbertson	Kee

So the bill passed and the title was agreed to.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 25, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 643
House Bill No. 728
House Bill No. 809
House Bill No. 813
House Bill No. 815
House Bill No. 893

Which the Senate has passed unchanged.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, February 25, 1961

Mr. Speaker: I have the honor to transmit:

House Bill No. 508
House Bill No. 514
House Bill No. 611
House Bill No. 807

Which the Senate has amended.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, February 25, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 716
House Bill No. 833
House Bill No. 861
House Bill No. 862

Which the Senate has indefinitely postponed.

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, February 25, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 73
Senate Bill No. 91
Senate Bill No. 109
Senate Bill No. 110
Senate Bill No. 115
Senate Bill No. 134
Senate Bill No. 138
Senate Bill No. 143
Senate Bill No. 183
Senate Bill No. 198
Senate Bill No. 215
Senate Bill No. 250

Which the President has signed and your signature is respectfully requested.

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, February 25, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 542
House Bill No. 596
House Bill No. 607
House Bill No. 669
House Bill No. 671
House Bill No. 677
House Bill No. 697
House Bill No. 814
House Concurrent Resolution "B"

Which the President has signed.

HOWARD F. DOHERTY, Secretary.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, February 25, 1961

Mr. President: I have the honor to inform you that the House refused to concur in the Senate amendment to House Bill No. 718 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives:

Johnson
Loder
Karabensh

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, February 25, 1961

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 904.

GERALD L. STAIR, Chief Clerk.

REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and En-grossment respectfully reports that it has examined the following bills:

- Senate Bill No. 6
- Senate Bill No. 11
- Senate Bill No. 14
- Senate Bill No. 118
- Senate Bill No. 119
- Senate Bill No. 189
- Senate Bill No. 220
- Senate Bill No. 252
- Senate Bill No. 308

And finds the same correctly enrolled.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

The Committee on Enrollment and Engrossment respectfully reports that:

- Senate Bill No. 60
- Senate Bill No. 83
- Senate Bill No. 107
- Senate Bill No. 166
- Senate Bill No. 173
- Senate Bill No. 182
- Senate Bill No. 197
- Senate Bill No. 207
- Senate Bill No. 228
- Senate Bill No. 243
- Senate Bill No. 258
- Senate Bill No. 262

Were delivered to the Governor for his approval at the hour of 3:25 o'clock p.m., February 25, 1961.

SENATOR KISSE, Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution "W"

Was delivered to the Secretary of State at the hour of 3:30 o'clock p.m., February 25, 1961.

SENATOR KISSE, Chairman.

MOTIONS

Senator Holand moved that the Senate recess until 12:30 p.m., February 27, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FIFTY-FOURTH DAY AFTER RECESS
AND FIFTY-SIXTH DAY

Bismarck, February 27, 1961

The Senate convened at 12:30 p.m., the President presiding.

REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports it has examined the following bills:

Senate Bill No. 5
Senate Bill No. 142
Senate Bill No. 201
Senate Bill No. 209
Senate Bill No. 212
Senate Bill No. 301
Senate Bill No. 302

And finds the same correctly enrolled.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports it has examined the following resolutions:

Senate Concurrent Resolution "S"
Senate Concurrent Resolution "CC"

And finds the same correctly engrossed.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 561
House Bill No. 594
House Bill No. 617
House Bill No. 620
House Bill No. 655
House Bill No. 768
House Bill No. 770
House Bill No. 787
House Bill No. 797
House Bill No. 826
House Bill No. 843

House Bill No. 890
 House Bill No. 929
 House Concurrent Resolution "U"

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. 5
 Senate Bill No. 6
 Senate Bill No. 11
 Senate Bill No. 13
 Senate Bill No. 14
 Senate Bill No. 17
 Senate Bill No. 21
 Senate Bill No. 38
 Senate Bill No. 75
 Senate Bill No. 118
 Senate Bill No. 119
 Senate Bill No. 142
 Senate Bill No. 160
 Senate Bill No. 189
 Senate Bill No. 201
 Senate Bill No. 209
 Senate Bill No. 212
 Senate Bill No. 220
 Senate Bill No. 222
 Senate Bill No. 252
 Senate Bill No. 269
 Senate Bill No. 301
 Senate Bill No. 302
 Senate Bill No. 308
 Senate Concurrent Resolution "S"
 Senate Concurrent Resolution "CC"

And the President signed the same in the presence of the Senate.

SECOND READING OF HOUSE BILLS

House Bill No. 777. A Bill for an Act to amend and reenact Section 19-10-19 of the North Dakota Century Code, relating to oil inspection 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, 38; nays, 10; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Johnson	Redlin
Baker	Kamrath	Reichert
Becker	Kee	Ringsak
Brooks	Kisse	Roen
Erickson	Lautenschlager	Saumur
Erickstad	Lips	Schrock
Gefr�h	Longmire	Thompson
George	Meidinger	Trenbeath
Gronvold	Miller	Van Horn
Harris	Murphy	Wadson
Hernett	Mutch	Wartner
Holand	Nesvig	Yunker
Hystad	Paulson	

Those voting in the negative were:

Berube	Garaas	Morgan
Bopp	Gilbertson	Solberg
Fiedler	Luick	Witteman
Foss		

Absent and not voting:

Baeverstad

So the bill passed and the title was agreed to.

House Bill No. 779. 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.

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, 11; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Mutch
Baker	Holand	Nesvig
Becker	Kamrath	Paulson
Bopp	Kee	Reichert
Brooks	Kisse	Ringsak
Erickson	Lautenschlager	Roen
Erickstad	Lips	Saumur
Foss	Longmire	Schrock
Garaas	Luick	Trenbeath
Gefreh	Miller	Wadson
George	Morgan	Wartner
Gronvold	Murphy	Yunker
Harris		

Those voting in the negative were:

Berube	Johnson	Thompson
Fiedler	Meidinger	Van Horn
Gilbertson	Redlin	Witteman
Hystad	Solberg	

Absent and not voting:

Baeverstad

So the bill passed and the title was agreed to.

House Bill No. 792. A Bill for an Act to authorize the Bismarck school district to sell tax exempt bonds for the purpose of constructing revenue producing dormitories.

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, 1; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak

Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wartner
Gilbertson	Morgan	Witteaman
Gronvold	Murphy	Yunker

Those voting in the negative were:

Wadeson

So the bill passed and the title was agreed to.

House Bill No. 793. A Bill for an Act to amend and reenact sections 40-04-08, 40-04-09, and 40-04-10 of the North Dakota Century Code relating to a change from the commission system of government, providing the petition required therefor, the determination of the sufficiency of said petition by the city auditor, the procedure to be followed when said petition is filed, and for a special election and ballot thereon.

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, 2; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Berube	Kamrath	Roen
Bopp	Kee	Saumur
Brooks	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Longmire	Trenbeath
Foss	Luick	Van Horn
Garaas	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteaman
Gronvold	Mutch	Yunker
Harris	Nesvig	

Those voting in the negative were:

Gefreh Murphy

So the bill passed and the title was agreed to.

House Bill No. 801. A Bill for an Act to amend and reenact section 32-09-28 of the North Dakota Century Code, relating to liability of a garnishee.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

House Bill No. 810. A Bill for an Act to amend and re-enact section 16-12-05 of the North Dakota Century Code relating to the preparation of a ballot by an elector.

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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

House Bill No. 817. A Bill for an Act to repeal section 47-03-07 of the North Dakota Century Code, relating to accumulations of income.

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:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Yunker

Absent and not voting:
Witteaman

So the bill passed and the title was agreed to.

House Bill No. 821. A Bill for an Act to create and enact chapter 10-18.1 and to amend and reenact section 10-18-02.3 of the North Dakota Century Code, relating to the transfer of shares of stock by a fiduciary, and to repeal sections 10-18-02.1 and 10-18-02.2 of the North Dakota Century Code, relating to the transfer of shares of stock by a fiduciary.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteaman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

MOTIONS

Senator Murphy moved that the Senate reconsider the action by which House Bill No. 539 was passed, which motion was declared lost.

Senator Murphy requested a division, which request was granted.

ROLL CALL

The question being on the motion of Senator Murphy, the roll was called and there were ayes, 18; nays, 31; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hystad	Mutch
Baeverstad	Johnson	Nesvig
Bopp	Kamrath	Solberg
Garaas	Luick	Van Horn
Gilbertson	Morgan	Wittebath
Gronvold	Murphy	Yunker

Those voting in the negative were:

Baker	Hernett	Redlin
Becker	Holand	Reichert
Berube	Kee	Ringsak
Brooks	Kisse	Roen
Erickson	Lautenschlager	Saumur
Erickstad	Lips	Schrock
Fiedler	Longmire	Thompson
Foss	Meidinger	Trenbeath
Gefreh	Miller	Wadeson
George	Paulson	Wartner
Harris		

So the motion was declared lost.

Senator Trenbeath moved that the Senate reconsider the action by which Senate Concurrent Resolution "JJ" was indefinitely postponed.

ROLL CALL

The question being on the motion of Senator Trenbeath, the roll was called and there were ayes, 28; nays, 21; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Hernett	Miller
Baker	Holand	Morgan
Becker	Kee	Mutch
Brooks	Kisse	Redlin
Erickson	Lautenschlager	Roen
Erickstad	Lips	Saumur
Fiedler	Longmire	Trenbeath
Foss	Luick	Wadeson
Gefreh	Meidinger	Wartner
Gronvold		

Those voting in the negative were:

Andre	Hystad	Ringsak
Berube	Johnson	Schrock
Bopp	Kamrath	Solberg
Garaas	Murphy	Thompson
George	Nesvig	Van Horn
Gilbertson	Paulson	Wittebath
Harris	Reichert	Yunker

So the motion was declared lost for lack of a two-thirds majority.

Senator Baker moved that the amendments to House Bill No. 747 be taken off the table, which motion was declared lost.

Senator Baker requested a division, which request was denied.

SECOND READING OF HOUSE BILLS

House Bill No. 822. A Bill for an Act to amend and reenact section 43-07-11 of the North Dakota Century Code relating to non-resident contractors — bond requirements; and to create and enact section 52-04-18 of the North Dakota Century Code relating to reporting of all public contracts — provision relating to contributions required in contractors bond.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

House Bill No. 835. A Bill for an Act to repeal chapter 34-04 of the North Dakota Century Code, relating to the principles of the law of master and servant.

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, 7; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Gronvold	Murphy
Baeverstad	Harris	Mutch
Baker	Hernett	Nesvig
Becker	Holand	Paulson
Berube	Hystad	Redlin
Brooks	Johnson	Reichert
Erickson	Kamrath	Ringsak
Erickstad	Kee	Saumur
Fiedler	Kisse	Schrock
Foss	Lautenschlager	Thompson
Garaas	Lips	Trenbeath
Gefreh	Longmire	Van Horn
George	Meidinger	Wartner
Gilbertson	Miller	Yunker

Those voting in the negative were:

Bopp	Roen	Wadeson
Luick	Solberg	Witteman
Morgan		

So the bill passed and the title was agreed to.

House Bill No. 839. A Bill for an Act to create and enact sections 11-33-21, 11-34-05, 40-47-14, and 58-03-16 of the North Dakota Century Code relating to penalties for violation of zoning 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, 4; nays, 44; absent and not voting, 1.

Those voting in the affirmative were:

Baker	Lips	Wartner
Harris		

Those voting in the negative were:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Fiedler	Longmire	Solberg
Foss	Luick	Thompson
Garaas	Meidinger	Trenbeath
Gefreh	Miller	Van Horn
George	Morgan	Wadeson
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Hernett	Nesvig	

Absent and not voting:

Erickstad

So the bill was declared lost.

MOTIONS

Senator Garaas moved that the Senate reconsider the action by which House Bill No. 742 was passed, which motion was declared carried.

Senator Gefreh requested a division which request was granted.

ROLL CALL

The question being on the motion of Senator Garaas, the roll was called and there were ayes, 14; nays, 35; absent and not voting, 0.

Those voting in the affirmative were:

Baker	Gronvold	Thompson
Brooks	Holand	Trenbeath
Erickstad	Lips	Wartner
Garaas	Longmire	Yunker
Gilbertson	Miller	

Those voting in the negative were:

Andre	Hystad	Paulson
Baeverstad	Johnson	Redlin

Becker	Kamrath	Reichert
Berube	Kee	Ringsak
Bopp	Kisse	Roen
Erickson	Lautenschlager	Saumur
Fiedler	Luick	Schrock
Foss	Meidinger	Solberg
Gefreh	Morgan	Van Horn
George	Murphy	Wadeson
Harris	Mutch	Witteaman
Hernett	Nesvig	

So the motion was declared lost.

Senator Longmire moved that the Senate reconsider the action by which House Bill No. 819 was indefinitely postponed, which motion was declared lost.

SECOND READING OF HOUSE BILLS

House Bill No. 840. A Bill for an Act to amend and reenact sections 58-03-11 and 58-03-13 of the North Dakota Century Code relating to zoning districts and township zoning commissions.

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, 15; absent and not voting, 3.

Those voting in the affirmative were:

Baeverstad	Harris	Miller
Baker	Hernett	Mutch
Becker	Holand	Nesvig
Berube	Kamrath	Paulson
Erickstad	Kee	Redlin
Foss	Kisse	Reichert
Garaas	Lautenschlager	Ringsak
Gefreh	Lips	Saumur
George	Longmire	Schrock
Gilbertson	Meidinger	Trenbeath
Gronvold		

Those voting in the negative were:

Bopp	Johnson	Thompson
Brooks	Luick	Van Horn
Erickson	Morgan	Wadeson
Fiedler	Murphy	Wartner
Hystad	Roen	Witteaman

Absent and not voting:

Andre	Solberg	Yunker
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So the bill passed and the title was agreed to.

House Bill No. 849. A Bill for an Act to repeal sections 38-02-16, 38-02-17, and 38-02-18 of the North Dakota Century Code, dealing with injunctions against seizure of mining property by threats, force, or stealth, and making it a misdemeanor to form a conspiracy to seize a lode, gulch, or placer claim in the possession of another.

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, 7; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Morgan
Baker	Hernett	Mutch
Becker	Holand	Nesvig
Berube	Hystad	Paulson
Brooks	Johnson	Redlin
Erickson	Kamrath	Saumur
Erickstad	Kee	Schrock
Fiedler	Kisse	Thompson
Foss	Lautenschlager	Trenbeath
Garaas	Lips	Van Horn
Gefreh	Longmire	Wadson
George	Luick	Wartner
Gilbertson	Meidinger	Witteaman
Gronvold	Miller	

Those voting in the negative were:

Baeverstad	Ringsak	Solberg
Murphy	Roen	Yunker
Reichert		

Absent and not voting:

Bopp

So the bill passed and the title was agreed to.

House Bill No. 865. A Bill for an Act making an appropriation to the Yellowstone-Missouri-Fort Union Commission in accordance with chapter 55-06 of the North Dakota Century Code.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadson
George	Morgan	Wartner
Gilbertson	Murphy	Witteaman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

House Bill No. 875. A Bill for an Act to create and enact chapter 14-10.1 of the North Dakota Century Code, the Uniform Securities Ownership by Minors Act, relating to the ownership and transfer of securities by or in the name of a minor, and prescribing the rights and duties of a person dealing with such securities.

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:

Andre	Hernett	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteaman
Gronvold	Mutch	Yunker
Harris	Nesvig	

Absent and not voting:

Baeverstad Holand

So the bill passed and the title was agreed to.

House Bill No. 894. A Bill for an Act to amend and reenact sections 57-15-22 and 57-15-22.1 of the North Dakota Century Code, relating to tax levy limitations in unorganized townships; to provide for transfer of funds for special roads and bridges; and to repeal section 57-15-19.1 of the North Dakota Century Code relating to levies for surfacing highways in unorganized townships.

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:

Andre	Hernett	Paulson
Baker	Hystad	Redlin
Becker	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gronvold	Murphy	Witteaman
Harris	Mutch	Yunker

Those voting in the negative were:

Berube	Johnson	Reichert
Gilbertson	Nesvig	

Absent and not voting:

Baeverstad Holand

So the bill passed and the title was agreed to.

House Bill No. 909. A Bill for an Act to create and enact subsection 13 of section 35-24-01 of the North Dakota Century Code, relating to definitions of "working interest" for well or pipeline construction 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, 1; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris	Nesvig	

Those voting in the negative were:

Johnson

Absent and not voting:

Baeverstad

So the bill passed and the title was agreed to.

House Bill No. 915. A Bill for an Act to create and enact chapter 56-07 of the North Dakota Century Code, the Uniform Testamentary Additions to Trusts Act, relating to additions of property by will to existing trusts.

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, 1.

Those voting in the affirmative were:

Andre	Kamrath	Paulson
Becker	Kee	Redlin
Berube	Kisse	Reichert
Fiedler	Lautenschlager	Roen
Foss	Lips	Saumur
Garaas	Longmire	Schrock
Gefreh	Meidinger	Van Horn
Gilbertson	Miller	Wadeson
Harris	Murphy	Wartner
Hernett	Mutch	Witteman
Holand	Nesvig	Yunker
Hystad		

Those voting in the negative were:

Baker	George	Ringsak
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Bopp	Gronvold	Solberg
Brooks	Johnson	Thompson
Erickson	Luick	Trenbeath
Erickstad	Morgan	

Absent and not voting:

Baeverstad

So the bill passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution "HH". A concurrent resolution directing a study of sections 5-05-04, 5-05-05 and 5-05-07 of the North Dakota Century Code relating to food and alcoholic beverages for a report and recommendations concerning the operation of such laws.

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, 13; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Harris	Meidinger
Baeverstad	Hernett	Murphy
Baker	Holand	Nesvig
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Saumur
Brooks	Kee	Solberg
Foss	Lautenschlager	Thompson
Gefreh	Lips	Wartner
George	Longmire	Witteman
Gilbertson	Luick	Yunker
Gronvold		

Those voting in the negative were:

Erickstad	Morgan	Schrock
Fiedler	Paulson	Trenbeath
Garaas	Redlin	Van Horn
Kisse	Roen	Wadeson
Miller		

Absent and not voting:

Erickson Mutch

So the resolution was declared adopted.

Senate Concurrent Resolution "MM". A concurrent resolution commending the many achievements made by the North Dakota Federation of Women's Clubs in North Dakota and to direct that a resolution adopted by such organization be printed in the senate and house journals.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson

Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker

Absent and not voting:
Erickson

So the resolution was declared adopted.

SENATE CONCURRENT RESOLUTION "MM"
Introduced by Senator Hernet

A concurrent resolution commending the many achievements made by the North Dakota Federation of Women's Clubs in North Dakota and to direct that a resolution adopted by such organization be printed in the senate and house journals.

1 WHEREAS, the North Dakota Federation of Women's
2 Clubs have been active for many years in this state
3 in many areas of state and local government; and
4 WHEREAS, they have been of great assistance
5 in bringing about community betterment and have con-
6 tributed in many ways toward the goal of good govern-
7 ment; and

8 WHEREAS, the North Dakota Federation of Women's
8a Clubs
9 passed a resolution at their state convention in
10 Valley City, North Dakota on May 12, 1960 relating to
11 highway safety and motor vehicle operators' licenses
12 and examinations;

13 NOW, THEREFORE, BE IT RESOLVED BY THE
13a SENATE
14 OF THE STATE OF NORTH DAKOTA, THE HOUSE
14a OF

15 REPRESENTATIVES CONCURRING THEREIN:
16 That the Thirty-seventh Legislative Assembly
17 commends the North Dakota Federation of Women's
17a Clubs
18 for the many contributions they have made in making
19 North Dakota a great state; and

20 BE IT FURTHER RESOLVED, that the resolution
21 adopted by the Federation of Women's Clubs at Valley
22 City on May 12, 1960 relating to highway safety and
23 motor vehicle operators' licenses and examinations
24 which is attached to this resolution, shall be printed
25 in the house and senate journals; and

26 BE IT FURTHER RESOLVED, that the secretary
27 of state is hereby directed to forward a copy of
28 this resolution to the President of the North Dakota
29 Federation of Women's Clubs.

RESOLUTION

The following resolution was adopted by the North Dakota Federation of Women's Clubs at the state convention in Valley City, May 12, 1960.

WHEREAS, all citizens of the state of North Dakota have a responsibility toward the improvement of motor vehicle driver qualifications to the end that we, as a state, will obtain greater safety on our highways; and

WHEREAS, many persons interested in the promotion of such a program wish to unite in an effort to obtain such a result; and

WHEREAS, it is felt that one of the sound starting places for the attainment of greater highway safety is in effective regulations regarding driver qualifications;

NOW, THEREFORE, BE IT RESOLVED, that we urge stricter enforcement of the motor vehicle operators' license laws and fully support the promotion of greater safety on our highways, paying particular attention to improvements in operators' licensing examinations; supporting a periodic motor vehicle check or inspection; and proposing periodic renewal of all drivers licenses conditioned upon satisfactorily passing oral, visual and written tests; and to encourage all high schools in the state of North Dakota to include "behind the wheel" driver training either as a part of the school curriculum or as instruction offered during summer vacation and to extend the program to adults desiring to take the instruction.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 562 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 578 has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 624 has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 640 has had the same under consideration and recommends that the same be amended as follows:

In line 12 after the word "posting" insert the word "a" and delete the words "notices in the three most"

In line 13 delete the words "public places in the township" and insert in lieu thereof the words "notice on the front door of the meeting place"

In line 42 delete the word "category" and insert in lieu thereof the words "classified categories"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 666 has had the same under consideration and recommends that the same be amended as follows:

In line 785 delete the word "DATE" and insert in lieu thereof the word "DATA"

And when so amended recommends the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 701 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 726 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 754 has had the same under consideration and recommends that the same be amended as follows:

In line 14 after the word "years" insert the words "providing pupils from such school district are not attending school in another state"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 757 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 775 has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 780 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 818 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 847 has had the same under consideration and recommends that the same do pass.

SENATOR GEORGE, Chairman.

Senator George moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 866 has had the same under consideration and recommends that the same do pass.

SENATOR BAEVERSTAD, Chairman.

Senator Baeverstad moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 896 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 899 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 922 has had the same under consideration and recommends that the same be amended as follows:

In line 5 after the word "governor" insert a comma and the words "with the advice and consent of the senate,"

In line 7 delete the words "an indefinite period" and insert in lieu thereof the words "a period of four years commencing July 1, 1961"

Re number the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 311 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 313 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 27, 1961

Mr. President: I have the honor to transmit:

House Concurrent Resolution "V"

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 27, 1961

Mr. President: I have the honor to return:

Senate Bill No. 22

Senate Bill No. 27

Senate Bill No. 30

Senate Bill No. 94

Senate Bill No. 136

Senate Bill No. 153

Senate Bill No. 161

Senate Bill No. 181

Senate Bill No. 221

Senate Bill No. 234

Senate Bill No. 248

Senate Bill No. 266

Senate Bill No. 278

Senate Bill No. 297

Senate Bill No. 305

Senate Concurrent Resolution "V"

Senate Concurrent Resolution "PP"

Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 27, 1961

Mr. President: I have the honor to return:

Senate Bill No. 78

Senate Bill No. 117

Senate Bill No. 151

Senate Bill No. 163

Senate Bill No. 178

Senate Bill No. 216
 Senate Bill No. 255
 Senate Concurrent Resolution "K"

Which the House has amended as follows:

Amendments to Senate Bill No. 78:

Line 32 delete "dirver's" and insert "driver's"

Line 39 delete "((())) Except as provided in subsection"

Line 40 delete "e of this section sixty"

Line 43 delete "((())) Except as provided in subsection e of"

Line 44 delete "this section"

Line 46 delete "((())) seventy"

Delete lines 54 through 61 and insert in lieu thereof the following: "c. Except as provided by law it shall be unlawful for any person to drive a vehicle upon a highway at a speed that is unsafe or at a speed exceeding the speed limit prescribed by law or established pursuant to law."

Line 65 delete "((()))"

Renumber the lines accordingly.

Amendments to Senate Bill No. 117:

Line 3 of the title delete "cities" and insert "school boards"

Line 5 delete "board of education" and insert "school board"

Line 6 delete "of any city of the state" and insert in lieu thereof "which includes a city"

Line 20 delete "board of education" and insert "school board"

Line 20 delete "on or before August"

Line 21 delete "fifteenth of each year"

Line 25 after "by" insert "sixty-percent of"

Line 25 before comma insert "voting"

Line 25 delete "board of education" and insert "school board"

Line 31 delete "board"

Line 32 delete "of education" and insert "school board"

Renumber the lines accordingly.

Amendments to Senate Bill No. 151:

In line 90 of the Senate amended Bill: delete the word "ten", and insert in lieu thereof the word "twenty".

Amendments to Senate Bill No. 163:

In line 28: After the word "Act" insert the words "and shall acquire an option for the acquisition of such replacement property prior to the consummation of any sale or exchange"

Renumber the lines accordingly.

Amendments to Senate Bill No. 178:

In line 113: After the period after the word "student" insert the following language: "If prior approval is obtained from the board such first installment shall not become due and payable until one year from the date on which the applicant completes additional residency or

other advanced study or military service of not more than three years' duration."

Renumber the lines accordingly.

Amendments to Senate Bill No. 216:

In Line 7 delete the word "twenty-five" and insert in lieu thereof the word "twenty"

In Line 15 delete the word "fifteen" and insert in lieu thereof the word "twelve"

Amendments to Senate Bill No. 255:

In lines 21 & 22 of the Senate amended Bill, delete the following words: "the chairman of the State soil conservation district association" and insert in lieu thereof: "Executive Secretary of State Soil Conservation Committee".

Amendments to Senate Concurrent Resolution "K":

On line 26 delete the following language: "Agricultural Stabilization committee" and insert in lieu thereof the word "farmers".

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 27, 1961

Mr. President: I have the honor to return:

Senate Bill No. 84

Senate Bill No. 247

Senate Bill No. 309

Which the House has indefinitely postponed.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 27, 1961

Mr. President: I have the honor to transmit:

House Bill No. 502

House Bill No. 509

House Bill No. 510

House Bill No. 511

House Bill No. 518

House Bill No. 519

House Bill No. 520

House Bill No. 613

House Bill No. 614

House Bill No. 634

House Bill No. 650

House Bill No. 714

House Bill No. 744

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 27, 1961

Mr. President: I have the honor to return:

Senate Bill No. 73

Senate Bill No. 91

Senate Bill No. 109

Senate Bill No. 110

Senate Bill No. 115
 Senate Bill No. 134
 Senate Bill No. 138
 Senate Bill No. 143
 Senate Bill No. 183
 Senate Bill No. 198
 Senate Bill No. 215
 Senate Bill No. 250

Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on House Bill No. 718:

Senators:
 Longmire
 Morgan
 Nesvig.

CONSIDERATION OF AMENDMENTS

Senator Holand moved that the reading of the amendments to House Bills Nos. 503, 504, 507, 522, 523, 528, 529, 531, 545, 547, 638, 654, 704, 721, 829, 850, be dispensed with, which motion prevailed.

Senator Foss moved that the amendments to House Bill No. 503 be adopted, which motion prevailed.

Senator Foss moved that the amendments to House Bill No. 504 be adopted, which motion prevailed.

Senator Foss moved that the amendments to House Bill No. 507 be adopted, which motion prevailed.

Senator Foss moved that the amendments to House Bill No. 522 be adopted, which motion prevailed.

Senator Foss moved that the amendments to House Bill No. 523 be adopted, which motion prevailed.

Senator Foss moved that the amendments to House Bill No. 528 be adopted.

Senator Murphy moved that House Bill No. 528 be further amended as follows:

Delete lines 22 and 23.

Senator Foss made the substitute motion that House Bill No. 528 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Foss moved that the amendments to House Bill No. 529 be adopted, which motion prevailed.

Senator Foss moved that the amendments to House Bill No. 531 be adopted, which motion prevailed.

Senator Wartner moved that the amendments to House Bill No. 545 be adopted, which motion prevailed.

Senator Miller moved that the amendments to House Bill No. 547 be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to House Bill No. 638 be adopted, which motion prevailed.

Senator Miller moved that the amendments to House Bill No. 654 be adopted, which motion prevailed.

Senator George moved that the amendments to House Bill No. 704 be adopted, which motion prevailed.

Senator Hernettt moved that the amendments to House Bill No. 721 be adopted, which motion prevailed.

Senator Hernettt moved that copies of House Bill No. 721 be mimeographed, which motion prevailed.

Senator Trenbeath moved that the amendments to House Bill No. 829 be adopted, which motion prevailed.

Senator Miller moved that the amendments to House Bill No. 850 be adopted, which motion prevailed.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "N-1". A concurrent resolution requesting the Congress of the United States to propose to the people an amendment to the Constitution expressing prohibiting the government of the United States from engaging in enterprise in competition with its citizens, establishing the United States Constitution as the supreme law of the land, and repealing the 16th amendment.

Was read the first time and referred to the Committee on Finance and Taxation.

Senator Garaas moved that House Concurrent Resolution "N-1" be re-referred to the Committee on State and Federal Government, which motion was ruled out of order.

Senator Baker moved that House Concurrent Resolution "N-1" be returned to the Senate from the Committee on Finance and Taxation, which motion prevailed.

Senator Baker moved that House Concurrent Resolution "N-1" be placed at the foot of the calendar, which motion was ruled out of order.

Senator Garaas moved that House Concurrent Resolution "N-1" be re-referred to the Committee on State and Federal Government, which motion prevailed.

MOTIONS

Senator Holand moved that the absent Senators be excused, which motion prevailed.

Senator Holand moved that after the reading of House Bills Nos. 517, 521, 532, 534, 597, 603, 610, 644, 645, 662, 667, 711, 767, 811, 828, 845, 854, 928, and House Concurrent Resolutions "P" and "Q", that the Senate adjourn, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FIFTY-SIXTH DAY

Bismarck, February 27, 1961

The Senate convened at 2:00 p.m., the President presiding. Prayer by Chaplain Rev. Robert Lynne, Good Shepherd Lutheran, Bismarck.

O God, Ruler of nations and Master of the destinies of men, there is no power but of Thee. We give Thee thanks for giving us a land and a government where we are free to assemble and express our political beliefs, and where we are free to also assemble together to confess Thy name in whatever way we desire. We praise Thee that Thou hast blessed our land with leaders of great courage and noble ideals. We praise Thee for giving us such men as in this assembly who are filled with honesty and concern for the welfare of their fellow citizens. We pray that Thou

wilt guide them in their decisions. Inspire them to continue to love righteousness and peace. Help each and every citizen of this state to render honor and obedience to Thee and our government. In His name we pray. Amen.

Roll call: All Senators present.

A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fifty-third day after recess and fifty-fourth day and recommends that the same be corrected as follows:

On page 730, in line 12, delete the word "FORTY" and insert in lieu thereof the word "FIFTY"

And when so corrected recommends that the same be approved.

SENATOR HARRIS, Chairman.

Senator Harris moved that the report be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 517. 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, 2.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Longmire	Trenbeath
Foss	Luick	Van Horn
Garaas	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker
Harris	Mutch	

Absent and not voting:

Gefreh Schrock

So the bill passed and the title was agreed to.

House Bill No. 521. A Bill for an Act making an appropriation to permit North Dakota to take advantage of the National Defense Education Act for the purpose of improving instruction in the State in accordance with the 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, 43; nays, 5; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Murphy
Baeverstad	Hernett	Mutch
Baker	Holand	Nesvig
Becker	Hystad	Paulson
Berube	Johnson	Redlin
Bopp	Kamrath	Reichert
Erickson	Kee	Ringsak
Erickstad	Kisse	Roen
Fiedler	Lautenschlager	Saumur
Foss	Lips	Solberg
Garaas	Longmire	Van Horn
Gefreh	Luick	Wadeson
George	Miller	Witteman
Gilbertson	Morgan	Yunker
Gronvold		

Those voting in the negative were:

Brooks	Thompson	Wartner
Meidinger	Trenbeath	

Absent and not voting:

Schrock

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 paying expenses of the Children's Psychiatric Outpatient Clinic, located at Bismarck, North Dakota.

Which has been read.

Senator Brooks moved that House Bill No. 532 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 534. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the State Wheat 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, 35; nays, 12; absent and not voting, 2.

Those voting in the affirmative were:

Baeverstad	Holand	Mutch
Baker	Johnson	Nesvig
Becker	Kee	Redlin
Brooks	Kisse	Reichert
Erickson	Lautenschlager	Ringsak
Erickstad	Lips	Roen
Foss	Longmire	Saumur
Gefreh	Luick	Trenbeath
George	Meidinger	Wadeson
Gronvold	Miller	Wartner
Harris	Morgan	Yunker
Hernett	Murphy	

Those voting in the negative were:

Andre	Garaas	Paulson
Berube	Gilbertson	Solberg
Bopp	Hystad	Thompson
Fiedler	Kamrath	Van Horn

Absent and not voting:

Schrock Witteman

So the bill passed and the title was agreed to.

MOTIONS

Senator Baker moved that House Concurrent Resolution "N-1" be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Baker moved that House Concurrent Resolution "N-1" be indefinitely postponed, which motion prevailed.

Senator Garaas requested a division, which request was granted.

ROLL CALL

The question being on the motion of Senator Baker that House Concurrent Resolution "N-1" be indefinitely postponed, the roll was called and there were ayes, 34; nays, 14; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Saumur
Brooks	Kee	Solberg
Erickstad	Kisse	Thompson
Fiedler	Meidinger	Van Horn
Foss	Miller	Wartner
Garaas	Morgan	Witteman
George	Murphy	Yunker
Gilbertson		

Those voting in the negative were:

Becker	Lautenschlager	Ringsak
Erickson	Lips	Roen
Gefreh	Longmire	Trenbeath
Gronvold	Luick	Wadeson
Harris	Mutch	

Absent and not voting:

Schrock

So the motion was declared carried.

Senator Garaas moved that the vote by which House Concurrent Resolution "N-1" was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 597. A Bill for an Act to create and to enact subsection 8 of section 57-52-03 and to amend and reenact section 57-52-10 of the North Dakota Century Code, relating to the special fuels tax.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig

Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker

Absent and not voting:

Solberg

So the bill passed and the title was agreed to.

House Bill No. 603. A Bill for an Act to amend and re-enact subsection 2 of section 11-10-10 of the North Dakota Century Code relating to the salaries of elected county officials.

Which has been read.

Senator Mutch moved that House Bill No. 603 be placed at the foot of the calendar, which motion prevailed.

House Bill No. 610. A Bill for an Act to amend and re-enact section 20-03-12 of the North Dakota Century Code, relating to hunting license fees, and to repeal chapter 20-13 of the North Dakota Century Code, relating to the predatory animal bounty.

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, 21; absent and not voting, 1.

Those voting in the affirmative were:

Brooks	Holand	Nesvig
Erickstad	Hystad	Paulson
Foss	Johnson	Ringsak
Garaas	Kamrath	Saumur
Gefreh	Longmire	Solberg
George	Luick	Thompson
Gilbertson	Meidinger	Trenbeath
Harris	Miller	Wadeson
Hernett	Mutch	Wartner

Those voting in the negative were:

Andre	Fiedler	Murphy
Baeverstad	Gronvold	Redlin
Baker	Kee	Reichert
Becker	Kisse	Roen
Berube	Lautenschlager	Van Horn
Bopp	Lips	Witteman
Erickson	Morgan	Yunker

Absent and not voting:

Schrock

So the bill passed and the title was agreed to.

Senator Brooks moved that the vote by which House Bill No. 610 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion was declared lost.

Senator Brooks requested a division, which request was granted.

ROLL CALL

The question being on the motion of Senator Brooks, the roll was called and there were ayes, 28; nays, 21; absent and not voting, 0.

Those voting in the affirmative were:

Brooks	Johnson	Ringsak
Erickstad	Kamrath	Saumur
Foss	Longmire	Schrock
Garaas	Luick	Solberg
Gefreh	Meidinger	Thompson
George	Miller	Trenbeath
Harris	Mutch	Wadson
Hernett	Nesvig	Wartner
Holand	Paulson	Witteman
Hystad		

Those voting in the negative were:

Andre	Fiedler	Morgan
Baeverstad	Gilbertson	Murphy
Baker	Gronvold	Redlin
Becker	Kee	Reichert
Berube	Kisse	Roen
Bopp	Lautenschlager	Van Horn
Erickson	Lips	Yunker

So the motion was declared carried.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 27, 1961

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to serve with a like committee from the House, on House Bill No. 718:

Senators:
 Longmire
 Morgan
 Nesvig

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, February 27, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 5
 Senate Bill No. 6
 Senate Bill No. 11
 Senate Bill No. 13
 Senate Bill No. 14
 Senate Bill No. 17
 Senate Bill No. 21
 Senate Bill No. 38
 Senate Bill No. 75
 Senate Bill No. 118
 Senate Bill No. 119

MONDAY, FEBRUARY 27, 1961

749

Senate Bill No. 142
Senate Bill No. 160
Senate Bill No. 189
Senate Bill No. 201
Senate Bill No. 209
Senate Bill No. 212
Senate Bill No. 220
Senate Bill No. 222
Senate Bill No. 252
Senate Bill No. 269
Senate Bill No. 301
Senate Bill No. 302
Senate Bill No. 308
Senate Concurrent Resolution "S"
Senate Concurrent Resolution "CC"

Which the President has signed and your signature is respectfully requested.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, February 27, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 561
House Bill No. 594
House Bill No. 617
House Bill No. 620
House Bill No. 655
House Bill No. 768
House Bill No. 770
House Bill No. 787
House Bill No. 797
House Bill No. 826
House Bill No. 843
House Bill No. 890
House Bill No. 929

House Concurrent Resolution "U"
Which the President has signed.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, February 27, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 539

Which the Senate has amended.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, February 27, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 512
House Bill No. 513
House Bill No. 530
House Bill No. 533
House Bill No. 536
House Bill No. 537
House Bill No. 571
House Bill No. 573
House Bill No. 584
House Bill No. 616

House Bill No. 658
House Bill No. 675
House Bill No. 693
House Bill No. 699
House Bill No. 700
House Bill No. 705
House Bill No. 712
House Bill No. 738
House Bill No. 742
House Bill No. 749
House Bill No. 761
House Bill No. 796
House Concurrent Resolution "A-1"
Which the Senate has passed unchanged.

HOWARD F. DOHERTY, Secretary.

MOTIONS

Senator Holand moved that the Senate recess until 1:00 p.m., February 28, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FIFTY-SIXTH DAY AFTER RECESS AND
FIFTY-SEVENTH DAY

Bismarck, February 28, 1961

The Senate convened at 1:00 p.m., the President presiding.

MESSAGE FROM THE GOVERNOR

February 27, 1961

Members of the Senate
Thirty-Seventh Legislative Assembly
Bismarck, North Dakota

Greetings:

On Saturday, February 25, I signed Senate Bills Nos. 54, 74, 81, 86, 99, 130, 172, 205, 287, and 288.

These bills have been filed with the Secretary of State.

Sincerely yours,
WILLIAM L. GUY
Governor

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and En-grossment respectfully reports that it has examined the following bills:

Senate Bill No. 22
Senate Bill No. 27
Senate Bill No. 94
Senate Bill No. 161
Senate Bill No. 221
Senate Bill No. 234
Senate Bill No. 248
Senate Bill No. 266
Senate Bill No. 278
Senate Bill No. 297
Senate Bill No. 305

And finds the same correctly enrolled.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 502
House Bill No. 509
House Bill No. 510
House Bill No. 511

House Bill No. 518
 House Bill No. 519
 House Bill No. 520
 House Bill No. 613
 House Bill No. 614
 House Bill No. 634
 House Bill No. 650
 House Bill No. 714
 House Bill No. 744

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. 22
 Senate Bill No. 27
 Senate Bill No. 94
 Senate Bill No. 161
 Senate Bill No. 221
 Senate Bill No. 234
 Senate Bill No. 248
 Senate Bill No. 266
 Senate Bill No. 278
 Senate Bill No. 297
 Senate Bill No. 305

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 Bill No. 73
 Senate Bill No. 91
 Senate Bill No. 109
 Senate Bill No. 110
 Senate Bill No. 115
 Senate Bill No. 134
 Senate Bill No. 138
 Senate Bill No. 143
 Senate Bill No. 183
 Senate Bill No. 198
 Senate Bill No. 215
 Senate Bill No. 250

Were delivered to the Governor for his approval at the hour of 1:15 o'clock p.m., February 28, 1961.

SENATOR KISE, Chairman.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 28, 1961

Mr. President: I have the honor to transmit:

House Bill No. 550
 House Bill No. 643
 House Bill No. 703
 House Bill No. 728
 House Bill No. 771
 House Bill No. 809
 House Bill No. 815
 House Bill No. 888
 House Bill No. 893

House Concurrent Resolution "E-1"
House Concurrent Resolution "J-1"

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 28, 1961

Mr. President: I have the honor to return:

Senate Bill No. 5
Senate Bill No. 6
Senate Bill No. 11
Senate Bill No. 13
Senate Bill No. 14
Senate Bill No. 17
Senate Bill No. 21
Senate Bill No. 38
Senate Bill No. 75
Senate Bill No. 118
Senate Bill No. 119
Senate Bill No. 142
Senate Bill No. 160
Senate Bill No. 189
Senate Bill No. 201
Senate Bill No. 209
Senate Bill No. 212
Senate Bill No. 220
Senate Bill No. 222
Senate Bill No. 252
Senate Bill No. 269
Senate Bill No. 301
Senate Bill No. 302
Senate Bill No. 308
Senate Concurrent Resolution "S"
Senate Concurrent Resolution "CC"
Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 28, 1961

Mr. President: I have the honor to return:

Senate Bill No. 40
Senate Bill No. 41
Senate Bill No. 56
Senate Bill No. 58
Senate Bill No. 122
Senate Bill No. 167
Senate Bill No. 237
Senate Bill No. 293

Which the House has indefinitely postponed.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 28, 1961

Mr. President: I have the honor to return:

Senate Bill No. 9

Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, February 28, 1961

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 508, and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives:

Vinje
Johnston
Solberg

GERALD L. STAIR, Chief Clerk.
House Chamber

Bismarck, February 28, 1961

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 514 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives:

Sorlie
Saugstad
Hauf

GERALD L. STAIR, Chief Clerk.
House Chamber

Bismarck, February 28, 1961

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bills Nos. 611 and 807.

GERALD L. STAIR, Chief Clerk.
House Chamber

Bismarck, February 28, 1961

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:
House Bill No. 647
House Bill No. 824

GERALD L. STAIR, Chief Clerk.
House Chamber

Bismarck, February 28, 1961

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 592 and the Speaker has appointed as a conference committee to act with a like-committee from the Senate, Representatives.

Fossum
Davis (Dickey)
Bloom

GERALD L. STAIR, Chief Clerk.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 28, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 541
House Bill No. 668
House Bill No. 694
House Bill No. 698

House Bill No. 736
House Bill No. 741
House Bill No. 747
House Bill No. 753
House Bill No. 766
House Bill No. 808
House Bill No. 819
House Bill No. 827

House Concurrent Resolution "R"

Which the Senate has indefinitely postponed.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, February 28, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 22
Senate Bill No. 27
Senate Bill No. 94
Senate Bill No. 161
Senate Bill No. 221
Senate Bill No. 234
Senate Bill No. 248
Senate Bill No. 266
Senate Bill No. 278
Senate Bill No. 297
Senate Bill No. 305

Which the President has signed and your signature is respectfully requested.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, February 28, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 502
House Bill No. 509
House Bill No. 510
House Bill No. 511
House Bill No. 518
House Bill No. 519
House Bill No. 520
House Bill No. 613
House Bill No. 614
House Bill No. 634
House Bill No. 650
House Bill No. 714
House Bill No. 744

Which the President has signed.

HOWARD F. DOHERTY, Secretary.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Education to whom was referred House Bill No. 544 has had the same under consideration and recommends that the same be amended as follows:

In line 25 after the word "or" insert the following: "upon approval by a majority of the voters voting on the proposal at an election called by the county commissioners,"

Re-number the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 552 has had the same under consideration and recommends that the same be amended as follows:

In line 157 after the word "association" insert a comma and "one shall be appointed from a list of two submitted by the state chiropractic association"

In line 157 delete the word "two" and insert in lieu thereof the word "one"

In line 158 delete the word "persons" and insert in lieu thereof the word "person"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 582 has had the same under consideration and recommends that the same be amended as follows:

In line 23 after the period insert the following: "Nothing herein shall be considered as invalidating any national or international agreements designating the river as the Souris."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

MOTIONS

Senator Longmire moved that the rules be suspended and that the amendments to House Bill No. 582 be placed on the sixth order of business, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Longmire moved that the amendments to House Bill No. 582 be adopted, which motion prevailed.

MOTIONS

Senator Longmire moved that House Bill No. 582 be referred to the Committee on State and Federal Government, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Education to whom was referred House Bill No. 601 has had the same under consideration and recommends that the same be amended as follows:

In line 46 delete everything after the period.

Delete all of lines 47, 48, 49 and 50.

In line 51 delete the words "reorganized district."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 615 has had the same under consideration and recommends that the same be amended as follows:

In line 1 of the title delete the word "section" and insert in lieu thereof the words "sections 27-06-09, 27-08-19, and"

In line 3 of the title after the word "jurors" and before the period insert the words "and bailiffs"

In line 6 delete the word "Ten" and insert in lieu thereof the word "Eight"

After line 16 insert the following sections:

"SECTION 2. AMENDMENT.) Section 27-06-09 of the North Dakota Century Code is hereby amended and re-enacted to read as follows:

27-06-09. BAILIFFS OF DISTRICT COURTS — APPOINTMENT, SALARY.) The district court at each term thereof shall appoint a sufficient number of competent bailiffs to wait on the jury and the court during the term. Such bailiffs shall be allowed for their services (((six))) eight dollars per day to be paid by the county.

SECTION 3. AMENDMENT.) Section 27-08-19 of the North Dakota Century Code is hereby amended and re-enacted to read as follows:

27-08-19. BAILIFFS OF COUNTY COURTS HAVING INCREASED JURISDICTION—APPOINTMENT, TERMS, POWERS, COMPENSATION.) The judge of a county court having increased jurisdiction may appoint one or more competent persons as bailiffs of the court. Such bailiffs shall hold office at the pleasure of the judge, shall have the same powers as a constable, and shall receive for their services (((the same fees as those which are prescribed for constables))) eight dollars per day."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 657 has had the the same under consideration and recommends that the same be amended as follows:

In line 102 delete the word "for" and insert in lieu thereof the word "by"

And when so amended recommends the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 661 has had the same under consideration and recommends that the same do pass and be re-referred to the Committee on Appropriations.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: A majority of your Committee on Finance and Taxation to whom was referred House Bill No. 687 has had the same under consideration and the majority recommends that the same do pass.

Senators:

Duane Mutch
Harry W. George
Lloyd Erickson
Evan E. Lips
Edwin C. Becker, Jr.
H. B. Baeverstad

Senator Mutch moved that the report of the majority be adopted.

Mr. President: A minority of your Committee recommends that the same be indefinitely postponed.

Senators:

Raymond Andre
Orville Witteman
Iver Solberg
Charles L. Murphy
Dwight Kamrath

Senator Andre moved that the report of the minority be substituted for that of the majority.

The question being on the motion of Senator Andre that the report of the minority be substituted for that of the majority, which motion was declared lost.

The question being on the motion of Senator Mutch that the report of the majority be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 690 has had the same under consideration and recommends that the same be amended as follows:

In line 7 after the word "to" delete the numeral ".5" and insert in lieu thereof the numeral ".4"

In line 11 after the word "municipality" delete the balance of the line and insert in lieu thereof the following: "or in a municipality other than where the school of attendance is located. Transportation shall not be paid for pupils who live less than one mile from the school of attendance on the most direct route"

In line 12 delete the following: "school building on the most direct route"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 692 has had the same under consideration and recommends that the same be amended as follows:

In line 5 of the title after the word "forestry" insert a comma and the following: "and declaring an emergency"

In line 3 delete "nonrevokable" and insert in lieu thereof "irrevocable"

In line 33 after the period insert the following: "SECTION 2. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

Renumber the lines and sections accordingly.

And when so amended recommends the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 723 has had the same under consideration and recommends that the same be amended as follows:

Delete all of line 1 and insert in lieu thereof the following: "SECTION 1.) The school district in which"

In line 2 delete the words "residence of" and after the word "child" insert the word "resides"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 748 has had the same under consideration and recommends that the same be amended as follows:

In line 28 after the word "prescribe" insert the following: "and thereafter the board may, in its discretion, periodically authorize additional transfers to such operational fund, but the balance in such fund shall never exceed ten thousand dollars, and any unencumbered balance therein at the end of any biennium shall revert to the state treasury."

In line 73 delete the word "GENERAL" and insert in lieu thereof the word "EQUALIZATION"

In line 76 delete the word "general" and insert in lieu thereof the word "equalization"

In line 79 after the word "fund" insert the words "of the high school correspondence study division"

In line 81 delete the word "general" and insert in lieu thereof the word "equalization"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 760 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 762 has had the same under consideration and recommends that the same do pass and be re-referred to the Committee on Appropriations.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 872 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: A majority of your Committee on Finance and Taxation to whom was referred House Bill No. 908 has had the same under consideration and the majority recommends that the same do pass.

Senators:

Evan E. Lips
Lloyd Erickson
Dan Kisse
H. B. Baeverstad
Duane Mutch
Edwin C. Becker, Jr.
Dwight Kamrath

Senator Lips moved that the report of the majority be adopted.

Mr. President: A minority of your Committee recommends that the same be indefinitely postponed.

Senators:

Charles L. Murphy
Raymond Andre
Iver Solberg
Orville Witteman.

Senator Murphy moved that the report of the minority be substituted for that of the majority.

ROLL CALL

The question being on the motion of Senator Murphy that the report of the minority be substituted for that of the majority, the roll was called and there were ayes, 28; nays, 19; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hystad	Ringsak
Baker	Johnson	Schrock
Berube	Kamrath	Solberg
Bopp	Lautenschlager	Thompson
Brooks	Murphy	Trenbeath
Garaas	Nesvig	Van Horn
Gilbertson	Paulson	Wadeson
Gronvold	Redlin	Witteman
Harris	Reichert	Yunker
Hernett		

Those voting in the negative were:

Baeverstad	Holand	Miller
Becker	Kisse	Morgan
Erickson	Lips	Mutch

Erickstad	Longmire	Roen
Foss	Luick	Saumur
Gefreh	Meidinger	Wartner
George		

* Absent and not voting:
Fiedler Kee

So the motion was declared carried.

Mr. President: Your Committee on Education to whom was referred House Concurrent Resolution "Z" has had the same under consideration and recommends that the same do pass.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEES

The President appointed as a Conference Committee on House Bill No. 508, Senators:

Luick
Kee
Van Horn

The President appointed as a Conference Committee on House Bill No. 514, Senators:

Saumur
Gronvold
Van Horn

The President appointed as a Conference Committee on House Bill No. 592, Senators:

Meidinger
Gefreh
Schrock

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Longmire moved that the Senate concur in the House amendments to Senate Bill No. 163, which motion prevailed.

Senator Longmire moved that the rules be suspended and that Senate Bill No. 163 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. 163. A Bill for an Act to authorize the state board of higher education to sell or exchange certain land owned by the state of North Dakota for the benefit and use of the North Dakota Agricultural Experiment Station of the North Dakota State University of Agriculture and Applied Science for other land of equal or greater value and appropriating the proceeds of any sale to the state board of higher education for the purpose of acquiring other land.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson

Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteaman
Harris	Mutch	Yunker

Absent and not voting:

Fiedler

So the bill passed and the title was agreed to.

Senator Longmire moved that the Senate do not concur in the House amendments to Senate Bill No. 178, and that a Conference Committee be appointed, which motion prevailed.

Senator Trenbeath moved that the Senate do concur in the House amendments to Senate Bill No. 255, which motion prevailed.

Senator Trenbeath moved that the rules be suspended and that Senate Bill No. 255 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 255. A Bill for an Act creating a conservation council which shall be a factfinding body comprised of the chiefs of state agencies dealing with the management of the state's natural resources for the purpose of coordinating the activities of such agencies in managing such resources.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Baker	Johnson	Reichert
Becker	Kamrath	Ringsak
Berube	Kee	Roen
Bopp	Kisse	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Erickstad	Longmire	Thompson
Foss	Luick	Trenbeath
Gefreh	Miller	Van Horn
George	Morgan	Wadeson
Gilbertson	Murphy	Wartner
Gronvold	Mutch	Witteaman
Harris	Nesvig	Yunker
Hernett		

Those voting in the negative were:

Garaas

Absent and not voting:

Fiedler Meidinger

So the bill passed and the title was agreed to.

Senator Trenbeath moved that the Senate do not concur in the House amendments to Senate Bill No. 151, and that a Conference Committee be appointed, which motion prevailed.

The President appointed as a Conference Committee on Senate Bill No. 151,

Senators:

Trenbeath

Erickson

Bopp

Senator Baeverstad moved that the Senate do concur in the House amendments to Senate Bill No. 92, which motion prevailed.

Senator Baeverstad moved that the rules be suspended and that Senate Bill No. 92 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 92. A Bill for an Act to create and enact section 57-54 of the North Dakota Century Code imposing a tax on motor vehicle fuels, providing for the administration and enforcement thereof, providing a penalty, and repealing chapters 57-41, 57-43 and 57-48 of the North Dakota Century Code.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker

Absent and not voting:

Fiedler

So the bill passed and the title was agreed to.

Senator Baeverstad moved that the Senate do concur in the House amendments to Senate Bill No. 93, which motion prevailed.

Senator Baeverstad moved that the rules be suspended and that Senate Bill No. 93 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 93. A Bill for an Act to amend and reenact sections 57-50-03 and 57-50-05 of the North Dakota Century Code, relating to motor vehicle fuel tax refunds.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Baker	Johnson	Reichert
Becker	Kee	Ringsak
Berube	Kisse	Roen
Bopp	Lautenschlager	Saumur
Brooks	Lips	Schrock
Erickson	Longmire	Solberg
Foss	Luick	Thompson
Garaas	Meidinger	Trenbeath
Gefreh	Miller	Van Horn
George	Morgan	Wadeson
Gilbertson	Murphy	Wartner
Gronvold	Mutch	Witteman
Harris	Nesvig	Yunker
Hernett		

Absent and not voting:

Erickstad	Fiedler	Kamrath
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So the bill passed and the title was agreed to.

Senator Meidinger moved that the Senate do concur in the House amendments to Senate Bill No. 117, which motion prevailed.

Senator Meidinger moved that the rules be suspended and that Senate Bill No. 117 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 117. A Bill for an Act to create and enact sections 15-18-04.1 and 15-18-04.2 of the North Dakota Century Code, authorizing certain cities to establish and maintain off-campus educational centers and levy a tax for their support.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Baker	Johnson	Reichert
Becker	Kamrath	Ringsak
Berube	Kee	Roen

Bopp	Kisse	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Erickstad	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker
Hernett	Nesvig	

Absent and not voting:

Fiedler	Gefreh
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So the bill passed and the title was agreed to.

Senator Kee moved that the Senate do not concur in the House amendments to Senate Bill No. 78, and that a Conference Committee be appointed, which motion prevailed.

The President appointed as a Conference Committee on Senate Bill No. 78,

Senators:

Kee
Mutch
Thompson

Senator Foss moved that the Senate do concur in the House amendments to Senate Bill No. 61, which motion prevailed.

Senator Foss moved that the rules be suspended and that Senate Bill No. 61 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 61. A Bill for an Act to authorize the state board of higher education to sell tax exempt bonds for the purpose of constructing revenue-producing buildings at institutions of higher learning in this state, and

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner

Gronvold
Harris

Murphy
Mutch

Witteman
Yunker

Absent and not voting:
Fiedler

So the bill passed and the title was agreed to.

Senator Wadeson moved that the Senate do not concur in the House amendments to Senate Concurrent Resolution "K", and that a Conference Committee be appointed, which motion prevailed.

The President appointed as a Conference Committee on Senate Concurrent Resolution "K",

Senators:
Wadeson
Miller
Berube

Senator Wartner moved that the Senate do concur in the House amendments to Senate Bill No. 216, which motion prevailed.

Senator Wartner moved that the rules be suspended and that Senate Bill No. 216 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 216. A Bill for an Act to amend and reenact section 27-06-08 of the North Dakota Century Code, relating to fees for transcripts.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Berube	Kamrath	Roen
Bopp	Kee	Saumur
Brooks	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Mutch	Yunker
Harris	Nesvig	

Absent and not voting:
Fiedler Murphy

So the bill passed and the title was agreed to.

MOTIONS

Senator Baeverstad moved that the House be requested to return House Bill No. 555 to the Senate, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator George moved that the amendments to House Bill No. 640 be adopted, which motion prevailed.

Senator Meidinger moved that the amendments to House Bill No. 666 be adopted, which motion prevailed.

Senator George moved that the amendments to House Bill No. 754 be adopted, which motion prevailed.

Senator Nesvig moved that House Bill No. 754 be indefinitely postponed.

Senator George made the substitute motion that House Bill No. 754 be amended as follows:

In line 17 after the word "adjoining" insert the word "reorganized" and after the word "district" in the same line, before the period insert the words "or to another adjoining district if there is no adjoining reorganized district"

Renumber the lines accordingly.

Which motion was declared lost.

The question being on the motion of Senator Nesvig that House Bill No. 754 be indefinitely postponed, which motion was declared lost.

Senator Longmire moved that the amendments to House Bill No. 922 be adopted, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 28, 1961

Mr. Speaker: The Senate requests the return of House Bill No. 555.

HOWARD F. DOHERTY, Secretary

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 28, 1961

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 539 and the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Representatives:

Halcrow

Loewen

Bloom

GERALD L. STAIR, Chief Clerk.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 718 has had the same under consideration and recommends that the House concur with the Senate amendments.

For the Senate:

George Longmire

Kenneth L. Morgan

Jerome Nesvig

For the House:

Ernest N. Johnson

Donald W. Loder

Charles F. Karabensh

Senator Longmire moved that the report be adopted, which motion prevailed.

**FIRST READING OF SENATE BILLS
AND CONCURRENT RESOLUTIONS**

The Committee on Delayed Bills introduced:

Senate Bill No. 314. A Bill for an Act to amend and reenact section 26-24-22 of the North Dakota Century Code relating to reinsurance of risks carried by the state fire and tornado fund.

Was read the first time and referred to the Committee on State and Federal Government.

The Committee on Delayed Bills introduced:

Senate Bill No. 315. A Bill for an Act to create and enact section 54-03-01.1 and to amend and reenact section 54-03-01 of the North Dakota Century Code relating to reapportionment of the house of representatives of the state of North Dakota and providing that such house consist of one hundred and thirteen members.

Was read the first time and referred to the Committee on State and Federal Government.

The Committee on Delayed Bills introduced:

Senate Concurrent Resolution "SS". A concurrent resolution urging the Congress to pass legislation pending therein which would authorize local governments to receive payments from the federal government for federal real property located therein in lieu of certain taxes and special assessments.

Was read the first time and referred to the Committee on State and Federal Government.

The Committee on Delayed Bills introduced:

Senate Concurrent Resolution "TT". A concurrent resolution memorializing Congress to protect the Williston Basin oil production from excessive Canadian oil imports.

Was read the first time and referred to the Committee on State and Federal Government.

MOTIONS

Senator Murphy moved that Senate Concurrent Resolution "TT" be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Murphy moved that the rules be suspended and that Senate Concurrent Resolution "TT" be not printed as a bill but printed in the Journal and laid over one legislative day, which motion prevailed.

SENATE CONCURRENT RESOLUTION "TT"

Introduced by the Committee on Delayed Bills

A concurrent resolution memorializing Congress to protect the Williston Basin oil production from excessive Canadian oil imports.

1 WHEREAS, the Williston Basin is the largest sedi-
2 mentary basin in the United States, and is still in its
3 relative infancy with respect to development, and has
4 tremendous potential in oil reserves; and

5 WHEREAS, the orderly healthy growth of North
6 Dakota's exploration and development of oil and gas

7 production is directly in the national interest and
 8 in accord with the declared policy on national
 9 security; and
 10 WHEREAS, a policy of excessive foreign oil
 11 imports is contrary to the national security; and
 12 WHEREAS, if Canadian imports of oil and gas
 13 are increased, the further development of North
 14 Dakota oil resources will be seriously impaired
 15 and the small independent oil exploration and
 16 production companies will be cut off from their
 17 present vital Midwest markets; and
 18 WHEREAS, the declared policy of the Canadian
 19 Government is to expand exports to the United
 20 States, and particularly the midwestern marketing
 21 area of Canadian crude oil by many thousands of
 22 barrels of oil per day and such would seriously
 23 affect the domestic petroleum industry serving
 24 these same marketing areas;
 25 NOW, THEREFORE, BE IT RESOLVED BY THE
 26 SENATE OF THE STATE OF THE STATE OF NORTH
 27 DAKOTA, THE HOUSE OF REPRESENTATIVES
 28 CONCURRING THEREIN:
 29 That the Thirty-seventh Legislative Assembly
 30 of the State of North Dakota urge the Honorable
 31 Stewart L. Udall, Secretary of the United States
 32 Department of the Interior, in the furtherance of
 33 established policy on national security, follow an
 34 import policy to preserve and strengthen the
 35 domestic exploration and development of natural
 36 resources of oil and gas with the view of sustaining
 37 and increasing conditions of growth for the
 38 Williston Basin.

FIRST READING OF A HOUSE
 CONCURRENT RESOLUTION

House Concurrent Resolution "V". Ratification of proposed amendment to the Constitution of the United States relating to granting of representation in the electoral college to the District of Columbia.

Was read the first time and referred to the Committee on Judiciary.

APPOINTMENT OF CONFERENCE COMMITTEES

The President appointed as a Conference Committee on House Bill No. 539:

Senators:
 Roen
 Harris
 Lautenschlager

The President appointed as a Conference Committee on Senate Bill No. 178:

Senators:
 Brooks
 Morgan
 Garaas

MOTIONS

Senator Holand moved that after the reading of Senate Bills Nos. 311, 313, and House Bills Nos. 503, 504, 507, 522, 523, 529, 531, 545, 547, 562, 578, 624, 638, 654, 701, 704, 721,

726, 757, 775, 818, 829, 847, 850, 866, 896, that the Senate adjourn, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FIFTY-SEVENTH DAY

Bismarck, February 28, 1961

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. Herman Johnson, Bethel Assembly of God, Bismarck.

Our Father which art in Heaven, we pause at this hour to thank and praise Thee for Thy great mercy and goodness to us, and to come to Thee with our petitions for Thy continued grace and help.

We are so thankful that we are permitted to come, yes we are invited to come to the Throne of Grace, to obtain grace and help in time of need. The way has been opened through Thy Son, our Lord Jesus Christ. Help us, then, to avail ourselves of this provision whereby we can be helped, and given needed guidance and strength for the tasks that are before us.

For we must recognize, our Father, that in ourselves we can do nothing. Our vision, our understanding, our strength is so limited. But Thou art able to help us, if we will but seek Thy help.

Bless us this day. We pray for this Legislative body as a whole, and each member in particular, that they may be guided in their labors, their deliberations, and the decisions they must make. Help them as they face the problems of this hour, to seek Thy guidance. Help our State and Nation in these days of crisis to seek God, to pray and repent of our sins, that God's gracious countenance may be lifted up upon us, and we may have His Peace.

We would thank Thee for these orderly arrangements of government, and for men dedicated to the duties and obligations involved in fulfilling these matters of government. Grant them the wisdom necessary for the discharge of their duties: a charity of vision; and a courage and determination to obey the principles of righteousness — and grant to all of us Thy favor, as we learn to love Thy Law, and to do Thy Will, so take us and use us for Thyself, we pray. And above all, that our lives may please Thee. This we ask in Jesus' Name. Amen.

Roll Call: All Senators present except Senator Fiedler. A quorum was declared by the President.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fifty-fourth day after recess and fifty-sixth day and finds the same correct.

SENATOR HARRIS, Chairman.

Senator Harris moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 314 has

had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 315 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution "SS" has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 28, 1961

Mr. President: I have the honor to return:

House Bill No. 555

Which the Senate has requested.

GERALD L. STAIR, Chief Clerk.

MOTIONS

Senator Holand moved that the Senate resolve itself into an Executive Session and receive a message from the Governor, which motion prevailed.

A message from the Governor was read by the Secretary requesting confirmation of the following executive appointment:

Eugene Rich, as State Examiner, for a term beginning July 1, 1961, and continuing until July 1, 1965.

The Senate in Executive Session thereupon advised and consented to the above appointment and confirmed the same.

The Executive Session was thereupon dissolved and the Senate resumed its regular session.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 28, 1961

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "HH"

Senate Concurrent Resolution "MM"

Which the Senate has passed and your favorable consideration is requested.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, February 28, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 517

House Bill No. 597

House Bill No. 610

House Bill No. 810

Which the Senate has amended.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, February 28, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 521

House Bill No. 534

House Bill No. 777

House Bill No. 779

House Bill No. 792

House Bill No. 793

House Bill No. 801

House Bill No. 817

House Bill No. 821

House Bill No. 822

House Bill No. 835

House Bill No. 840

House Bill No. 849

House Bill No. 865

House Bill No. 875

House Bill No. 894

House Bill No. 909

House Bill No. 915

Which the Senate has passed unchanged.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, February 28, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 780

House Bill No. 839

House Bill No. 899

House Concurrent Resolution "N-1"

Which the Senate has indefinitely postponed.

HOWARD F. DOHERTY, Secretary.

MOTIONS

Senator Baeverstad moved that the Senate reconsider the action by which House Bill No. 555 was passed, which motion prevailed.

Senator Baeverstad moved that House Bill No. 555 be placed on the calendar, which motion prevailed.

Senator Baeverstad moved that House Bill No. 555 be indefinitely postponed, which motion prevailed.

Senator Holand moved that the Senate recess until 12:30 p.m., March 1, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FIFTY-SEVENTH DAY AFTER RECESS
AND FIFTY-EIGHTH DAY

Bismarck, March 1, 1961

The Senate convened at 12:30 p.m., the President presiding.

MESSAGE FROM THE GOVERNOR

State of North Dakota
Office of the Governor
Bismarck

February 28, 1961

Members of the Senate
Thirty-seventh Legislative Assembly
Bismarck, North Dakota

Greetings:

Today I have signed Senate Bills Nos. 60, 83, 107, 166, 173, 182, 197, 207, 228, 243, 258, and 262.

These bills have been filed with the Secretary of State.

Sincerely yours,
WILLIAM L. GUY
Governor

REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and En-grossment respectfully reports that it has examined the following bills:

Senate Bill No. 9
Senate Bill No. 30
Senate Bill No. 61
Senate Bill No. 92
Senate Bill No. 93
Senate Bill No. 117
Senate Bill No. 136
Senate Bill No. 153
Senate Bill No. 163
Senate Bill No. 181
Senate Bill No. 216
Senate Bill No. 255

And finds the same correctly enrolled.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and En-grossment respectfully reports that it has examined the following resolutions:

Senate Concurrent Resolution "V"

Senate Concurrent Resolution "PP"

And finds the same correctly enrolled.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

MESSAGE TO THE GOVERNOR

March 1, 1961

Governor William L. Guy
State Capitol Building
Bismarck, North Dakota

Dear Governor Guy:

I have the pleasure to inform you that the Senate sitting in executive session has advised and consented to your appointment of Eugene Rich as State Examiner. His term will be for a period from July 1, 1961, to July 1, 1965.

Very truly yours,
ORVILLE W. HAGEN
Lieutenant Governor

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 9
Senate Bill No. 30
Senate Bill No. 61
Senate Bill No. 92
Senate Bill No. 93
Senate Bill No. 117
Senate Bill No. 136
Senate Bill No. 153
Senate Bill No. 163
Senate Bill No. 181
Senate Bill No. 216
Senate Bill No. 255
Senate Concurrent Resolution "V"
Senate Concurrent Resolution "PP"

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. 550
House Bill No. 643
House Bill No. 703
House Bill No. 728
House Bill No. 771
House Bill No. 809
House Bill No. 815
House Bill No. 888
House Bill No. 893
House Concurrent Resolution "E-1"
House Concurrent Resolution "J-1"

And the President signed in the same in the presence of the Senate.

REPORTS OF A STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 5
 Senate Bill No. 6
 Senate Bill No. 11
 Senate Bill No. 13
 Senate Bill No. 14
 Senate Bill No. 17
 Senate Bill No. 21
 Senate Bill No. 38
 Senate Bill No. 75
 Senate Bill No. 118
 Senate Bill No. 119
 Senate Bill No. 142
 Senate Bill No. 160
 Senate Bill No. 189
 Senate Bill No. 201
 Senate Bill No. 209
 Senate Bill No. 212
 Senate Bill No. 220
 Senate Bill No. 222
 Senate Bill No. 252
 Senate Bill No. 269
 Senate Bill No. 301
 Senate Bill No. 302
 Senate Bill No. 308

Were delivered to the Governor for his approval at the hour of 11:20 o'clock a.m., March 1, 1961.

SENATOR KISSE, Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution "S"
 Senate Concurrent Resolution "CC"

Were delivered to the Secretary of State at the hour of 11:30 o'clock a.m., March 1, 1961.

SENATOR KISSE, Chairman.

MOTIONS

Senator Murphy moved that the Senate reconsider the action by which House Bill No. 908 was indefinitely postponed, which motion prevailed.

Senator Murphy moved that House Bill 908 be amended as follows:

In lines 54 and 57, delete the word "two" and insert in lieu thereof the word "three".

Which motion prevailed.

Senator Holand moved that the rules be suspended and that House Bill No. 908 be placed on second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 908. A Bill for an Act to amend and reenact subsection 7 of section 57-38-01 to provide for a definition of "taxable year"; subsection 21 of section 57-38-01 and subdivision c of subsection 8 or section 57-38-18 relating to the definition of "Internal Revenue Code of 1954, as amended"; subsection 2 of section 57-38-31 to provide for the filing of separate returns at any time within three years after the due date of the return by a married couple who have previously filed a joint return; section 57-38-29 relating to rates of tax on income of individuals; section

57-38-36 to provide for the acceleration of the payment of quarterly installments where the taxpayer has failed to pay an installment in full on or before the date fixed or its payment; section 57-38-40 to provide for an extension of the period of time within which a taxpayer may apply for a revision of the tax assessed, where the revision has been occasioned by the three-year carry-back of a net operating loss; and to repeal section 57-38-23 and subsection 11 of section 57-38-01; all of the North Dakota Century Code.

Was read the second time.

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, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Harris	Mutch	Yunker

Absent and not voting:

Gronvold

So the bill passed and the title was agreed to.

House Bill No. 644. A Bill for an Act to create and enact section 18-10-15 of the North Dakota Century Code, relating to taxation of certain property for rural fire protection 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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadson

George
Gilbertson
Gronvold

Miller
Morgan
Murphy

Wartner
Yunker

Absent and not voting:

Ringsak Witteman

So the bill passed and the title was agreed to.

House Bill No. 645. A Bill for an Act to amend and re-enact Section 20-08-02 of the North Dakota Century Code relating to the limitations on the governor's power to establish bag and possession limits and seasons on game birds.

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:

Andre	Harris	Mutch
Baeverstad	Holand	Paulson
Baker	Hernett	Nesvig
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Yunker

Absent and not voting:

Witteman

So the bill passed and the title was agreed to.

House Bill No. 662. A Bill for an Act to create and enact sections 51-12-08, 51-12-09, 51-12-10, 51-12-11, 51-12-12, 51-12-13, 51-12-14, and 51-12-15 of the North Dakota Century Code, relating to false advertising in general, and particular offenses, providing for injunctions and providing a penalty therefor; and to repeal sections 51-12-01, 51-12-02 and 51-12-03 of the North Dakota Century Code, relating to false advertising.

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, 15; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Holand	Redlin
Baeverstad	Hystad	Reichert
Berube	Kamrath	Saumur
Bopp	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson

Foss	Luick	Trenbeath
Garaas	Miller	Van Horn
Gefreh	Murphy	Wadeson
George	Nesvig	Wartner
Gilbertson	Paulson	Witteman
Hernett		

Those voting in the negative were:

Baker	Harris	Morgan
Becker	Johnson	Mutch
Brooks	Kee	Ringsak
Erickson	Kisse	Roen
Gronvold	Meidinger	Yunker

So the bill passed and the title was agreed to.

House Bill No. 667. A Bill for an Act to amend and reenact section 61-12-30 of the North Dakota Century Code authorizing a board of flood irrigation to purchase water and relating to assessments in flood irrigation 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, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker

Absent and not voting:

Meidinger

So the bill passed and the title was agreed to.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 1, 1961

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 78 and the President has appointed as a conference committee to serve with a like committee from the House:

Senators:

Kee

Mutch

Thompson

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, March 1, 1961

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 151, and the President has appointed as a conference committee to serve with a like committee from the House:

Senators:
Trenbeath
Erickson
Bopp

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, March 1, 1961

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 178, and the President has appointed as a conference committee to serve with a like committee from the House:

Senators:
Brooks
Morgan
Garaas

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, March 1, 1961

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Concurrent Resolution "K", and the President has appointed as a conference committee to serve with a like committee from the House:

Senators:
Wadeson
Miller
Berube

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, March 1, 1961

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee on House Bill No. 508:

Senators:
Luick
Kee
Van Horn

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, March 1, 1961

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee on House Bill No. 514:

Senators:
Saumur
Gronvold
Van Horn

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 1, 1961

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee on House Bill No. 539:

Senators:

Roen

Harris

Lautenschlager

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 1, 1961

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee on House Bill No. 592:

Senators:

Meidinger

Gefreh

Schrock

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 1, 1961

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to:

Senate Bill No. 61

Senate Bill No. 92

Senate Bill No. 93

Senate Bill No. 117

Senate Bill No. 163

Senate Bill No. 216

Senate Bill No. 255

HOWARD F. DOHERTY, Secretary.

MOTIONS

Senator Erickstad moved that House Bill No. 545 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 545. A Bill for an Act to amend and reenact sections 12-46-01, 12-46-15, 12-52-02, and 54-23-01 relating to the name of the state training school and records of training school students.

Which has been read.

Senator Erickstad moved that House Bill No. 545 be amended as follows:

Delete all of lines 151 through 161, inclusive, and insert in lieu thereof the following:

"3. A social-psychological or psychiatric evaluation of the child when such need is indicated."

Which motion prevailed.

Senator Erickstad moved that the rules be suspended and that House Bill No. 545 be placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of House Bill

No. 545, as amended from the floor, the roll was called and there were ayes, 47; nays, 2; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Witteman
Gilbertson	Morgan	Yunker
Gronvold	Murphy	

Those voting in the negative were:

Ringsak Wartner

So the bill passed and the title was agreed to.

House Bill No. 711. A Bill for an Act to amend and reenact section 40-26-08 of the North Dakota Century Code, relating to the contingent obligation of municipalities to levy general taxes for the payment of deficiencies in special improvement 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, 22; nays, 26; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Mutch
Becker	Kamrath	Nesvig
Brooks	Kee	Thompson
Erickson	Kisse	Trenbeath
Erickstad	Longmire	Wadeson
Foss	Miller	Wartner
Gefreh	Murphy	Witteman
George		

Those voting in the negative were:

Baeverstad	Hernett	Redlin
Baker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Lautenschlager	Roen
Fiedler	Lips	Schrock
Garaas	Luick	Solberg
Gilbertson	Meidinger	Van Horn
Gronvold	Morgan	Yunker
Harris	Paulson	

Absent and not voting:
Saumur

Senator Lips changed his vote from aye to nay for the purpose of reconsideration.

So the bill was declared lost.

Senator Garaas moved that the vote by which House Bill No. 711 was lost be reconsidered and the motion to reconsider be laid on the table, which motion was declared out of order.

House Bill No. 767. A Bill for an Act to amend and reenact section 20-05-07 of the North Dakota Century Code relating to the attaching of seals to the carcasses of big game animals.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Wittman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

House Bill No. 811. A Bill for an Act to amend and reenact Section 40-22-06.1 of the North Dakota Century Code relating to agreements by cities with a population of over ten thousand with the state highway department or county for certain improvements.

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, 3; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Johnson	Reichert
Becker	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Mutch	Wittman

Gronvold Nesvig Yunker

Harris

Those voting in the negative were:

Berube Hystad Murphy

So the bill passed and the title was agreed to.

House Bill No. 828. A Bill for an Act to amend and reenact section 61-21-16 of the North Dakota Century Code relating to the voting right or power of landowners.

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, 1; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteaman
Gronvold	Mutch	Yunker

Those voting in the negative were:

Johnson

So the bill passed and the title was agreed to.

House Bill No. 845. A Bill for an Act to create and enact section 1-01-50 of the North Dakota Century Code, establishing a time limit for the filing of petitions.

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, 3; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Mutch
Baeverstad	Hystad	Nesvig
Baker	Holand	Paulson
Becker	Johnson	Redlin
Bopp	Kamrath	Reichert
Brooks	Kee	Ringsak
Erickson	Kisse	Roen
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson

Gronvold
Harris

Morgan
Murphy

Wartner
Yunker

Those voting in the negative were:

Berube

Gilbertson

Witteinan

Absent and not voting:

Saumur

So the bill passed and the title was agreed to.

House Bill No. 854. A Bill for an Act to amend and reenact subsection 1 of section 39-12-04 of the North Dakota Century Code relating to width limitations on vehicles and equipment operated on the highways of this state and providing for an exception for haystack moving.

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, 2; absent and not voting, 0.

Those voting in the affirmative were:

Andre
Baeverstad

Harris
Hernett

Nesvig
Paulson

Baker

Holand

Redlin

Becker

Hystad

Reichert

Berube

Johnson

Ringsak

Bopp

Kamrath

Roen

Brooks

Kee

Saumur

Erickson

Kisse

Schrock

Erickstad

Lautenschlager

Solberg

Fiedler

Lips

Thompson

Foss

Longmire

Trenbeath

Garaas

Luick

Van Horn

Gefreh

Meidinger

Wadeson

George

Miller

Wartner

Gilbertson

Morgan

Yunker

Gronvold

Mutch

Those voting in the negative were:

Murphy

Witteinan

So the bill passed and the title was agreed to.

House Bill No. 928. A Bill for an Act repealing subsections 2, 7, 8, 9, 10, 11, 12, 13, 15, 17, and 19 of section 54-21-13 and section 54-21-14 of the North Dakota Century Code relating to the powers and duties of the board of administration in child welfare matters.

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:

Andre

Harris

Mutch

Baeverstad

Hernett

Nesvig

Baker

Holand

Paulson

Becker

Hystad

Redlin

Berube

Johnson

Reichert

Bopp

Kamrath

Ringsak

Brooks

Kee

Roen

Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker

Absent and not voting:
Solberg

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE
CONCURRENT RESOLUTIONS

House Concurrent Resolution "P". A concurrent resolution favoring the early construction of the proposed Bowman Haley dam and reservoir project and urging the corps of engineers to expedite the completion of a favorable report thereon.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the resolution was declared adopted.

House Concurrent Resolution "Q". A Concurrent resolution commending the action of the state water conservation commission in withdrawing from appropriation and reserving 2,640,000 acre-feet of water of the Missouri River for use of the Garrison Diversion Unit of the Missouri River basin project; and recommending that the commission reserve additional quantities of water of the Missouri River for future needs for irrigation and other purposes.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the resolution was declared adopted.

MOTIONS

Senator Holand moved that House Bills Nos. 532, 603, and 721 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 311. A Bill for an Act to amend and reenact section 38-08-13 of the North Dakota Century Code, relating to applications for rehearings before the industrial 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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

MOTIONS

Senator Longmire moved that Senate Bill No. 313 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 503. 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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

House Bill No. 504. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous items, new building and special projects for the Grafton State School at Grafton, 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, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker

Absent and not voting:

Schrock

So the bill passed and the title was agreed to.

House Bill No. 507. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous, new building 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, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Solberg
Erickstad	Lautenschlager	Thompson
Fiedler	Lips	Trenbeath
Foss	Longmire	Van Horn
Garaas	Luick	Wadeson
Gefreh	Miller	Wartner
George	Morgan	Witteman
Gilbertson	Murphy	Yunker
Gronvold	Mutch	

Absent and not voting:

Meidinger Schrock

So the bill passed and the title was agreed to.

House Bill No. 522. 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, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner

Gilbertson	Morgan	Witteaman
Gronvold	Murphy	Yunker

Absent and not voting:
Schrock

So the bill passed and the title was agreed to.

House Bill No. 523. A Bill for an Act making an appropriation for the operation, maintenance and miscellaneous expenses of the Poultry Improvement Board.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteaman
Harris	Mutch	Yunker

Absent and not voting:
Berube

So the bill passed and the title was agreed to.

House Bill No. 529. 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.

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, 1; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath

Garaas	Luick	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker

Those voting in the negative were:
Meidinger

So the bill passed and the title was agreed to.

House Bill No. 531. A Bill for an Act to provide for payment of expenses to certain State Officers, making an appropriation 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, 2; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Berube	Kamrath	Roen
Bopp	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Mutch	Yunker
Harris	Nesvig	

Those voting in the negative were:
Brooks Murphy

So the bill passed and the title was agreed to and the emergency clause carried.

MOTIONS

Senator Longmire moved that House Bill No. 547 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 562. A Bill for an Act to amend and reenact subsection 5 of section 25-01-01, and sections 25-01-02, 25-04-01, and 25-05-01 of the North Dakota Century Code, relating to location of the state tuberculosis sanatorium, and to repeal subsection 12 of section 25-01-01 and sections 25-04-12 and 25-05-31 of the North Dakota Century Code, relating to name, location, and use of federal funds concerning the state tuberculosis sanatorium, and the furnishing of electric power to Dunseith from San Haven power plant.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteaman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

House Bill No. 578. A Bill for an Act to amend and re-enact section 1 of chapter 147 of the 1959 Session Laws relating to the payment of bonds issued to finance revenue producing buildings at institutions of higher learning.

Which has been read.

Senator Brooks moved that House Bill No. 578 be amended as follows:

Delete lines 18 and 19 and insert in lieu thereof "2. North Dakota State University of Agriculture and Applied Science"

Renumber the lines accordingly.

Which motion prevailed.

Senator Brooks moved that the rules be suspended and that House Bill No. 578 be placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of House Bill No. 578, as amended from the floor, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteaman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

House Bill No. 624. A Bill for an Act to repeal Chapter 15-57 of the North Dakota Century Code relating to teacher preparation 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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteaman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

House Bill No. 638. A Bill for an Act to amend and re-enact section 20-03-21 of the North Dakota Century Code, relating to issuance of hunting, trapping, fishing, and taxidermists' 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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteaman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

House Bill No. 654. A Bill for an Act authorizing a retirement program for employees of the unemployment compensation division, state employment service, and the national guard.

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, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Witteman
Gronvold	Mutch	Yunker
Harris		

Those voting in the negative were:

Murphy Wartner
Absent and not voting:
Gilbertson

So the bill passed and the title was agreed to.

House Bill No. 701. A Bill for an Act to amend and reenact section 15-40-19 of the North Dakota Century Code relating to the time when payments shall be made from the state equalization fund to the county equalization fund for elementary school 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, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner

Gronvold	Murphy	Witteman
Harris	Mutch	Yunker

Absent and not voting:
Gilbertson

So the bill passed and the title was agreed to.

FIRST READING OF A SENATE BILL

The Committee on Delayed Bills introduced:

Senate Bill No. 316. A Bill for an Act to amend and reenact section 12-44-29 of the North Dakota Century Code, relating to commitments when no adequate county jail exists within a county and authorizing contracts for the custody of prisoners within jails operated by the United States, and declaring an emergency.

Was read the first time and referred to the Committee on Judiciary.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 1, 1961

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act on Senate Concurrent Resolution "K",

Representatives:

Schuler
Reimers
Stallman

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 1, 1961

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act on Senate Bill No. 178,

Representatives:

Haugland
Anderson (Richland)
Powers

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 1, 1961

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act on Senate Bill No. 151,

Representatives:

Sorlie
Mueller
Breum

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 1, 1961

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act on Senate Bill No. 78,

Representatives:

Leet

Bye
Gengler

GERALD L. STAIR, Chief Clerk.
House Chamber
Bismarck, March 1, 1961

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 167.

GERALD L. STAIR, Chief Clerk.
House Chamber
Bismarck, March 1, 1961

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to:

House Bill No. 597
House Bill No. 610
House Bill No. 810
House Bill No. 517

GERALD L. STAIR, Chief Clerk.
House Chamber
Bismarck, March 1, 1961

Mr. President: I have the honor to transmit:
House Concurrent Resolution "B-1"
House Concurrent Resolution "L"

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.
House Chamber
Bismarck, March 1, 1961

Mr. President: I have the honor to return:

Senate Bill No. 50
Senate Bill No. 55
Senate Bill No. 171
Senate Bill No. 208
Senate Bill No. 277
Senate Bill No. 295
Senate Concurrent Resolution "C"
Senate Concurrent Resolution "BB"

Which the House has indefinitely postponed.

GERALD L. STAIR, Chief Clerk.
House Chamber
Bismarck, March 1, 1961

Mr. President: I have the honor to return:

Senate Bill No. 4
Senate Bill No. 15
Senate Bill No. 23
Senate Bill No. 29
Senate Bill No. 31
Senate Bill No. 89
Senate Bill No. 121
Senate Bill No. 129
Senate Bill No. 141
Senate Bill No. 144
Senate Bill No. 223

Which the House has amended as follows:

Amendments to Senate Bill No. 4:
In Line 25 of the bill, place a comma after the word

"Indemnity" and add the following words: "Printing and Postage"; delete the sum \$1,000.00 and, in lieu thereof, insert the sum \$8,100.00

Delete all of Lines 26, 27 and 28, inclusive

Line 29, following the word "vaccination" add the words "and TB testing and Miscellaneous"; delete the sum \$400,000.00 and, in lieu thereof, insert the sum \$493,900.00

Delete all of Line 30, inclusive

Renumber the lines accordingly.

Amendments to Senate Bill No. 15:

In the last Line of the Title, after the words "North Dakota", delete the period and, in lieu thereof, insert a comma and the words "and declaring an emergency."

In Line 4 of the bill, delete the sum \$108,517.00 and insert, in lieu thereof, the figure \$133,517.00

Add Line 17a as follows: "Maintenance and Operation Deficiency (to be made available immediately on passage)" and the sum \$25,000.00

Line 27, delete the sum \$275,293.00 and insert, in lieu thereof, the figure \$300,293.00

Add Line 28 and indent: "SECTION 2. EMERGENCY.) This Act is hereby declared"

Add Line 29: "to be an emergency measure and shall be in full force"

Add Line 30: "and effect from and after its passage and approval"

Add Line 31: "on such item as is designated to be made available"

Add Line 32: "on passage."

Renumber the lines accordingly.

Amendments to Senate Bill No. 23:

Line 4 of the bill, delete the sum \$200,000.00 and insert, in lieu thereof, the figure \$300,000.00

Amendments to Senate Bill No. 29:

In Line 9 of the bill, delete the sum \$15,000.00 and insert, in lieu thereof, the figure \$15,750.00

Line 21, delete the sum \$856,500.00 and insert, in lieu thereof, the sum \$857,250.00

Amendments to Senate Bill No. 31:

In Line 3 of the bill, delete the sum \$390,000.00 and insert, in lieu thereof, the sum \$415,000.00

Line 6, following the comma after the word "Bismarck", insert the words "an elevator in the Junior College Building,"

Renumber the lines accordingly.

Amendments to Senate Bill No. 89:

In the last Line of the title following the word "test." the following language shall be inserted ", and limiting liability."

In Line 66 delete the words "American medical association" and insert in lieu thereof "American Medical Association"

In Line 67 delete the words "national safety council" and insert in lieu thereof "National Safety Council"

After the last line of the bill add the following section: "SECTION 4. LIABILITY.) If any licensed physician, nurse, technician or an employee of a hospital who shall draw blood from any person pursuant to a request of any arresting officer he shall not be liable in any civil action for damages arising out of said act except for gross negligence."

Renumber the lines accordingly.

Amendments to Senate Bill No. 121:

In Line 47 delete "If a member of the soldiers' home shall" and delete lines 48, 49, 50, 51, 52, 53.

Renumber the lines accordingly.

Amendments to Senate Bill No. 129:

In Line 13, delete the word "twelve", and insert in lieu thereof the word "twenty".

In Line 18, delete the word "twelve", and insert in lieu thereof the word "twenty".

In Line 20, delete the word "may" and insert in lieu thereof the word "shall".

Amendments to Senate Bill No. 129:

In Line 20, delete the word "shall" and insert in lieu thereof the word "may".

Amendments to Senate Bill No. 141:

Insert the following new section after line 39:

SECTION 2. AMENDMENT.) Section 6-06-29 of the North Dakota Century Code is hereby amended and re-enacted to read as follows:

6-06-29. TAXATION OF CREDIT UNIONS.) (((A credit union shall be taxed in the same manner as a consumers' co-operative association.))) Any credit union organized under this Act or under the Federal Credit Union Act shall be exempt from all taxation now or hereafter imposed by the state or any municipality within the state or any local taxing authority and no law which taxes corporations in any form, or the shares thereof, or the accumulations thereon, shall apply to any such credit union; except that any real property and any tangible personal property owned by any credit union organized under this Act or under the Federal Credit Union Act shall be subject to taxation to the same extent as other similar property is taxed. The shares of credit unions shall not be subject to any stock transfer tax, either when issued or when transferred from one member to another. The participation by the credit union in any unemployment insurance funds, or social security fund, or old age fund, shall not be deemed a waiver of the tax immunities hereby granted.

Renumber the lines and sections accordingly.

Amendments to Senate Bill No. 144:

In Line 27 of the bill after the word "construction" insert a comma and the following words "during the period beginning with the effective date of this Act and ending June 30, 1963,"

Renumber the lines accordingly.

Amendments to Senate Bill No. 223:

In Line 8 of the bill, after the word "reasonable", delete the period and add the following: "and, in the event such lessee is a non-profit corporation, such cash rental payment may be at the rate of one dollar per year."

Renumber the lines accordingly.

GERALD L. STAIR, Chief Clerk.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 1, 1961

Mr. President: I have the honor to return:

Senate Bill No. 22
 Senate Bill No. 27
 Senate Bill No. 94
 Senate Bill No. 161
 Senate Bill No. 221
 Senate Bill No. 234
 Senate Bill No. 248
 Senate Bill No. 266
 Senate Bill No. 278
 Senate Bill No. 297
 Senate Bill No. 305

Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 1, 1961

Mr. President: I have the honor to transmit:

House Bill No. 512
 House Bill No. 533
 House Bill No. 571
 House Bill No. 573
 House Bill No. 584
 House Bill No. 652
 House Bill No. 675
 House Bill No. 700
 House Bill No. 717
 House Bill No. 738
 House Bill No. 742
 House Bill No. 761
 House Bill No. 769
 House Bill No. 813

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 1, 1961

Mr. President: I have the honor to return:

Senate Bill No. 25
 Senate Bill No. 28
 Senate Bill No. 33
 Senate Bill No. 36
 Senate Bill No. 37
 Senate Bill No. 44
 Senate Bill No. 63
 Senate Bill No. 72
 Senate Bill No. 98

Senate Bill No. 104
 Senate Bill No. 111
 Senate Bill No. 127
 Senate Bill No. 246
 Senate Bill No. 249
 Senate Bill No. 254
 Senate Bill No. 267
 Senate Bill No. 274
 Senate Bill No. 284
 Senate Bill No. 306
 Senate Concurrent Resolution "L"
 Senate Concurrent Resolution "FF"
 Senate Concurrent Resolution "GG"
 Senate Concurrent Resolution "LL"
 Senate Concurrent Resolution "OO"

Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 1, 1961

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 508

House Bill No. 514

GERALD L. STAIR, Chief Clerk.

MOTIONS

Senator Holand moved that after the reading of House Bills Nos. 640, 666, 687, 754, 872, 922, and House Concurrent Resolution "Z", that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

SECOND READING OF HOUSE BILLS

House Bill No. 704. A Bill for an Act to amend and reenact Section 40-23-13 of the North Dakota Century Code relating to the publication of notice of confirmation of assessment list and meeting for action upon assessments.

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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman

Gronvold Mutch Yunker
Harris

So the bill passed and the title was agreed to.

MOTIONS

Senator Baker moved that the Senate return Senate Bill No. 167 to the House, as requested, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 726. A Bill for an Act to amend and reenact section 52-09-13 of the North Dakota Century Code relating to Employer tax payments.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 1; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Mutch	Yunker

Those voting in the negative were:

Murphy

So the bill passed and the title was agreed to.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Hernett moved that the Senate do concur in the House amendments to Senate Bill No. 141, which motion prevailed.

Senator Hernett moved that the rules be suspended and that Senate Bill No. 141, 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. 141. A Bill for an Act to amend and reenact sections 6-06-14 and 6-06-29 of the North Dakota Century Code relating to loans and taxation, and to provide for conversions of credit unions

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Trenbeath
Foss	Longmire	Van Horn
Garaas	Luick	Wadeson
Gefreh	Meidinger	Wartner
George	Miller	Witteman
Gilbertson	Morgan	Yunker
Gronvold	Mutch	

Those voting in the negative were:

Murphy

Absent and not voting:

Thompson

So the bill passed and the title was agreed to.

Senator Wartner moved that the Senate do concur in the House amendments to Senate Bill No. 89, which motion prevailed.

Senator Wartner moved that the rules be suspended and that Senate Bill No. 89 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 89. A Bill for an Act to amend and reenact sections 39-20-01, 39-20-03, and 39-20-07 of the North Dakota Century Code relating to the alcoholic content in the blood for purposes of determining intoxication and relating to the test to be given for such purpose and the consent of a person incapable of refusal to give consent to a chemical test.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 36; nays, 12; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Mutch
Baeverstad	Holand	Nesvig
Becker	Hystad	Paulson
Bopp	Kamrath	Redlin
Erickson	Kee	Reichert
Erickstad	Kisse	Saumur
Fiedler	Lautenschlager	Solberg
Foss	Lips	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gilbertson	Miller	Witteman

Those voting in the negative were:

Baker	Harris	Ringsak
Berube	Johnson	Roen

Brooks	Morgan	Schrock
Gronvold	Murphy	Yunker

Absent and not voting:
Thompson

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 1, 1961

Mr. President: I have the honor to transmit:

House Bill No. 513
House Bill No. 530
House Bill No. 534
House Bill No. 536
House Bill No. 537
House Bill No. 611
House Bill No. 616
House Bill No. 647
House Bill No. 658
House Bill No. 693
House Bill No. 699
House Bill No. 705
House Bill No. 712
House Bill No. 718
House Bill No. 749
House Bill No. 777
House Bill No. 779
House Bill No. 792
House Bill No. 793
House Bill No. 796
House Bill No. 801
House Bill No. 807
House Bill No. 822
House Bill No. 835
House Bill No. 840
House Bill No. 849
House Bill No. 865
House Bill No. 904
House Bill No. 909

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 757. A Bill for an Act to amend and reenact Section 6-09-03 of the North Dakota Century Code relating to property of The Bank 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, 41; nays, 8; absent and not voting, 0.

Those voting in the affirmative were:

Baker	Hernett	Paulson
Becker	Holand	Redlin
Berube	Hystad	Ringsak
Bopp	Johnson	Roen

Brooks	Kamrath	Saumur
Erickson	Kee	Schrock
Erickstad	Kisse	Solberg
Fiedler	Lautenschlager	Trenbeath
Foss	Lips	Van Horn
Garaas	Longmire	Wadeson
Gefreh	Luick	Wartner
George	Miller	Witteman
Gronvold	Morgan	Yunker
Harris	Mutch	

Those voting in the negative were:

Andre	Meidinger	Reichert
Baeverstad	Murphy	Thompson
Gilbertson	Nesvig	

So the bill passed and the title was agreed to.

House Bill No. 775. A Bill for an Act to amend and reenact Section 15-47-24 of the North Dakota Century Code relating to teaching conservation of 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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

House Bill No. 818. A Bill for an Act to amend and reenact section 41-10-04 of the North Dakota Century Code, relating to the definition of inland and foreign bills of exchange.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert

Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

House Bill No. 829. A Bill for an Act to amend and reenact section 61-21-46 of the North Dakota Century Code relating to the maximum levy and accumulation of drainage district 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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

House Bill No. 847. A Bill for an Act to amend and reenact section 40-45-03 of the North Dakota Century Code, relating to the membership of the board of trustees 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, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Bopp	Kamrath	Ringsak

Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteaman
Harris	Mutch	Yunker

Absent and not voting:

Berube

So the bill passed and the title was agreed to.

House Bill No. 850. A Bill for an Act to create and enact sections 34-07-05.1 and 34-07-05.2, and to amend and reenact sections 34-07-01, 34-07-03, 34-07-05, 34-07-13, 34-07-15, 34-07-18, 34-07-19, 34-07-20, and 34-07-21, and to repeal sections 34-07-06, 34-07-07, 34-07-08, 34-07-09, 34-07-10, and 34-07-11, relating to child labor.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 40; nays, 8; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	Paulson
Baker	Johnson	Redlin
Becker	Kamrath	Reichert
Bopp	Kee	Ringsak
Erickstad	Kisse	Saumur
Fiedler	Lautenschlager	Schrock
Foss	Lips	Solberg
Garaas	Longmire	Thompson
Gefreh	Meidinger	Wadson
George	Miller	Wartner
Gilbertson	Morgan	Yunker
Gronvold	Murphy	
Harris	Mutch	

Those voting in the negative were:

Brooks	Luick	Van Horn
Erickson	Roen	Witteaman
Hernett	Trenbeath	

Absent and not voting:

Berube

So the bill passed and the title was agreed to.

House Bill No. 866. A Bill for an Act to amend and reenact section 57-15-06 of the North Dakota Century Code relating to tax levy limitations on counties.

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, 24; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Holand	Ringsak
Baker	Hystad	Schrock
Erickson	Kamrath	Solberg
Erickstad	Kisse	Trenbeath
Fiedler	Lips	Van Horn
Garaas	Longmire	Wartner
Gefreh	Miller	Witteman
Gronvold	Murphy	Yunker
Harris		

Those voting in the negative were:

Andre	Hernett	Nesvig
Becker	Johnson	Paulson
Berube	Kee	Redlin
Bopp	Lautenschlager	Reichert
Brooks	Luick	Roen
Foss	Meidinger	Saumur
George	Morgan	Thompson
Gilbertson	Mutch	Wadeson

So the bill passed and the title was agreed to.

Senator Baker moved that the vote by which House Bill No. 866 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion was declared lost.

House Bill No. 896. A Bill for an Act to provide for the patenting of inventions and discoveries of faculty, officers and employees of state institutions of higher learning in the name of the institution or a foundation authorized by it; to provide for the sharing of income therefrom with the inventor or discoverer; to provide cooperating agencies in cooperative research with an equity in inventions or discoveries resulting from cooperative research; and to repeal sections 15-11-16, 15-11-17, and 15-11-18 of the North Dakota Century Code relating to the patenting of inventions and assignment 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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

MOTIONS

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to the call of the chair, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 640. A Bill for an Act to amend and reenact sections 58-04-01 and 58-08-05 of the North Dakota Century Code, relating to notice of township meetings and the township treasurer's statement.

Which has been read.

Senator Ringsak moved that House Bill No. 640 be amended as follows:

In line 1 of the title delete the word "sections" and insert in lieu thereof the word "section", and delete the word "and".

In line 2 of the title delete the figure "58-08-05".

In line 3 of the title delete the words "and the".

Delete lines 32 through 56.

Which motion was declared lost.

ROLL CALL

The question being on the final passage of House Bill No. 640, as amended, the roll was called and there were ayes, 13; nays, 36; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Hernett	Redlin
Baker	Holand	Wartner
Becker	Kee	Witteman
Erickstad	Lips	Yunker
Foss		

Those voting in the negative were:

Andre	Hystad	Nesvig
Berube	Johnson	Paulson
Bopp	Kamrath	Reichert
Brooks	Kisse	Ringsak
Erickson	Lautenschlager	Roen
Fiedler	Longmire	Saumur
Garaas	Luick	Schrock
Gefreh	Meidinger	Solberg
George	Miller	Thompson
Gilbertson	Morgan	Trenbeath
Gronvold	Murphy	Van Horn
Harris	Mutch	Wadeson

So the bill was declared lost.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 505 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 506 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 515 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 516 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 524 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 525 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 526 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 528 has had the same under consideration and recommends that the same be amended as follows:

In line 9 delete the figure "\$797,900.00" and insert the figure "\$867,900.00" in lieu thereof.

After line 18 insert the following lines:

"18a Fixtures and Remodel Building	30,000.00
18b Modernize Elevator	40,000.00"

In line 27 delete the figure "\$779,100.00" and insert the figure "\$849,100.00" in lieu thereof.

In line 37 delete the figure "\$797,900.00" and insert the figure "867,900.00" in lieu thereof.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 535 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 538 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: The majority of your Committee on State and Federal Government to whom was referred House Bill No. 582 has had the same under consideration and the majority recommends that the same be indefinitely postponed.

Senators:

George Longmire
Selmer Gilbertson
Clayton Paulson
Kenneth L. Morgan
Aloys Wartner, Jr.
P. L. Foss

Senator Longmire moved that the report of the majority be adopted.

Mr. President: A minority of your Committee recommends that the same do pass.

Senators:

Walter R. Fiedler
Jerome Nesvig
A. F. Gronvold

Senator Fiedler moved that the report of the minority be substituted for that of the majority.

The question being on the motion of Senator Fiedler that the report of the minority be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 630 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 646 has had the same under consideration and recommends that the same be amended as follows:

In line 16 delete the words "owns or controls" and insert in lieu thereof the words "will own or control"

In line 74 after the word "authorized" insert the following language "and shall give due consideration to the likelihood of the proposed service being permanent"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: The following members of your Committee on Agriculture object to the report.

Senators:

Clark Van Horn
 Rolland Redlin
 Raymond Andre
 Philip Berube
 Clayton Paulson
 Selmer Gilbertson

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 661 has had the same under consideration and recommends that the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 735 has had the same under consideration and recommends that the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 789 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 830 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 852 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 869 has had the same under consideration and recommends that the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 878 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 901 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted.

Senator Baker made the substitute motion that House Bill No. 901 be placed on the calender, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 905 has had the same under consideration and recommends that the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 913 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 914 has had the same under consideration and recommends that the same be amended as follows:

In line 45 after the period insert the following words: "Not more than three thousand dollars shall be spent for such purposes in any one year."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Concurrent Resolution "V" has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 312 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Concurrent Resolution "NN" has had

the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MEIDINGER, Chairman.

Senator Meidinger moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Meidinger moved that the amendments to House Bill No. 544 be adopted, which motion prevailed.

Senator Longmire moved that the amendments to House Bill No. 552 be adopted, which motion prevailed.

Senator Meidinger moved that the amendments to House Bill No. 601 be adopted, which motion prevailed.

Senator Trenbeath moved that House Bill No. 601 be further amended as follows:

In line 51 delete the words "Any such officer who shall fail to"

Delete all of lines 52 and 53.

Which motion prevailed.

Senator Longmire moved that the reading of the amendments to House Bill No. 615 be dispensed with, which motion prevailed.

Senator Longmire moved that the amendments to House Bill No. 615 be adopted, which motion prevailed.

Senator Meidinger moved that the amendments to House Bill No. 657 be adopted, which motion prevailed.

Senator Meidinger moved that the amendments to House Bill No. 690 be adopted.

Senator Redlin moved that the question on the adoption of the amendments to House Bill No. 690 be divided, which motion prevailed.

The question being on the motion of Senator Meidinger that House Bill No. 690 be amended as follows:

In line 7 after the word "to" delete the numeral "5" and insert in lieu thereof the numeral "4"

Which motion prevailed.

Senator Garaas requested a division, which request was granted.

ROLL CALL

The question being on the motion of Senator Meidinger, the roll was called and there were ayes, 28; nays, 21; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Holand	Morgan
Baker	Johnson	Mutch
Becker	Kee	Ringsak
Brooks	Kisse	Roen
Erickstad	Lips	Saumur
Foss	Longmire	Trenbeath
Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gronvold	Miller	Yunker
Harris		

Those voting in the negative were:

Andre	Hernett	Redlin
Berube	Hystad	Reichert

Bopp	Kamrath	Schrock
Erickson	Lautenschlager	Solberg
Fiedler	Murphy	Thompson
Garaas	Nesvig	Van Horn
Gilbertson	Paulson	Witteaman

So the motion was declared carried.

The question being on the motion of Senator Meidinger that House Bill No. 690 be amended as follows:

In line 11 after the word "municipality" delete the balance of the line and insert in lieu thereof the following: "or in a municipality other than where the school of attendance is located. Transportation shall not be paid for pupils who live less than one mile from the school of attendance on the most direct route"

In line 12 delete the following: "school building on the most direct route"

Renumber the lines accordingly.

Which motion prevailed.

Senator Meidinger moved that the amendments to House Bill No. 692 be adopted, which motion prevailed.

Senator Meidinger moved that the amendments to House Bill No. 723 be adopted, which motion prevailed.

Senator Meidinger moved that the amendments to House Bill No. 748 be adopted, which motion prevailed.

REPORTS OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 508 has had the same under consideration and recommends that the House do concur with the Senate amendments.

For the Senate:

A. W. Luick
C. G. Kee
Clark Van Horn

For the House:

Vinje
Johnston
Solberg

Senator Luick moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 514 has had the same under consideration and recommends that the House concur with the Senate amendments.

For the Senate:

George Saumur
A. F. Gronvold
Clark Van Horn

For the House:

Oscar J. Sorlie
Stanley Saugstad
Otto Hauf

Senator Saumur moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 592 has had the same under

consideration and recommends that the House concur with the Senate amendments.

For the Senate:
R. E. Meidinger
Adam Gefreh
C. W. Schrock

For the House:
Chester Fossum
Ed N. Davis
Sam O. Bloom

Senator Meidinger moved that the report be adopted, which motion prevailed.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution "L". A concurrent resolution providing for the amendment of section 1 of Article 60 of the Amendments to the Constitution of the state of North Dakota and of subsection (1) of section 186 of Article XII of the Constitution of the state of North Dakota, and for the repeal of Article 56 of the Amendments to 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 "B-1". A concurrent resolution requesting the Congress of the United States to enact legislation to establish a program for the encouragement of farm housing construction.

Was read the first time and referred to the Committee on Agriculture.

SECOND READING OF HOUSE BILLS

Senator Gefreh moved that House Bill No. 532 be placed at the head of the calendar, which motion prevailed.

House Bill No. 532. A Bill for an Act making an appropriation for the purpose of paying expenses of the Children's Psychiatric Outpatient Clinic, located at Bismarck, North Dakota.

Which has been read.

Senator Gefreh moved that House Bill No. 532 be amended as follows:

In line 6 delete the words "which shall be"

In line 7 delete the words "State Board of Administration" and insert in lieu thereof the following: "Mental Health Authority under the State Department of Health"

In line 10 after the word "Dakota" insert the following: "and other residents who are referred to such clinic by an agency of the state"

Renumber the lines accordingly.

Which motion prevailed.

Senator Gefreh moved that the rules be suspended and that House Bill No. 532 be placed on second reading and final passage, which motion prevailed.

ROLL CALL

The question being on the final passage of House Bill No. 532, as amended from the floor, the roll was called and there were ayes, 48; nays, 1; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker

Those voting in the negative were:

Ringsak

So the bill passed and the title was agreed to.

House Bill No. 666. A Bill for an Act providing for a fire prevention code for the construction and remodeling of school 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, 43; nays, 6; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Baker	Kamrath	Reichert
Becker	Kee	Roen
Berube	Lautenschlager	Saumur
Brooks	Lips	Schrock
Erickson	Longmire	Solberg
Erickstad	Luick	Thompson
Fiedler	Meidinger	Trenbeath
Foss	Miller	Van Horn
Gefreh	Morgan	Wadeson
George	Murphy	Wartner
Gronvold	Mutch	Witteman
Harris	Nesvig	Yunker
Hernett		

Those voting in the negative were:

Bopp	Gilbertson	Kisse
Garaas	Johnson	Ringsak

So the bill passed and the title was agreed to.

MOTIONS

Senator Holand moved that House Bill No. 687 be placed at the foot of the calendar, which motion prevailed.

Senator Holand moved that House Bill No. 754 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 372. A Bill for an Act to amend and re-enact section 16-17-15 of the North Dakota Century Code relating to state's central committee meetings.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

So the bill passed and the title was agreed to.

House Bill No. 922. A Bill for an Act to amend and reenact Subsection 1 of section 10-04-03 of the North Dakota Century Code relating to administration and supervision of issue and sale of securities.

Which has been read.

Senator Garaas moved that House Bill No. 922 be amended as follows:

In line 7 after the period insert the following: "However, an interim appointment may be made by the governor if the senate is not in session and such interim appointee may hold office until the senate has had an opportunity to confirm or reject such appointment."

Renumber the lines accordingly.

Senator Longmire made the substitute motion that further consideration of the motion to amend House Bill No. 922 be laid over one legislative day, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT
RESOLUTION

House Concurrent Resolution "Z". A concurrent resolution urging that more time be devoted and more emphasis be placed on the teaching of patriotism, good citizenship, and respect for law and order in all elementary and secondary schools and in institutions of higher learning in this state.

Which has been read.

Senator Baker moved that House Concurrent Resolution "Z" be laid over one legislative day, which motion was declared lost.

ROLL CALL

The question being on the final passage of House Concurrent Resolution "Z", the roll was called and there were ayes, 40; nays, 9; absent and not voting, 0.

Those voting in the affirmative were:

Baeverstad	Harris	Mutch
Becker	Hernett	Nesvig

Berube	Holand	Paulson
Bopp	Hystad	Redlin
Brooks	Johnson	Ringsak
Erickson	Kamrath	Roen
Erickstad	Kee	Saumur
Fiedler	Kisse	Schrock
Foss	Lautenschlager	Solberg
Garaas	Lips	Trenbeath
Gefreh	Longmire	Van Horn
George	Meidinger	Witteman
Gilbertson	Miller	Yunker
Gronvold		

Those voting in the negative were:

Andre	Morgan	Thompson
Baker	Murphy	Wadeson
Luick	Reichert	Wartner

So the resolution was declared adopted.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 1, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 9
Senate Bill No. 30
Senate Bill No. 61
Senate Bill No. 92
Senate Bill No. 93
Senate Bill No. 117
Senate Bill No. 136
Senate Bill No. 153
Senate Bill No. 163
Senate Bill No. 181
Senate Bill No. 216
Senate Bill No. 255

Senate Concurrent Resolution "V"
Senate Concurrent Resolution "PP"

Which the President has signed and your signature is respectfully requested.

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, March 1, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 550
House Bill No. 643
House Bill No. 703
House Bill No. 728
House Bill No. 771
House Bill No. 809
House Bill No. 815
House Bill No. 888
House Bill No. 893

House Concurrent Resolution "E-1"
House Concurrent Resolution "J-1"

Which the President has signed.

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, March 1, 1961

Mr. Speaker: I have the honor to return Senate Bill No. 167 which the House requested.

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, March 1, 1961

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills Nos. 89 and 141.

The vote on Senate Bill No. 89:

36 ayes
12 nays
1 absent

The vote on Senate Bill No. 141:

47 ayes
1 nay
1 absent

HOWARD F. DOHERTY, Secretary.

Senator Holand moved that the absent Senator be excused, which motion prevailed.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FIFTY-EIGHTH DAY

Bismarck, March 1, 1961

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. Father Thomas Dignan, Assistant Pastor, St. Mary's Catholic, Bismarck.

In the name of the Father, and of the Son, and of the Holy Ghost. Amen.

Almighty and everlasting God, in Whose control are all human authority and the rights of all peoples; extend Thy favor to those who hold authoritative sway over us, that throughout the world sound religion and national security may find a firm and lasting foundation under Thy protective hand, through our Lord Jesus Christ, Amen.

In the name of the Father, and of the Son, and of the Holy Ghost. Amen.

Roll call: All Senators present.

A quorum was declared by the President.

REPORT OF A STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fifty-sixth day after recess and fifty-seventh day and recommends that the same be corrected as follows:

On page 796, in line 44, correct the spelling of the word "Senator".

And when so corrected recommends that the same be approved.

SENATOR HARRIS, Chairman.

Senator Harris moved that the report be adopted, which motion prevailed.

MOTIONS

Senator Holand moved that the Senate recess until 1:00 p.m., March 2, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FIFTY-EIGHTH DAY AFTER RECESS AND
FIFTY-NINTH DAY

Bismarck, March 2, 1961

The Senate convened at 1:00 p.m., the President presiding.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 2, 1961

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 508.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 2, 1961

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 514.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 2, 1961

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 592.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 2, 1961

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 718.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 2, 1961

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 824.

HOWARD F. DOHERTY, Secretary.

REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 25
 Senate Bill No. 33
 Senate Bill No. 36
 Senate Bill No. 37
 Senate Bill No. 44
 Senate Bill No. 63
 Senate Bill No. 72
 Senate Bill No. 98
 Senate Bill No. 104
 Senate Bill No. 111
 Senate Bill No. 127
 Senate Bill No. 141
 Senate Bill No. 246
 Senate Bill No. 254
 Senate Bill No. 267
 Senate Bill No. 274
 Senate Bill No. 284

And finds the same correctly enrolled.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and En-grossment respectfully reports that it has examined the following resolutions:

Senate Concurrent Resolution "L"
 Senate Concurrent Resolution "FF"
 Senate Concurrent Resolution "GG"
 Senate Concurrent Resolution "LL"
 Senate Concurrent Resolution "OO"

And finds the same correctly enrolled.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 25
 Senate Bill No. 33
 Senate Bill No. 36
 Senate Bill No. 37
 Senate Bill No. 44
 Senate Bill No. 63
 Senate Bill No. 72
 Senate Bill No. 98
 Senate Bill No. 104
 Senate Bill No. 111
 Senate Bill No. 127
 Senate Bill No. 141
 Senate Bill No. 246
 Senate Bill No. 254
 Senate Bill No. 267
 Senate Bill No. 274
 Senate Bill No. 284
 Senate Concurrent Resolution "L"
 Senate Concurrent Resolution "FF"
 Senate Concurrent Resolution "GG"
 Senate Concurrent Resolution "LL"
 Senate Concurrent Resolution "OO"

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. 512
 House Bill No. 533
 House Bill No. 571
 House Bill No. 573
 House Bill No. 584
 House Bill No. 652
 House Bill No. 675
 House Bill No. 700
 House Bill No. 717
 House Bill No. 738
 House Bill No. 742
 House Bill No. 761
 House Bill No. 769
 House Bill No. 813

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. 513
 House Bill No. 530
 House Bill No. 534
 House Bill No. 536
 House Bill No. 537
 House Bill No. 611
 House Bill No. 616
 House Bill No. 647
 House Bill No. 658
 House Bill No. 693
 House Bill No. 699
 House Bill No. 705
 House Bill No. 712
 House Bill No. 718
 House Bill No. 749
 House Bill No. 777
 House Bill No. 779
 House Bill No. 792
 House Bill No. 793
 House Bill No. 796
 House Bill No. 801
 House Bill No. 807
 House Bill No. 822
 House Bill No. 835
 House Bill No. 840
 House Bill No. 849
 House Bill No. 865
 House Bill No. 904
 House Bill No. 909

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 House Bill No. 501, has had the same under consideration and recommends that the same be amended as follows:

After line 36 insert the following lines:

"Expenses to be allowed without filing any vouchers or statements, for calendar years 1961-1962 600.00"

In line 37 delete the figure "\$3,424.00" and insert the figure "\$4,024.00" in lieu thereof.

After line 92 insert the following lines:

"Blue Book and Records Management 20,000.00"

In line 93 delete the figure "\$71,700.00" and insert the figure "\$91,700.00" in lieu thereof.

After line 193 insert the following lines:

"To implement Labor Relations Act,
House Bill No. 831 20,000.00"

In line 199 after the word "Enforcement" insert the following: ", and Entomologist".

In line 201 delete the figure "\$387,250.00" and insert the figure "\$407,250.00" in lieu thereof.

In line 212 delete the figure "314,383.00" and insert the figure "324,383.00" in lieu thereof.

In line 233 delete the figure "\$493,556.00" and insert the figure "\$503,556.00" in lieu thereof.

In line 287 after the word "Fixtures" insert the following words: "and Folding Chairs" and delete the figure "7,960.00" and insert the figure "9,960.00" in lieu thereof.

After line 296 insert the following lines:

"Caretaker and Heating
at Bathgate 5,000.00"

In line 297 delete the figure "\$1,049,520.00 and insert the figure "\$1,056,520.00" in lieu thereof.

After 339 insert the following lines:

"The adjutant general is hereby authorized to expend the sums necessary to complete the construction of the Wahpeton and Oakes Armories from moneys previously appropriated for armory construction under the provisions of chapter 45 of the 1959 Session Laws, not to exceed \$7,500.00 for Wahpeton and \$3,300 for Oakes."

In line 419 delete the figure "7,990.00" and insert the figure "8,980.00" in lieu thereof.

In line 423 delete the figure "\$183,625.00" and insert the figure "\$184,615.00" in lieu thereof.

In line 424 delete the figure "\$7,448,763.00" and insert the figure "\$7,507,353.00" in lieu thereof.

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 527 has had the same under consideration and recommends that the same be amended as follows:

Delete all of lines 28 through 41, inclusive.

And when so amended recommends the same do pass.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 583 has had the same under consideration and recommends that the same be amended as follows:

In line 12 delete the word "school"

In line 13 delete the word "districts," and insert in lieu thereof the words "superintendent of schools or"

In line 19 delete the words "A copy of the approved reorganization plan," and delete lines 20, 21, 22, 23 and insert in lieu thereof the following:

"A certificate prepared by the superintendent of schools wherein the land in question is located, stating the legal description of the land involved, and the fact that the school district formerly owning the land has become either annexed, attached or reorganized with another school district, may be recorded in the office of the register of deeds of the county in which the land is situated."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 599 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted.

Senator Nesvig made the substitute motion that House Bill No. 599 be placed on the calendar.

ROLL CALL

The question being on the motion of Senator Nesvig, the roll was called and there were ayes, 21; nays, 26; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Kee	Reichert
Berube	Lautenschlager	Schrock
Bopp	Morgan	Solberg
Fiedler	Murphy	Thompson
Garaas	Nesvig	Van Horn
Hystad	Paulson	Wadeson
Kamrath	Redlin	Witteinan

Those voting in the negative were:

Baeverstad	Gronvold	Meidinger
Baker	Harris	Miller
Becker	Hernett	Mutch
Brooks	Holand	Ringsak
Erickson	Johnson	Roen
Erickstad	Kisse	Saumur
Foss	Lips	Trenbeath
Gefreh	Longmire	Wartner
George	Luick	

Absent and not voting:

Gilbertson	Yunker
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So the motion was declared lost.

The question being on the motion of Senator Foss that the committee report on House Bill No. 599 be adopted, which motion prevailed.

Senator Garaas moved that the remarks of Senator Nesvig be printed in the Journal, which motion prevailed.

Senator Nesvig: "Mr. President, members of the Senate, I rise to support the substitute motion for a bust of the late Senator William Langer, because Mr. Langer, throughout his political career always worked for people. In fact, one of his slogans was 'I am your servant'.

"To those of you who remember how he worked for us during World War II, if you were a farmer and needed a permit to get a truck the Senator always got it for you; if you were in the grain business and were short of box cars, he saw that you got a box car; if you needed a passport to go to a foreign country and had any difficulty in getting it, the Senator would get it for you.

"I have talked to Representative Trom of Cass County and he informs me that Senator Langer's daughters are very much interested in this memorial and he feels that we should appropriate this money. During the hearings in the Appropriation Committee, Harold Shafer of Bismarck spoke in favor of it and offered to donate the base for this bust.

"I am sure that you Senators realize the late Senator Langer was controversial, no doubt. But he was a man who worked for you regardless of what party you belonged to. To emphasize what I mean, he was successful in having the first man from North Dakota appointed to ambassador rank to Nicaragua, Thomas Whelan, who was a resident of North Dakota, under a Democratic administration, the Truman administration.

"Throughout his stormy political career he made enemies but he made more friends.

"Again I say to you, that let us pass this substitute motion and honor a man who in my opinion is and will be the outstanding political figure of North Dakota in our lifetime."

Senator Wartner: "Mr. President, I would like to make a few remarks for the record. I have no objection to a bust of Senator Langer being placed in the capitol. I do, however, question whether this appropriation is constitutional. I want to say to anyone who is asking for a donation that I will be happy to make a donation and I think all Senators will perhaps do the same but I don't believe this ought to be a political football."

Senator Murphy: "Mr. President. I think the record should show that since politics have arisen by the action of the majority, the vastly complex, long term efforts to create a great vision that Senator Langer was endeared to the Republican leaders of this state, has now been bust-ted."

REPORTS OF STANDING COMMITTEES

Mr. President: A majority of your Committee on Industry, Business and Labor to whom was referred House Bill No. 684 has had the same under consideration and the majority recommends that the same do pass.

Senators:

R. E. Meidinger
Lee F. Brooks
Duane Mutch
Harry W. George
C. G. Kee
Edwin C. Becker, Jr.
Gail H. Hernet

Senator Meidinger moved that the report of the majority be adopted.

Mr. President: A minority of your Committee recommends that the same be indefinitely postponed.

Senators:

Isak Hystad
Lester N. Lautenschlager
John E. Yunker
Dwight Kamrath
Orville Witteman
Bronald Thompson

Senator Hystad moved that the report of the minority be substituted for that of the majority.

The question being on the motion of Senator Hystad that the report of the minority be substituted for that of the majority, which motion was declared lost.

The question being on the motion of Senator Meidinger that the report of the majority be adopted, which motion prevailed.

Mr. President: A majority of your Committee on Judiciary to whom was referred House Bill No. 729 has had the same under consideration and the majority recommends that the same do pass.

Senators:

C. W. Baker
Iver Solberg
John Garaas
Charles Murphy
Leonard Bopp
William Reichert
C. W. Schrock

Senator Garaas moved that the report of the majority be adopted.

Mr. President: A minority of your Committee recommends that the same be indefinitely postponed.

Senators:

Aloys Wartner, Jr.
Adam Gefreh
Ralph Erickstad
George Longmire
C. F. Harris
Evan Lips

Senator Wartner moved that the report of the minority be substituted for that of the majority.

The question being on the motion of Senator Wartner that the report of the minority be substituted for that of the majority, which motion was declared lost.

Senator Wartner requested a division, which request was granted.

ROLL CALL

The question being on the motion of Senator Wartner, the roll was called and there were ayes, 26; nays, 23; absent and not voting, 0.

Those voting in the affirmative were:

Becker	Hernett	Morgan
Brooks	Holand	Mutch
Erickson	Kee	Ringsak
Erickstad	Kisse	Roen
Foss	Lips	Saumur
Gefreh	Longmire	Trenbeath
George	Luick	Wadeson
Gronvold	Meidinger	Wartner
Harris	Miller	

Those voting in the negative were:

Andre	Hystad	Reichert
Baeverstad	Johnson	Schrock
Baker	Kamrath	Solberg
Berube	Lautenschlager	Thompson
Bopp	Murphy	Van Horn
Fiedler	Nesvig	Witteman
Garaas	Paulson	Yunker
Gilbertson	Redlin	

So the motion was declared carried.

Senator Wartner 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.

PERSONAL PRIVILEGE

Senator Garaas: "I rise to a point of personal privilege."

Lt. Gov.: "State your privilege, Senator Garaas."

Senator Garaas: "I want to clarify a matter that has received considerable headlines in the papers this morning, wherein Senator Ringsak criticizes the Governor for refusing to accept eleven bills yesterday until after the Senate adjourned.

"Senator Ringsak termed it as 'an uncalled for technicality' and also called it 'a kid trick'.

"In all fairness to the Governor I believe the records should be set straight on this and for such reason I request that my remarks be printed in the Journal.

"Yesterday afternoon our Governor Guy was at Wing, North Dakota and therefore out of his office. Yesterday afternoon the receptionist in the Governor's office was approached by a messenger from the Senate wanting a receipt for these bills. The receptionist is the same receptionist used by the two prior Republican Governors and in good faith she followed the procedure customarily used by those two previous Governors. Therefore, the receptionist for Governor Guy refused to accept these bills following the procedure used by prior Governors. The receptionist received no orders from the Governor not to accept these as he was out of his office.

"I feel Senator Ringsak should not have criticized the actions of this receptionist in following the procedure and custom of prior Republican Governors. I feel that Senator Ringsak should ascertain what the facts are be-

fore making criticism of the Governor. Whatever his motives are in doing this, we hope that he will correct such statements to the press so that the people of North Dakota will know the true facts. I hope also that Senator Ringsak will make proper apologies to the Governor's receptionist."

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 762 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FOSS, Chairman.

Senator Foss moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 802 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 831 has had the same under consideration and recommends that the same be amended as follows:

In line 52 after the word "of" insert the words "agriculture and" and after the word "labor" insert a comma and the words "his successor"

In line 146 after the word "by" insert the word "unlawful"

In line 336 after the word "injunction" insert the following: "under the provisions of chapter 34-08"

Also, in line 336 delete the following: "Trial in the dis-"

In line 337 delete the following: "trict court shall be de novo."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 837 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 838 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 842 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 844 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 857 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 874 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 886 has had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 891 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted.

Senator Reichert made the substitute motion that House Bill No. 891 be indefinitely postponed, which motion was declared lost.

Senator Reichert requested a division, which request was granted.

ROLL CALL

The question being on the motion of Senator Reichert that House Bill No. 891 be indefinitely postponed, the roll was called and there were ayes, 27; nays, 22; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Kee	Nesvig
Becker	Kisse	Paulson
Berube	Lautenschlager	Reichert
Bopp	Lips	Ringsak

Fiedler	Longmire	Roen
George	Meidinger	Saumur
Harris	Miller	Thompson
Holand	Morgan	Witteman
Hystad	Murphy	Yunker

Those voting in the negative were:

Baeverstad	Gilbertson	Redlin
Baker	Gronvold	Schrock
Brooks	Hernett	Solberg
Erickson	Johnson	Trenbeath
Erickstad	Kamrath	Van Horn
Foss	Luick	Wadeson
Garaas	Mutch	Wartner
Gefreh		

So the motion was declared carried.

Senator Reichert moved that the vote by which House Bill No. 891 was indefinitely postponed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 920 has had the same under consideration and recommends that the same do **pass**.

SENATOR HERNETT, Chairman.

Senator Hernett moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 921 has had the same under consideration and recommends that the same be amended as follows:

In line 195 delete the numeral "10-04-06"

In line 306 after the word "plans" delete the comma and the words "variable annuities"

In line 440 delete the word "and"

In line 442 after the word "plans" delete the comma and the word "variable"

In line 443 delete the words "payment annuities"

In line 528 after the word "above" insert the following: "or section 10-04-04"

In line 737 delete the word "notification" and insert in lieu thereof the word "announcement"

Renumber the lines accordingly.

And when so amended recommends the same do **pass**.

SENATOR HERNETT, Chairman.

Senator Hernett moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 923 has

had the same under consideration and recommends that the same do pass.

SENATOR HERNETT, Chairman.

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Concurrent Resolution "B-1" has had the same under consideration and recommends that the same do pass.

SENATOR WADESON, Chairman.

Senator Wadeson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Concurrent Resolution "C-1" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Senator Wartner moved that the vote by which House Concurrent Resolution "C-1" 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. 316 has had the same under consideration and recommends that the same do pass.

SENATOR WARTNER, Chairman.

Senator Wartner moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and En-grossment respectfully reports that it has examined the following bills:

Senate Bill No. 28

Senate Bill No. 89

Senate Bill No. 249

Senate Bill No. 306

And finds the same correctly enrolled.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

MOTIONS

Senator Lips moved that the Senate reconsider the action by which House Bill No. 711 was lost, which motion prevailed.

Senator Lips moved that the rules be suspended and that House Bill No. 711 be placed at the head of the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 711. A Bill for an Act to amend and re-enact section 40-26-08 of the North Dakota Century Code,

relating to the contingent obligation of municipalities to levy general taxes for the payment of deficiencies in special improvement funds.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 32; nays, 17; absent and not voting, 0.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Johnson	Roen
Becker	Kamrath	Saumur
Brooks	Kee	Schrock
Erickson	Kisse	Thompson
Erickstad	Lips	Trenbeath
Foss	Longmire	Van Horn
Gefreh	Luick	Wadson
George	Meidinger	Wartner
Gronvold	Murphy	Yunker
Harris	Mutch	

Those voting in the negative were:

Baker	Hernett	Redlin
Berube	Hystad	Reichert
Bopp	Lautenschlager	Ringsak
Fiedler	Miller	Solberg
Garaas	Morgan	Witteman
Gilbertson	Paulson	

So the bill passed and the title was agreed to.

MOTIONS

Senator Longmire moved that the House be requested to return House Bill No. 866, which motion prevailed.

Senator Longmire moved that the House be requested to return House Bill No. 768, which motion prevailed.

MESSAGES FROM THE GOVERNOR

State of North Dakota
Office of the Governor
Bismarck

March 1, 1961

Members of the Senate
Thirty-Seventh Legislative Assembly
Bismarck, North Dakota

Greetings:

On February 28, 1961, I signed Senate Bills No. 73, 91, 109, 110, 115, 134, 138, 143, 183.

These bills have been filed with the Secretary of State.

Sincerely yours,
WILLIAM L. GUY
Governor

March 2, 1961

Members of the Senate
Thirty-Seventh Legislative Assembly
Bismarck, North Dakota

Greetings:

On March 1, 1961, I signed Senate Bills No. 198, 215, 250.
These bills have been filed with the Secretary of State.

Sincerely yours,
WILLIAM L. GUY
Governor

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 2, 1961

Mr. Speaker: I have the honor to inform you that the
Senate has requested the return of:

House Bill No. 768
House Bill No. 866

HOWARD F. DOHERTY, Secretary.

REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 22
Senate Bill No. 27
Senate Bill No. 94
Senate Bill No. 161
Senate Bill No. 221
Senate Bill No. 234
Senate Bill No. 248
Senate Bill No. 266
Senate Bill No. 278
Senate Bill No. 297
Senate Bill No. 305

Were delivered to the Governor for his approval at the
hour of 4:15 o'clock p.m., March 2, 1961.

SENATOR KISSE, Chairman.

MOTIONS

Senator Holand moved that after the reading of Senate Bills Nos. 314, 315, Senate Concurrent Resolutions "SS" and "TT", and House Bills Nos. 505, 506, 515, 516, 524, 525, 526, 535, 544, 552, 582, 601, 615, 657, 661, 690, 692, 723, 735, 748, 869, 878, 901, 905 and House Concurrent Resolution "V", that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

COMMUNICATION FROM THE GOVERNOR

A delegation from the reservation was announced by the Sergeant at Arms, and Senator Lips and Representative Kelly entered the Senate Chambers dressed in Indian head-gear with Representative Kelly pulling a travois.

Senator Lips read a Proclamation from the Governor proclaiming March 2, 1961, as "DAKOTA TERRITORY CENTENNIAL DAY". Senator Lips moved that said proclamation be printed in the Journal, which motion prevailed.

PROCLAMATION

WHEREAS, Thursday, March 2, 1961, is the one hundredth anniversary of the founding of Dakota Territory, and

WHEREAS, the State of North Dakota through legislative action is observing this historic centennial year, and

WHEREAS, for a hundred years of struggle, suffering, and triumph the pioneers of Dakota Territory and their descendants have brought civilization to a vast subhumid grassland, turning a wilderness into a prosperous commonwealth, and

WHEREAS, the intelligence and energy, the optimism and courage, of both our forebears and our own generation have built North Dakota's farms and towns, its railroads and highways, its churches, schools, colleges, and universities, its hospitals, clinics and business enterprises, and

WHEREAS, by the same qualities North Dakotans have adapted and are still adapting their institutions and ways of life to the imperatives laid down by the nature of their country in order that they and their descendants might enjoy rich and satisfying lives,

NOW, THEREFORE, I, William L. Guy, Governor of the State of North Dakota, do hereby proclaim March 2, 1961, as

"DAKOTA TERRITORY CENTENNIAL DAY"

and urge the people of North Dakota to join in its celebration as a day in which they remember with gratitude the achievements of the past and look forward with courage to the tasks of the future, and to continue this historic observance throughout the centennial year of 1961.

Given under my hand and the Great Seal of the State of North Dakota here in my office in the State Capitol at Bismarck, North Dakota, this 23rd day of February, 1961.

WILLIAM L. GUY
Governor

ATTEST:

BEN MEIER
Secretary of State

From: Marion J. Piper, Director, Dakota Territory Centennial Commission, State Capitol, Bismarck, North Dakota.

ANNOUNCEMENT

Lt. Governor Hagen announced that he was in receipt of the following invitation from the City of Minot:

"The Mayor of Minot, North Dakota, W. Maurice Harrington cordially invites the Lieutenant Governor Orville Hagen and all members of the North Dakota Senate to the Ward County Diamond Jubilee August 27 through September 3, 1961, at Minot, North Dakota."

JOURNAL OF THE SENATE

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, March 2, 1961

Mr. President: I have the honor to transmit:
House Concurrent Resolution "T"

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

FIRST READING OF A HOUSE
CONCURRENT RESOLUTION

House Concurrent Resolution "T". A concurrent resolution memorializing Congress to call a convention for the purpose of considering an amendment to the Constitution of the United States relative to taxes on income, inheritance and gifts.

Was read the first time and referred to the Committee on State and Federal Government.

CONSIDERATION OF AMENDMENTS

Senator Foss moved that the amendments to House Bill No. 528 be adopted.

Senator Murphy moved that House Bill No. 528 be further amended as follows:

Delete all of lines 22 and 23.

In line 27 delete the figure "\$779,100.00" and insert in lieu thereof the figure "\$764,100.00".

In line 37 delete the figure "\$797,900.00" and insert in lieu thereof the figure "\$782,900.00".

Which motion was declared lost.

The question was on the motion of Senator Foss that the amendments to House Bill No. 528 be adopted, which motion prevailed.

Senator Wadeson moved that the amendments to House Bill No. 646 be adopted.

Senator Redlin moved that the question on the adoption of the amendments to House Bill No. 646 be divided, which motion prevailed.

The question being on the motion of Senator Wadeson that House Bill No. 646 be amended as follows:

In line 16 delete the words "owns or controls" and insert in lieu thereof the words "will own or control"

Which motion prevailed.

The question being on the motion of Senator Wadeson that House Bill No. 646 be amended as follows:

In line 74 after the word "authorized" insert the following language ", and shall give due consideration to the likelihood of the proposed service being permanent"

Renumber the lines accordingly.

Senator Redlin made the substitute motion that House Bill No. 646 be amended as follows:

Delete all of lines 42 through 87.

Renumber the lines accordingly.

Senator Holand moved that further consideration of the adoption of the amendments to House Bill No. 646 be laid over one legislative day, which motion prevailed.

Senator Wadeson moved that the amendments to House Bill No. 914 be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 2, 1961

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 171.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 2, 1961

Mr. President: I have the honor to inform you that the House has returned as requested House Bill No. 768.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 2, 1961

Mr. President: I have the honor to inform you that the House has refused to return House Bill No. 866.

GERALD L. STAIR, Chief Clerk.

MOTIONS

Senator Meidinger moved that Senate Bill No. 171 be returned to the House as requested, which motion prevailed.

Senator Brooks moved that the Senate request the President of the Senate not to sign House Bill No. 866, which the Senate has properly requested return of from the House, which motion prevailed.

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

MOTIONS

Senator Holand moved that House Bill No. 690 be placed at the head of the calendar and that House Bill No. 687 be placed at the foot of the calendar, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Longmire moved that the Senate do concur in the House amendments to Senate Bill No. 307, which motion prevailed.

Senator Longmire moved that the rules be suspended and that Senate Bill No. 307 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. 307. A Bill for an Act to amend and re-enact sections 40-45-01, 40-45-02, 40-45-08, 40-45-09, 40-45-13 and 40-45-16 of the North Dakota Century Code relating to police pensions in cities, and declaring an emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock

Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Witteman
Gilbertson	Morgan	Yunker
Gronvold	Murphy	

Absent and not voting:

Ringsak	Wartner
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So the bill passed and the title was agreed to and the emergency clause carried.

Senator Longmire moved that the Senate do concur in the House amendments to Senate Bill No. 121, which motion prevailed.

Senator Longmire moved that the rules be suspended and that Senate Bill No. 121 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 121. A Bill for an Act to amend and re-enact sections 37-15-06, 37-15-07, 37-15-15, and 37-15-17 of the North Dakota Century Code, relating to members of the board of trustees of the soldiers' home, the commandant of the soldiers' home, and estates of resident members of the soldiers' home.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamzath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Foss	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker
Harris	Mutch	

Absent and not voting:

Erickson	Wartner
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So the bill passed and the title was agreed to.

Senator Longmire moved that the Senate do concur in the House amendments to Senate Bill No. 144, which motion prevailed.

Senator Longmire moved that the rules be suspended and that Senate Bill No. 144 be deemed properly re-engrossed

and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 144. A Bill for an Act authorizing the state board of administration to transfer and convey to the state water conservation commission a tract of land to enable the commission to construct thereon a building for use in storing, servicing, repairing and maintaining machinery, motor vehicles, equipment and materials, and making an appropriation to cover the cost of constructing such building, and declaring an emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Rødlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Foss	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wittman
Gilbertson	Morgan	Yunker
Gronvold	Mutch	

Those voting in the negative were:

Murphy

Absent and not voting:

Wartner

So the bill passed and the title was agreed to and the emergency clause carried.

Senator Longmire moved that the Senate do not concur in the House amendments to Senate Bill No. 223, and that a conference committee be appointed, which motion prevailed.

Senator Miller moved that the Senate do not concur in the House amendments to Senate Bill No. 49, and that a conference committee be appointed, which motion prevailed.

Senator Meidinger moved that the Senate do not concur in the House amendments to Senate Bill No. 129, and that a conference committee be appointed, which motion prevailed.

Senator Meidinger moved that the Senate do concur in the House amendments to Senate Bill No. 239, which motion prevailed.

Senator Meidinger moved that the rules be suspended and that Senate Bill No. 239 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 239: A Bill for an Act to create and enact section 16-59-07 of the North Dakota Century Code relating to the special education of physically handicapped children and providing financial aid therefore.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	Paulson
Baker	Johnson	Redlin
Becker	Kamrath	Reichert
Berube	Kee	Ringsak
Bopp	Kisse	Roen
Brooks	Lautenschlager	Saumur
Erickson	Lips	Schrock
Erickstad	Longmire	Solberg
Foss	Luick	Thompson
Garaas	Meidinger	Trenbeath
Gefreh	Miller	Van Horn
Gilbertson	Morgan	Wadeson
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker
Hernett		

Absent and not voting:

Fiedler	George	Wartner
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So the bill passed and the title was agreed to.

Senator Meidinger moved that the Senate do concur in the House amendments to Senate Bill No. 233, which motion prevailed.

Senator Meidinger moved that the rules be suspended and that Senate Bill No. 233 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 233. A Bill for an Act to create and enact section 15-34-27 of the North Dakota Century Code relating to transportation of students outside state by school bus, and to amend and reenact section 15-40-15 of the North Dakota Century Code, relating to reciprocal agreement for payment for the education and transportation of students in a bordering state.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen

Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Foss	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker
Harris	Mutch	

Absent and not voting:

George Wartner

So the bill passed and the title was agreed to.

Senator Baker moved that the Senate do concur in the House amendments to Senate Bill No. 158, which motion prevailed.

Senator Baker moved that the rules be suspended and that Senate Bill No. 158 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 158. A Bill for an Act to amend and reenact section 15-59-01 of the North Dakota Century Code relating to special education of exceptional children.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 42; nays, 3; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Schrock
Fiedler	Lautenschlager	Solberg
Garaas	Lips	Thompson
Gefreh	Longmire	Trenbeath
George	Meidinger	Van Horn
Gilbertson	Miller	Wadeson
Gronvold	Mutch	Witteman

Those voting in the negative were:

Morgan Murphy Yunker

Absent and not voting:

Erickstad Luick Wartner
Foss

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 690. A Bill for an Act to amend and reenact section 15-34-24 of the North Dakota Century Code, relating to aid for transportation of school 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, 31; nays, 16; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	Morgan
Baeverstad	Johnson	Mutch
Baker	Kee	Redlin
Becker	Kisse	Reichert
Brooks	Lautenschlager	Ringsak
Erickstad	Lips	Roen
Fiedler	Longmire	Saumur
Gefreh	Luick	Trenbeath
George	Meidinger	Wadeson
Gronvold	Miller	Yunker
Harris		

Those voting in the negative were:

Berube	Hystad	Schrock
Bopp	Kamrath	Solberg
Erickson	Murphy	Thompson
Garaas	Nesvig	Van Horn
Gilbertson	Paulson	Wittman
Hernett		

Absent and not voting:

Foss	Wartner
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So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 690 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 603. A Bill for an Act to amend and reenact subsection 2 of section 11-10-10 of the North Dakota Century Code relating to the salaries of elected county officials.

Which has been read.

Senator Ringsak moved that House Bill No. 603 be amended as follows:

After line 41 insert the following: "SECTION 2. EFFECTIVE DATE.) This subsection shall become effective January 1, 1962."

Which motion prevailed.

Senator Ringsak moved that the rules be suspended and that House Bill No. 603 be placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of House Bill No. 603, as amended from the floor, the roll was called and there were ayes, 32; nays, 15; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Harris	Murphy
Baker	Hernett	Nesvig
Becker	Holand	Paulson
Berube	Hystad	Redlin
Erickson	Kamrath	Reichert

Erickstad	Kee	Ringsak
Fiedler	Lautenschlager	Saumur
Garaas	Lips	Thompson
Gefreh	Longmire	Trenbeath
George	Meidinger	Yunker
Gronvold	Miller	

Those voting in the negative were:

Baeverstad	Kisse	Schrock
Bopp	Luick	Solberg
Brooks	Morgan	Van Horn
Gilbertson	Mutch	Wadeson
Johnson	Roen	Witteman

Absent and not voting:

Foss	Wartner
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So the bill was declared lost for lack of a two-thirds majority.

House Bill No. 721. A Bill for an Act to amend and reenact sections 51-07-01, 51-07-02 and 51-07-03 of the North Dakota Century Code, relating to retail implement or car dealer, prices of implements, machinery, and automobiles, and failure to pay sum specified on cancellation of contract.

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, 8; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Baker	Kamrath	Reichert
Becker	Kee	Roen
Berube	Kisse	Saumur
Bopp	Lautenschlager	Schrock
Erickson	Longmire	Solberg
Erickstad	Luick	Thompson
Fiedler	Meidinger	Trenbeath
Garaas	Miller	Van Horn
Gefreh	Morgan	Wadeson
Harris	Murphy	Witteman
Hernett	Nesvig	Yunker

Those voting in the negative were:

Brooks	Gronvold	Mutch
George	Johnson	Ringsak
Gilbertson	Lips	

Absent and not voting:

Foss	Wartner
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So the bill passed and the title was agreed to.

Senator Hernett moved that the vote by which House Bill No. 721 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 313. A Bill for an Act to provide that all persons shall have equal rights in public places in North Dakota, 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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker
Harris	Mutch	

Absent and not voting:

Foss Wartner

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 547. A Bill for an Act to amend and re-enact chapter 37-17 of the North Dakota Century Code, relating to civil defense within the State by creating a civil defense division within the office of the adjutant general to serve in event of major man-made or natural disasters; to provide for a director thereof; to define the powers and duties of the director and the governor in relation thereto; to provide for the organization of civil defense organizations on the local levels within the state; to provide immunities from certain liabilities for civil defense workers; to create and enact section 37-12-14 of the North Dakota Century Code relating to the authority of the governor to commission local civil defense directors as officers in the state guard; 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, 3.

Those voting in the affirmative were:

Andre	Hernett	Mutch
Baeverstad	Holand	Nesvig
Baker	Hystad	Paulson
Becker	Johnson	Redlin
Berube	Kamrath	Reichert
Bopp	Kee	Ringsak
Brooks	Kisse	Roen
Erickson	Lautenschlager	Saumur
Erickstad	Lips	Schrock
Fiedler	Longmire	Solberg
Garaas	Luick	Thompson

Gefreh	Meidinger	Trenbeath
George	Miller	Van Horn
Gilbertson	Morgan	Wadeson
Gronvold	Murphy	Witteman
Harris		

Absent and not voting:

Foss	Wartner	Yunker
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So the bill passed and the title was agreed to and the emergency clause carried.

House Bill No. 754. A Bill for an Act to amend and reenact section 15-22-21 of the North Dakota Century Code, relating to the dissolution of school districts.

Which has been read.

Senator Redlin moved that House Bill No. 754 be amended as follows:

In line 3 of the title after the word "districts" and before the period insert the following words "and providing an effective date"

After line 23 insert the following section:

"SECTION 2. EFFECTIVE DATE.) The provisions of this Act shall be effective July 1, 1962."

Renumber the lines accordingly.

Which motion prevailed.

Senator Redlin moved that the rules be suspended and that House Bill No. 754 be placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of House Bill No. 754, as amended from the floor, the roll was called and there were ayes, 34; nays, 12; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Harris	Reichert
Baeverstad	Hystad	Ringsak
Baker	Kamrath	Roen
Becker	Kee	Saumur
Berube	Lautenschlager	Schrock
Bopp	Lips	Solberg
Brooks	Longmire	Thompson
Fiedler	Miller	Van Horn
Garaas	Morgan	Wadeson
Gefreh	Paulson	Witteman
George	Redlin	Yunker
Gilbertson		

Those voting in the negative were:

Erickson	Holand	Murphy
Erickstad	Johnson	Mutch
Gronvold	Kisse	Nesvig
Hernett	Luick	Trenbeath

Absent and not voting:

Foss	Meidinger	Wartner
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So the bill passed and the title was agreed to.

MOTIONS

Senator Mutch moved that House Bill No. 922 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 314. A Bill for an Act to amend and reenact section 26-24-22 of the North Dakota Century Code relating to reinsurance of risks carried by the state fire and tornado 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, 38; nays, 8; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hernett	Redlin
Baeverstad	Holand	Reichert
Baker	Johnson	Ringsak
Becker	Kamrath	Roen
Berube	Kee	Saumur
Brooks	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Gefreh	Longmire	Trenbeath
George	Luick	Van Horn
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Yunker
Harris	Nesvig	

Those voting in the negative were:

Bopp	Hystad	Paulson
Fiedler	Meidinger	Witteinan
Garaas	Murphy	

Absent and not voting:

Foss	Mutch	Wartner
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So the bill passed and the title was agreed to.

Senator Brooks moved that the vote by which Senate Bill No. 314 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 315. A Bill for an Act to create and enact section 54-03-01.1 and to amend and reenact section 54-03-01 of the North Dakota Century Code relating to reapportionment of the house of representatives of the state of North Dakota and providing that such house consist of one hundred and thirteen members.

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, 20; nays, 27; absent and not voting, 2.

Those voting in the affirmative were:

Baker	Longmire	Ringsak
Berube	Luick	Roen
Brooks	Miller	Saumur
George	Murphy	Thompson
Harris	Paulson	Wadeson

Johnson	Redlin	Yunker
Lautenschlager	Reichert	

Those voting in the negative were:

Andre	Gilbertson	Meidinger
Baeverstad	Gronvold	Morgan
Becker	Hernett	Mutch
Bopp	Holand	Nesvig
Erickson	Hystad	Schrock
Erickstad	Kamrath	Solberg
Fiedler	Kee	Trenbeath
Garaas	Kisse	Van Horn
Gefreh	Lips	Witteman

Absent and not voting:

Foss	Wartner
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So the bill was declared lost.

MOTIONS

Senator Morgan moved that the Senate reconsider the action by which House Bill No. 603 was lost, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 603. A Bill for an Act to amend and reenact subsection 2 of section 11-10-10 of the North Dakota Century Code relating to the salaries of elected county officials.

Which has been read.

Senator Holand moved that there be a call of the Senate, which motion prevailed.

Senator Holand moved that the call of the Senate be dispensed with, which motion prevailed.

Senator Holand moved that House Bill No. 603 be placed at the foot of the calendar, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 2, 1961

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to:

Senate Bill No. 121
Senate Bill No. 144
Senate Bill No. 158
Senate Bill No. 233
Senate Bill No. 239
Senate Bill No. 307

HOWARD F. DOHERTY, Secretary.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution "L" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman.

Senator Longmire moved that the report be adopted.

Senator Baker made the substitute motion that House Concurrent Resolution "L" be placed on the calendar, which motion was declared lost.

The question being on the motion of Senator Longmire that the committee report on House Concurrent Resolution "L" be adopted, which motion prevailed.

Mr. President: A majority of your Committee on State and Federal Government to whom was referred House Concurrent Resolution "T" has had the same under consideration and the majority recommends that the same be indefinitely postponed.

Senators:

Lee F. Brooks
Kenneth L. Morgan
Selmer Gilbertson
John O. Garaas
Jerome Nesvig
Clayton Paulson
Walter Fiedler

Senator Brooks moved that the report of the majority be adopted.

Mr. President: A minority of your Committee recommends that the same do pass.

Senators:

George Longmire
A. F. Gronvold
P. L. Foss
Aloys Wartner, Jr.
Elton W. Ringsak
William R. Reichler

Senator Longmire moved that the report of the minority be substituted for that of the majority.

The question being on the motion of Senator Longmire that the report of the minority be substituted for that of the majority, which motion was declared lost.

Senator Longmire requested a division, which request was granted.

ROLL CALL

The question being on the motion of Senator Longmire that the report of the minority be substituted for that of the majority, the roll was called and there were ayes, 20; nays, 26; absent and not voting, 3.

Those voting in the affirmative were:

Baker	Harris	Miller
Becker	Hernett	Mutch
Erickson	Holand	Reichert
Erickstad	Kee	Ringsak
Gefreh	Kisse	Roen
George	Lautenschlager	Trenbeath
Gronvold	Longmire	

Those voting in the negative were:

Andre	Johnson	Saumur
Baeverstad	Kamrath	Schrock
Berube	Lips	Solberg
Bopp	Luick	Thompson
Brooks	Morgan	Van Horn
Fiedler	Murphy	Wadeson
Garaas	Nesvig	Witteman

Gilbertson	Paulson	Yunker
Hystad	Redlin	

Absent and not voting:

Foss	Meidinger	Wartner
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So the motion was declared lost.

The question being on the motion of Senator Brooks that the report of the majority on House Concurrent Resolution "T" be adopted, which motion prevailed.

Senator Murphy moved that the vote by which the report of the majority on House Concurrent Resolution "T" was adopted, be reconsidered and the motion to reconsider be laid on the table, which motion was declared lost.

Senator Murphy requested a division, which request was granted.

ROLL CALL

The question being on the motion of Senator Murphy, the roll was called and there were ayes, 22; nays, 23; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Kamrath	Shrock
Berube	Kisse	Solberg
Bopp	Morgan	Thompson
Fiedler	Murphy	Van Horn
Garaas	Nesvig	Wadeson
Gilbertson	Redlin	Wittman
Hystad	Saumur	Yunker
Johnson		

Those voting in the negative were:

Baeverstad	Gronvold	Luick
Baker	Harris	Miller
Becker	Hernett	Mutch
Brooks	Holand	Reichert
Erickson	Kee	Ringsak
Erickstad	Lautenschlager	Roen
Gefreh	Lips	Trenbeath
George	Longmire	

Absent and not voting:

Foss	Paulson	Wartner
Meidinger		

So the motion was declared lost.

APPOINTMENT OF CONFERENCE COMMITTEES

The President appointed as a Conference Committee on Senate Bill No. 49:

Senators:
 Longmire
 Miller
 Fiedler

The President appointed as a Conference Committee on Senate Bill No. 129:

Senators:
 Trenbeath
 Kisse
 Nesvig

The President appointed as a Conference Committee on Senate Bill No. 223:

Senators:
Brooks
Ringsak
Paulson

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FIFTY-NINTH DAY

Bismarck, March 2, 1961

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. Ira E. Herzberg, Calvary Evangelical United Brethren, Bismarck.

Dear Lord: We thank Thee for the land in which we live. For its rich material resources and for the opportunities for advancement.

We thank Thee for the freedom which is ours to make of ourselves the very best.

We thank Thee for this state of ours and for the progress made in these past hundred years. We thank Thee for those who have lead us through these years, and for a people who labored together the good years as well as the hard years, to make our state great. Bless us this year again as we celebrate our Centennial, and may we ever be mindful of the fact that we are what we are only because of the goodness of Almighty God.

May we in turn prove ourselves worthy of the heritage which is ours. May we promote honorable industry, stress such education that coming generations shall be better than all preceding ones have been.

Make our conduct Christian, and our ideals worthy to be called children of Thine. Give us unity of thought and purpose. Save us from violence, discord, lawlessness, pride, arrogance, pestilence and famine.

Guide those into whose hands authority has been put. Give them wisdom born from on high. May they legislate wisely, act with justice and prudence, and themselves set the example of what a good citizen should be.

Grant that our influence may be righteous, and that we may be the means of bringing to friend and foe alike the spirit of Jesus, the spirit of love and peace, and of a sound mind.

In His name we pray. Amen.

Roll call: All Senators present except Senators Foss, Meidinger and Wartner.

A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fifty-seventh day after recess and fifty-eighth day and recommends that the same be corrected as follows:

On page 797 in life 5, correct the spelling of the word "AFTER".

And when so corrected recommends that the same be approved.

SENATOR HARRIS, Chairman.

Senator Harris moved that the report be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 2, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 503
House Bill No. 504
House Bill No. 507
House Bill No. 522
House Bill No. 523
House Bill No. 529
House Bill No. 531
House Bill No. 532
House Bill No. 545
House Bill No. 578
House Bill No. 638
House Bill No. 654
House Bill No. 662
House Bill No. 666
House Bill No. 704
House Bill No. 829
House Bill No. 850
House Bill No. 854
House Bill No. 908

Which the Senate has amended.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 2, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 311

Which the Senate has passed and your favorable consideration is requested.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 2, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 562
House Bill No. 624
House Bill No. 644
House Bill No. 645
House Bill No. 667
House Bill No. 701
House Bill No. 726
House Bill No. 757
House Bill No. 767
House Bill No. 775
House Bill No. 811
House Bill No. 818
House Bill No. 828
House Bill No. 845
House Bill No. 847
House Bill No. 866

House Bill No. 872
 House Bill No. 896
 House Bill No. 928
 House Concurrent Resolution "P"
 House Concurrent Resolution "Q"
 House Concurrent Resolution "Z"

Which the Senate has passed unchanged.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 2, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 538
 House Bill No. 555
 House Bill No. 630
 House Bill No. 760
 House Bill No. 789
 House Bill No. 830
 House Bill No. 852
 House Bill No. 913

Which the Senate has indefinitely postponed.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 2, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 513
 House Bill No. 530
 House Bill No. 534
 House Bill No. 536
 House Bill No. 537
 House Bill No. 611
 House Bill No. 616
 House Bill No. 647
 House Bill No. 658
 House Bill No. 693
 House Bill No. 699
 House Bill No. 705
 House Bill No. 712
 House Bill No. 718
 House Bill No. 749
 House Bill No. 777
 House Bill No. 779
 House Bill No. 792
 House Bill No. 793
 House Bill No. 796
 House Bill No. 801
 House Bill No. 807
 House Bill No. 822
 House Bill No. 835
 House Bill No. 840
 House Bill No. 849
 House Bill No. 865
 House Bill No. 904
 House Bill No. 909

Which the President has signed.

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, March 2, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 512
House Bill No. 533
House Bill No. 571
House Bill No. 573
House Bill No. 584
House Bill No. 652
House Bill No. 675
House Bill No. 700
House Bill No. 717
House Bill No. 738
House Bill No. 742
House Bill No. 761
House Bill No. 769
House Bill No. 813

Which the President has signed.

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, March 2, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 25
Senate Bill No. 33
Senate Bill No. 36
Senate Bill No. 37
Senate Bill No. 44
Senate Bill No. 63
Senate Bill No. 72
Senate Bill No. 98
Senate Bill No. 104
Senate Bill No. 111
Senate Bill No. 127
Senate Bill No. 141
Senate Bill No. 246
Senate Bill No. 254
Senate Bill No. 267
Senate Bill No. 274
Senate Bill No. 284
Senate Concurrent Resolution "L"
Senate Concurrent Resolution "FF"
Senate Concurrent Resolution "GG"
Senate Concurrent Resolution "LL"
Senate Concurrent Resolution "OO"

Which the President has signed and your signature is respectfully requested.

HOWARD F. DOHERTY, Secretary.

MESSAGES FROM THE HOUSE
House Chamber

Bismarck, March 2, 1961

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on Senate Bill No. 178.

Roll Call:

99 yea
2 nay
12 absent

GERALD L. STAIR, Chief Clerk.

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on Senate Concurrent Resolution "K"

Roll Call:

92 yea
10 nay
11 absent

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 2, 1961

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on House Bill No. 592.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 2, 1961

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on Senate Bill No. 78 and the Speaker has appointed as a new committee, Representatives:

Einarson
Bowman
Peterson

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 2, 1961

Mr. President: I have the honor to return:

Senate Bill No. 53

Senate Bill No. 310

Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 2, 1961

Mr. President: I have the honor to return:

Senate Bill No. 46

Senate Bill No. 52

Senate Bill No. 80

Senate Bill No. 157

Senate Bill No. 299

Which the House has indefinitely postponed.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 2, 1961

Mr. President: I have the honor to return:

Senate Bill No. 7

Senate Bill No. 34

Senate Bill No. 45

Senate Bill No. 49

Senate Bill No. 131

Senate Bill No. 158

Senate Bill No. 233

Senate Bill No. 239

Senate Bill No. 307

Which the House has amended as follows:

Amendments to Senate Bill No. 7:

In Line 3 of the bill, delete the sum \$391,560.00 and in lieu thereof, insert the sum \$394,560.00

Line 17, delete the sum \$3,000.00 and in lieu thereof, insert the sum \$6,000.00

Line 23, delete the sum \$109,360.00 and in lieu thereof, insert the sum \$112,360.00

Line 50, delete the sum \$391,560.00 and in lieu thereof, insert the sum \$394,560.00

Amendments to Senate Bill No. 34:

In the bill, add Line 17, as follows: "Clerkhire and Administration of Bounty Funds" and the sum \$48,000.00

Line 43, delete the sum \$1,208,400.00 and in lieu thereof, insert the sum \$1,256,400.00

Renumber the lines accordingly.

Amendments to Senate Bill No. 45:

In line 1 of the title, delete the "s" in the word "sections" to read "section" and delete the comma at the end of the line.

Delete all of line 2 of the title.

In line 3 of the title, delete the following: "38-08-04.6, 38-08-04.7, and 38-08-04.8".

In line 5 of the title: delete the word "appoint" and insert in lieu thereof the word "use", delete the word "to" and place a period after the word "examiners". Delete all of the remainder of the title.

In lines 4 and 5 of the Bill, delete the words, "EXAMINERS QUALIFICATIONS AND APPOINTMENT", and insert in lieu thereof "COMMISSION MAY EMPLOY EXAMINERS".

Delete the remainder of the Bill, and insert in lieu thereof the following:

"Industrial Commission may use hearing examiners under such Rules and Regulations as the Commission may prescribe".

Renumber the lines accordingly.

Amendments to Senate Bill No. 49:

In line 6 of the title delete the following language: "to amend and reenact" and delete "line 7 and line 8" of the title.

Delete "Section 4 lines 71 through and including line 90"

Renumber sections and lines accordingly.

Amendments to Senate Bill No. 131:

In line 15, insert the word "approximate" in front of the word assessment.

In line 23, delete the words "or county treasurer".

In line 91, after the word votes, add the word "filed".

Amendments to Senate Bill No. 158:

Line 3 of title delete word "exceptional" and insert in lieu thereof the word "blind"

Line 15 remove the triple parentheses

Line 17 delete triple parentheses and delete words "for exceptional children" and insert in lieu thereof the follow-

ing language "except that facilities, instruction, supervision and other necessary services may be provided for blind children even though the same are provided in state institutions"

Renumber the lines accordingly.

Amendments to Senate Bill No. 233:

Line 21 after "school" insert "and elementary"

Line 32 after "school" insert "and elementary"

Renumber the lines accordingly.

Amendments to Senate Bill No. 239:

Line 23 delete word "enrolled" and insert in lieu thereof: "enrollment would be"

Renumber the lines accordingly.

Amendments to Senate Bill No. 307:

Delete all of lines 121, 122, 123 and 124.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 2, 1961

Mr. President: I have the honor to return:

Senate Bill No. 9

Senate Bill No. 61

Senate Bill No. 92

Senate Bill No. 93

Senate Bill No. 117

Senate Bill No. 136

Senate Bill No. 153

Senate Bill No. 163

Senate Bill No. 181

Senate Bill No. 216

Senate Bill No. 255

Senate Concurrent Resolution "V"

Senate Concurrent Resolution "PP"

Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 2, 1961

Mr. Speaker: I have the honor to return Senate Bill No. 171, which the House requested.

HOWARD F. DOHERTY, Secretary.

PERSONAL PRIVILEGE

Senator Ringsak: Mr. President. I rise to a point of personal privilege and I want my remarks recorded in the journal.

Lt. Gov: State your privilege.

Senator Ringsak:

I wish to make a statement on behalf of myself and not on behalf of the Republican Party. I have been requested to clarify a statement wherein I called the Governor, or his office, guilty of using an uncalled for technicality and a kid trick. Further, I have been asked to make apologies to the Governor's receptionist.

I welcome this opportunity to answer the questions

placed by the minority leader and to be allowed to give the people of North Dakota a true set of facts.

Pursuant to Senator Garaas' request, I saw the receptionist at 4:56 p.m. this date. I was informed that the reason she turned the bills back and did not accept same was that the Governor had so many bills to sign that she felt, I add she felt, the youthful Governor would need additional time to finish the work he had on hand. Further, he would be tied up on bills in his office and on an oil conference which was scheduled and which would hamper him from signing any more bills. Gentlemen of the Senate, since when can or does a receptionist dictate the terms of the Governor's office as to receiving or not receiving important bills of legislation which affect all the people in North Dakota? Apparently, it has been since yesterday as the receptionist is certainly the Governor's agent and she was duty bound to receipt for these 11 bills. Any technical question about time could have been resolved by listing the time of receipt. Then, the Governor could have requested an opinion as to the three day period; as the Governor certainly is not bashful about asking for legal opinions or even loosely giving legal opinions on his own accord.

From my viewpoint, it appears that our youthful Governor fails to realize that he is the head of the executive branch only. Since taking office, it is my opinion, he has presumed to be all three branches of government — legislative — judicial and executive, with the result he is a jack of all trades and master of none.

It is time that the people of North Dakota are appraised of just some of the facts: for example:

1. Our youthful Governor preached use North Dakota people for North Dakota jobs. However, he immediately went out of the state to bring back a man as Highway Commissioner who had forsaken his state as a land without a future.

Senator Garaas: Mr. President — I ask you do we have to listen to a political speech at this time? Is this something that should be before this body. This is a political speech designed to answer my statement.

Lt. Gov.: I believe it is in order. You asked for an answer.

Senator Ringsak: True, it is my opinion, that Mr. Hjelle will do a masterful job in his position; but, I feel that people who love North Dakota enough to stay here all the time could have been found in qualities and quantities to fill this important job.

2. The youthful Governor stated no one who has had a record of efficiency will be released from his position with the state nor worry about security of his job. Yet, this very afternoon Mr. A. J. Klauedt, who has 26 years of experience with the Highway Department, was given two day's notice that he was no longer needed and was about to be replaced. This to me means the Governor with a bland, sweet, cherubic smile says one thing and means something else.

3. The Governor who is supposedly so concerned about the businessmen in the State of North Dakota left this

state to attend the presidential inauguration and with the result that if the Lt. Governor had not signed a bill passed by the legislature before a deadline date it could have cost the North Dakota businessmen five million dollars, according to testimony. Yet, when this same Governor returns he questions the right of the Lt. Governor to act in his stead. Surely, the North Dakota people elected the present Governor because they felt that he was qualified to make decisions between trivial and important affairs. Maybe five million dollars is a trivial affair. Maybe turning the affairs of the legislature over to a receptionist to make the ultimate decision is a trivial affair. Maybe the Governor lacks sufficient staff to properly handle these bills. For these reasons and countless others too numerous to explain at this time, I took issue with the Governor last night and will continue to do so until I am shown that the Governor has the maturity necessary to handle the important job that was bestowed upon him last fall by the people of North Dakota.

As long as I have taken this opportunity to explain my action I want to go further. Since the fall of 1959 I have had a canker sore bothering me about the Republican Party, and I might as well get that off my chest at the same time.

As long as I am not speaking for the Republican Party but for myself, I welcome this opportunity to clear the record, or else to stir the record, for further statement. I wish to clear the record as far as statements made in the Fall of 1959 against Senator Murphy by the Headquarters of the Republican Party. In that statement they led the people of North Dakota to believe that Senator Murphy had missed more roll call votes than practically all the Senators combined in the 1959 Session. This statement certainly was despicable not only politically but also morally and really striking a man below the belt. For the record, I want to state that Senator Murphy at that time had a death in the family and was excused to attend his brother's funeral and to assist in clearing up affairs which naturally occur when a man or woman becomes deceased. I defended Senator Murphy at that time although supporting Attorney General Burgum in the last campaign; I defended Senator Murphy against anyone and everyone who tried to say he was not capable because he had missed roll call votes. It is my sincere hope and hope that this will clear up any mistaken idea as to why Senator Murphy missed roll call votes in the 1959 Session. It is my practice to defend either side or any one regardless of political beliefs who is attacked unfairly and unjustly as he was at that time, and at times still is.

I might say this that I hope this little receptionist will not be fired by the Governor tomorrow because of refusing to accept these bills because we had not adjourned, not because she had practice before, but because she knew we had not adjourned. If we had adjourned she would have accepted the bills.

MOTIONS

Senator Holand moved that the Senate recess until 10:00 a.m., March 3, 1961, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

FIFTY-NINTH DAY AFTER RECESS AND
SIXTIETH DAY

Bismarck, March 3, 1961

The Senate convened at 10:00 a.m., the President presiding.

REPORT OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and En-grossment respectfully reports that it has examined the following bills:

Senate Bill No. 53
Senate Bill No. 121
Senate Bill No. 144
Senate Bill No. 158
Senate Bill No. 233
Senate Bill No. 239
Senate Bill No. 307
Senate Bill No. 310

And finds the same correctly enrolled.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 28
Senate Bill No. 89
Senate Bill No. 249
Senate Bill No. 306

And the President signed the same in the presence of the Senate.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 78 has had the same under consideration and has been unable to agree and recommends that a new Conference Committee be appointed and that your present Conference Committee be discharged.

For the Senate:

C. G. Kee
Duane Mutch
Bronald Thompson

For the House:

Louis Leet
Howard O. Bye
John F. Gengler

Senator Kee moved that the report be adopted, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on Senate Bill No. 78:

Senators:

Kee
Erickson
Johnson

REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 178 has had the same under consideration and recommends that the House recede from its amendments and that Senate Bill No. 178 be amended as follows:

In line 108 after the period insert the following language "If prior approval is obtained from the board such first installment shall not become due and payable until one year from the date on which the applicant completes additional residency or other advanced study or military service of not more than three years' duration."

Renumber the lines accordingly.

For the Senate:

Lee F. Brooks
Kenneth L. Morgan
John O. Garaas

For the House:

Brynhild Haugland
Vernon Anderson
Mrs. Anna Powers

Senator Brooks moved that the report be adopted, which motion prevailed.

Senator Morgan moved that the rules be suspended and that Senate Bill No. 178 be deemed properly re-engrossed and placed on second reading and final passage, as amended by Conference Committee, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 178. A Bill for an Act to amend and reenact sections 15-52-10, 15-52-15, 15-52-16, 15-52-17, 15-52-18, 15-52-19, 15-52-20, subsection 2 of section 15-52-22, sections 15-52-26, and 15-52-27 of the North Dakota Century Code, relating to loans for dental students from the medical center loan fund.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Andre	Hystad	Paulson
Baeverstad	Johnson	Redlin
Baker	Kamrath	Reichert
Becker	Kee	Roen
Bopp	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Miller	Van Horn
George	Morgan	Wadeson
Gilbertson	Murphy	Wartner
Harris	Mutch	Witteman
Hernett	Nesvig	Yunker
Holand		

Absent and not voting:

Berube	Foss	Meidinger
Brooks	Gronvold	Ringsak

So the bill passed and the title was agreed to.

REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Concurrent Resolution "K" has had the same under consideration and recommends that the House recede from its amendments.

For the Senate:

Harry W. Wadeson
Alex Miller
Philip Berube

For the House:

T. E. Schuler
Robert F. Reimers
Thomas R. Stallman

Senator Wadeson moved that the report be adopted, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Lujick 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.

APPOINTMENT OF CONFERENCE COMMITTEE

The President announced that Senator Trenbeath would replace Senator Brooks on the Conference Committee on House Bill No. 223.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on House Bill No. 718.

GERALD L. STAIR, Chief Clerk

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the Speaker has substituted the name of Bratcher for Einarson on the Conference Committee on Senate Bill No. 78.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to return:

Senate Bill No. 20
 Senate Bill No. 26
 Senate Bill No. 32
 Senate Bill No. 51
 Senate Bill No. 123
 Senate Bill No. 146
 Senate Bill No. 148
 Senate Bill No. 171
 Senate Bill No. 188
 Senate Bill No. 219
 Senate Bill No. 272

Which the House has amended as follows:

Amendments to Senate Bill No. 20:

In Line 3 of the bill, delete the sum \$170,050.00 and in lieu thereof, insert the sum \$230,050.00

Delete all of line 15 inclusive

Line 17, before the words "Industrial Development" add the words "Research Projects and"; and delete the sum \$25,000.00 and in lieu thereof, insert the sum \$100,000.00

Line 18, delete the sum \$170,050.00 and in lieu thereof, insert the sum \$230,050.00

Renumber the lines accordingly.

Amendments to Senate Bill No. 26:

In Line 4 of the bill, delete the sum \$13,471,838.00 and in lieu thereof, insert the sum \$13,383,513.00

Line 15, delete the sum \$6,430,700.00 and in lieu thereof, insert the sum \$5,430,700.00

Line 19, delete the sum \$135,000.00 and in lieu thereof, insert the sum \$300,000.00

Line 19B, delete the sum \$200,000.00 and in lieu thereof, insert the sum \$800,000.00

Add Line 21A and indent under the above line as follows: "a. Purchase of Psychiatric and Related Care" and the sum \$120,000.00

Line 26, delete the sum \$396,117.00 and in lieu thereof, insert the sum \$413,692.00

Line 28, delete the sum \$29,900.00 and in lieu thereof, insert the sum \$31,700.00

Line 30, delete the sum \$17,800.00 and in lieu thereof, insert the sum \$18,800.00

Line 31, delete the sum \$18,500.00 and in lieu thereof, insert the sum \$23,150.00

Line 35, delete the sum \$8,000.00 and in lieu thereof, insert the sum \$9,650.00

Line 39, delete the sum \$13,471,838.00 and in lieu thereof, insert the sum \$13,383,513.00

Renumber the lines accordingly.

Amendments to Senate Bill No. 32:

In Line 3 of the bill, delete the sum \$1,527,320.00 and in lieu thereof, insert the sum \$1,563,456.00

Line 10, delete the sum \$802,800.00 and in lieu thereof, insert the sum \$837,936.00

Line 11, delete the sum \$39,600.00 and in lieu thereof, insert the sum \$40,600.00

Line 23, delete the sum \$1,527,320.00 and in lieu thereof, insert the sum \$1,563,456.00

Amendments to Senate Bill No. 51:

In line 186: Delete the following underlined words: "from the sale of"

In line 187: Delete the following underlined words: "the stamps"

Amendments to Senate Bill No. 123:

Add the following new section at the end of the bill: SECTION 3. FEES TO BE CHARGED BY JUSTICES.) A county justice shall be entitled to charge and receive the following fees:

1. For issuing summons or warrant of arrest and all proceedings prior to trial, two dollars;
2. For entry of default judgment or sentence upon plea of guilty or order binding over on waiver, two dollars;
3. For trial of issue of fact or preliminary hearing, four dollars;
4. For issuing execution and all proceedings subsequent to entry of judgment, one dollar;
5. Performing marriage ceremony, three dollars; and
6. For taking affidavit or acknowledgement other than in pending proceeding, twenty-five cents.

Amendments to Senate Bill No. 123:

In line 18 insert the word "senior" before the word "judge"

Renumber the lines accordingly.

Amendments to Senate Bill No. 146:

In line 13 after the word "except" insert the words "Boy and Girl Scouts of America organizations and"

Renumber the lines accordingly.

Amendments to Senate Bill No. 146:

Delete all of line 72 and insert in lieu thereof the words "Within sixty days after the close of the calendar year or the fiscal year, as the case may be, every"

In line 75, following the word "calendar", insert the words "or fiscal"

In line 102, following the word "who", insert the word "knowingly"

In line 103, following the word "solicitation" and prior to the comma, insert the words "in violation of this Act"

Renumber the lines accordingly.

Amendments to Senate Bill No. 148:

In line 14 after the period insert the following language: "However, expenditures made pursuant to the provisions of this section shall not exceed One Hundred Twenty-Five Thousand Dollars in any biennium."

Renumber the lines accordingly.

Amendments to Senate Bill No. 171:

Line 19 delete "or its successors"

Line 23 delete "or of its suc-"

Line 24 delete "cessor"

Line 26 delete "A municipality containing any part of"

Line 27 delete entire line

Line 28 delete "be deemed a successor to such issuing municipality."

Line 26 after period insert the following: "If the governing body of the issuing municipality no longer exists, the county auditor shall levy a direct tax against the taxable property in the original issuing municipality to pay said deficiency and the interest thereon."

Amendments to Senate Bill No. 188:

In line 6 delete the word "made"

In line 7 after the single parenthesis following the word "PRINTING." insert the following language: "After existing supplies of all public notices, letterheads, receipts, checks, and all other printed and mimeographed forms which are passed out of their offices having printed thereon the following: "BUY DAKOTA MAID FLOUR" are exhausted," and delete the capital "A" in the word "All" and insert in lieu thereof a small "a"

In line 15 delete the word "made"

Add the required number of lines necessary and number accordingly.

Amendments to Senate Bill No. 219:

In line 9 of the title of the bill after the word "taxes" add the following language "and providing for an effective date".

In line 66 after the period following the figure "5-03-09" delete the word "DISTRIBUTION" and insert in lieu thereof the word "DISPOSITION" and after the parenthesis following the word "MONEYS." delete the word "Special"

Delete lines 67, 68, 69, 70, 71, 72, 73, 74, 75 and 76 and insert in lieu thereof the following underlined language: "All moneys received representing the excise tax herein provided for shall be deposited into the general fund of this state."

In line 177 following the word "be" delete the remainder of the line and insert in lieu thereof the following underlined language: "deposited into the general fund."

Delete line 178 and line 179.

Renumber the lines accordingly.

Floor Amendment to Senate Bill No. 272:

Between the "and" and "to" in first line of title add Section 40-57-20

Amendments to Senate Bill No. 272:

In line 248: delete the words "a majority" and insert in lieu the words "two-thirds"

At the end of the bill add an additional section as follows:

SECTION 6.) Section 40-57-20 of the North Dakota Century Code is hereby created and enacted to read as follows:

40-57-20. DECLARATION AND FINDING OF PUBLIC PURPOSE.) The Legislative Assembly of the State of North Dakota hereby declares and finds that it is and has been the purpose of Chapter 40-57 of the North Dakota Century Code to sanction, authorize and encourage activities in the public interest and for the welfare of the State of North Dakota, its municipal subdivisions and people by assisting establishment of additional industrial plants and activities within the state, and increasing production of wealth and adding to the volume of employment, particularly during those seasons when employment in farming and ranching is slack, thus alleviating unemployment among the people of the state.

Renumber the lines accordingly.

GERALD L. STAIR, Chief Clerk.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to return:

Senate Bill No. 35
Senate Bill No. 77
Senate Bill No. 95
Senate Bill No. 100
Senate Bill No. 108
Senate Bill No. 179
Senate Bill No. 184
Senate Bill No. 218
Senate Bill No. 225
Senate Bill No. 242
Senate Bill No. 281
Senate Bill No. 296

Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to transmit:

House Concurrent Resolution "S-1"
House Concurrent Resolution "U-1"
House Concurrent Resolution "V-1"
House Concurrent Resolution "W-1"
House Concurrent Resolution "X-1"

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to return:

Senate Bill No. 124
Senate Bill No. 190
Senate Bill No. 217
Senate Bill No. 244
Senate Bill No. 292

Which the House has indefinitely postponed.

GERALD L. STAIR, Chief Clerk.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 78 and the President appointed as a new Conference Committee to serve with a like committee from the House:

Senators:
Kee
Erickson
Johnson

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 178.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Concurrent Resolution "K".

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 49 and the President has appointed as a Conference Committee to act with a like committee from the House:

Senators:
Longmire
Miller
Fiedler

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 129 and the President has appointed as a Conference Committee to act with a like committee from the House:

Senators:
Trenbeath
Kisse
Nesvig

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to

Senate Bill No. 223 and the President has appointed as a Conference Committee to serve with a like committee from the House:

Senators:

Trenbeath
Ringsak
Paulson

HOWARD F. DOHERTY, Secretary.

CONSIDERATION OF AMENDMENTS

Senator Saumur moved that the amendments to House Bill No. 501 be adopted.

Senator Murphy moved that House Bill No. 501 be further amended as follows:

In line 41 delete the figure "11,680.00" and insert in lieu thereof the figure "12,000.00".

In line 42 delete the figure "9,300.00" and insert in lieu thereof the figure "10,000.00".

In line 51 delete the figure "\$230,458.00" and insert in lieu thereof the figure "\$231,478.00".

In line 424 delete the figure "\$7,448,763.00" and insert in lieu thereof the figure "\$7,449,783.00".

Which motion was declared lost.

The question being on the motion of Senator Saumur that the amendments to House Bill No. 501 be adopted, which motion prevailed.

Senator Saumur moved that the amendments to House Bill No. 527 be adopted, which motion prevailed.

Senator Wartner moved that the amendments to House Bill No. 583 be adopted, which motion prevailed.

Senator Hernettt moved that the amendments to House Bill No. 831 be adopted, which motion prevailed.

Senator Hernettt moved that the amendments to House Bill No. 921 be adopted, which motion prevailed.

The question being on the substitute motion of Senator Redlin that House Bill No. 646 be amended as follows:

Delete all of lines 42 through 87.

Renumber the lines accordingly.

Which motion prevailed.

Senator Redlin moved that House Bill No. 646 be further amended as follows:

In line 2 of section 9, after the word "in" insert the words "denying an application for a license or in".

Senator Kisse made the substitute motion that House Bill No. 646 be indefinitely postponed, which motion was declared out of order.

Senator Luick made the substitute motion that the amendments to House Bill No. 646 be laid on the table, which motion was declared lost.

The question being on the motion of Senator Redlin that House Bill No. 646 be further amended, which motion prevailed.

**FIRST READING OF HOUSE
CONCURRENT RESOLUTIONS**

House Concurrent Resolution "S-1". A concurrent resolution requesting that the Congress of the United States grant favorable consideration to H. R. 2477.

Was read the first time.

House Concurrent Resolution "U-1". A concurrent resolution providing for the completion of the legislative journals of the House and Senate.

Was read the first time.

House Concurrent Resolution "V-1". A Concurrent Resolution providing for the retaining of certain employees of the House of Representatives and Senate after the legislative session for the purpose of completing legislative work.

Was read the first time.

House Concurrent Resolution "W-1". 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.

House Concurrent Resolution "X-1". A Concurrent Resolution calling the attention of the Congress to conditions affecting veterans of World War I.

Was read the first time.

MOTIONS

Senator Holand moved that the rules be suspended and that House Concurrent Resolutions "S-1", "U-1" "V-1", "W-1" and "X-1" be not referred to a committee but laid over one legislative day, which motion prevailed.

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

COMMUNICATION

A communication addressed to Senator Foss was read from the desk.

Senator Trenbeath moved that the communication addressed to Senator Foss be printed in the journal, which motion prevailed.

March 3, 1961

The Honorable P. L. Foss
State Senator
Valley City, North Dakota

Dear Polly:

All of us on the Senate Committee on Appropriations and for that matter all of the members of the Senate and all your other friends here in Bismarck concerned with legislation, were very sorry to hear of your wife's illness and wish to express our most sincere hope and prayer that she may recover quickly.

Although we may not have had an opportunity to express to you personally our appreciation for the very wonderful

work that you have done for our state and the pleasure of having worked with you prior to this time, we want to express that sincere feeling at this time.

Your good friends.

Sincerely yours,
 George Saumur
 Ralph J. Erickstad
 C. W. Baker
 Leonard A. Bopp
 Walter R. Fiedler
 A. F. Gronvold
 Gail H. Hernet
 Isak Hystad
 O. S. Johnson
 C. G. Kee
 A. W. Luick
 Jerome Nesvig
 Elton W. Ringsak
 Leland Roen
 Clark Van Horn
 Harry W. Wadeson

MESSAGES TO THE HOUSE

Senate Chamber
 Bismarck, March 3, 1961

Mr. Speaker: I have the honor to return:
 House Bill No. 547
 House Bill No. 690
 House Bill No. 721
 House Bill No. 754
 Which the Senate has amended.

HOWARD F. DOHERTY, Secretary.

Senate Chamber
 Bismarck, March 3, 1961

Mr. Speaker: I have the honor to return:
 House Bill No. 599
 House Bill No. 640
 House Bill No. 729
 House Bill No. 762
 House Bill No. 857
 House Bill No. 891
 House Concurrent Resolution "L"
 House Concurrent Resolution "T"
 House Concurrent Resolution "C-1"
 Which the Senate has indefinitely postponed.

HOWARD F. DOHERTY, Secretary.

Senate Chamber
 Bismarck, March 3, 1961

Mr. Speaker: I have the honor to return:
 House Bill No. 711
 Which the Senate has passed unchanged.

HOWARD F. DOHERTY, Secretary.

Senate Chamber
 Bismarck, March 3, 1961

Mr. Speaker: I have the honor to transmit:
 Senate Bill No. 313

Senate Bill No. 314

Which the Senate has passed and your favorable consideration is requested.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 28

Senate Bill No. 89

Senate Bill No. 249

Senate Bill No. 306

Which the President has signed and your signature is respectfully requested.

HOWARD F. DOHERTY, Secretary.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has refused to adopt the Conference Committee report on House Bill No. 539 and the Speaker has appointed a new committee:

Representatives:

Halcrow

Davis (Dunn)

Nicolson

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 545 and the Speaker has appointed as a conference committee to act with a like committee from the Senate:

Representatives:

Anderson (Richland)

Knudsen (LaMoure)

Giffey

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 654 and the Speaker has appointed as a conference committee to act with a like committee from the Senate:

Representatives:

Lindberg

Goebel

Stallman

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to

House Bill No. 507 and the Speaker has appointed as a conference committee to act with a like committee from the Senate:

Representatives:

Johnston
Anderson (McHenry)
Anderson (Richland)

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 3, 1961

Mr. President: I have the honor to transmit:

House Bill No. 514
House Bill No. 517
House Bill No. 521
House Bill No. 597
House Bill No. 610
House Bill No. 810
House Bill No. 817
House Bill No. 821
House Bill No. 824
House Bill No. 875
House Bill No. 894
House Bill No. 915

House Concurrent Resolution "A-1"

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 124.

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee on Senate Bill No. 223:

Representatives:

Christopher
Reimers
Bassingthwaite

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee on Senate Bill No. 49:

Representatives:

Davis (Dunn)
Loewen
Christensen (McLean)

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee on Senate Bill No. 129:

Representatives:
Wheeler
Davis (Dunn)
Karabensh

GERALD L. STAIR, Chief Clerk.

ANNOUNCEMENT

Senator Saumur announced that the Committee on Appropriations had unanimously chosen Senator Ralph J. Erickstad as the second member of the State Budget Board.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution "SS". A concurrent resolution urging the Congress to pass legislation pending therein which would authorize local governments to receive payments from the federal government for federal real property located therein in lieu of certain taxes and special assessments.

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:

Andre	Hernett	Redlin
Baeverstad	Holand	Reichert
Baker	Hystad	Ringsak
Becker	Kamrath	Roen
Berube	Kisse	Saumur
Bopp	Lautenschlager	Schrock
Brooks	Lips	Solberg
Erickstad	Longhire	Thompson
Fiedler	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Wittman
Gronvold	Nesvig	Yunker
Harris	Paulson	

Absent and not voting:

Erickson	Johnson	Mutch
Foss	Kee	

So the resolution was declared adopted.

Senate Concurrent Resolution "TT". A concurrent resolution memorializing Congress to protect the Williston Basin oil production from excessive Canadian oil imports.

Which has been read.

Senator Murphy moved that Senate Concurrent Resolution "TT" be amended as follows:

In line 1 of the title delete the word "Congress" and insert in lieu thereof the following: "the Honorable Stewart

L. Udall, Secretary of the United States Department of the Interior"

Which motion prevailed.

Senator Murphy moved that the rules be suspended and that Senate Concurrent Resolution "TT" be deemed properly re-engrossed and placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of Senate Concurrent Resolution "TT", as amended from the floor, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Kamrath	Ringsak
Berube	Kisse	Roen
Bopp	Lautenschlager	Saumur
Brooks	Lips	Schrock
Erickstad	Longmire	Solberg
Fiedler	Luick	Thompson
Garaas	Meidinger	Trenbeath
Gefreh	Miller	Van Horn
George	Morgan	Wadeson
Gilbertson	Murphy	Wartner
Gronvold	Mutch	Witteman
Harris	Nesvig	Yunker

Absent and not voting:

Erickson	Johnson	Kee
Foss		

So the resolution was declared adopted.

MOTIONS

Senator Longmire moved that the Senate return Senate Bill No. 124 to the House as requested, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Baker moved that the Senate do not concur in the House amendments to Senate Bill No. 123 and that a Conference Committee be appointed, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 505. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, and equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

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, 0; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Harris	Paulson
Baeverstad	Hernett	Redlin

Baker	Holand	Reichert
Becker	Hystad	Roen
Berube	Kamrath	Saumur
Bopp	Kisse	Schrock
Brooks	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Luick	Trenbeath
Garaas	Miller	Van Horn
Gefreh	Morgan	Wadeson
George	Murphy	Wartner
Gilbertson	Mutch	Witteman
Gronvold	Nesvig	Yunker

Absent and not voting:

Erickson	Kee	Meidinger
Foss	Longmire	Ringsak
Johnson		

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 505 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 506. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous items, new buildings and special projects for the State Hospital at Jamestown, North Dakota.

Which has been read.

Senator Van Horn: Mr. President, what I have to say I would like to have in the record. I have been responsible for bringing to the public's attention the number of employees at the farm end of the State Hospital. This was not done with any reflection on Superintendent Lahaug. It was brought to my attention first by two employees of the State Hospital who had an appointment with me who gave their support to Mr. Lahaug, and in the course of the conversation they brought the information to me about the overstaffed condition of the farm so I have done a little investigating on it, although I have not gone down there and really gone into it. Some of you may have found a mimeographed list. I did have a few that I laid here and there on the Senator's desks yesterday. I don't believe at this time that it is a reflection on the Superintendent but I hope it will bring to his attention the fact that the farm does have a lot of people there and one outstanding thing that they had was seven tractor men and seven tractors and around fourteen other people. Now I hope this will bring it to the attention of the Superintendent and that he will in the course of time take care of this situation.

ROLL CALL

The question being on the final passage of House Bill No. 506, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Harris	Paulson
Baeverstad	Hernett	Redlin
Baker	Holand	Reichert
Becker	Hystad	Roen
Berube	Kamrath	Saumur

Bopp	Kisse	Schrock
Brooks	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Luick	Trenbeath
Garaas	Miller	Van Horn
Gefreh	Morgan	Wadeson
George	Murphy	Wartner
Gilbertson	Mutch	Witteaman
Gronvold	Nesvig	Yunker

Absent and not voting:

Erickson	Kee	Meidinger
Foss	Longmire	Ringsak
Johnson		

So the bill passed and the title was agreed to.

Senator Holand moved that the vote by which House Bill No. 506 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 515. 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 the two agricultural schools on the basis of enrollment.

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, 1; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Hernett	Redlin
Baker	Holand	Reichert
Becker	Hystad	Roen
Berube	Kamrath	Saumur
Bopp	Kisse	Schrock
Brooks	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Luick	Trenbeath
Garaas	Miller	Van Horn
Gefreh	Morgan	Wadeson
George	Murphy	Wartner
Gilbertson	Mutch	Witteaman
Gronvold	Nesvig	Yunker
Harris	Paulson	

Those voting in the negative were:

Baeverstad

Absent and not voting:

Erickson	Kee	Meidinger
Foss	Longmire	Ringsak
Johnson		

So the bill passed and the title was agreed to.

House Bill No. 516. 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, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Harris	Paulson
Baeverstad	Hernett	Redlin
Baker	Holand	Reichert
Becker	Hystad	Roen
Berube	Kamrath	Saumur
Bopp	Kisse	Schrock
Brooks	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Luick	Trenbeath
Garaas	Miller	Van Horn
Gefreh	Morgan	Wadeson
George	Murphy	Wartner
Gilbertson	Mutch	Witteman
Gronvold	Nesvig	Yunker

Absent and not voting:

Erickson	Kee	Meidinger
Foss	Longmire	Ringsak
Johnson		

So the bill passed and the title was agreed to.

House Bill No. 524. A Bill for an Act making an appropriation for the operation and maintenance of the State Hail Insurance 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, 41; nays, 1; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Hernett	Redlin
Baeverstad	Holand	Reichert
Baker	Hystad	Roen
Becker	Kamrath	Saumur
Berube	Kisse	Schrock
Bopp	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Luick	Trenbeath
Garaas	Miller	Van Horn
Gefreh	Morgan	Wadeson
George	Murphy	Wartner
Gilbertson	Mutch	Witteman
Gronvold	Nesvig	Yunker
Harris	Paulson	

Those voting in the negative were:

Brooks

Absent and not voting:

Erickson	Kee	Meidinger
Foss	Longmire	Ringsak
Johnson		

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 operating and maintaining the State Fire and Tornado 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, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Harris	Paulson
Baeverstad	Hernett	Redlin
Baker	Holand	Reichert
Becker	Hystad	Roen
Berube	Kamrath	Saumur
Bopp	Kisse	Schrock
Brooks	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Luick	Trenbeath
Garaas	Miller	Van Horn
Gefreh	Morgan	Wadeson
George	Murphy	Wartner
Gilbertson	Mutch	Witteman
Gronvold	Nesvig	Yunker

Absent and not voting:

Erickson	Kee	Meidinger
Foss	Longmire	Ringsak
Johnson		

So the bill passed and the title was agreed to.

House Bill No. 526. A Bill for an Act making an appropriation for the purpose of operating and maintaining the State Bonding 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, 1; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Hernett	Redlin
Baeverstad	Holand	Reichert
Baker	Hystad	Roen
Becker	Kamrath	Saumur
Berube	Kisse	Schrock
Bopp	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Luick	Trenbeath
Garaas	Miller	Van Horn
Gefreh	Morgan	Wadeson
George	Murphy	Wartner
Gilbertson	Mutch	Witteman
Gronvold	Nesvig	Yunker
Harris	Paulson	

Those voting in the negative were:

Brooks

Absent and not voting:

Erickson	Kee	Meidinger
Foss	Longmire	Ringsak
Johnson		

So the bill passed and the title was agreed to.

House Bill No. 535. A Bill for an Act making an appropriation to the State Board of Higher Education for the

purpose of payment of reciprocal agreements with other states' institutions of higher learning for higher education of North Dakota 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, 39; nays, 3; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Harris	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Kamrath	Roen
Berube	Kisse	Saumur
Bopp	Lautenschlager	Schrock
Brooks	Lips	Solberg
Erickstad	Luick	Thompson
Fiedler	Miller	Trenbeath
Garaas	Morgan	Van Horn
Gefreh	Murphy	Wadeson
George	Mutch	Wartner
Gilbertson	Nesvig	Yunker

Those voting in the negative were:

Gronvold	Hernett	Witteman
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Absent and not voting:

Erickson	Kee	Meidinger
Foss	Longmire	Ringsak
Johnson		

So the bill passed and the title was agreed to.

House Bill No. 544. A Bill for an Act to provide for the appointment of county or multiple county boards of special education, the formulation and approval of programs and budgets, the authorization of excess mill levies to finance such programs, and the distribution of state funds to counties conducting such 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, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Harris	Paulson
Baeverstad	Hernett	Redlin
Baker	Holand	Reichert
Becker	Hystad	Roen
Berube	Kamrath	Saumur
Bopp	Kisse	Schrock
Brooks	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Luick	Trenbeath
Garaas	Miller	Van Horn
Gefreh	Morgan	Wadeson
George	Murphy	Wartner
Gilbertson	Mutch	Witteman
Gronvold	Nesvig	Yunker

Absent and not voting:

Erickson	Kee	Meidinger
Foss	Longmire	Ringsak
Johnson		

So the bill passed and the title was agreed to.

House Bill No. 552. A Bill for an Act to amend and reenact sections 4-02-20, 4-02-21, 4-22-03, 12-57-01, 16-13-33, 16-13-36, 16-13-39, 16-13-47, 23-01-02, 23-13-09, 26-20-04, 26-20-05, 26-20-06, 26-20-07, 26-20-08, 34-10-02, 34-10-03, 34-10-06, 46-04-01, 48-04-10, 54-04-01, 54-04-03, 54-04-04, 54-36-01, 55-01-01, and 61-02-04 of the North Dakota Century Code relating to the membership and duties of various boards and commissions upon which the governor or the superintendent of public instruction serve; and to repeal sections 4-02-13, 4-02-14, 16-13-34, and 16-13-37 of the North Dakota Century Code relating to the boards of directors of the state fair associations, and the state board of canvassers for general and special elections.

Which has been read.

Senator Fiedler moved that House Bill No. 552 be amended as follows:

Delete lines 28 through 61.

Which motion prevailed.

Senator Fielder moved that the rules be suspended and that House Bill No. 552 be placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of House Bill No. 552, as amended from the floor, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Roen
Bopp	Kamrath	Schrock
Brooks	Kee	Solberg
Erickstad	Lautenschlager	Thompson
Fiedler	Lips	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker

Absent and not voting:

Erickson	Longmire	Ringsak
Foss	Meidinger	Saumur
Kisse		

So the bill passed and the title was agreed to.

House Bill No. 582. A Bill for an Act to establish the name "Mouse" as the official name for the river herein described.

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, 7; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Redlin
Becker	Hystad	Ringsak
Berube	Kamrath	Schrock
Bopp	Kee	Solberg
Erickstad	Lautenschlager	Thompson
Fiedler	Lips	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Wadeson
George	Meidinger	Witteman
Gilbertson	Miller	Yunker
Gronvold	Morgan	

Those voting in the negative were:

Brooks	Paulson	Roen
Johnson	Reichert	Wartner
Murphy		

Absent and not voting:

Erickson	Kisse	Saumur
Foss		

So the bill passed and the title was agreed to.

House Bill No. 601. A Bill for an Act to amend and reenact sections 15-53-16 and 15-53-20 of the North Dakota Century Code relating to school district reorganization elections and property and assets of reorganized school districts.

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:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker
Harris	Mutch	

Absent and not voting:

Foss	Saumur
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So the bill passed and the title was agreed to.

House Bill No. 615. A Bill for an Act to amend and reenact section 27-09-05 of the North Dakota Century Code, relating to the fees and mileage paid to 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, 46; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hystad	Paulson
Baeverstad	Johnson	Redlin
Baker	Kamrath	Reichert
Berube	Kee	Ringsak
Bopp	Kisse	Roen
Brooks	Lautenschlager	Saumur
Erickson	Lips	Schrock
Erickstad	Longmire	Solberg
Fiedler	Luick	Thompson
Garaas	Meidinger	Trenbeath
George	Miller	Van Horn
Gilbertson	Morgan	Wadeson
Gronvold	Murphy	Wartner
Harris	Mutch	Witteman
Hernett	Nesvig	Yunker
Holand		

Those voting in the negative were:

Becker Gefreh

Absent and not voting:

Foss

So the bill passed and the title was agreed to.

House Bill No. 657. A Bill for an Act to amend and reenact sections 15-18-05, 15-18-06, 15-18-07, 15-18-08, and 15-18-09 of the North Dakota Century Code, relating to county and state financing of junior colleges and off-campus educational centers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker

Absent and not voting:

Foss

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to return Senate Bill No. 124 which the House requested.

HOWARD F. DOHERTY, Secretary.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to:

House Bill No. 503
 House Bill No. 504
 House Bill No. 522
 House Bill No. 523
 House Bill No. 529
 House Bill No. 531
 House Bill No. 532
 House Bill No. 578
 House Bill No. 638
 House Bill No. 662
 House Bill No. 666
 House Bill No. 704
 House Bill No. 829
 House Bill No. 850
 House Bill No. 854
 House Bill No. 908

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has:

Adopted the Conference Committee report on Senate Bill No. 129:

95 Aye
 4 Nay
 14 Absent

Adopted the Conference Committee report on Senate Bill No. 151.

GERALD L. STAIR, Chief Clerk.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following resolution:

Senate Concurrent Resolution "TT"

And finds the same correctly engrossed.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

MOTIONS

Senator Holand moved that the Senate recess subject to the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Hernett moved that the Senate do concur in the House amendments to Senate Bill No. 148, which motion prevailed.

Senator Hernett moved that the rules be suspended and that Senate Bill No. 148 be deemed properly re-engrossed and placed upon second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 148. A Bill for an Act to amend and reenact section 24-03-21 of the North Dakota Century Code relating to the preparation and distribution of road maps and to authorize the highway commissioner to provide for the publication of tourist information, and declaring an emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Schrock
Erickson	Kisse	Solberg
Fiedler	Lautenschlager	Thompson
Garaas	Lips	Van Horn
Gefreh	Longmire	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteaman
Gronvold	Mutch	Yunker

Absent and not voting:

Erickstad	Meidinger	Saumur
Foss	Miller	Trenbeath
Luick		

So the bill passed and the title was agreed to and the emergency clause carried.

Senator Hernett moved that the Senate do concur in the House amendments to Senate Bill No. 188, which motion prevailed.

Senator Hernett moved that the rules be suspended and that Senate Bill No. 188 be deemed properly re-engrossed and placed upon second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 188. A Bill for an Act to amend and reenact section 44-08-10 of the North Dakota Century Code, relating to public notices and printing.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Berube	Kamrath	Roen
Bopp	Kee	Saumur
Brooks	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Garaas	Longmire	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris	Nesvig	

Absent and not voting:

Erickstad	Luick	Trenbeath
Foss	Meidinger	

So the bill passed and the title was agreed to.

Senator Hernett moved that the Senate do concur in the House amendments to Senate Bill No. 272, which motion prevailed.

Senator Hernett moved that the rules be suspended and that Senate Bill No. 272 be deemed properly re-engrossed and placed upon second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 272. A Bill for an Act to create and enact section 40-57-19 and to amend and reenact sections 40-57-02, 40-57-03, 40-57-10, and 40-57-14 of the North Dakota Century Code relating to the issuance of revenue producing bonds by municipalities for municipal industrial development and to authorize state chartered banks to purchase a certain percentage of these bonds, and authorizing the municipality to issue general obligation bonds and levy taxes to pay the interest and principal thereof in certain industrial development cases, if approved by the municipality.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Berube	Kamrath	Roen
Bopp	Kee	Saumur
Brooks	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Longmire	Trenbeath

Garaas	Luick	Van Horn
Gefreh	Miller	Wadeson
George	Morgan.	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris	Nesvig	

Absent and not voting:

Foss	Meidinger
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So the bill passed and the title was agreed to.

Senator Wartner moved that the Senate do concur in the House amendments to Senate Bill No. 146, which motion prevailed.

Senator Wartner moved that the rules be suspended and that Senate Bill No. 146 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 146. A Bill for an Act to create and enact chapter 50-22 of the North Dakota Century Code, relating to licensing and regulation of charitable organizations which solicit funds, and to repeal chapter 50-15 of the North Dakota Century Code, relating to solicitations for benevolent associations, and providing a penalty.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Berube	Kamrath	Roen
Bopp	Kee	Saumur
Brooks	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris	Nesvig	

Absent and not voting:

Foss	Meidinger
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So the bill passed and the title was agreed to.

Senator Wartner moved that the Senate do concur in the House amendments to Senate Bill No. 219, which motion prevailed..

Senator Wartner moved that the rules be suspended and that Senate Bill No. 219 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 219. A Bill for an Act to amend and reenact sections 5-03-06, 5-03-08, 5-03-09, 5-03-14, 5-03-21

and 5-04-03 of the North Dakota Century Code, and to repeal section 5-03-07 of the North Dakota Century Code, and to enact supplemental sections, relating to levy and collection of excise taxes on alcoholic beverages, providing for the elimination of the use of excise tax stamps and the inauguration of a monthly return system to pay such taxes.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Berube	Kamrath	Roen
Bopp	Kee	Saumur
Brooks	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris	Nesvig	

Absent and not voting:

Foss	Meidinger
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So the bill passed and the title was agreed to.

Senator Wartner moved that the Senate do concur in the House amendments to Senate Bill No. 51, which motion prevailed.

Senator Wartner moved that the rules be suspended and that Senate Bill No. 51 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 51. A Bill for an Act providing for a transfer of all funds in the charitable institutions revolving fund and the institutional support funds and providing that all collections from liquor taxes be deposited in the general fund and to relieve the counties of any share of costs of operation and administration of the state hospital, state school, and tuberculosis sanatorium, and further providing for the collection of expenses incurred by the state for care and treatment of patients at such institutions to create and enact chapter 25-09 of the North Dakota Century Code, and to amend and reenact sections 5-03-09, 5-03-11, 25-03-15, 25-03-26, 25-04-04, and 25-05-34 of the North Dakota Century Code and to repeal sections 25-01-14, 25-02-07, 25-02-08, 25-02-10, 25-03-03, 25-03-04, 25-04-09, 25-04-10, 25-05-08, 25-05-09, and 25-05-10, and chapter 25-08 of the North Dakota Century Code relating to institutional care and treatment and expenses thereof and the disposition of liquor taxes.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker

Absent and not voting:

Foss

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 661. A Bill for an Act making an appropriation to the state board of higher education for the purpose of taking advantage of the National Defense Student Loan Program.

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, 1.

Those voting in the affirmative were:

Andre	Hystad	Paulson
Baeverstad	Johnson	Redlin
Baker	Kamrath	Reichert
Becker	Kee	Ringsak
Berube	Kisse	Roen
Bopp	Lautenschlager	Saumur
Brooks	Lips	Schrock
Erickstad	Longmire	Solberg
Fiedler	Luick	Thompson
Garaas	Meidinger	Trenbeath
George	Miller	Van Horn
Gronvold	Morgan	Wartner
Harris	Murphy	Witteman
Hernett	Mutch	Yunker
Holand	Nesvig	

Those voting in the negative were:

Erickson	Gilbertson	Wadeson
Gefreh		

Absent and not voting:

Foss

So the bill passed and the title was agreed to.

House Bill No. 692. A Bill for an Act authorizing the state board of higher education to lease certain state-owned land to the federal government, for the purpose of permitting the erection of a forestry research laboratory-office building on the campus of the school of forestry.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	Paulson
Baker	Johnson	Redlin
Becker	Kamrath	Reichert
Berube	Kee	Roen
Bopp	Kisse	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Erickstad	Longmire	Thompson
Fiedler	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Mutch	Yunker
Harris		

Absent and not voting:

Foss	Hernett	Ringsak
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So the bill passed and the title was agreed to.

House Bill No. 723. A Bill for an Act to provide for tuition payments for children residing in a home maintained by any nonprofit corporation pursuant to a court order.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	Paulson
Baker	Johnson	Redlin
Becker	Kamrath	Reichert
Berube	Kee	Roen
Bopp	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker
Hernett		

Absent and not voting:

Brocks Foss Ringsak

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 690 and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate:

Representatives:

Johnson
Maragos
Peterson

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 244.

GERALD L. STAIR, Chief Clerk.

MOTIONS

Senator Longmire moved that the Senate return Senate Bill No. 244 to the House as requested, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 735. A Bill for an Act to amend and reenact sections 26-22-11, 26-22-30, 26-22-46, and 26-22-54 of the North Dakota Century Code, relating to the state hail insurance department coverage of fire losses 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, 1; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hystad	Paulson
Baeverstad	Johnson	Redlin
Becker	Kamrath	Reichert
Berube	Kee	Ringsak
Bopp	Kisse	Roen
Erickson	Lautenschlager	Saumur
Erickstad	Lips	Schrock
Fiedler	Longmire	Solberg
Garaas	Luick	Thompson
Gefreh	Meidinger	Trenbeath
George	Miller	Van Horn
Gilbertson	Morgan	Wadeson
Gronvold	Murphy	Wartner
Harris	Mutch	Witteman
Hernett	Nesvig	Yunker
Holand		

Those voting in the negative were:

Baker

Absent and not voting:

Brooks Foss

So the bill passed and the title was agreed to and the emergency clause carried.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to:

House Bill No. 547

House Bill No. 721

House Bill No. 754

GERALD L. STAIR, Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 748. A Bill for an Act to amend and reenact sections 15-19-06 and 15-19-07 of the North Dakota Century Code, relating to receipts and expenditures of the high school correspondence study division.

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:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Baker	Johnson	Reichert
Becker	Kamrath	Ringsak
Berube	Kee	Roen
Bopp	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteaman
Harris	Mutch	Yunker
Hernett	Nesvig	

Absent and not voting;

Brooks Foss

So the bill passed and the title was agreed to.

House Bill No. 869. A Bill for an Act to create and enact subsections 24, 25, 26, and 27 of section 4-09-01, and sections 4-09-25, 4-09-27, and 4-09-28, and to amend and reenact section 4-09-21 of the North Dakota Century Code, relating to licensing, bonding, and regulation of seed dealers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 13; nays, 35; absent and not voting, 1.

Those voting in the affirmative were:

Berube	Luick	Schrock
Erickson	Meidinger	Trenbeath
George	Redlin	Van Horn
Hernett	Reichert	Wadeson
Kisse		

Those voting in the negative were:

Andre	Harris	Mutch
Baeverstad	Holand	Nesvig
Baker	Hystad	Paulson
Becker	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Garaas	Longmire	Wartner
Gefreh	Miller	Witteman
Gilbertson	Morgan	Yunker
Gronvold	Murphy	

Absent and not voting:

Foss

So the bill was declared lost.

REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 78 has had the same under consideration and recommends that the House recede from its amendments in lines 39, 40, 43, 44 and 46 and that the Senate concurs with the amendments in line 32, lines 54 through 61 and line 65.

For the Senate:

C. G. Kee
Lloyd Erickson
O. S. Johnson

For the House:

I. E. Bratcher
Lawrence Bowman
Gilman F. Peterson

Senator Kee moved that the report be adopted, which motion prevailed.

Senator Kee moved that the rules be suspended and that Senate Bill No. 78 be deemed properly re-engrossed and placed on second reading and final passage, as amended in Conference Committee, which motion prevailed.

Senate Bill No. 78. A Bill for an Act to amend and re-enact section 39-09-02 of the North Dakota Century Code relating to speed limitations.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended in conference committee, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert

Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker

Absent and not voting:

Foss

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 129 has had the same under consideration and recommends that the Senate concur with the House amendments except in lines 13 and 18, which the House recedes from so that the word "twenty" in line 13 shall read "twelve", and the word "twenty" in line 18 shall read "twelve".

For the Senate:

Grant Trenbeath

Dan Kisse

Jerome Nesvig

For the House:

R. W. Wheeler

Charles F. Karabensh

Leonard J. Davis (Dunn)

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Senator Trenbeath moved that the rules be suspended and that Senate Bill No. 129 be deemed properly re-engrossed and placed on second reading and final passage, as amended in conference committee, which motion prevailed.

Senate Bill No. 129. A Bill for an Act to amend and reenact section 48-02-02 of the North Dakota Century Code relating to the procurement of plans, drawings, and specifications when a public building is altered, repaired, or constructed.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended in conference committee, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson

Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker

Absent and not voting:

Foss

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 151 has had the same under consideration and recommends that the Senate concur with the House amendments.

For the Senate:

Grant Trenbeath
Lloyd M. Erickson
Leonard A. Bopp

For the House:

Oscar J. Sorlie
L. C. Mueller
Ole Breum

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Senator Trenbeath moved that the rules be suspended and that Senate Bill No. 151 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 151. A Bill for an Act to amend and reenact sections 61-04-02, 61-04-04, 61-04-06, 61-04-09, 61-04-11 and 61-04-14 of the North Dakota Century Code relating to acquisition of right to appropriate water for beneficial use.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Baker	Johnson	Reichert
Becker	Kamrath	Ringsak
Berube	Kee	Roen
Bopp	Kisse	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Erickstad	Longmire	Thompson
Fiedler	Luick	Trenbeath
Garaas	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker
Hennett	Nesvig	

Absent and not voting:

Foss Gefreh

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred House Bill No. 539 has had the same under consideration and recommends that the Senate recede from its amendments and that House Bill No. 539 be amended as follows:

In lines 1337 through 1340 delete the words "No teacher shall receive pay for such attendance unless he has attended four days, nor shall any teacher receive pay for more than five days of attendance."

In line 2136 after the word "of" insert the word "not"

In line 2551 delete the words "twenty seven" and insert in lieu thereof the word "thirty", and after the semicolon insert the following words: "provided that there shall be no limitation upon the taxes which may be levied by any school district having a total population in excess of seven thousand five hundred according to the last federal decennial census if upon resolution of the school board of any such district the removal of the mill levy limitation has been submitted and approved by a majority of the electors voting at any regular or special election upon such question. In the event such election is held in a reorganized district it shall be conducted and approved or disapproved in the same manner and subject to the same conditions as provided in section 15-53-14 for elections for approval of school district reorganization plans. Thereafter, the question of authorizing or discontinuing such unlimited taxing authority may be submitted to the electorate of the school district upon resolution of the school board at any regular election and shall be voted on and the question approved or disapproved in the same manner and subject to the same conditions as provided in this section for the first election upon the question of authorizing an unlimited mill levy."

After line 2558 insert the following Section: SECTION 88. READJUSTMENT OF LIABILITIES.) After the reorganization plan has become effective any provision of the reorganization plan heretofore or hereafter adopted affecting the adjustment of assets and liabilities may be changed by a majority vote of the electorate. The school board in the reorganized district may submit the question of authorizing the change at any regular or special election and the election shall be held in the same manner as the original reorganization election was held.

Line 2559 delete "88" and insert "89" in lieu thereof

For the Senate:

Roen
Harris
Lautenschlager

For the House:

Halcrow
Bloom
Loewen

Senator Roen moved that the report of the Conference Committee on House Bill No. 539 be not adopted, and that a new Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEES

The President appointed as a new Conference Committee on House Bill No. 539:

Senators:

Roen
Luick
Redlin

The President appointed as a Conference Committee on Senate Bill No. 34:

Senators:

Luick
Brooks
Fiedler

The President appointed as a Conference Committee on Senate Bill No. 123:

Senators:

Baker
Lips
Bopp

The President appointed as a Conference Committee on House Bill No. 507:

Senators:

Erickstad
Hernett
Johnson

The President appointed as a Conference Committee on House Bill No. 545:

Senators:

Kisse
Erickstad
Redlin

The President appointed as a Conference Committee on House Bill No. 654:

Senators:

Wartner
Gefreh
Shrock

The President appointed as a Conference Committee on House Bill No. 690:

Senators:

Meidinger
Saumur
Redlin

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Trenbeath moved that the Senate do not concur in the House amendments to Senate Bill No. 45 and that a Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on Senate Bill No. 45:

Senators:

Becker
Gronvold
Reichert

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Erickstad moved that the Senate do concur in House amendments to Senate Bill No. 31, which motion prevailed.

Senator Erickstad moved that the rules be suspended and that Senate Bill No. 31 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 31. A Bill for an Act making an appropriation for the construction of buildings by the State Highway Department.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Baker	Johnson	Reichert
Becker	Kamrath	Ringsak
Berube	Kee	Roen
Bopp	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker
Hernett	Nesvig	

Those voting in the negative were:

Brooks

Absent and not voting:

Foss

So the bill passed and the title was agreed to.

Senator Longmire moved that the Senate reconsider the action by which House Bill No. 768 was passed, which motion prevailed.

Senator Longmire moved that the rules be suspended and that House Bill No. 768 be placed at the head of the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 768. A Bill for an Act authorizing the state historical society to exchange certain lands owned by the state of North Dakota in connection with the Fort Union historic site.

Was read the second time.

Senator Longmire moved that House Bill No. 768 be amended as follows:

In line 37 delete the word "centerland" and insert in lieu thereof the word "centerline".

Which motion prevailed.

Senator Longmire moved that the rules be suspended and that House Bill No. 768 be placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of House Bill No. 768, as amended from the floor, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Berube	Kamrath	Roen
Bopp	Kee	Saumur
Brooks	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker
Harris	Nesvig	

Absent and not voting:

Foss Mutch

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to return Senate Bill No. 244 which the House requested.

HOWARD F. DOHERTY, Secretary.

MOTIONS

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

Senator Holand moved that after the reading of House Bills Nos. 528, 684, 802, 837, 838, 842, 844, 874, 886, 914, 920, 923, House Concurrent Resolution "B-1" and Senate Bill No. 316, that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

MOTIONS

Senator Wartner moved that the Senate request the House to return House Concurrent Resolution "T".

ROLL CALL

The question being on the motion of Senator Wartner, the roll was called and there were ayes, 25; nays, 23; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Holand	Mutch
Baker	Kee	Reichert
Becker	Kisse	Ringsak
Erickson	Lautenschlager	Roen
Erickstad	Longmire	Saumur

Gefreh	Luick	Trenbeath
Gronvold	Meidinger	Wadeson
Harris	Miller	Wartner
Hernett		

Those voting in the negative were:

Andre	Hystad	Redlin
Berube	Johnson	Schrock
Bopp	Kamrath	Solberg
Brooks	Lips	Thompson
Fiedler	Morgan	Van Horn
Garaas	Murphy	Witteman
George	Nesvig	Yunker
Gilbertson	Paulson	

Absent and not voting:

Foss

So the motion was declared carried.

SECOND READING OF A HOUSE BILL

House Bill No. 878. A Bill for an Act to amend and reenact section 10-22-01 of the North Dakota Century Code relating to admission of foreign corporation.

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, 1.

Those voting in the affirmative were:

Baeverstad	Hystad	Mutch
Baker	Johnson	Reichert
Becker	Kee	Ringsak
Brooks	Kisse	Roen
Erickson	Lautenschlager	Saumur
Erickstad	Lips	Schrock
Gefreh	Longmire	Trenbeath
George	Luick	Van Horn
Gronvold	Meidinger	Wadeson
Harris	Miller	Wartner
Hernett	Morgan	Yunker
Holand		

Those voting in the negative were:

Andre	Gilbertson	Redlin
Berube	Kamrath	Solberg
Bopp	Murphy	Thompson
Fiedler	Nesvig	Witteman
Garaas	Paulson	

Absent and not voting:

Foss

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has requested the return of House Concurrent Resolution "T".

HOWARD F. DOHERTY, Secretary.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to return:

Senate Bill No. 25
 Senate Bill No. 28
 Senate Bill No. 33
 Senate Bill No. 36
 Senate Bill No. 37
 Senate Bill No. 44
 Senate Bill No. 63
 Senate Bill No. 72
 Senate Bill No. 89
 Senate Bill No. 98
 Senate Bill No. 104
 Senate Bill No. 111
 Senate Bill No. 127
 Senate Bill No. 141
 Senate Bill No. 246
 Senate Bill No. 249
 Senate Bill No. 254
 Senate Bill No. 267
 Senate Bill No. 274
 Senate Bill No. 284
 Senate Bill No. 306

Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to transmit:

House Bill No. 508
 House Bill No. 562
 House Bill No. 592
 House Bill No. 624
 House Bill No. 644
 House Bill No. 645
 House Bill No. 701
 House Bill No. 726
 House Bill No. 767
 House Bill No. 775
 House Bill No. 811
 House Bill No. 818
 House Bill No. 828
 House Bill No. 845
 House Bill No. 847
 House Bill No. 866
 House Bill No. 872
 House Bill No. 896
 House Bill No. 928

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to return:

Senate Concurrent Resolution "L"
 Senate Concurrent Resolution "FF"

Senate Concurrent Resolution "GG"
 Senate Concurrent Resolution "LL"
 Senate Concurrent Resolution "OO"
 Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to return:

Senate Bill No. 167

Senate Bill No. 253

Senate Bill No. 289

Which the House has indefinitely postponed.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to return:

Senate Bill No. 19

Senate Bill No. 24

Senate Bill No. 43

Senate Bill No. 124

Senate Bill No. 294

Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to return:

Senate Bill No. 90

Senate Bill No. 128

Senate Bill No. 259

Which the House has amended as follows:

Amendments to Senate Bill No. 90:

In line 31 after the word "exemptions" insert the following language: "provided under this chapter"

Renumber the lines accordingly.

Amendments to Senate Bill No. 128:

In Line 4 of the title, after the comma, delete the word "and" and in lieu thereof, insert the word "from"

In Line 5 of the title, after the word "association", insert the words "and from the unexpended balance in the appropriation for a records management study"

Line 6 of the bill, delete the sum \$1,500,000.00 and in lieu thereof insert the sum \$2,500,000.00

Line 8, before the period, insert the words "on order of the Industrial Commission"

Add Line 13 and indent: "SECTION 4. TRANSFER.) The sum of \$12,074.93 or"

Add Line 14 and the words "such balance as may remain from the appropriation"

Add Line 15 and the words "contained in Section 3 of Chapter 36 of the"

Add Line 16 and the words "1959 Session Laws for a study of records"

Add Line 17 and the words "management and procedure, is hereby transferred"

Add Line 18 and the words "to the General Fund in the State Treasury."

Renumber the lines accordingly.

Amendments to Senate Bill No. 259:

In Line 1 of the Title, delete the word "one" and, in lieu thereof, insert the word "two"

Line 4 of the bill, delete the sum \$1,500,000.00 and, in lieu thereof, insert the sum \$2,500,000.00

SECOND READING OF A HOUSE BILL

House Bill No. 901. A Bill for an Act to provide that all school districts must offer periods of instruction on the United States and state constitutions to all students in the seventh through the twelfth grades.

Which has been read.

Senator Baker moved that House Bill No. 901 be amended as follows:

In line 6, after the word "receive" insert the following words: "the equivalent of"

Renumber the lines accordingly.

Which motion prevailed.

Senator Baker moved that the rules be suspended and that House Bill No. 901 be placed on second reading and final passage, as amended from the floor, which motion prevailed.

ROLL CALL

The question being on the final passage of House Bill No. 901, as amended from the floor, the roll was called and there were ayes, 30; nays, 18; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Hernett	Morgan
Baker	Holand	Mutch
Becker	Hystad	Nesvig
Bopp	Kee	Redlin
Erickson	Lautenschlager	Reichert
Erickstad	Lips	Ringsak
Gefreh	Longmire	Trenbeath
George	Luick	Wadeson
Gronvold	Meidinger	Wartner
Harris	Miller	Yunker

Those voting in the negative were:

Andre	Johnson	Saumur
Berube	Kamrath	Schrock
Brooks	Kisse	Solberg
Fiedler	Murphy	Thompson
Garaas	Paulson	Van Horn
Gilbertson	Roen	Witteman

Absent and not voting:

Foss

So the bill passed and the title was agreed to.

Senator Garaas: I would like to explain my vote for the record. I voted "no" on House Bill No. 901 not because I don't believe that the Constitution should be studied in our schools but I believe that we cannot legislate patriotism, and I believe the Resolution we passed yesterday will adequately take care of this problem and will bring it to

the attention of the proper school authorities. I believe that the school authorities are best fitted to know what curriculum to have in the study of the Constitution; I believe that the legislature does not have all the information that the school authorities would have.

Senator Brooks: I want to explain my vote too. I was one of the ones that helped get this bill on the calendar. With the amendment we have got we might as well go along with the committee's strong letter to the education committee.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has returned House Bill No. 866 and House Concurrent Resolution "T" as requested.

GERALD L. STAIR, Chief Clerk.

SECOND READING OF A HOUSE BILL

House Bill No. 905. A Bill for an Act to amend and reenact section 60-02-17 of the North Dakota Century Code relating to warehouse and storage contracts for the storage of grain.

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, 9; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Holand	Mutch
Baker	Hystad	Paulson
Becker	Johnson	Redlin
Berube	Kamrath	Reichert
Brooks	Kee	Ringsak
Erickson	Kisse	Roen
Erickstad	Lautenschlager	Saumur
Fiedler	Lips	Trenbeath
Garaas	Longmire	Van Horn
George	Luick	Wadeson
Gronvold	Meidinger	Wartner
Harris	Miller	Witteman
Hernett	Morgan	Yunker

Those voting in the negative were:

Andre	Gilbertson	Schrock
Bopp	Murphy	Solberg
Gefreh	Nesvig	Thompson

Absent and not voting:

Foss

So the bill passed and the title was agreed to.

MOTIONS

Senator Wartner moved that the Senate reconsider the action by which House Concurrent Resolution "T" was lost.

ROLL CALL

The question being on the motion of Senator Wartner, the roll was called and there were ayes, 24; nays, 24; absent and not voting, 1.

Those voting in the affirmative were:

Baker	Holand	Mutch
Becker	Kee	Reichert
Erickson	Kisse	Ringsak
Erickstad	Lautenschlager	Roen
Gefreh	Longmire	Saumur
Gronvold	Luick	Trenbeath
Harris	Meidinger	Wadeson
Hernett	Miller	Wartner

Those voting in the negative were:

Andre	Gilbertson	Paulson
Baeverstad	Hystad	Redlin
Berube	Johnson	Schrock
Bopp	Kamrath	Solberg
Brooks	Lips	Thompson
Fiedler	Morgan	Van Horn
Garaas	Murphy	Witteaman
George	Nesvig	Yunker

Absent and not voting:

Foss

The President voted "aye", so the roll call showed ayes, 25; nays, 24; 1 absent and not voting, so the motion was declared carried.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "T". A concurrent resolution memorializing Congress to call a convention for the purpose of considering an amendment to the Constitution of the United States relative to taxes on income, inheritance and gifts.

Was read the second time.

Senator Meidinger moved that House Concurrent Resolution "T" be placed at the foot of the calendar, which motion was declared lost.

ROLL CALL

The question being on the final passage of House Concurrent Resolution "T", the roll was called and there were ayes, 20; nays, 28; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Holand	Reichert
Erickson	Kee	Ringsak
Erickstad	Kisse	Roen
Gefreh	Longmire	Trenbeath
Gronvold	Meidinger	Wadeson
Harris	Miller	Wartner
Hernett	Mutch	

Those voting in the negative were:

Andre	Hystad	Paulson
Baeverstad	Johnson	Redlin
Baker	Kamrath	Saumur
Berube	Lautenschlager	Schrock
Bopp	Lips	Solberg
Brooks	Luick	Thompson
Fiedler	Morgan	Van Horn
Garaas	Murphy	Witteaman
George	Nesvig	Yunker
Gilbertson		

Absent and not voting:

Foss

So the resolution was declared lost.

Senator Holand moved that House Bill No. 684 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 684. A Bill for an Act to amend and reenact subsection 9 of section 10-15-03 of the North Dakota Century Code relating to donations by cooperatives for educational scholarships; and to repeal subdivision a of subsection 2 of section 10-15-33 of the North Dakota Century Code relating to educational funds of cooperatives.

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, 20; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Hernett	Miller
Baker	Holand	Morgan
Becker	Johnson	Mutch
Brooks	Kee	Ringsak
Erickson	Kisse	Roen
Erickstad	Lips	Saumur
Gefreh	Longmire	Trenbeath
George	Luick	Wadeson
Gronvold	Meidinger	Wartner
Harris		

Those voting in the negative were:

Andre	Kamrath	Schrock
Berube	Lautenschlager	Solberg
Bopp	Murphy	Thompson
Fiedler	Nesvig	Van Horn
Garaas	Paulson	Witteman
Gilbertson	Redlin	Yunker
Hystad	Reichert	

Absent and not voting:

Foss

So the bill passed and the title was agreed to.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1961

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 serve with a like committee from the House:

Senators:
Luick
Brooks
Fiedler

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the

President has appointed as a conference committee to serve with a like committee from the House, on House Bill No. 507:

Senators:
Erickstad
Hernett
Johnson

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to serve with a like committee from the House, on House Bill No. 545:

Senators:
Kisse
Erickstad
Redlin

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee to serve with a like committee from the House, on House Bill No. 654:

Senators:
Wartner
Gefreh
Shrock

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 151.

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 78.

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 129.

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, March 3, 1961

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. 539 and the President has appointed as a new Conference Committee:

Senators:
Roen
Luick
Redlin

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee to serve with a like committee from the House, on House Bill No. 690:

Senators:
Meidinger
Saumur
Redlin

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 123 and the President has appointed as a Conference Committee to serve with a like committee from the House:

Senators:
Baker
Lips
Bopp

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 31
Senate Bill No. 51
Senate Bill No. 146
Senate Bill No. 148
Senate Bill No. 188
Senate Bill No. 219
Senate Bill No. 272

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 45 and the President has appointed as a Conference Committee to serve with a like committee from the House:

Senators:
Becker
Gronvold
Reichert

HOWARD F. DOHERTY, Secretary.

MOTIONS

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 3, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 544
House Bill No. 552
House Bill No. 582
House Bill No. 601
House Bill No. 615
House Bill No. 657
House Bill No. 692
House Bill No. 723
House Bill No. 748
House Bill No. 768

Which the Senate has amended.

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, March 3, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 869

Which the Senate has indefinitely postponed.

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, March 3, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 505
House Bill No. 506
House Bill No. 515
House Bill No. 516
House Bill No. 524
House Bill No. 525
House Bill No. 526
House Bill No. 535
House Bill No. 661
House Bill No. 735

Which the Senate has passed unchanged.

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, March 3, 1961

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "SS"
Senate Concurrent Resolution "TT"

Which the Senate has passed and your favorable consideration is requested.

HOWARD F. DOHERTY, Secretary.

SECOND READING OF A HOUSE CONCURRENT
RESOLUTION AND A BILL

House Concurrent Resolution "V". Ratification of proposed amendment to the Constitution of the United States relating to granting of representation in the electoral college to the District of Columbia.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 42; nays, 4; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hernett	Murphy
Baeverstad	Holand	Nesvig
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Roen
Bopp	Kee	Saumur
Erickson	Kisse	Schrock
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Garaas	Longmire	Trenbeath
George	Luick	Van Horn
Gilbertson	Meidinger	Wadeson
Gronvold	Miller	Witteaman
Harris	Morgan	Yunker

Those voting in the negative were:

Brooks	Ringsak	Wartner
Mutch		

Absent and not voting:

Foss	Gefreh	Paulson
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So the resolution was declared adopted.

House Bill No. 687. A Bill for an Act to repeal subsection 10 of section 57-38-22 of the North Dakota Century Code, relating to the income tax deductibility of dividends paid by cooperatives.

Which has been read.

Senator Baeverstad: Mr. President: I wish to talk on House Bill No. 687 and have my remarks recorded in the Journal.

Some 20 to 25 years ago, as a member of the Cando City Council I participated in the rapid expansion of the Baker REA Co-op. The Baker REA Co-op was the first REA Co-op established in North Dakota. A short line extending from Baker in Benson County to Bisbee in Towner County. I became the director of the Cando District and a couple of years later, the REA office was moved to Cando. The electric facilities of Cando was purchased from a South Dakota owner and the REA Co-op enlarged to include all of Towner County, Rolette County, Pierce County, and most of Benson County. I am grateful that it was my privilege to participate in the establishment of electric light and power on the farms throughout the four county area. I know of nothing that has made farm life more pleasant and made possible farm development. I will never knowingly vote to harm my REA Co-op. The legal advice we have received in the past week as to what effect the passage of House Bill No. 687 will have on REA and RTA Co-ops is still not clear, although I am quite sure it will not effect them. However, I want to be positive. I also wonder how necessary is it to pass this legislation, and have therefore decided to vote NO. I trust that time will prove my vote was right.

Senator Baeverstad moved that House Bill No. 687 be indefinitely postponed.

Senator Murphy: I would like to have the record show that apparently Senator Brooks brought his claque with him.

The question being on the motion of Senator Baeverstad that House Bill No. 687 be indefinitely postponed, which motion prevailed.

Senator Brooks requested a roll call vote, which request was granted.

ROLL CALL

The question being on the motion of Senator Baeverstad the roll was called and there were ayes, 30; nays, 17; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hernett	Redlin
Baeverstad	Holand	Reichert
Becker	Hystad	Schrock
Berube	Kamrath	Solberg
Bopp	Lautenschlager	Thompson
Erickstad	Meidinger	Van Horn
Fiedler	Morgan	Wadeson
Garaas	Murphy	Wartner
Gilbertson	Nesvig	Witteman
Gronvold	Paulson	Yunker

Those voting in the negative were:

Baker	Kee	Mutch
Brooks	Kisse	Ringsak
Erickson	Lips	Roen
George	Longmire	Saumur
Harris	Luick	Trenbeath
Johnson	Miller	

Absent and not voting:

Foss	Gefreh
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So the motion was declared carried.

Senator Garaas moved that the vote by which House Bill No. 687 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee on Senate Bill No. 45, Representatives:

Sorlie
Vinje
Rolfsrud

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee on Senate Bill No. 123, Representatives:

Wheeler
Aamoth
Burk

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee on Senate Bill No. 34, Representatives:

Saugstad
Mueller
Glaspey

GERALD L. STAIR, Chief Clerk.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Erickstad moved that the Senate do not concur in the House amendments to Senate Bill No. 26 and that a conference committee be appointed, which motion prevailed.

Senator Erickstad moved that the Senate do not concur in the House amendments to Senate Bill No. 32 and that a conference committee be appointed, which motion prevailed.

Senator Erickstad moved that the Senate do concur in the House amendments to Senate Bill No. 29, which motion prevailed.

Senator Erickstad moved that the rules be suspended and that Senate Bill No. 29 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 29. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Department of the Registrar of Motor Vehicles.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 42; nays, 4; absent and not voting 3.

Those voting in the affirmative were:

Andre	Hystad	Paulson
Baeverstad	Johnson	Redlin
Baker	Kamrath	Reichert
Becker	Kee	Roen
Berube	Kisse	Saumur
Bopp	Lautenschlager	Schrock
Erickson	Lips	Solberg
Erickstad	Longmire	Thompson
Fiedler	Luick	Trenbeath
Garaas	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Murphy	Wartner
Hernett	Mutch	Witteaman
Holand	Nesvig	Yunker

Those voting in the negative were:

Brooks	Harris	Ringsak
Gronvold		

Absent and not voting:

Foss	Gefreh	Morgan
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So the bill passed and the title was agreed to.

Senator Erickstad moved that the Senate do not concur in the House amendments to Senate Bill No. 20 and that a conference committee be appointed, which motion prevailed.

Senator Erickstad moved that the Senate do concur in the House amendments to Senate Bill No. 15, which motion prevailed.

Senator Erickstad moved that the rules be suspended and that Senate Bill No. 15, be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 15. 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 second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 44; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hystad	Redlin
Baker	Johnson	Reichert
Becker	Kamrath	Ringsak
Berube	Kee	Roen
Bopp	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Garaas	Luick	Trenbeath
George	Meidinger	Van Horn
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Harris	Murphy	Witteaman
Hernett	Mutch	Yunker
Holand	Nesvig	

Those voting in the negative were:

Brooks Paulson

Absent and not voting:

Baeverstad Foss Gefreh

So the bill passed and the title was agreed to and the emergency clause carried.

Senator Luick moved that the Senate do concur in the House amendments to Senate Bill No. 7, which motion prevailed.

Senator Luick moved that the rules be suspended and that Senate Bill No. 7 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 7. A Bill for an Act making an appropriation to the State Historical Society for salary, clerk-hire and miscellaneous expenses and maintenance of state parks.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 44; nays, 3; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Baker	Johnson	Reichert
Becker	Kamrath	Ringsak
Berube	Kee	Roen
Bopp	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Garaas	Luick	Trenbeath
George	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wittman
Harris	Murphy	Yunker
Hernett	Mutch	

Those voting in the negative were:

Brooks	Nesvig	Van Horn
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Absent and not voting:

Foss	Gefreh
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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. 23, which motion prevailed.

Senator Luick moved that the rules be suspended and that Senate Bill No. 23 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 23. A Bill for an Act making an appropriation to the State Water Conservation Commission for continued participation in the investigation, planning, construction and maintenance of multiple-purpose projects for beneficial utilization, control and management of public waters and providing that moneys appropriated by this Act, and any unused balance of moneys remaining unexpended, appropriated for the purpose mentioned, shall be covered into a fund designated "multiple-purpose fund" and that such fund shall remain available to the Commission until expended.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hystad	Paulson
Baeverstad	Johnson	Redlin
Baker	Kamrath	Reichert
Becker	Kee	Ringsak
Berube	Kisse	Roen
Bopp	Lautenschlager	Saumur
Erickson	Lips	Schrock

Erickstad	Longmire	Solberg
Fiedler	Luick	Thompson
Garaas	Meidinger	Trenbeath
George	Miller	Van Horn
Gilbertson	Morgan	Wadeson
Gronvold	Murphy	Wartner
Harris	Mutch	Witteman
Hernett	Nesvig	Yunker
Holand		

Those voting in the negative were:

Brooks

Absent and not voting:

Foss Gefreh

So the bill passed and the title was agreed to.

Senator Trenbeath moved that the Senate do concur in the House amendments to Senate Bill No. 131, which motion prevailed.

Senator Trenbeath moved that the rules be suspended and that Senate Bill No. 131 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 131. A Bill for an Act to amend and reenact sections 61-21-13, 61-21-14 and 61-21-15 of the North Dakota Century Code relating to the establishment of drainage projects.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Baker	Johnson	Reichert
Becker	Kamrath	Ringsak
Berube	Kee	Roen
Bopp	Kisse	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Erickstad	Longmire	Thompson
Fiedler	Luick	Trenbeath
Garaas	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker
Hernett	Nesvig	

Absent and not voting:

Foss Gefreh

So the bill passed and the title was agreed to.

Senator Ringsak moved that the Senate do concur in the House amendments to Senate Bill No. 171, which motion prevailed.

Senator Ringsak moved that the rules be suspended and that Senate Bill No. 171 be deemed properly re-engrossed

and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 171. A Bill for an Act to amend and reenact Section 21-03-15 of the North Dakota Century Code relating to taxes for municipal bonds.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Baker	Johnson	Reichert
Becker	Kamrath	Ringsak
Berube	Kee	Roen
Bopp	Kisse	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Erickstad	Longmire	Thompson
Fiedler	Luick	Trenbeath
Garaas	Meidinger	Van Horn
George	Miller	Wadson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteaman
Harris	Mutch	Yunker
Hernett	Nesvig	

Absent and not voting:

Foss Gefreh

So the bill passed and the title was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEES

The President appointed as a conference committee on Senate Bill No. 26:

Senators:
Erickstad
Luick
Bopp

The President appointed as a conference committee on Senate Bill No. 20:

Senators:
Kee
Gronvold
Nesvig

The President appointed as a conference committee on Senate Bill No. 32:

Senators:
Gronvold
Ringsak
Johnson

MOTIONS

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

REPORT OF STANDING COMMITTEES

The Committee on Enrollment and Grossment respectfully reports that:

Senate Concurrent Resolution "L"
 Senate Concurrent Resolution "FF"
 Senate Concurrent Resolution "GG"
 Senate Concurrent Resolution "LL"
 Senate Concurrent Resolution "OO"

Were delivered to the Secretary of State at the hour of 10:15 o'clock a.m., March 4, 1961.

SENATOR KISSE, Chairman.

Mr. President: Your Committee on Enrollment and Grossment respectfully reports that it has examined the following bills:

Senate Bill No. 19
 Senate Bill No. 24
 Senate Bill No. 31
 Senate Bill No. 35
 Senate Bill No. 77
 Senate Bill No. 95
 Senate Bill No. 100
 Senate Bill No. 108
 Senate Bill No. 146
 Senate Bill No. 179
 Senate Bill No. 184
 Senate Bill No. 188
 Senate Bill No. 225
 Senate Bill No. 296

And finds the same correctly enrolled.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

MESSAGES FROM THE GOVERNOR

State of North Dakota
 Office of the Governor
 Bismarck

March 4, 1961

Members of the Senate
 Thirty-Seventh Legislative Assembly
 Bismarck, North Dakota

Greetings:

On March 3 I signed Senate Bills Nos. 5, 6, 11, 13, 222, 14, 17, 21, 38, 75, 118, 119, and 142.

On March 4 I signed Senate Bills Nos. 160, 189, 201, 209, 212, 220, 252, 269, 301, 302, and 308.

These bills have been filed with the Secretary of State.

Sincerely yours,
 WILLIAM L. GUY
 Governor

March 4, 1961

Members of the Senate
 Thirty-Seventh Legislative Assembly
 Bismarck, North Dakota

Greetings:

On March 3, 1961, I signed Senate Bills Nos. 22, 27, 94, 161, 234, 248, 266, 278, 297, and 305.

These bills have been filed with the Secretary of State.

Sincerely yours,
WILLIAM L. GUY
Governor

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 3, 1961

Mr. President: I have the honor to return:

Senate Bill No. 311

Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 3, 1961

Mr. President: I have the honor to return:

Senate Bill No. 185

Senate Bill No. 213

Senate Bill No. 231

Senate Bill No. 232

Which the House has amended as follows:

Amendments to Senate Bill No. 185:

In Line 1 of the title, delete the sum \$425,000.00 and, in lieu thereof, insert the sum \$800,000.00

Line 7 of the bill, delete the sum \$425,000.00 and, in lieu thereof, insert the sum \$800,000.00

Amendments to Senate Bill No. 213:

In the 3rd line of the title after the word "to" insert the words "bonds and"

In line 4 after the word "BY" insert the words "A BOND OR"

In line 9 after the word "bid" insert the following language "or by a bidder's bond in a sum equal to twenty percent of the full amount of the bid, executed by the bidder as principal and by a surety company authorized to do business in this state"

In line 55 after the word "bid" insert the following language "or by a bidder's bond in a sum equal to ten percent of the full amount of the bid, executed by the bidder as principal and by a surety company authorized to do business in this state" and after the word "check" insert the words "or bond"

In line 63 after the word "BY" insert the words "A BOND OR"

In line 70 after the word "municipality" insert the words, "or by a bidder's bond in the amount of five hundred dollars, executed by the bidder as principal and by a surety company authorized to do business in this state"

In line 75 after the word "check" insert the words "or bond"

In line 78 after the word "check" insert the words "or bond"

In line 90 after the word "commissioners" insert the words "or by a bidder's bond in a sum equal to five percent of the total amount of the bid, executed by the bidder as principal and by a surety company authorized to do business in this state"

In line 96 after the word "check" insert the words "or bond"

In line 100 after the word "check" insert the words "or bond"

Renumber the lines accordingly.

Amendments to Senate Bill No. 231:

In line 5 of the title: delete the word "and"

In line 7 of the title: after the word "Determined" insert the following language: ", and section 52-06-04 of the North Dakota Century Code relating to the schedule of benefits and qualifying wages".

At the end of line 126 insert the following section:
SECTION 3. AMENDMENT.) Section 52-06-04 of the North Dakota Century Code is hereby amended and re-enacted to read as follows:

52-06-04. SCHEDULE OF BENEFITS — QUALIFYING WAGE — DEFINITIONS.)

1. Subject to the other provisions of this title an insured worker's weekly benefit amount shall be the amount in column B of the table in this subsection on the line on which, in column A, there appears his total wages paid for insured work in that quarter of his base period in which such total wages are highest.

COLUMN A High Quarterly Wages	COLUMN B Weekly Benefit Amount	COLUMN C Minimum Qualifying Wages
\$ 97.50 — \$260	\$10	\$ 390
260.01 — 286	11	429
286.01 — 312	12	468
312.01 — 338	13	507
338.01 — 364	14	546
364.01 — 390	15	585
390.01 — 416	16	624
416.01 — 442	17	663
442.01 — 468	18	702
468.01 — 494	19	741
494.01 — 520	20	780
520.01 — 546	21	819
546.01 — 572	22	858
572.01 — 598	23	897
598.01 — 624	24	936
624.01 — 650	25	975
650.01 — 676	26	1,014
676.01 — 702	27	1,053
702.01 — 728	28	1,092
728.01 — 754	29	1,131
754.01 — 780	30	1,170
780.01 — 806	31	1,209
((806.01 — and over	32	1,248)))
806.01 — 832	32	1,248
832.01 — 858	33	1,287
858.01 — 884	34	1,326
884.01 — 910	35	1,365
910.01 — and over	36	1,404

2. To qualify as an insured worker an individual must have been paid wages for insured work in his base period totaling not less than the amount in column C of the table

in subsection 1 of this section on the line on which, in column B, there appears his weekly benefit amount, and such wages must have been paid in at least two quarters of his base period; however, if an individual during his base period has not been paid such an amount but has been paid wages totaling not less than the amount appearing in column C on the line immediately above he can qualify as an insured worker and his weekly benefit amount shall be the amount appearing in column B on such line.

However, the wage credits of an individual earned during the period commencing with the end of the prior base period and ending on the date on which he filed a valid claim shall not be available for benefit purposes in a subsequent benefit year unless, in addition thereto, such individual has subsequently earned wages for insured work in an amount equal to at least ten times his current weekly benefit amount.

3. For the purpose of this title, the term "insured worker" means an individual who, with respect to a base period, meets the wage and employment requirements of this chapter.

Renumber the sections and lines accordingly.

Amendments to Senate Bill No. 232:

In line 115 delete the brackets surrounding the period and delete the semi-colon

Delete subsection 10, lines 116 through the end of the bill.

Renumber the lines accordingly.

GERALD L. STAIR, Chief Clerk.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 26, and the President has appointed as a conference committee to serve with a like committee from the House:

Senators:

Erickstad
Luick
Bopp

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 32 and the President has appointed as a conference committee to serve with a like committee from the House:

Senators:

Gronvold
Ringsak
Johnson

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 20 and the President has appointed as a conference committee to serve with a like committee from the House:

Senators:

Kee

Gronvold

Nesvig

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to:

Senate Bill No. 7

Senate Bill No. 15

Senate Bill No. 23

Senate Bill No. 29

Senate Bill No. 131

Senate Bill No. 171

HOWARD F. DOHERTY, Secretary.

MOTIONS

Senator Holand moved that the Governor be requested to return Senate Bill No. 221, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 922. A Bill for an Act to amend and reenact Subsection 1 of section 10-04-03 of the North Dakota Century Code relating to administration and supervision of issue and sale of securities.

Which has been read.

Senator Garaas moved that House Bill No. 922 be amended as follows:

In line 7 after the period insert the following: "However, an interim appointment may be made by the governor if the senate is not in session and such interim appointee may hold office until the senate has had an opportunity to confirm or reject such appointment."

Renumber the lines accordingly.

Which motion prevailed.

Senator Garaas moved that the rules be suspended and that House Bill No. 922 be placed on second reading and final passage, as amended, from the floor, which motion prevailed.

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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Andre

Holand

Paulson

Baeverstad

Hystad

Redlin

Baker

Johnson

Reichert

Becker

Kamrath

Roen

Berube

Kee

Saumur

Bopp	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
Gilbertson	Miller	Wartner
Gronvold	Morgan	Wittteman
Harris	Murphy	Yunker
Hernett	Nesvig	

Absent and not voting:

Brooks	George	Ringsak
Foss	Mutch	

So the bill passed and the title was agreed to.

MOTIONS

Senator Holand moved that House Bill No. 603 be placed down below House Bill No. 874, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 528. A Bill for an Act making an appropriation for the purpose of defraying the expenses of maintenance and operation of The Bank of North Dakota and of the Judge A. M. Christianson Project.

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, 2; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeyerstad	Holand	Paulson
Baker	Hystad	Reichert
Becker	Johnson	Roen
Berube	Kamrath	Saumur
Bopp	Kee	Schrock
Brooks	Kisse	Solberg
Erickson	Lautenschlager	Thompson
Erickstad	Lips	Trenbeath
Fiedler	Longmire	Van Horn
Garaas	Luick	Wadeson
Gefreh	Meidinger	Wartner
Gilbertson	Miller	Wittteman
Gronvold	Morgan	Yunker
Harris		

Those voting in the negative were:

Murphy	Redlin
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Absent and not voting:

Foss	Mutch	Ringsak
George		

So the bill passed and the title was agreed to.

House Bill No. 802. A Bill for an Act to create and enact section 6-08-24.1 of the North Dakota Century Code, relating to the disposition of certain unclaimed checking accounts.

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:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Roen
Bopp	Kee	Saumur
Brooks	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker
Harris		

Absent and not voting:

Foss	Mutch	Ringsak
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So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee on Senate Bill No. 20, Representatives:

Johnson
Saugstad
Collette

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee on Senate Bill No. 26, Representatives:

Tough
Haugland
Hauf

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee on Senate Bill No. 32, Representatives:

Lindberg
Trom
Rolfsrud

GERALD L. STAIR, Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 837. A Bill for an Act to provide for a right of payment to employees who terminate employment for cause and employees who are discharged for cause, and to repeal sections 34-03-07 and 34-03-08 of the North Dakota Century Code.

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, 12; absent and not voting, 3.

Those voting in the affirmative were:

Baeverstad	Holand	Morgan
Baker	Hystad	Nesvig
Becker	Johnson	Redlin
Berube	Kamrath	Reichert
Brooks	Kee	Saumur
Erickstad	Kisse	Schrock
Fiedler	Lautenschlager	Thompson
Garaas	Lips	Trenbeath
Gefreh	Longmire	Van Horn
George	Meidinger	Wartner
Harris	Miller	Yunker
Hernett		

Those voting in the negative were:

Andre	Gronvold	Roen
Bopp	Luick	Solberg
Erickson	Murphy	Wadeson
Gilbertson	Paulson	Witteman

Absent and not voting:

Foss	Mutch	Ringsak
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So the bill passed and the title was agreed to.

House Bill No. 838. A Bill for an Act to amend and re-enact section 34-08-07 of the North Dakota Century Code, relating to the basis upon which restraining orders or injunctions may be issued in labor disputes.

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, 11; absent and not voting, 3.

Those voting in the affirmative were:

Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Saumur
Berube	Kamrath	Schrock
Brooks	Kee	Solberg
Erickson	Lautenschlager	Thompson
Erickstad	Lips	Trenbeath
Fiedler	Longmire	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gronvold	Morgan	Yunker
Hernett	Nesvig	

Those voting in the negative were:

Andre	Harris	Paulson
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Bopp	Kisse	Roen
Garaas	Luick	Witteman
Gilbertson	Murphy	

Absent and not voting:
 Foss Mutch Ringsak

So the bill passed and the title was agreed to.

House Bill No. 842. A Bill for an Act relating to taxation of building and loan associations, repealing subsection 6 of section 57-38-09 and amending subsection 12 of section 57-02-08 of the North Dakota Century Code, and providing 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, 41; nays, 5; absent and not voting, 3.

Those voting in the affirmative were:

Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Roen
Bopp	Kee	Saumur
Brooks	Kisse	Solberg
Erickson	Lautenschlager	Thompson
Erickstad	Lips	Trenbeath
Fiedler	Longmire	Van Horn
Gefreh	Luick	Wadson
George	Meidinger	Wartner
Gronvold	Miller	Witteman
Harris	Morgan	Yunker
Hernett	Nesvig	

Those voting in the negative were:

Andre	Gilbertson	Schrock
Garaas	Murphy	

Absent and not voting:
 Foss Mutch Ringsak

So the bill passed and the title was agreed to.

House Bill No. 844. A Bill for an Act amending and reenacting section 7-01-04 of the North Dakota Century Code, relating to capital requirements of building and loan associations or savings and loan associations.

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:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Reichert
Berube	Johnson	Ringsak
Bopp	Kamrath	Roen
Brooks	Kee	Saumur
Erickson	Kisse	Solberg

Erickstad	Lautenschlager	Thompson
Fiedler	Lips	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gilbertson	Miller	Witteman
Gronvold	Morgan	Yunker

Those voting in the negative were:

Murphy	Schrock
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Absent and not voting:

Foss	Mutch
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So the bill passed and the title was agreed to.

MESSAGE TO THE GOVERNOR

March 4, 1961

The Honorable William L. Guy
Governor of North Dakota
Bismarck, North Dakota

Greetings:

The Senate requests the return of Senate Bill No. 221.

Sincerely yours,
HOWARD F. DOHERTY
Secretary

SECOND READING OF HOUSE BILLS

House Bill No. 874. A Bill for an Act to amend and reenact section 65-04-04 of the North Dakota Century Code, relating to determinations of premiums by the Workmen's Compensation Bureau 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, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Johnson	Ringsak
Berube	Kamrath	Roen
Bopp	Kee	Saumur
Brooks	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker
Harris	Nesvig	

Absent and not voting:

Foss	Mutch
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So the bill passed and the title was agreed to and the emergency clause carried.

House Bill No. 603. A Bill for an Act to amend and re-enact subsection 2 of section 11-10-10 of the North Dakota Century Code relating to the salaries of elected county officials.

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, 6; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	Paulson
Baker	Johnson	Redlin
Becker	Kamrath	Reichert
Berube	Kee	Ringsak
Erickson	Kisse	Roen
Erickstad	Lautenschlager	Saumur
Fiedler	Lips	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Van Horn
George	Meidinger	Wartner
Gronvold	Miller	Witteman
Harris	Morgan	Yunker
Hernett	Murphy	

Those voting in the negative were:

Bopp	Gilbertson	Solberg
Brooks	Schrock	Wadeson

Absent and not voting:

Foss	Mutch
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So the bill passed and the title was agreed to.

House Bill No. 886. A Bill for an Act to repeal section 7-04-14 of the North Dakota Century Code, relating to advancement of funds by savings and loan associations to protect 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, 42; nays, 5; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Gronvold	Miller
Baeverstad	Harris	Morgan
Baker	Hernett	Nesvig
Becker	Holand	Paulson
Berube	Hystad	Redlin
Bopp	Johnson	Reichert
Brooks	Kamrath	Saumur
Erickson	Kee	Thompson
Erickstad	Kisse	Trenbeath
Fiedler	Lautenschlager	Van Horn
Garaas	Lips	Wadeson
Gefreh	Longmire	Wartner
George	Luick	Witteman
Gilbertson	Meidinger	Yunker

Those voting in the negative were:

Murphy	Roen	Solberg
Ringsak	Schrock	

Absent and not voting:

Foss Mutch

So the bill passed and the title was agreed to.

House Bill No. 914. A Bill for an Act to amend and re-enact section 63-01-17 of the North Dakota Century Code, relating to the establishment of emergency areas for the control of leafy spurge and perennial peppergrass, 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, 37; nays, 9; absent and not voting, 3.

Those voting in the affirmative were:

Baeverstad	Hystad	Ringsak
Baker	Kee	Roen
Becker	Kisse	Saumur
Berube	Lautenschlager	Schrock
Brooks	Lips	Solberg
Erickson	Longmire	Thompson
Erickstad	Luick	Trenbeath
Fiedler	Meidinger	Van Horn
Garaas	Miller	Wadeson
Gefreh	Paulson	Wartner
Gronvold	Redlin	Witteman
Hernett	Reichert	Yunker
Holand		

Those voting in the negative were:

Andre	Gilbertson	Morgan
Bopp	Johnson	Murphy
George	Kamrath	Nesvig

Absent and not voting:

Foss Harris Mutch

So the bill passed and the title was agreed to and the emergency clause carried.

CONSIDERATION OF AMENDMENTS

Senator Redlin moved that House Bill No. 646 be amended as follows:

In line 4 of the title delete the comma and insert in lieu thereof a period and delete the remainder of the title.

Which motion prevailed.

REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 223 has had the same under consideration and recommends that the Senate concur with the House amendments and recommends further the following amendments:

In line 2 after the word "authorized" insert the following: "upon conferring with the Pembina board of county commissioners,"

Renumber the lines accordingly.

For the Senate:

Grant Trenbeath
Elton W. Ringsak
Clayton Paulson

For the House:

Albert J. Christopher
Robert F. Reimers
Frank Bassingthwaite

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Senator Trenbeath moved that the rules be suspended and that Senate Bill No. 223 be deemed properly re-engrossed and placed on second reading and final passage, as amended in conference committee, which motion prevailed.

Senate Bill No. 223. A Bill for an Act to authorize the board of administration to execute leases on properties owned by the state at Bathgate, North Dakota and formerly utilized by the school for the blind.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended in conference committee, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Baker	Johnson	Reichert
Becker	Kamrath	Ringsak
Berube	Kee	Roen
Bopp	Kisse	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Erickstad	Longmire	Thompson
Fiedler	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Nesvig	Yunker
Hernett		

Absent and not voting:

Foss	Harris	Mutch
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So the bill passed and the title was agreed to.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Garaas moved that the Senate do concur in the House amendments to Senate Bill No. 90, which motion prevailed.

Senator Garaas moved that the rules be suspended and that Senate Bill No. 90 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 90. A Bill for an Act to amend and re-enact section 28-22-02 of the North Dakota Century Code, relating to exemptions from process, levy, or sale.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Baker	Johnson	Reichert
Becker	Kamrath	Ringsak
Berube	Kee	Roen
Bopp	Kisse	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Erickstad	Longmire	Thompson
Fiedler	Luick	Trenbeath
Garaas	Meidinger	Van Horn
Gefreh	Miller	Wadeson
George	Morgan	Wartner
Gilbertson	Murphy	Witteman
Gronvold	Nesvig	Yunker
Hernett		

Absent and not voting:

Foss	Harris	Mutch
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So the bill passed and the title was agreed to.

Senator Hernett moved that the Senate do concur in the House amendments to Senate Bill No. 231, which motion prevailed.

Senator Hernett moved that the rules be suspended and that Senate Bill No. 231 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 231. A Bill for an Act to amend and re-enact section 52-04-05 of the North Dakota Century Code as amended by House Bill 558 of the Thirty-seventh Legislative Assembly of North Dakota relating to Standard Rate of Contributions — Reduction of Rates; and subsection 1 of section 52-04-06 of the North Dakota Century Code relating to Variations in Standard Rate of Contributions — How Determined.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 43; nays, 3; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hystad	Redlin
Baeverstad	Johnson	Reichert
Baker	Kamrath	Ringsak
Becker	Kee	Roen
Berube	Lautenschlager	Saumur
Bopp	Lips	Schrock
Brooks	Longmire	Solberg
Erickson	Luick	Thompson
Erickstad	Meidinger	Trenbeath
Fiedler	Miller	Van Horn
Gefreh	Morgan	Wadeson
George	Murphy	Wartner
Harris	Nesvig	Witteman
Hernett	Paulson	Yunker
Holand		

Those voting in the negative were:

Gilbertson	Gronvold	Kisse
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Absent and not voting:

Foss Garaas Mutch

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. 654 has had the same under consideration and recommends that the Senate recede from its amendments and that House Bill No. 654 be amended as follows:

In line 8, delete the word "insurance"

In line 8, delete the word "laws" and insert in lieu thereof the word "law"

Renumber the lines accordingly.

For the Senate:

Aloys Wartner, Jr.

Adam Gefreh

C. W. Schrock

For the House:

Clifford Lindberg

Eldon L. Goebel

Thomas R. Stallman

Senator Wartner moved that the report be adopted, which motion prevailed.

Senator Wartner moved that the rules be suspended and that House Bill No. 654 be placed on second reading and final passage, as amended in conference committee, which motion prevailed.

House Bill No. 654. A Bill for an Act authorizing a retirement program for employees of the unemployment compensation division, state employment service, and the national guard.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended in conference committee, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Baker	Johnson	Reichert
Becker	Kamrath	Ringsak
Berube	Kee	Roen
Bopp	Kisse	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Erickstad	Longmire	Thompson
Fiedler	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Nesvig	Yunker
Hernett		

Absent and not voting:

Foss Garaas Mutch

So the bill passed and the title was agreed to.

PRESENTATION TO PRESIDENT OF SENATE

Senator Meidinger: As the time nears when we will finish our work here and return home, we of the Republican party wish, as a token of our friendship and respect for the Lieutenant Governor, to present to him this gavel, made in North Dakota by North Dakotans, of genuine Badlands cedar. The inscription on it reads: "Presented to Orville W. Hagen, Lieutenant Governor, by the Republican Senators, 1961".

Ike, we hope you will use it and enjoy it for many years, as a memento of this 1961 session.

Will one of the pages come forward and present this gavel to the President.

Lt. Gov. Hagen: Senator Meidinger, and Members of the Republican party. I am deeply grateful for this token of friendship. I am very appreciative of the cooperation and respect this body has given me. I know very well the gentleman who made the gavel and I am very happy at the presentation of it. I will always cherish it.

MOTIONS

Senator Holand moved that the rules be suspended and that House Bills Nos. 501, 527, 583, 831, 921, 646, and House Concurrent Resolutions "S-1", "U-1", "V-1", "W-1", and "X-1", be placed on the calendar, which motion prevailed.

Senator Holand moved that after the reading of House Bills Nos. 501, 527, 583, 831, 921, 646, and House Concurrent Resolutions "S-1", "U-1", "V-1", "W-1", "X-1", that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

ANNOUNCEMENT

The Secretary of the Senate announced that the Governor has returned Senate Bill No. 221 to the Senate.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 53
 Senate Bill No. 121
 Senate Bill No. 144
 Senate Bill No. 158
 Senate Bill No. 233
 Senate Bill No. 239
 Senate Bill No. 307
 Senate Bill No. 310

And the President signed the same in the presence of the Senate.

REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Legislative Research Resolutions to whom was referred Senate Concurrent Resolution "I" has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Research Resolutions to whom was referred Senate Concurrent Resolution "Y", has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Research Resolutions to whom was referred Senate Concurrent Resolution "Z" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Research Resolutions to whom was referred Senate Concurrent Resolution "QQ" has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Research Resolutions to whom was referred Senate Concurrent Resolution "AA" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted.

Senator Meidinger made the substitute motion that Senate Concurrent Resolution "AA" be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Legislative Research Resolutions to whom was referred Senate Concurrent Resolution "RR" has had the same under consideration and recommends that the same do pass.

SENATOR TRENBEATH, Chairman.

Senator Trenbeath moved that the report be adopted, which motion prevailed.

REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 34 has had the same under consideration and recommends that the House recede from their amendments to Senate Bill No. 34 and that Senate Bill No. 34 be amended as follows:

Add line 17a to read as follows:

"Clerkhire \$46,000.00"

In line 24 delete the figure "125,000.00" and insert in lieu thereof the figure "127,000.00"

In line 43 delete the figure "\$1,208,400.00" and insert in lieu thereof the figure "\$1,256,400.00"

Renumber the lines accordingly.

For the Senate:

A. W. Luick
Lee F. Brooks
Walter R. Fiedler

For the House:
 Stanley Saugstad
 L. C. Mueller
 M. E. Glaspey

Senator Luick moved that the report be adopted, which motion prevailed.

Senator Luick 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, as amended in conference committee, which motion prevailed.

Senate Bill No. 34. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Game and Fish Department.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended 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:

Andre	Holand	Nesvig
Baeverstad	Hystad	Paulson
Becker	Johnson	Redlin
Berube	Kamrath	Reichert
Brooks	Kee	Ringsak
Erickson	Lautenschlager	Roen
Erickstad	Lips	Saumur
Fiedler	Longmire	Schrock
Garaas	Luick	Thompson
Gefreh	Meidinger	Trenbeath
George	Miller	Van Horn
Gilbertson	Morgan	Wadeson
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker
Hernett		

Those voting in the negative were:

Baker	Kisse	Solberg
Bopp		

Absent and not voting:

Foss	Wartner
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So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 45 has had the same under consideration and recommends that the Senate concur with the House amendments.

For the Senate:
 Edwin C. Becker, Jr.
 A. F. Gronvold
 Wm. R. Reichert

For the House:
 Oscar J. Sorlie
 Martin E. Vinje
 Halvor Rolfsrud

Senator Becker moved that the report be adopted, which motion prevailed.

Senator Becker moved that the rules be suspended and that Senate Bill No. 45 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 45. A Bill for an Act to create and enact section 38-08-04.1 of the North Dakota Century Code, authorizing the industrial commission to appoint examiners to conduct hearings with respect to oil and gas conservation matters coming before the commission, and to make findings and recommendations with respect thereto to the commission.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 44; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baeverstad	Hernett	Paulson
Baker	Holand	Redlin
Becker	Hystad	Ringsak
Berube	Johnson	Roen
Bopp	Kamrath	Saumur
Brooks	Kee	Schrock
Erickson	Kisse	Solberg
Erickstad	Lautenschlager	Thompson
Fiedler	Lips	Trenbeath
Garaas	Longmire	Van Horn
Gefreh	Luick	Wadeson
George	Miller	Witteman
Gilbertson	Morgan	Yunker
Gronvold	Mutch	

Those voting in the negative were:

Murphy Reichert

Absent and not voting:

Foss Meidinger Wartner

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 123 has had the same under consideration and recommends that the House recede from its amendments and that Senate Bill No. 123 be amended as follows:

In line 18 insert the word "senior" before the word "judge" and renumber the lines accordingly.

For the Senate:

C. W. Baker
Evan E. Lips
Leonard A. Bopp

For the House:

R. W. Wheeler
Gordon S. Aamoth
Walter O. Burk

Senator Baker moved that the report be adopted, which motion prevailed.

Senator Brooks moved that the rules be suspended and that Senate Bill No. 123 be deemed properly re-engrossed

and placed on second reading and final passage, as amended in Conference Committee, which motion prevailed.

Senate Bill No. 123. A Bill for an Act to create and enact section 27-18-06 and to amend and reenact section 11-10-02 of the North Dakota Century Code, relating to the office of county justice.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended in conference committee, the roll was called and there were ayes, 29; nays, 19; absent and not voting, 1.

Those voting in the affirmative were:

Baeverstad	Kamrath	Redlin
Baker	Kee	Ringsak
Becker	Lautenschlager	Roen
Bopp	Lips	Saumur
Fiedler	Luick	Schrock
Gronvold	Meidinger	Solberg
Harris	Miller	Wadeson
Hernett	Morgan	Witteman
Hystad	Nesvig	Yunker
Johnson	Paulson	

Those voting in the negative were:

Andre	George	Mutch
Berube	Gilbertson	Reichert
Brooks	Holand	Thompson
Erickson	Kisse	Trenbeath
Erickstad	Longmire	Van Horn
Garaas	Murphy	Wartner
Gefreh		

Absent and not voting:

Foss

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred House Bill No. 690 has had the same under consideration and recommends that the Senate recede from its amendments to House Bill No. 690 and that House Bill No. 690 be further amended as follows:

In line 7 delete the numeral ".5" and insert in lieu thereof the numeral ".475"

In line 8 after the words "pupil-mile" insert the following language "from July 1, 1961, through June 30, 1962, and thereafter .450 cent per pupil-mile."

In line 11 after the word "municipality" delete the balance of the line and insert in lieu thereof the following: "or in a municipality other than where the school of attendance is located. Transportation shall not be paid for pupils who live less than one mile from the school of attendance on the most direct route"

In line 12 delete the following words "school building on the most direct route"

Renumber the lines accordingly.

For the Senate:

R. E. Meidinger, Chairman
George Saumur
Rolland Redlin

For the House:
 Ernest N. Johnson, Chairman
 Ted G. Maragos
 Gilman Peterson

Senator Meidinger moved that the report be adopted, which motion prevailed.

Senator Meidinger moved that the rules be suspended and that House Bill No. 690 be placed on second reading and final passage, as amended in conference committee, which motion prevailed.

House Bill No. 690. A Bill for an Act to amend and reenact section 15-34-24 of the North Dakota Century Code, relating to aid for transportation of school children.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended in conference committee, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baker	Hystad	Paulson
Becker	Johnson	Redlin
Berube	Kamrath	Reichert
Bopp	Kee	Ringsak
Brooks	Kisse	Roen
Erickson	Lautenschlager	Saumur
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteaman
Harris	Mutch	Yunker
Hernett		

Those voting in the negative were:

Baeverstad

Absent and not voting:

Foss Schrock

So the bill passed and the title was agreed to.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 223.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to:

Senate Bill No. 90

Senate Bill No. 231

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 654.

The vote:
 46 ayes
 0 nays
 3 absent

HOWARD F. DOHERTY, Secretary.

MOTIONS

Senator Holand moved that the rules be suspended and that Senate Concurrent Resolutions "I", "Y", "AA", "QQ" and "RR" be placed at the head of the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS AND A BILL

Senate Concurrent Resolution "I". A concurrent resolution authorizing and directing the Research Committee to study the organization, administration, scope and financing of the office of county superintendent.

Was read the second time.

Senator Trenbeath moved that Senate Concurrent Resolution "I" be adopted, which motion prevailed.

Senate Concurrent Resolution "Y". A concurrent resolution directing the legislative research committee with the aid and cooperation of the state tax department to continue the study of the state tax laws and tax structure.

Was read the second time.

Senator Trenbeath moved that Senate Concurrent Resolution "Y" be adopted, which motion prevailed.

Senate Concurrent Resolution "AA". A concurrent resolution directing the legislative research committee to study the operation of the North Dakota State Mill and Elevator Association and its present and future contributions to the welfare of the state.

Was read the second time.

Senator Trenbeath moved that Senate Concurrent Resolution "AA" be adopted, which motion prevailed.

Senate Concurrent Resolution "QQ". A concurrent resolution directing the legislative research committee to study methods of equalizing the tax burden; the feasibility of shifting a portion of such tax burden from property to income; methods of equalizing local effort in support of schools as a requirement for participation in the school foundation program; and the portion of school costs that should be borne by the state and the portion that should be borne by local levels of government.

Was read the second time.

Senator Trenbeath moved that Senate Concurrent Resolution "QQ" be adopted.

ROLL CALL

The question being on the motion of Senator Trenbeath, the roll was called and there were ayes, 29; nays, 18; absent and not voting, 2.

Those voting in the affirmative were:

Baeverstad	Kamrath	Paulson
Becker	Kee	Redlin
Berube	Kisse	Reichert
Erickson	Lautenschlager	Roen
Garaas	Lips	Schrock
Gefreh	Longmire	Solberg
George	Luick	Trenbeath
Hernett	Meidinger	Wartner
Holand	Miller	Witteman
Hystad	Nesvig	

Those voting in the negative were:

Andre	Gronvold	Ringsak
Baker	Harris	Saumur
Bopp	Johnson	Thompson
Brooks	Morgan	Van Horn
Fiedler	Murphy	Wadeson
Gilbertson	Mutch	Yunker

Absent and not voting:

Erickstad	Foss
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So the motion was declared carried.

Senate Concurrent Resolution "RR". A concurrent resolution directing the legislative research committee to conduct a study of the possibility of extending the services of the state in the fields of law enforcement, education, health, and welfare to certain Indian citizens not presently receiving such services.

Was read the second time.

Senator Trenbeath moved that Senate Concurrent Resolution "RR" be adopted, which motion prevailed.

Senate Bill No. 316. A Bill for an Act to amend and reenact section 12-44-29 of the North Dakota Century Code, relating to commitments when no adequate county jail exists within a county and authorizing contracts for the custody of prisoners within jails operated by the United States, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Baker	Johnson	Reichert
Becker	Kamrath	Ringsak
Berube	Kee	Roen
Bopp	Kisse	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Fiedler	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker
Hernett	Nesvig	

Absent and not voting:

Erickstad Foss

So the bill passed and the title was agreed to and the emergency clause carried.

Senator Holand moved that the vote by which Senate Bill No. 316 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to return:

Senate Bill No. 156

Senate Bill No. 244

Senate Concurrent Resolution "HH"

Which the House has indefinitely postponed.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 221.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that we are returning Senate Bill No. 314 which the House refused to introduce.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to return:

Senate Bill No. 263

Senate Concurrent Resolution "MM"

Senate Concurrent Resolution "SS"

Senate Concurrent Resolution "TT"

Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to transmit:

House Concurrent Resolution "H"

House Concurrent Resolution "I"

House Concurrent Resolution "J"

House Concurrent Resolution "M"

House Concurrent Resolution "M-1"

House Concurrent Resolution "Q-1"

House Concurrent Resolution "Y-1"

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 3, 1961

Mr. President: I have the honor to return:

Senate Bill No. 2

Senate Bill No. 227

Which the House has amended as follows:

Amendments to Senate Bill No. 2:

In the last line of the Title, after the word "Dakota", strike out the period and, in lieu thereof, insert a comma to be followed by the words "and declaring an emergency."

Add Line 33a in the bill as follows: "Toxicologist, Clerk-hire, Chemicals" and the sum \$27,800.00

Line 36, delete the sum \$6,707,633.00 and, in lieu thereof, insert the sum \$6,735,433.00

Line 38, delete the sum \$5,004,272.00 and, in lieu thereof, insert the sum \$5,032,072.00

Line 52, delete the sum \$5,908,772.00 and, in lieu thereof, insert the sum \$5,936,572.00

Line 80, delete the words "One Residence for Employee — Carrington" and the sum \$16,000.00 and, in lieu thereof, insert the words "Seed, Crop Storage and Laboratory" and the sum \$30,000.00

Line 81, delete the sum \$484,309.00 and in lieu thereof, insert the sum \$498,309.00

Line 83, delete the sum \$2,677,372.00 and, in lieu thereof, insert the sum \$2,691,372.00

Line 143, after the word "Improvements" add the words "including Curb and Gutter;" delete the sum \$135,000.00 and, in lieu thereof, insert the sum \$103,400.00

Line 144, delete the words "Water Tank and Main" and, in lieu thereof, insert the words "State Share of Water Tank and Main"; delete the sum \$98,000.00 and, in lieu thereof, insert the sum \$81,600.00

Line 145, delete the sum \$987,935.00 and, in lieu thereof, insert the sum \$939,935.00

Line 148, delete the sum \$1,528,746.00 and, in lieu thereof, insert the sum \$1,587,746.00

Line 151, delete the sum \$2,262,704.00 and, in lieu thereof, insert the sum \$2,321,704.00

Line 153, delete the sum \$1,736,204.00 and, in lieu thereof, insert the sum \$1,795,204.00

Line 154, delete the sum \$170,000.00 and, in lieu thereof, insert the sum \$150,000.00

Line 155, delete the sum \$1,906,204.00 and, in lieu thereof, insert the sum \$1,945,204.00

Line 158, delete the sum \$773,221.00 and, in lieu thereof, insert the sum \$791,221.00

Line 161, delete the sum \$1,295,521.00 and, in lieu thereof, insert the sum \$1,313,521.00

Line 163, delete the sum \$993,421.00 and, in lieu thereof, insert the sum \$1,011,421.00

Line 176, delete the sum \$1,230,121.00 and, in lieu thereof, insert the sum \$1,248,121.00

Line 181, delete the sum \$414,355.00 and, in lieu thereof, insert the sum \$429,355.00

Line 182, delete the sum \$1,738,511.00 and, in lieu thereof, insert the sum \$1,753,511.00

Line 184, delete the sum \$1,291,511.00 and, in lieu thereof, insert the sum \$1,306,511.00

Line 188, delete the sum \$1,536,511.00 and, in lieu thereof, insert the sum \$1,551,511.00

Line 221, delete the sum \$23,978,509.00 and, in lieu thereof, insert the sum \$24,044,309.00

Amendments to Senate Bill No. 227:

In the title before the period add the words ", and providing a penalty"

In lines 3 and 4 after the word "incurred" delete the comma and delete the words "are about to or will incur."

In line 28 after the word "Dakota" insert the words "including but not"

In line 35 delete the semicolon and insert in lieu thereof a period and the words "Should it be necessary to reduce expenditures for medical assistance hereunder due to lack of funds, the reduction is to be pro-rated among all of the dispensers of medical services equally."

Delete lines 36 through 42

In lines 44 and 45 delete the words "by the public welfare board, state of North Dakota,"

In lines 50 and 51 delete the words "by the state agency" and insert in lieu thereof "or other vendors of medical services"

Delete lines 96 through 109 inclusive and insert the following

- "2. Is not receiving old age assistance from the state or public assistance from any other state.
3. Has resided ten years in the United States, or is a citizen of the United States.
4. Has not sufficient income or other resources to provide for necessary medical and hospital care and treatment."

In lines 111 and 112 delete the words "incurred and/or paid expenses" and insert in lieu thereof the words "paid or obligated himself to pay"

In line 112 after the word "of" delete the word "five" and insert in lieu thereof "fifty"

In line 113 delete the word "hundred"

Delete lines 115 through 132 inclusive and insert in lieu thereof the following language.

"SECTION 5. OWNERSHIP OF PROPERTY OR INSURANCE POLICY DOES NOT PRECLUDE GRANTING OF ASSISTANCE.) The ownership of real or personal property by an applicant for medical assistance for the aged or by the spouse of such applicant, either individually or jointly, or of insurance on the life of the applicant shall not preclude the granting of medical assistance for the aged if the applicant is without funds for medical care.

In determining the need for medical assistance, the state agency shall disregard such income and resources as

are necessary to meet the subsistence needs of the applicant for himself and his legal dependents.

The amount of income so disregarded shall not exceed twelve hundred dollars annually for an unmarried applicant or eighteen hundred dollars annually for a married applicant and spouse living together. Income shall not include the shelter value of a residence occupied by the applicant nor the value of gifts or services contributed in kind to the applicant. The amount of resources so disregarded shall not exceed twenty-five hundred dollars in net value of personal property of which not more than five hundred dollars shall be in cash or maturity value of stocks or bonds for an applicant who is unmarried or not living with the spouse nor more than one thousand dollars for a married applicant and spouse living together. The limit in net value of personal property shall not include household goods, wearing apparel, or personal effects; nor shall the resources in real property exceed the home for a married or unmarried applicant."

In line 137 insert a period after the word "aged" and delete all of line 138

In line 146 after the word "a" insert the word "public" and in lines 147 and 148 delete the words "except when a patient is referred to a private medical institution"

Delete lines 161, 162, and 163 and insert in lieu thereof the following

"11. No enrollment fee premium or similar charge will be imposed as a condition of any individual's eligibility for medical assistance for the aged."

In lines 353 and 354 delete the word "chapter" and insert in lieu thereof the word "section"

After line 364 insert the following sections:

SECTION 18. PERSON HANDLING MONEY TO FURNISH BOND.) The treasurer of the state agency and all persons having any control over or who handle any of the moneys for the medical assistance for the aged shall be bonded in such sum as the state agency by resolution shall require.

SECTION 19. DISBURSEMENT FOR MEDICAL ASSISTANCE FOR THE AGED.) Disbursements for medical assistance for the aged shall be made only for the purposes of this Act, which shall include:

1. Medical assistance for the aged payments;
2. Expenses of administration of the medical assistance for the aged plan in this state;

All disbursements shall be made only by checks or warrants drawn on the old age assistance fund. Such checks or warrants shall be drawn only by persons who are duly authorized so to do by resolution of the state agency."

In line 365 delete the numeral "18" and insert the numeral "20" in lieu thereof

In line 382 delete the numeral "19" and insert the numeral "21" in lieu thereof

In line 392 delete the numeral "20" and insert the numeral "22" in lieu thereof

In line 398 delete the word "state" and insert in lieu thereof the word "county"

Delete all of lines 406 through 416 and insert in lieu thereof

"SECTION 23. RECOVERY FROM THE ESTATE OF RECIPIENT OF MEDICAL ASSISTANCE FOR THE AGED.) On the death of any recipient of medical assistance for the aged under the provisions of this Act the total amount of medical assistance paid under this Act shall be allowed as a preferred claim against the estate of such person in favor of the state, after funeral expenses for recipient and his or her spouse, not to exceed in each individual case two hundred and fifty dollars, and such expenses of the last illness of recipient and spouse as are authorized or paid by the county agency, have been paid, and after the expenses of administering the estate, including the attorney's fees approved by the court, have been paid. No claim shall be enforced against the following

1. Real estate of a recipient for the support, maintenance or comfort of the surviving spouse or a dependent;
2. Personal property necessary for the support, maintenance, or comfort of the surviving spouse or a dependent;
3. Personal effects, ornaments, or keepsakes of the deceased, not exceeding in value two hundred dollars."

In line 417 delete the numeral "22" and insert the numeral "24" in lieu thereof

In line 428 delete the numeral "23" and insert the numeral "25" in lieu thereof.

In line 439 delete the numeral "24" and insert the numeral "26" in lieu thereof

In lines 439 and 440 delete the word "assistance" and insert in lieu thereof the word "services"

In line 441 delete the word "a" and insert in lieu thereof the word "medical" and insert a period after the word "required" and also in line 441 delete the words "for the medical"

In line 442 delete the words "assistance of an individual."

In line 448 delete the numeral "25" and insert the numeral "27" in lieu thereof

In line 452 delete the numeral "26" and insert the numeral "28" in lieu thereof

In line 453 after the word "to" insert the words "negotiate to"

In line 460 delete the numeral "27" and insert the numeral "29" in lieu thereof

In line 468 delete the numeral "28" and insert the numeral "30" in lieu thereof

In line 481 delete the numeral "29" and insert the numeral "31" in lieu thereof

In line 489 delete the numeral "30" and insert the numeral "32" in lieu thereof

Renumber the lines accordingly.

GERALD L. STAIR, Chief Clerk.

MOTIONS

Senator Brooks moved that the Senate reconsider the action by which it directed the President not to sign House Bill No. 866, which motion prevailed.

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

MOTIONS

Senator Holand moved that the Senate return Senate Bill No. 221 to the House, as requested, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill 690;

The vote:

46 Aye

1 Nay

2 Absent

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on:

Senate Bill No. 34

Senate Bill No. 45

Senate Bill No. 123

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 687

House Concurrent Resolution "T"

Which the Senate has indefinitely postponed.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 901

Which the Senate has amended.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 684

House Bill No. 878

House Bill No. 905

House Concurrent Resolution "V"

Which the Senate has passed unchanged.

HOWARD F. DOHERTY, Secretary.

MOTIONS

Senator Brooks moved that House Bill No. 831 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 831. A Bill for an Act to regulate relationships between management and labor in North Dakota, and to repeal section 34-10-05 of the North Dakota Century Code as in conflict therewith.

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, 4; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	Paulson
Becker	Johnson	Reichert
Berube	Kamrath	Saumur
Bopp	Kee	Schrock
Brooks	Lautenschlager	Solberg
Erickson	Lips	Thompson
Fiedler	Longmire	Van Horn
Garaas	Meidinger	Wadeson
Gefreh	Miller	Wartner
George	Morgan	Wittman
Gronvold	Murphy	Yunker
Hernett	Mutch	

Those voting in the negative were:

Baker	Ringsak	Trenbeath
Harris		

Absent and not voting:

Erickstad	Kisse	Redlin
Foss	Luick	Roen
Gilbertson		

So the bill passed and the title was agreed to.

Senator Brooks moved that the vote by which House Bill No. 831 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to return Senate Bill No. 221, which the House requested.

HOWARD F. DOHERTY, Secretary.

MOTIONS

Senator Longmire moved that the Senate reconsider the action by which House Bill No. 866 was passed.

Senator Brooks requested a call of the Senate, which request was granted.

Senator Brooks moved that the call of the Senate be dispensed with, which motion prevailed.

ROLL CALL

The question being on the motion of Senator Longmire, the roll was called and there were ayes, 22; nays, 25; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Longmire	Roen
Becker	Luick	Saumur
Brooks	Meidinger	Thompson
Fiedler	Miller	Van Horn
George	Murphy	Wadeson
Hernett	Mutch	Wartner
Kee	Reichert	Yunker
Lautenschlager		

Those voting in the negative were:

Baeverstad	Gronvold	Nesvig
Baker	Harris	Paulson
Berube	Holand	Redlin
Bopp	Hystad	Ringsak
Erickson	Kamrath	Schrock
Erickstad	Kisse	Solberg
Garaas	Lips	Trenbeath
Gefreh	Morgan	Witteman
Gilbertson		

Absent and not voting:

Foss Johnson

Senator Brooks requested a verification of vote, which request was granted.

ROLL CALL

The question being on the motion of Senator Longmire, and Senator Brooks having requested a verification of vote, the roll was called and there were ayes, 24; nays, 24; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Kee	Mutch
Bopp	Lautenschlager	Redlin
Brooks	Longmire	Reichert
Fiedler	Luick	Roen
George	Meidinger	Saumur
Gilbertson	Miller	Van Horn
Hernett	Morgan	Wadeson
Johnson	Murphy	Wartner

Those voting in the negative were:

Andre	Gronvold	Paulson
Baeverstad	Harris	Ringsak
Baker	Holand	Schrock
Berube	Hystad	Solberg
Erickson	Kamrath	Thompson
Erickstad	Kisse	Trenbeath
Garaas	Lips	Witteman
Gefreh	Nesvig	Yunker

Absent and not voting:

Foss

So the motion was declared lost for lack of a two-thirds majority.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Gefreh moved that the Senate do not concur in the House amendments to Senate Bill No. 227 and that a Conference Committee be appointed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on Senate Bill No. 227:

Senators:
Gefreh
Erickstad
Fiedler

MOTIONS

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 49 has had the same under consideration and has been unable to agree and recommends that a new Conference Committee be appointed and that your present Conference Committee be discharged.

For the Senate:
Alex Miller
Walter R. Fiedler
George Longmire

For the House:
Ed N. Davis
Walter Christensen
Clarence P. Loewen

Senator Miller moved that the report be adopted, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a new conference committee on Senate Bill No. 49:

Senators:
Gefreh
Wartner
Gilbertson

**SECOND READING OF HOUSE BILLS AND
A CONCURRENT RESOLUTION**

House Bill No. 920. A Bill for an Act to amend and re-enact sections 43-22-02; 43-22-03 and 43-22-08 of North Dakota Century Code relating to Oil, Gas, and Mineral Broker.

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:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Baker	Karurath	Ringsak
Becker	Kee	Saumur
Berube	Kisse	Schrock
Fiedler	Lautenschlager	Solberg
Garaas	Lips	Thompson
Gefreh	Longmire	Trenbeath

George	Meidinger	Van Horn
Gilbertson	Miller	Wadeson
Gronvold	Morgan	Wartner
Harris	Murphy	Witteman
Hernett	Nesvig	Yunker

Absent and not voting:

Bopp	Foss	Mutch
Brooks	Johnson	Reichert
Erickson	Luick	Roen
Erickstad		

So the bill passed and the title was agreed to.

House Bill No. 923. A Bill for an Act to amend and reenact section 6-08-16 and to create and enact section 6-08-16.1 of the North Dakota Century Code relating to the issuance of a check or draft without sufficient funds or an account, 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, 39; nays, 2; absent and not voting, 8.

Those voting in the affirmative were:

Andre	Hystad	Paulson
Baeverstad	Kamrath	Redlin
Baker	Kee	Reichert
Becker	Kisse	Saumur
Berube	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Gefreh	Longmire	Thompson
George	Meidinger	Trenbeath
Gilbertson	Miller	Van Horn
Gronvold	Morgan	Wadeson
Harris	Murphy	Wartner
Hernett	Mutch	Witteman
Holand	Nesvig	Yunker

Those voting in the negative were:

Garaas	Ringsak
--------	---------

Absent and not voting:

Bopp	Erickstad	Luick
Brooks	Foss	Roen
Erickson	Johnson	

So the bill passed and the title was agreed to.

House Concurrent Resolution "B-1". A concurrent resolution requesting the Congress of the United States to enact legislation to establish a program for the encouragement of farm housing construction.

Which has been read.

Senator Wadeson moved that House Concurrent Resolution "B-1" be adopted, which motion prevailed.

MOTIONS

Senator Holand moved that House Bill No. 501 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 527. A Bill for an Act making an appropriation for the salaries and miscellaneous expenses of the Division of Supervised 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, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Baker	Kamrath	Reichert
Becker	Kee	Roen
Berube	Kisse	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Erickstad	Longmire	Thompson
Fiedler	Meidinger	Trenbeath
Garaas	Miller	Van Horn
Gefreh	Morgan	Wadeson
George	Murphy	Wartner
Gilbertson	Mutch	Witteman
Harris	Nesvig	Yunker
Hernett		

Absent and not voting:

Bopp	Gronvold	Luick
Foss	Johnson	Ringsak

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 123.

The vote:
 99 aye
 1 nay
 13 absent

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 78.

The vote:
 57 aye
 41 nay
 15 absent

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill 223.

The vote:

97 aye
0 nay
16 absent

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 690 and indefinitely postponed it.

GERALD L. STAIR, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 866

Which the Senate has passed unchanged.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 316

Senate Concurrent Resolution "T"

Senate Concurrent Resolution "Y"

Senate Concurrent Resolution "AA"

Senate Concurrent Resolution "QQ"

Senate Concurrent Resolution "RR"

Which the Senate has passed and your favorable consideration is requested.

HOWARD F. DOHERTY, Secretary.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee on Senate Bill No. 227, Representatives:

Fossum

Knudsen (LaMoure)

Christensen (McLean)

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 34.

The vote:

90 aye
6 nay
17 absent

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 3, 1961

Mr. President: I have the honor to transmit:

House Bill No. 503
House Bill No. 522
House Bill No. 523
House Bill No. 529
House Bill No. 531
House Bill No. 532
House Bill No. 667
House Bill No. 704
House Bill No. 757
House Concurrent Resolution "P"
House Concurrent Resolution "Q"
House Concurrent Resolution "Z"

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has refused to adopt the report of the Conference Committee on Senate Bill No. 49 and the President has appointed a new Conference Committee:

Senators:
Gefreh
Wartner
Gilbertson

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 227 and the President has appointed as a Conference Committee to serve with a like committee from the House:

Senators:
Gefreh
Erickstad
Fiedler

HOWARD F. DOHERTY, Secretary.

MOTIONS

Senator Erickstad moved that House Bill No. 501 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

House Bill No. 501. 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.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hernett	Paulson
Baeverstad	Holand	Redlin
Baker	Hystad	Reichert
Becker	Kamrath	Ringsak
Berube	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Garaas	Meidinger	Trenbeath
Gefreh	Miller	Van Horn
George	Morgan	Wadeson
Gilbertson	Murphy	Wartner
Gronvold	Mutch	Witteman
Harris	Nesvig	Yunker
Absent and not voting:		
Bopp	Johnson	Luick
Foss		

So the bill passed and the title was agreed to.

House Bill No. 583. A Bill for an Act to create and enact section 15-53-27.1 of the North Dakota Century Code, relating to the transfer of land in a school district reorganization or annexation proceeding.

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, 1; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Baker	Johnson	Reichert
Becker	Kamrath	Ringsak
Berube	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Garaas	Longmire	Thompson
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker
Hernett	Nesvig	

Those voting in the negative were:

Trenbeath		
Absent and not voting:		
Bopp	Foss	Luick
Erickstad		

So the bill passed and the title was agreed to.

House Bill No. 921. A Bill for an Act to amend and re-enact subsection 3 of section 10-04-03, sections 10-04-04, 10-04-05, 10-04-06, subsection 2 of section 10-04-08, sections 10-04-08.2 and 10-04-10, and to create and enact section 10-04-07.1 and subsection 10 of section 10-04-08.1 of the North Dakota Century Code, relating to the administration, registration and exemption of securities and securities laws.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Baker	Johnson	Reichert
Becker	Kamrath	Ringsak
Berube	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Garaas	Longmire	Thompson
Gefreh	Meidinger	Trenbeath
George	Miller	Van Horn
Gilbertson	Morgan	Wadeson
Gronvold	Murphy	Wartner
Harris	Mutch	Witteman
Hernett	Nesvig	Yunker
Absent and not voting:		
Bopp	Foss	Luick
Erickstad		

So the bill passed and the title was agreed to.

Senator Brooks moved that the vote by which House Bill No. 921 was passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 646. A Bill for an Act to amend and re-enact sections 36-05-03, 36-05-04, 36-05-05, 36-05-06, 36-05-09, and 36-05-13 of the North Dakota Century Code, relating to the licensing of livestock auction markets, and to create and enact sections 36-05-03.1 and 36-05-03.2 of the North Dakota Century Code, relating to applicant's right to administrative hearings and setting forth procedure.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 37; nays, 5; absent and not voting, 7.

Those voting in the affirmative were:

Andre	Hystad	Redlin
Baeverstad	Kamrath	Reichert
Baker	Lautenschlager	Roen
Berube	Lips	Saumur
Brooks	Longmire	Schrock
Erickson	Meidinger	Solberg
Fiedler	Miller	Thompson
Garaas	Morgan	Trenbeath

Gefreh	Murphy	Van Horn
Gilbertson	Mutch	Wadeson
Harris	Nesvig	Witteman
Hernett	Paulson	Yunker
Holand		

Those voting in the negative were:

Becker	Kee	Wartner
George	Kisse	

Absent and not voting:

Bopp	Gronvold	Luick
Erickstad	Johnson	Ringsak
Foss		

So the bill passed and the title was agreed to.

House Concurrent Resolution "S-1". A concurrent resolution requesting that the Congress of the United States grant favorable consideration to H. R. 2477.

Which has been read.

Senator Holand moved that House Concurrent Resolution "S-1" be adopted, which motion prevailed.

House Concurrent Resolution "U-1". 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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Andre	Holand	Redlin
Baeverstad	Hystad	Reichert
Baker	Kamrath	Ringsak
Becker	Kee	Roen
Berube	Kisse	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Fiedler	Longmire	Thompson
Garaas	Meidinger	Trenbeath
Gefreh	Miller	Van Horn
George	Morgan	Wadeson
Gilbertson	Murphy	Wartner
Gronvold	Mutch	Witteman
Harris	Nesvig	Yunker
Hernett	Paulson	

Absent and not voting:

Bopp	Foss	Luick
Erickstad	Johnson	

So the resolution was declared adopted.

House Concurrent Resolution "V-1". A Concurrent Resolution providing for the retaining of certain employees of the House of Representatives and Senate 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, 1; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Holand	Redlin
Baeverstad	Hystad	Reichert
Baker	Johnson	Ringsak
Becker	Kamrath	Roen
Berube	Kee	Saumur
Brooks	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Mutch	Wittman
Harris	Nesvig	Yunker
Hernett	Paulson	

Those voting in the negative were:

Murphy

Absent and not voting:

Bopp	Foss	Luick
Erickstad		

So the resolution was declared adopted.

House Concurrent Resolution "W-1". 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.

Which has been read.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:-

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Baker	Johnson	Reichert
Becker	Kamrath	Ringsak
Berube	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Garaas	Longmire	Thompson
Gefreh	Meidinger	Trenbeath
George	Miller	Van Horn
Gilbertson	Morgan	Wadeson
Gronvold	Murphy	Wartner
Harris	Mutch	Wittman
Hernett	Nesvig	Yunker

Absent and not voting:

Bopp	Foss	Luick
Erickstad		

So the resolution was declared adopted.

House Concurrent Resolution "X-1". A Concurrent Resolution calling the attention of the Congress to conditions affecting veterans of World War I.

Which has ben read.

Senator Holand moved that House Conçurrent Resolution "X-1" be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 528

House Bill No. 603

House Bill No. 831

House Bill No. 914

House Bill No. 922

Which the Senate has amended.

HOWARD F. DOHERTY, Secretary

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 802

House Bill No. 837

House Bill No. 838

House Bill No. 842

House Bill No. 844

House Bill No. 877

House Bill No. 886

Which the Senate has passed unchanged.

HOWARD F. DOHERTY, Secretary.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution "H". A concurrent resolution authorizing and directing the legislative research committee to study the water conservation laws of the state in order to determine their adequacy in providing for the greatest possible conservation and utilization of the water resources of the state.

Was read the first time.

Senator Holand moved that the rules be suspended and that House Concurrent Resloution "H" be not referred to a committee but placed on the calendar for second reading and final passage, which motion prevailed.

House Concurrent Resolution "I". A concurrent resolution authorizing and directing the legislative research committee to study and consider the parole and pardon laws of the state.

Was read the first time.

Senator Holand moved that the rules be suspended and that House Concurrent Resolution "I" be not referred to a committee but placed on the calendar for second reading and final passage, which motion prevailed.

House Concurrent Resolution "J". A concurrent resolution directing the legislative research committee to conduct a study of the uniform vehicle code.

Was read the first time.

Senator Holand moved that the rules be suspended and that House Concurrent Resolution "J" be not referred to a committee but placed on the calendar for second reading and final passage, which motion prevailed.

House Concurrent Resolution "M". A concurrent resolution directing the legislative research committee to study the requirements, standards, laws and procedures for school district reorganization.

Was read the first time.

Senator Holand moved that the rules be suspended and that House Concurrent Resolution "M" be not referred to a committee but placed on the calendar for second reading and final passage, which motion prevailed.

House Concurrent Resolution "M-1". A concurrent resolution urging the secretary of agriculture and the secretary of the interior to take such action as may be necessary to establish improved policies for the leasing of lands owned by the United States.

Was read the first time.

Senator Holand moved that the rules be suspended and that House Concurrent Resolution "M-1" be not referred to a committee but placed on the calendar for second reading and final passage, which motion prevailed.

House Concurrent Resolution "Q-1". A concurrent resolution directing the legislative research committee to conduct a study of needs and available facilities for higher education in specialized fields and of the possibilities of entering into agreements with other states to supply such facilities on a reciprocal basis.

Was read the first time.

Senator Holand moved that the rules be suspended and that House Concurrent Resolution "Q-1" be not referred to a committee but placed on the calendar for second reading and final passage, which motion prevailed.

House Concurrent Resolution "Y-1". A concurrent resolution requesting the Congress of the United States to give serious consideration to a plan to aid in disposition of farm surplus and to supply food to hungry people throughout the world.

Was read the first time.

Senator Holand moved that the rules be suspended and that House Concurrent Resolution "Y-1" be not referred to a committee but placed on the calendar for second reading and final passage, which motion prevailed.

REPORT OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and En-grossment respectfully reports that it has examined the following bills:

Senate Bill No. 23
 Senate Bill No. 43
 Senate Bill No. 171
 Senate Bill No. 178
 Senate Bill No. 218
 Senate Bill No. 294

And finds the same correctly enrolled.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 544 and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate:

Representatives:

Johnson (Barnes)
Hofstrand
Skaar

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 552 and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate:

Representatives:

Knudsen (LaMoure)
Davis (Dickey)
Tescher

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 601 and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate:

Representatives:

Kelly
Boe
Gietzen

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee on Senate Bill No. 49:

Representatives:

Davis (Dickey)
Fossum
Poling

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:

House Bill No. 582
 House Bill No. 615
 House Bill No. 657
 House Bill No. 692
 House Bill No. 723
 House Bill No. 748
 House Bill No. 768
 House Bill No. 901

GERALD L. STAIR, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 53
 Senate Bill No. 121
 Senate Bill No. 144
 Senate Bill No. 158
 Senate Bill No. 233
 Senate Bill No. 239
 Senate Bill No. 307
 Senate Bill No. 310

Which the President has signed and your signature is respectfully requested.

HOWARD F. DOHERTY, Secretary.

APPOINTMENT OF CONFERENCE COMMITTEES

The President appointed as a Conference Committee on House Bill No. 544:

Senators:
 Trenbeath
 Baker
 Berube

The President appointed as a Conference Committee on House Bill No. 552:

Senators:
 Kisse
 Morgan
 Paulson

The President appointed as a Conference Committee on House Bill No. 601:

Senators:
 Meidinger
 Harris
 Lautenschlager

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Hernettt moved that the Senate do concur in the House amendments to Senate Bill No. 213, which motion prevailed.

Senator Hernettt moved that the rules be suspended and that Senate Bill No. 213 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 213. A Bill for an Act to amend and reenact sections 11-11-28, 24-02-20, 39-03-08.3, 40-22-20 and 61-19-08, of the North Dakota Century Code relating to cashiers checks for bidders deposits.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Andre	Hystad	Nesvig
Baeverstad	Johnson	Paulson
Baker	Kamrath	Redlin
Becker	Kisse	Ringsak
Bopp	Lautenschlager	Roen
Brooks	Lips	Saumur
Fiedler	Longmire	Schrock
Garaas	Luick	Solberg
George	Meidinger	Thompson
Gronvold	Miller	Trenbeath
Harris	Morgan	Van Horn
Hernett	Murphy	Yunker
Holand		

Absent and not voting:

Berube	Gefreh	Reichert
Erickson	Gilbertson	Wadeson
Erickstad	Kee	Wartner
Foss	Mutch	Witteman

So the bill passed and the title was agreed to.

Senator Hernett moved that the Senate do concur in the House amendments to Senate Bill No. 232, which motion prevailed.

Senator Hernett moved that the rules be suspended and that Senate Bill No. 232 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 232. A Bill for an Act to amend and reenact section 52-06-02 of the North Dakota Century Code relating to disqualification for benefits.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	Paulson
Baker	Johnson	Redlin
Becker	Kamrath	Ringsak
Bopp	Kisse	Roen
Brooks	Lautenschlager	Saumur
Erickstad	Lips	Schrock
Fiedler	Longmire	Solberg
Garaas	Luick	Thompson
George	Meidinger	Trenbeath
Gronvold	Miller	Van Horn

Harris
Hernett

Morgan
Murphy

Witteman
Yunker

Absent and not voting:

Berube
Erickson
Foss
Gefreh

Gilbertson
Kee
Mutch

Reichert
Wadeson
Wartner

So the bill passed and the title was agreed to.

MOTIONS

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee to serve with a like committee from the House, on House Bill No. 601:

Senators:
Meidinger
Harris
Lautenschlager

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee to serve with a like committee from the House, on House Bill No. 544:

Senators:
Trenbeath
Baker
Berube

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee to act with a like committee from the House, on House Bill No. 552:

Senators:
Kisse
Morgan
Paulson

HOWARD F. DOHERTY, Secretary.

REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 20 has had the same under consideration and recommends that the Senate concur with the House amendments.

For the Senate:
C. G. Kee

A. F. Gronvold
Jerome Nesvig

For the House:
James W. Johnston
Stanley Saugstad
Wilfred Collette

Senator Kee moved that the report be adopted, which motion prevailed.

Senator Kee moved that the rules be suspended and that Senate Bill No. 20 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 20. A Bill for an Act making an appropriation for the use of the North Dakota Economic Development Commission.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Andre	Hernett	Redlin
Baeverstad	Holand	Reichert
Baker	Hystad	Ringsak
Becker	Johnson	Roen
Berube	Kamrath	Saumur
Bopp	Kee	Schrock
Brooks	Lautenschlager	Solberg
Erickson	Lips	Thompson
Erickstad	Longmire	Trenbeath
Fiedler	Luick	Van Horn
Garaas	Morgan	Wadeson
George	Murphy	Wartner
Gilbertson	Mutch	Witteman
Gronvold	Nesvig	Yunker
Harris	Paulson	

Absent and not voting:

Foss	Kisse	Miller
Gefreh	Meidinger	

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 32 has had the same under consideration and recommends that the Senate concur with the House amendments and recommends further the following amendments:

In line 10, delete the word "Patrolmen" and insert in lieu thereof the following language: "Not more than 68 patrolmen and 8 sergeants"

For the Senate:
A. F. Gronvold
Elton W. Ringsak
O. S. Johnson
For the House:
C. L. Lindberg
Halvor Rolfsrud
Sophus Trom

Senator Gronvold moved that the report be adopted, which motion prevailed.

Senator Gronvold moved that the rules be suspended and that Senate Bill No. 32 be deemed properly re-engrossed and placed on second reading and final passage, as amended in conference committee, which motion prevailed.

Senate Bill No. 32. A Bill for an Act making an appropriation out of the State Treasury for the operation, maintenance, equipment, supplies, outfitting of patrolmen, travel and miscellaneous expenses for the Highway Patrol.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Garaas	Luick	Trenbeath
George	Miller	Van Horn
Gilbertson	Morgan	Wadeson
Gronvold	Murphy	Wartner
Harris	Mutch	Yunker

Absent and not voting:

Foss	Meidinger	Witteaman
Gefreh		

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred House Bill No. 539 has had the same under consideration and recommends that the Senate recede from its amendments and that House Bill No. 539 be amended as follows:

In lines 1337 thru 1340 delete "No teacher shall receive pay for such attendance unless he has attended four days, nor shall any teacher receive pay for more than five days of attendance."

In line 2136 after "of" insert "not"

In line 2551 after the semicolon insert the following words: "provided that there shall be no limitation upon the taxes which may be levied by any school district having a total population in excess of seven thousand five hundred according to the last federal decennial census if upon resolution of the school board of any such district the removal of the mill levy limitation has been submitted and approved by a majority of the electors voting at any regular or special election upon such question. In the event such election is held in a reorganized district it shall be conducted and approved or disapproved in the same manner and subject to the same conditions as pro-

vided in Section 15-53-14 for elections for approval of school district reorganization plans. Thereafter, the question of authorizing or discontinuing such unlimited taxing authority in any school district shall be submitted to the electorate at the next regular election upon the filing with the school board of a petition containing the signatures of not less than five percent of the electors of the district as determined by the number voting in such school district at the most recent regular school district election. The election shall be held in the same manner and subject to the same conditions as provided in this section for the first election upon the question of authorizing an unlimited mill levy."

After line 2558 insert the following: "SECTION 88. READJUSTMENT OF LIABILITIES.) After the reorganization plan has become effective any provision of the reorganization plan heretofore or hereafter adopted affecting the adjustment of assets and liabilities may be changed by a majority vote of the electorate. The school board in the reorganized district may submit the question of authorizing the change at any regular or special election. The new election shall follow the election procedure provided in section 15-53-14 and shall involve the same geographic areas as were concerned with the original reorganization election. If a majority of all votes cast by the electors residing in each of said geographic areas are in favor of the proposed change then the proposed change shall be effected."

Line 2559 delete "88" and insert "89" in lieu thereof.

Renumber the lines accordingly.

For the Senate:
Leland Roen
A. W. Luick
Rolland Redlin

For the House:
Don Halcrow
Don Nicolson
Leonard Davis (Dunn)

Senator Roen moved that the report be adopted, which motion prevailed.

Senator Roen moved that the rules be suspended and that House Bill No. 539 be placed on second reading and final passage, as amended in conference committee, which motion prevailed.

House Bill No. 539. A Bill for an Act to amend and reenact chapters 15-27, 15-28, and 15-29 of the North Dakota Century Code and sections 11-14-14, 15-18-01, 15-18-03, 15-21-07, 15-21-07.1, 15-34-03, 15-34-04, 15-34-05, 15-34-06, 15-34-08, 15-34-10, 15-34-12, 15-34-14, subsection 3 of section 15-34-15, sections 15-34-16, 15-34-22, 15-35-08, 15-35-09, 15-35-10, 15-35-13, 15-35-14, 15-36-12, 15-37-04, 15-38-01, 15-38-03, 15-38-09, 15-38-13, 15-38-14, 15-38-15, subdivision a of subsection 1 of section 15-39-01, subsection 1 of section 15-39-16, sections 15-39-19, 15-39-20, 15-39-22, 15-39-23, 15-39-24, 15-41-18, subdivisions b and d of subsection 2 of section 15-43-01, sections 15-43-03, 15-43-04, 15-43-06, 15-43-07, 15-43-08, 15-43-09, 15-43-10, 15-45-01, 15-46-01, 15-46-04, 15-47-05, 15-47-06, 15-47-07, 15-47-08, 15-47-10,

15-47-11, 15-47-13, 15-47-14, 15-47-15, 15-47-17, 15-47-18, 15-47-22, 15-47-23, 15-47-25, 15-47-26, 15-47-27, 15-48-01, 15-48-02, 15-49-02, 15-49-09, 15-49-11, 15-53-09, subsection 5 of section 15-53-10, sections 15-53-14, 15-53-18, 15-53-19, 15-53-26, subsections 1 and 2 of section 21-03-01, subsection 4 of section 21-03-06, subsections 2 and 3 of section 21-04-01, sections 21-04-13, 21-04-15, 40-38-03, 40-38-05, 40-41-04, 44-08-01, 57-15-13, 57-15-14, of the North Dakota Century Code, and to repeal chapters 15-23, 15-24, 15-25, 15-26, 15-30, 15-31, 15-32, 15-33, sections 15-41-09, 15-41-10, 15-41-11, 15-41-12, 15-41-13, 15-41-14, 15-41-15, 15-41-16, 15-41-17, 15-41-20, 15-41-21, 15-41-23, and 15-53-17 of the North Dakota Century Code, relating to provisions especially affecting common and independent school district law, and joint high school districts.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended in conference committee, the roll was called and there were ayes, 41; nays, 4; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	Paulson
Baker	Johnson	Redlin
Becker	Kamrath	Roen
Berube	Kee	Saumur
Bopp	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Witteman
Gronvold	Morgan	Yunker
Harris	Murphy	

Those voting in the negative were:

Gilbertson	Ringsak	Wartner
Mutch		

Absent and not voting:

Brooks	Hernett	Reichert
Foss		

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 227 has had the same under consideration and recommends that the Senate concur with the House amendments and that the bill be further amended as follows:

Delete lines 33 and 34 of the House amendments and insert in lieu thereof the figure "5"

For the Senate:

Adam Gefreh
Ralph J. Erickstad
Walter R. Fiedler

For the House:

Chester Fossum
Milo Knudsen
Walter Christensen

Senator Gefreh moved that the report be adopted, which motion prevailed.

Senator Gefreh moved that the rules be suspended and that Senate Bill No. 227 be deemed properly re-engrossed and placed on second reading and final passage, as amended in conference committee, which motion prevailed.

Senate Bill No. 227. A Bill for an Act to provide for medical assistance to the aged.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended in conference committee, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Holand	Nesvig
Baeverstad	Hystad	Paulson
Baker	Johnson	Redlin
Becker	Kamrath	Ringsak
Berube	Kee	Roen
Bopp	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker

Absent and not voting:

Brooks	Hernett	Reichert
Foss		

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred House Bill No. 552 has had the same under consideration and recommends that the Senate recede from its amendments.

For the Senate:

Dan Kisse
Kenneth Morgan
Clayton Paulson

For the House:

Milo Knudsen (LaMoure)
Ed. N. Davis (Dickey)
M. C. Tescher

Senator Kisse moved that the report be adopted.

Senator Schrock made the substitute motion that the Senate do not adopt the report of the conference committee on House Bill No. 552 and that a new conference committee be appointed.

ROLL CALL

The question being on the substitute motion of Senator Schrock, the roll was called and there were ayes, 28; nays, 20; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Paulson
Baeverstad	Hystad	Reichert

Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Erickson	Lautenschlager	Schrock
Fiedler	Longmire	Solberg
Garaas	Meidinger	Thompson
George	Murphy	Van Horn
Gilbertson	Nesvig	Witteman
Gronvold		

Those voting in the negative were:

Baker	Johnson	Redlin
Becker	Kisse	Saumur
Brooks	Lips	Trenbeath
Erickstad	Luick	Wadeson
Gefreh	Miller	Wartner
Hernett	Morgan	Yunker
Holand	Mutch	

Absent and not voting:

Foss

So the motion was declared carried.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on House Bill No. 552:

Senators:

Lips
Becker
Kamrath

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 544 has had the same under consideration and recommends that the House concur with the Senate amendments.

For the Senate:

Grant Trenbeath
C. W. Baker
Philip Berube

For the House:

Ernest Johnson
Harold Hofstrand
Harold Skaar

Senator Trenbeath moved that the report be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to:

Senate Bill No. 213

Senate Bill No. 232

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 527

House Bill No. 583

House Bill No. 646

House Bill No. 921

Which the Senate has amended.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 920

House Bill No. 923

House Concurrent Resolution "B-1"

House Concurrent Resolution "S-1"

House Concurrent Resolution "U-1"

House Concurrent Resolution "V-1"

House Concurrent Resolution "W-1"

House Concurrent Resolution "X-1"

Which the Senate has passed unchanged.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on:

Senate Bill No. 20

Senate Bill No. 32

Senate Bill No. 227

HOWARD F. DOHERTY, Secretary.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 831 and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate:

Representatives:

Lowe

Bye

Karabensh

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 922 and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate:

Representatives:

Goebel

Wheeler

Olson

GERALD L. STAIR, Chief Clerk.

APPOINTMENT OF CONFERENCE COMMITTEES

The President appointed as a Conference Committee on House Bill No. 831:

Senators:

Brooks
Hernett
Reichert

The President appointed as a Conference Committee on House Bill No. 922:

Senators:

Longmire
Morgan
Reichert

CONSIDERATION OF AMENDMENTS
FROM THE HOUSE

Senator Erickstad moved that the Senate do not concur in the House amendments to Senate Bill No. 4, and that a Conference Committee be appointed, which motion prevailed.

The President appointed as a Conference Committee on Senate Bill No. 4:

Senators:

Roen
Erickson
Fiedler

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 545 has had the same under consideration and recommends that the Senate recede from its amendments and that the bill be further amended as follows:

In line 1 of the title after the word "Act" insert the words "to create and enact section 12-46-10.1 and"

In line 4 of the title after the word "students" and before the period insert the words "and to create a disciplinary committee"

After line 64 insert the following section:

SECTION 5.) Section 12-46-10.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

12-46-10.1. DISCIPLINARY COMMITTEE — MEMBERS — DUTIES.) The disciplinary committee shall consist of the director of treatment or his representative, as chairman, a member of the medical staff, and the director of cottage life or his representative. The committee shall advise the superintendent of North Dakota Industrial School on all disciplinary policies; review all cases involving serious breaches of discipline before punitive action is taken thereon and advise the superintendent in regard to such specific cases; and maintain written records of charges against students for disciplinary violations together with their recommendations thereon. These records shall be subject to review by the board of administration, the attorney general, or any legislative committee at their request. Nothing in this section shall be construed to prevent the

superintendent from placing a child under close supervision immediately after that child commits a serious breach of discipline.

Renumber the lines accordingly.

For the Senate:

Dan Kisse
Ralph J. Erickstad
Rolland Redlin

For the House:

Vernon Anderson (Richland)
Milo Knudsen (LaMoure)
Donald Giffey

Senator Kisse moved that the report be adopted, which motion prevailed.

Senator Kisse moved that the rules be suspended and that House Bill No. 545 be placed on the calendar for second reading and final passage, as amended in Conference Committee, which motion prevailed.

House Bill No. 545. A Bill for an Act to amend and reenact sections 12-46-01, 12-46-15, 12-52-02, and 54-23-01 relating to the name of the state training school and records of training school students.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Andre	Harris	Nesvig
Baker	Hernett	Redlin
Becker	Holand	Ringsak
Berube	Hystad	Roen
Bopp	Johnson	Saumur
Brooks	Kamrath	Schrock
Erickson	Kee	Solberg
Erickstad	Kisse	Thompson
Fiedler	Lautenschlager	Trenbeath
Garaas	Lips	Van Horn
Gefreh	Luick	Wadeson
George	Miller	Wartner
Gilbertson	Murphy	Wittman
Gronvold	Mutch	

Absent and not voting:

Baeverstad	Meidinger	Reichert
Foss	Morgan	Yunker
Longmire	Paulson	

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 3, 1961

Mr. President: I have the honor to return:

Senate Bill No. 313
Senate Concurrent Resolution "I"
Senate Concurrent Resolution "Y"
Senate Concurrent Resolution "KK"

Senate Concurrent Resolution "QQ"
 Senate Concurrent Resolution "RR"
 Which the House has passed unchanged.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to return:

Senate Bill No. 316

Which the House has amended as follows:

Amendment to Senate Bill No. 316:

In line 21, delete the words "seat of"

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to return:

Senate Concurrent Resolution "AA"

Which the House has indefinitely postponed.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to transmit:

House Concurrent Resolution "R-1"

House Concurrent Resolution "T-1"

House Concurrent Resolution "Z-1"

Which the House has passed and your favorable consideration is requested.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to:

House Bill No. 528

House Bill No. 603

House Bill No. 914

GERALD L. STAIR, Chief Clerk.

MOTIONS

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution "R-1". A concurrent resolution directing the legislative research committee to study the feasibility of imposing an additional tax on income and exempting from the tax rolls certain classes of personal property.

Was read the first time.

Senator Holand moved that the rules be suspended and that House Concurrent Resolution "R-1" be not referred to a committee but placed on second reading and final passage, which motion prevailed.

House Concurrent Resolution "T-1". A concurrent resolution directing the legislative research committee, and other officials to conduct studies and conferences in regard to the possibilities and practicalities of extending services of the state law enforcement officials and agencies, courts and penal institutions toward the improvement of law enforcement in regard to Indian offenders and offenses throughout the state and toward the improvement of law enforcement in the so-called Indian country, directing co-operation with the activities commenced pursuant to Senate Concurrent Resolution "R-R" and requesting co-operation from state and non-state agencies and officials functioning in this field.

Was read the first time.

Senator Holand moved that the rules be suspended and that House Concurrent Resolution "T-1" be not referred to a committee but placed on second reading and final passage, which motion prevailed.

House Concurrent Resolution "Z-1". A concurrent resolution urging the citizens of North Dakota to make special efforts to publicize the Dakota Territory Centennial.

Was read the first time.

Senator Holand moved that the rules be suspended and that House Concurrent Resolution "Z-1" be not referred to a committee but placed on second reading and final passage, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee to serve with a like committee from the House, on House Bill No. 922:

Senators:
Longmire
Morgan
Reichert

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee to serve with a like committee from the House, on House Bill No. 831:

Senators:
Brooks
Hernett
Reichert

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 4 and the President has appointed as a Conference Committee to serve with a like committee from the House:

Senators:
Roen
Erickson
Fiedler

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

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. 552 and the President has appointed as a new Conference Committee:

Senators:
Lips
Becker
Kamrath

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 539.

The vote:
41 aye
4 nay
4 absent

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 545.

The vote:
41 aye
0 nay
8 absent

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 544.

HOWARD F. DOHERTY, Secretary.

REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 601 has had the same under consideration and recommends that the Senate recede from its amendments except in the following particulars:

In line 51 delete the words "Any such officer who shall fail to"

Delete all of lines 52 and 53.

For the Senate:
R. E. Meidinger
C. F. Harris
Lester N. Lautenschlager

For the House:

Sybil Kelly
Pershing Boe
Wm. N. Gietzen

Senator Meidinger moved that the report be adopted, which motion prevailed.

Senator Meidinger moved that the rules be suspended and that House Bill No. 601 be placed on the calendar for second reading and final passage, as amended in conference committee, which motion prevailed.

House Bill No. 601. A Bill for an Act to amend and reenact sections 15-53-16 and 15-53-20 of the North Dakota Century Code relating to school district reorganization elections and property and assets of reorganized school districts.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Harris	Mutch
Baeverstad	Hernett	Nesvig
Baker	Holand	Paulson
Becker	Hystad	Redlin
Berube	Johnson	Reichert
Bopp	Kamrath	Ringsak
Brooks	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Garaas	Longmire	Thompson
Gefreh	Luick	Trenbeath
George	Meidinger	Van Horn
Gilbertson	Miller	Witteman
Gronvold	Morgan	Yunker

Absent and not voting:

Foss	Wadeson	Wartner
Murphy		

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred House Bill No. 831 has had the same under consideration and recommends that the Senate recede from its amendments, and said bill be amended as follows:

In line 52 after the word "of" insert the words "agriculture and" and after the word "labor" insert a comma and the words "his successor"

In line 146 after the word "by" insert the word "unlawful"

In line 336 after the word "injunction" insert the following: "under the provisions of chapter 32-06"

Also, in line 336 delete the following: "trial in the dis-"

In line 337 delete the following: "trict court shall be de novo."

Renumber the lines accordingly.

For the Senate:

Lee F. Brooks
William R. Reichert
Gail H. Hernett

For the House:

Howard Bye
Kenneth Lowe
Charles Karabensh

Senator Hernett moved that the report be adopted, which motion prevailed.

Senator Brooks moved that the rules be suspended and that House Bill No. 831 be placed on the calendar for second reading and final passage, as amended in Conference Committee, which motion prevailed.

House Bill No. 831. A Bill for an Act to regulate relationships between management and labor in North Dakota, and to repeal section 34-10-05 of the North Dakota Century Code as in conflict therewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 40; nays, 5; absent and not voting, 4.

Those voting in the affirmative were:

Andre	Hernett	Morgan
Baeverstad	Holand	Mutch
Becker	Hystad	Nesvig
Berube	Johnson	Paulson
Bopp	Kamrath	Redlin
Brooks	Kee	Reichert
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Schrock
Fiedler	Lips	Solberg
Garaas	Longmire	Thompson
Gefreh	Luick	Van Horn
George	Meidinger	Witteman
Gilbertson	Miller	Yunker
Gronvold		

Those voting in the negative were:

Baker	Ringsak	Trenbeath
Harris	Roen	

Absent and not voting:

Foss	Wadeson	Wartner
Murphy		

So the bill passed and the title was agreed to.

Senator Holand moved that the Senate do now adjourn, which motion prevailed.

HOWARD F. DOHERTY, Secretary.

SIXTIETH DAY

Bismarck, March 3, 1961

The Senate convened at 2:00 p.m., the President presiding. Prayer by Chaplain Rev. A. P. Tidemann, Lutheran Church of the Cross, Bismarck.

Dear God and Father of us all: as the close of this legislative session draws near, give the assurance that all things work together for good — to those who love Thee.

As these elected officials have sought for the greatest good for the state of North Dakota; help them to accept the results of their efforts, whether accomplished by unity, or thwarted by division.

May any bitterness, engendered in debate be forgotten; and may the great state move forward in obedience to law, and in the attainment of desired worthy goals.

Give to these servants of the people the certainty that in serving our citizens they have served Thee.

Enable all these lawmakers to view fellow-workers with respect. Let not their honest efforts go unrewarded. Keep alive the freedom of self-expression, and guard for us the privilege of disagreement.

Dear God, bless our honorable Governor, and help him to fulfill the important duties of his high office.

May all, who have conscientiously labored here, hear Thy benediction — "Well done, thou good and faithful servant".

In Jesus name. Amen.

Roll call: All Senators present except Senator Foss.

A quorum was declared by the President.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fifty-eighth day after recess and fifty-ninth day and recommends that the same be corrected as follows:

On page 872, line 6, correct the spelling of the name "Ringsak"

On page 878, in line 15, delete the figure "239" and insert in lieu thereof the figure "233"

On page 878, in line 19, delete the figure "307" and insert in lieu thereof the figure "239"

And when so corrected recommends that the same be approved.

SENATOR HARRIS, Chairman.

Senator Harris moved that the report be adopted, which motion prevailed.

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 503
 House Bill No. 508
 House Bill No. 514
 House Bill No. 517
 House Bill No. 521
 House Bill No. 522
 House Bill No. 523
 House Bill No. 529
 House Bill No. 531
 House Bill No. 532

House Bill No. 562
House Bill No. 592
House Bill No. 597
House Bill No. 610
House Bill No. 624
House Bill No. 644
House Bill No. 645
House Bill No. 667
House Bill No. 701
House Bill No. 704
House Bill No. 726
House Bill No. 757
House Bill No. 767
House Bill No. 775
House Bill No. 810
House Bill No. 811
House Bill No. 817
House Bill No. 818
House Bill No. 821
House Bill No. 824
House Bill No. 828
House Bill No. 845
House Bill No. 847
House Bill No. 866
House Bill No. 872
House Bill No. 875
House Bill No. 894
House Bill No. 896
House Bill No. 915
House Bill No. 928
House Concurrent Resolution "P"
House Concurrent Resolution "Q"
House Concurrent Resolution "Z"
House Concurrent Resolution "A-1"

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. 19
Senate Bill No. 23
Senate Bill No. 24
Senate Bill No. 31
Senate Bill No. 35
Senate Bill No. 43
Senate Bill No. 77
Senate Bill No. 95
Senate Bill No. 100
Senate Bill No. 108
Senate Bill No. 146
Senate Bill No. 171
Senate Bill No. 178
Senate Bill No. 179
Senate Bill No. 184
Senate Bill No. 188
Senate Bill No. 218
Senate Bill No. 225
Senate Bill No. 294
Senate Bill No. 296

And the President signed the same in the presence of the Senate.

SECOND READING OF HOUSE
CONCURRENT RESOLUTIONS

House Concurrent Resolution "H". A concurrent resolution authorizing and directing the legislative research committee to study the water conservation laws of the state in order to determine their adequacy in providing for the greatest possible conservation and utilization of the water resources of the state.

Was read the second time.

Senator Trenbeath moved that House Concurrent Resolution "H" be adopted, which motion prevailed.

House Concurrent Resolution "I". A concurrent resolution authorizing and directing the legislative research committee to study and consider the parole and pardon laws of the state.

Was read the second time.

Senator Trenbeath moved that House Concurrent Resolution "I" be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 3, 1961

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 serve with a like committee from the Senate, Representatives:

Baldwin
Mueller
Rolfstrud

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 921 and the Speaker has appointed as a Conference Committee to serve with a like committee from the Senate, Representatives:

Fitch
Dahl
Klinger

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee on House Bill No. 552, Representatives:

Schuler
Reimers
Christensen (Ward)

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on House Bill No. 539.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee on Senate Bill No. 4, Representatives:

Saugstad
Lindberg
Collette

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has refused to adopt the Conference Committee report on Senate Bill No. 49 and the Speaker has appointed a new Conference Committee, Representatives:

Fitch
Haugland
Aamoth

GERALD L. STAIR, Chief Clerk.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Erickstad moved that the Senate do concur in the House amendments to Senate Bill No. 2, which motion prevailed.

Senator Erickstad moved that the rules be suspended and that Senate Bill No. 2 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 2. A Bill for an Act making an appropriation for the general maintenance, plant improvements, and new buildings 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 House, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Roen
Bopp	Kee	Saumur
Brooks	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Mutch	Yunker
Harris		

Absent and not voting:

Foss	Murphy	Ringsak
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So the bill passed and the title was agreed to.

Senator Erickstad moved that the Senate do concur in the House amendments to Senate Bill No. 128, which motion prevailed.

Senator Erickstad moved that the rules be suspended and that Senate Bill No. 128 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 128. A Bill for an Act to transfer certain moneys from the accumulated profits and surplus of the Bank of North Dakota, from the collection and land department of the Bank of North Dakota, and the state mill and elevator association to the general fund of this state.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Roen
Bopp	Kee	Saumur
Brooks	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Mutch	Yunker
Harris		

Absent and not voting:

Foss	Murphy	Ringsak
------	--------	---------

So the bill passed and the title was agreed to.

Senator Erickstad moved that the Senate do concur in the House amendments to Senate Bill No. 259, which motion prevailed.

Senator Erickstad moved that the rules be suspended and that Senate Bill No. 259 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 259. A Bill for an Act transferring one and one-half million dollars from the general fund to the state equalization fund.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert

Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker

Absent and not voting:

Foss

So the bill passed and the title was agreed to.

Senator Erickstad moved that the Senate do concur in the House amendments to Senate Bill No. 185, which motion prevailed.

Senator Erickstad moved that the rules be suspended and that Senate Bill No. 185 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 185. A Bill for an Act to appropriate and transfer \$425,000.00 from the general fund to the school construction fund as reimbursement for appropriations made for construction at the state training school.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker

Absent and not voting:

Foss

So the bill passed and the title was agreed to.

Senator Wartner moved that the Senate do concur in the House amendments to Senate Bill No. 316, which motion prevailed.

Senator Wartner moved that the rules be suspended and that Senate Bill No. 316 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 316. A Bill for an Act to amend and re-enact section 12-44-29 of the North Dakota Century Code, relating to commitments when no adequate county jail exists within a county and authorizing contracts for the custody of prisoners within jails operated by the United States, and declaring an emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker

Absent and not voting:

Foss

So the bill passed and the title was agreed to and the emergency clause carried.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 49 has had the same under consideration and recommends that the House recede from its amendments.

For the Senate:

Adam Gefreh
Aloys Wartner, Jr.
Selmer Gilbertson

For the House:

Ed N. Davis
Chester Fossum
Clarence Poling

Senator Gefreh moved that the report be not adopted and that a new Conference Committee be appointed, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a new Conference Committee on Senate Bill No. 49:

Senators:
 Longmire
 Meidinger
 Garaas

SECOND READING OF HOUSE
CONCURRENT RESOLUTIONS

House Concurrent Resolution "J". A concurrent resolution directing the legislative research committee to conduct a study of the uniform vehicle code.

Was read the second time.

Senator Ringsak moved that House Concurrent Resolution "J" be placed at the foot of the calendar, which motion prevailed.

House Concurrent Resolution "M". A concurrent resolution directing the legislative research committee to study the requirements, standards, laws and procedures for school district reorganization.

Was read the second time.

Senator Trenbeath moved that House Concurrent Resolution "M" be adopted, which motion prevailed.

House Concurrent Resolution "M-1". A concurrent resolution urging the secretary of agriculture and the secretary of the interior to take such action as may be necessary to establish improved policies for the leasing of lands owned by the United States.

Was read the second time.

Senator Trenbeath moved that House Concurrent Resolution "M-1" be adopted, which motion prevailed.

House Concurrent Resolution "Q-1". A concurrent resolution directing the legislative research committee to conduct a study of needs and available facilities for higher education in specialized fields and of the possibilities of entering into agreements with other states to supply such facilities on a reciprocal basis.

Was read the second time.

ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 16; nays, 32; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Brooks	Hystad	Redlin
Erickstad	Kamrath	Reichert
Fiedler	Lautenschlager	Thompson
Garaas	Miller	Wittman
George		

Those voting in the negative were:

Baeverstad	Johnson	Ringsak
Baker	Kee	Roen
Becker	Kisse	Saumur
Berube	Lips	Schrock

Bopp	Longmire	Solberg
Erickson	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
Gilbertson	Morgan	Wadeson
Gronvold	Murphy	Wartner
Harris	Mutch	Yunker
Holand	Paulson	

Absent and not voting:

Foss

So the resolution was declared lost.

House Concurrent Resolution "R-1". A concurrent resolution directing the legislative research committee to study the feasibility of imposing an additional tax on income and exempting from the tax rolls certain classes of personal property.

Was read the second time.

Senator Trenbeath moved that House Concurrent Resolution "R-1" be adopted, which motion prevailed.

House Concurrent Resolution "T-1". A concurrent resolution directing the legislative research committee, and other officials to conduct studies and conferences in regard to the possibilities and practicalities of extending services of the state law enforcement officials and agencies, courts and penal institutions toward the improvement of law enforcement in regard to Indian offenders and offenses throughout the state and toward the improvement of law enforcement in the so-called Indian country, directing cooperation with the activities commenced pursuant to Senate Concurrent Resolution "R-R" and requesting cooperation from state and non-state agencies and officials functioning in this field.

Was read the second time.

Senator Trenbeath moved that House Concurrent Resolution "T-1" be adopted, which motion prevailed.

House Concurrent Resolution "Y-1". A concurrent resolution requesting the Congress of the United States to give serious consideration to a plan to aid in disposition of farm surplus and to supply food to hungry people throughout the world.

Was read the second time.

Senator Hernettt moved that House Concurrent Resolution "Y-1" be adopted, which motion prevailed.

House Concurrent Resolution "Z-1". A concurrent resolution urging the citizens of North Dakota to make special efforts to publicize the Dakota Territory Centennial.

Was read the second time.

Senator Baker moved that House Concurrent Resolution "Z-1" be adopted, which motion prevailed.

MOTIONS

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to:

House Bill No. 583
House Bill No. 646

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has:

Adopted the Conference Committee report on Senate Bill No. 32.

101 Aye
2 Nay
10 Absent

Adopted the Conference Committee report on Senate Bill No. 129.

95 Aye
4 Nay
14 Absent

Adopted the Conference Committee report on Senate Bill No. 227.

75 Aye
32 Nay
6 Absent

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the Speaker has substituted the name of Hofstrand for Fitch on House Bill No. 921.

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on:

House Bill No. 544
House Bill No. 601
House Bill No. 654
House Bill No. 831

GERALD L. STAIR, Chief Clerk.

MESSAGES TO THE HOUSE

Senate Chamber
Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has refused to adopt the report of the Conference Committee on Senate Bill No. 49.

The President appointed a new Conference Committee to serve with a like committee from the House:

Senators:
Longmire
Meidinger
Garaas

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to:

Senate Bill No. 2
Senate Bill No. 128
Senate Bill No. 185
Senate Bill No. 259
Senate Bill No. 316

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, March 3, 1961

Mr. Speaker I have the honor to inform you that the President has appointed as a Conference Committee to serve with a like committee from the House, on House Bill No. 527:

Senators:
Luick
Wadson
Solberg

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee to serve with a like committee from the House, on House Bill No. 921:

Senators:
Brooks
Hernett
Hystad

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has:

Adopted the report of the Conference Committee on House Bill No. 601.

The vote:
45 Ayes
0 Nays
4 Absent

Adopted the report of the Conference Committee on House Bill No. 831.

The vote:
40 Ayes
5 Nays
4 Absent

HOWARD F. DOHERTY, Secretary.

REPORT OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and En-grossment respectfully reports that it has examined the following bills:

Senate Bill No. 7
Senate Bill No. 15

Senate Bill No. 29
 Senate Bill No. 34
 Senate Bill No. 45
 Senate Bill No. 90
 Senate Bill No. 124
 Senate Bill No. 223
 Senate Bill No. 272
 Senate Bill No. 281
 Senate Bill No. 311

And finds the same correctly enrolled.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 49 has had the same under consideration and has been unable to agree and recommends that a new Conference Committee be appointed and that your present Conference Committee be discharged.

For the Senate:

George Longmire
 R. E. Meidinger
 John O. Garaas

For the House:

K. A. Fitch
 Brynhild Haugland
 J. T. Alme

Senator Longmire moved that the report be adopted, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on Senate Bill No. 49:

Senators:

Gefreh
 Longmire
 Redlin

REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 921 has had the same under consideration and recommends that the House concur in the Senate amendments and that the same be further amended as follows:

In line 61 after the word "tracts" insert the following language: ", including variable or fixed annuity contracts,"

For the Senate:

Lee F. Brooks
 Gail H. Hernet
 Isak Hystad

For the House:

Harold R. Hofstrand
 Arne Dahl
 Fred W. Klingner

Senator Brooks moved that the report be adopted, which motion prevailed.

Senator Brooks moved that the rules be suspended and that House Bill No. 921 be placed on the calendar for second reading and final passage, as amended in Conference Committee, which motion prevailed.

House Bill No. 921. A Bill for an Act to amend and reenact subsection 3 of section 10-04-03, sections 10-04-04, 10-04-05, 10-04-06, subsection 2 of section 10-04-08, sections 10-04-08.2 and 10-04-10, and to create and enact section 10-04-07.1 and subsection 10 of section 10-04-08.1 of the North Dakota Century Code, relating to the administration, registration and exemption of securities and securities laws.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Saumur
Brooks	Kisse	Schrock
Erickson	Lautenschlager	Solberg
Erickstad	Lips	Thompson
Fiedler	Longmire	Trenbeath
Garaas	Luick	Van Horn
Gefreh	Meidinger	Wadeson
George	Miller	Wartner
Gilbertson	Morgan	Witteman
Gronvold	Murphy	Yunker
Harris	Mutch	

Absent and not voting:

Foss Roen

So the bill passed and the title was agreed to.

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 its amendments and that the bill be further amended as follows:

After the period on line 41 insert the following words: "Such building shall consist of one story plus a basement and shall have sufficient footings to carry additional stories. The expenditure of the sum appropriated in this section shall be limited to the actual construction costs of the building herein authorized and architectural fees in connection therewith and shall not be expended for landscaping, furnishings, or any other purpose."

Renumber the lines accordingly.

For the Senate:

A. W. Luick, Chairman
Harry W. Wadeson
Iver Solberg

For the House:

L. C. Mueller, Chairman
Murray A. Baldwin
Halvor Rolfsrud

Senator Luick moved that the report be adopted, which motion was declared lost.

Senator Brooks requested a division, which request was denied.

Senator Baker moved that a new Conference Committee be appointed on House Bill No. 527, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on House Bill No. 527:

Senators:
Luick
Kee
Johnson

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "Q-1"

Which the Senate has indefinitely postponed.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "H"

House Concurrent Resolution "I"

House Concurrent Resolution "M"

House Concurrent Resolution "M-1"

House Concurrent Resolution "R-1"

House Concurrent Resolution "T-1"

House Concurrent Resolution "Y-1"

House Concurrent Resolution "Z-1"

Which the Senate has passed unchanged.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 19

Senate Bill No. 23

Senate Bill No. 24

Senate Bill No. 31

Senate Bill No. 35

Senate Bill No. 43

Senate Bill No. 77

Senate Bill No. 95

Senate Bill No. 100

Senate Bill No. 108

Senate Bill No. 146

Senate Bill No. 171

Senate Bill No. 178

Senate Bill No. 179

Senate Bill No. 184
Senate Bill No. 188
Senate Bill No. 218
Senate Bill No. 225
Senate Bill No. 294
Senate Bill No. 296

Which the President has signed and your signature is respectfully requested.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 503
House Bill No. 508
House Bill No. 514
House Bill No. 517
House Bill No. 521
House Bill No. 522
House Bill No. 523
House Bill No. 529
House Bill No. 531
House Bill No. 532
House Bill No. 562
House Bill No. 592
House Bill No. 597
House Bill No. 610
House Bill No. 624
House Bill No. 644
House Bill No. 645
House Bill No. 667
House Bill No. 761
House Bill No. 704
House Bill No. 726
House Bill No. 757
House Bill No. 767
House Bill No. 775
House Bill No. 810
House Bill No. 811
House Bill No. 817
House Bill No. 818
House Bill No. 821
House Bill No. 824
House Bill No. 828
House Bill No. 845
House Bill No. 847
House Bill No. 866
House Bill No. 872
House Bill No. 875
House Bill No. 894
House Bill No. 896
House Bill No. 915
House Bill No. 928
House Concurrent Resolution "P"
House Concurrent Resolution "Q"
House Concurrent Resolution "Z"
House Concurrent Resolution "A-1"

Which the President has signed.

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has refused to adopt the report of the Conference Committee on Senate Bill No. 49 and the President appointed a new Conference Committee:

Senators:
Gefreh
Longmire
Redlin

HOWARD F. DOHERTY, Secretary.

REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 552 has had the same under consideration and recommends that the Senate recede from its amendments in lines 157 and 158 and that the House concur with the other Senate amendments.

For the Senate:
Evan Lips
Edwin C. Becker, Jr.
Dwight Kamrath

For the House:
T. E. Schuler
Robert F. Reimers
Lee Christensen

Senator Lips moved that the report be adopted, which motion prevailed.

Senator Lips moved that the rules be suspended and that House Bill No. 552 be placed on second reading and final passage, as amended in Conference Committee, which motion prevailed.

House Bill No. 552. A Bill for an Act to amend and reenact sections 4-02-20, 4-02-21, 4-22-03, 12-57-01, 16-13-33, 16-13-36, 16-13-39, 16-13-47, 23-01-02, 23-13-09, 26-20-04, 26-20-05, 26-20-06, 26-20-07, 26-20-08, 34-10-02, 34-10-03, 34-10-06, 46-04-01, 48-04-10, 54-04-01, 54-04-03, 54-04-04, 54-36-01, 55-01-01, and 61-02-04 of the North Dakota Century Code relating to the membership and duties of various boards and commissions upon which the governor or the superintendent of public instruction serve; and to repeal sections 4-02-13, 4-02-14, 16-13-34, and 16-13-37 of the North Dakota Century Code relating to the boards of directors of the state fair associations, and the state board of canvassers for general and special elections.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen

Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker

Absent and not voting:

Foss

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred House Bill No. 922 has had the same under consideration and recommends that the Senate recede from its amendments and the Conference Committee further amends as follows:

In line 4 after 10-04-03 delete the remainder of the line. Delete lines 5, 6, 7, 8, 9 and 10 and insert in lieu thereof the following:

“APPOINTMENT OF STATE SECURITIES COMMISSIONER — QUALIFICATIONS.) The state securities commissioner shall be appointed by the governor and confirmed by the senate, and shall hold his office for a term of four years and until his successor has been appointed, confirmed by the senate, and has qualified, unless he is removed sooner as herein provided. However, an interim appointment may be made by the governor if the senate is not in session and such interim appointee may hold office until the senate has had an opportunity to confirm or reject such appointment, and his term of office shall commence on the first day of July in each year next following a national presidential election. The state securities commissioner shall be skilled in securities, and shall not be an incumbent of any other public office in the state, or in any county, municipality, or public institution thereof, and shall not own, hold, or control any stocks, capital, or bonds, or securities, hold the office of trustee, assignee, officer, agent, or employee of any financial institution under his jurisdiction, or of any corporation engaged in the business of guaranteeing or insuring the fidelity or faithful performance of the duties or the solvency of public officers or of public depositaries. The governor may remove from office any state securities commissioner who violates or fails to discharge faithfully the duties of his office or who becomes disqualified under the provisions of this section.”

Renumber the lines accordingly.

For the Senate:

George Longmire
Ken Morgan
Wm. N. Reichert

For the House:

Eldon Goebel
R. W. Wheeler
Gillman C. Olson

Senator Longmire moved that the report be adopted, which motion prevailed.

Senator Longmire moved that the rules be suspended and that House Bill No. 922 be placed on second reading and final passage, as amended in Conference Committee, which motion prevailed.

House Bill No. 922. A Bill for an Act to amend and re-enact Subsection 1 of section 10-04-03 of the North Dakota Century Code relating to administration and supervision of issue and sale of securities.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker

Absent and not voting:

Foss

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 4 has had the same under consideration and recommends that the Senate concur with the House amendments.

For the Senate:

Leland Roen
Lloyd M. Erickson
Walter R. Fiedler

For the House:

Stanley Saugstad
C. L. Lindberg
Wilfred Collette

Senator Roen moved that the report be adopted, which motion prevailed.

Senator Erickstad moved that the rules be suspended and that Senate Bill No. 4 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 4. A Bill for an Act making an appropriation to the Livestock Sanitary Board for its operating

and maintenance expense, and for indemnifying owners of animals, to the Bangs Disease Fund and to the Bovine Tuberculosis Fund.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 41; nays, 7; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Mutch
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Erickson	Kisse	Saumur
Erickstad	Lautenschlager	Solberg
Fiedler	Lips	Thompson
Garaas	Longmire	Trenbeath
Gefreh	Luick	Wadeson
George	Meidinger	Wartner
Gronvold	Miller	Yunker
Harris	Morgan	

Those voting in the negative were:

Brooks	Nesvig	Van Horn
Gilbertson	Schrock	Witteaman
Murphy		

Absent and not voting:

Foss

So the bill passed and the title was agreed to.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution "J". A concurrent resolution directing the legislative research committee to conduct a study of the uniform vehicle code.

Was read the second time.

Senator Longmire moved that House Concurrent Resolution "J", be amended as follows:

In line 15 after the semicolon insert the following:

"WHEREAS, there are now several state agencies and departments directly concerned with the aforesaid objectives;

WHEREAS, some study has been made previously by the legislative research committee on this subject;"

In line 22 after the comma insert the following: "and including a study of the advisability of the reorganization of any state agencies or departments now effected by said objectives,"

In line 25 after the word "recommendations" insert the following: " , it being the intent that this study shall supplement but not duplicate the study heretofore made by the legislative research committee on this subject"

Renumber the lines accordingly.

Which motion prevailed.

Senator Holand moved that the rules be suspended and that House Concurrent Resolution "J" be placed on second reading and final passage, as amended from the floor, which motion prevailed.

Senator Holand moved that House Concurrent Resolution "J" be adopted, as amended from the floor, which motion prevailed.

MOTIONS

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1961

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. 527.

The President appointed a new Conference Committee:

Senators:

Luick

Kee

Johnson

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has:

Adopted the report of the Conference Committee on House Bill No. 921.

The vote:

47 Ayes

0 Nays

2 Absent

Adopted the report of the Conference Committee on House Bill No. 552.

The vote:

48 Ayes

0 Nays

1 Absent

Adopted the report of the Conference Committee on House Bill No. 922.

The vote:

48 Ayes

0 Nays

1 Absent

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 4.

HOWARD F. DOHERTY, Secretary.

Senate Chamber
Bismarck, March 3, 1961

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "J"

Which the Senate has amended.

• HOWARD F. DOHERTY, Secretary.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 3, 1961

Mr. President: I have the honor to return:

Senate Bill No. 30

Senate Bill No. 53

Senate Bill No. 121

Senate Bill No. 144

Senate Bill No. 158

Senate Bill No. 233

Senate Bill No. 239

Senate Bill No. 307

Senate Bill No. 310

Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 3, 1961

Mr. President: I have the honor to transmit:

House Bill No. 505

House Bill No. 515

House Bill No. 516

House Bill No. 524

House Bill No. 525

House Bill No. 526

House Bill No. 535

House Bill No. 638

House Bill No. 666

House Bill No. 711

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has rejected the Conference Committee report on House Bill No. 527 and the Speaker has appointed a new committee:

Representatives:

Rolfstrud

Johntson

Lindberg

GERALD L. STAIR, Chief Clerk.

House Chamber
Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on Senate Bill No. 49 and the Speaker has appointed a new committee:

Representatives:

Johnson
Haugland
Backes

GERALD L. STAIR, Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 3, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 501

Which the Senate has amended.

HOWARD F. DOHERTY, Secretary.

REPORT OF SELECT COMMITTEE

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 its amendments and that the bill be further amended as follows:

After the period on line 41 insert the following words: "Such building shall consist of one story plus a basement and shall have sufficient footings to carry additional stories. The expenditure of the sum appropriated in this section shall be limited to the actual construction costs of the building herein authorized and architectural fees in connection therewith and shall not be expended for landscaping, furnishings, or any other purpose."

Renumber the lines accordingly.

For the Senate:

A. W. Luick, Chairman
C. G. Kee
O. S. Johnson

For the House:

Halvor Rolfsrud, Chairman
James W. Johnston
C. L. Lindberg

Senator Luick moved that the report be adopted.

ROLL CALL

The question being on the motion of Senator Luick that the report of the Conference Committee on House Bill No. 527 be adopted, the roll was called and there were ayes, 31; nays, 17; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Harris	Meidinger
Raeverstad	Hernett	Miller
Berube	Holand	Murphy
Bopp	Hystad	Paulson
Brooks	Johnson	Schrock
Erickson	Kamrath	Solberg
Erickstad	Kee	Thompson
Garaas	Kisse	Wadeson
Gefreh	Lips	Witteaman
George	Luick	Yunker
Gilbertson		

Those voting in the negative were:

Baker	Morgan	Roen
Becker	Mutch	Saumur
Fiedler	Nesvig	Trenbeath
Gronvold	Redlin	Van Horn
Lautenschlager	Reichert	Wartner
Longmire	Ringsak	

Absent and not voting:

Foss

So the motion was declared carried.

Senator Luick moved that the rules be suspended and that House Bill No. 527 be placed on the calendar for second reading and final passage, as amended by the House, which motion prevailed.

House Bill No. 527. A Bill for an Act making an appropriation for the salaries and miscellaneous expenses of the Division of Supervised Study.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 34; nays, 14; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Miller
Baeverstad	Holand	Murphy
Becker	Hystad	Paulson
Berube	Johnson	Redlin
Bopp	Kamrath	Reichert
Brooks	Kee	Schrock
Erickstad	Kisse	Solberg
Garaas	Lautenschlager	Thompson
Gefreh	Lips	Wadeson
George	Luick	Witteaman
Gilbertson	Meidinger	Yunker
Harris		

Those voting in the negative were:

Baker	Morgan	Saumur
Erickson	Mutch	Trenbeath
Fiedler	Nesvig	Van Horn
Gronvold	Ringsak	Wartner
Longmire	Roen	

Absent and not voting:

Foss

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

House Chamber
Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the Speaker has substituted the name of Rep. Dahl for Rep. Haugland on Senate Bill No. 49.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Concurrent Resolution "J" and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate:

Representatives:

Leet
Hofstrand
Winge

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

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:

Representatives:

Saugstad
Goebel
Solberg

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to return:

Senate Bill No. 19
Senate Bill No. 23
Senate Bill No. 24
Senate Bill No. 31
Senate Bill No. 35
Senate Bill No. 43
Senate Bill No. 77
Senate Bill No. 95
Senate Bill No. 100
Senate Bill No. 108
Senate Bill No. 146
Senate Bill No. 171
Senate Bill No. 178
Senate Bill No. 179
Senate Bill No. 184
Senate Bill No. 188
Senate Bill No. 218
Senate Bill No. 225
Senate Bill No. 294
Senate Bill No. 296

Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

APPOINTMENT OF CONFERENCE COMMITTEES

The President appointed as a Conference Committee on House Concurrent Resolution "J":

Senators:

Kee
Longmire
Thompson

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee to serve with a like committee from the House, on House Concurrent Resolution "J":

Senators:

Kee
Longmire
Thompson

HOWARD F. DOHERTY, Secretary.

APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on House Bill No. 501:

Senators:

Saumur
Erickstad
Van Horn

MOTIONS

Senator Holand moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened pursuant to recess taken, the President presiding.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 49 has had the same under consideration and recommends that the House recede from its amendments.

For the Senate:

Adam Gefreh
George Longmire
Rolland Redlin

For the House:

Ernest N. Johnson (Barnes)
Arne Dahl
Richard Backes

Senator Gefreh moved that the report be adopted, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber
Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 49.

HOWARD F. DOHERTY, Secretary.

MESSAGE FROM THE HOUSE

House Chamber
Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has refused to adopt the Conference Committee report on Senate Bill No. 49 and the Speaker has appointed a new committee:

Representatives:
 Halerow
 Dahl
 Christensen (McLean)

GERALD L. STAIR, Chief Clerk.

APPOINTMENT OF CONFERENCE COMMITTEE

Senator Holand moved that the President appoint a new Conference Committee on Senate Bill No. 49, which motion prevailed.

The President appointed as a Conference Committee on Senate Bill No. 49:

Senators:
 Gefreh
 Longmire
 Redlin

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on:

House Bill No. 507
 House Bill No. 527
 House Bill No. 545
 House Bill No. 552
 House Bill No. 921
 House Bill No. 922

GERALD L. STAIR, Chief Clerk.

REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 507 has had the same under consideration and recommends that the Senate recede from its amendments and that the bill be further amended as follows:

After line 22a insert line 22b as follows:

"Replacement of Brown Cottage 100,000.00"

In line 23 delete the figure "\$1,132,524.00" and insert in lieu thereof the figure "\$1,232,524.00"

Renumber the lines accordingly.

For the Senate:
 Ralph J. Erickstad
 Gail H. Hernet
 O. S. Johnson

For the House:
 James W. Johnston
 Emil Anderson
 Vernon Anderson

Senator Erickstad moved that the report be adopted, which motion prevailed.

Senator Erickstad moved that the rules be suspended and that House Bill No. 507 be placed on the calendar for second reading and final passage, as amended in Conference Committee, which motion prevailed.

House Bill No. 507. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous, new building 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 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:

Andre	Holand	Nesvig
Baeverstad	Hystad	Paulson
Baker	Johnson	Redlin
Becker	Kamrath	Reichert
Berube	Kee	Ringsak
Brooks	Kisse	Roen
Erickson	Lautenschlager	Saumur
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker
Hernett		

Absent and not voting:

Bopp	Foss	Schrock
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So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 26 has had the same under consideration and recommends that the Senate concur with the House amendments and the bill be further amended as follows:

In line 4 delete the figure "\$13,383,513.00" and insert in lieu thereof the figure "\$14,418,513.00"

In line 15 delete the figure "\$5,430,700.00" and insert in lieu thereof the figure "\$4,769,906.00"

In line 19 delete the figure "\$300,000.00" and insert in lieu thereof the figure "\$135,000.00"

In line 19B delete the figure "\$800,000.00" and insert in lieu thereof the figure "\$2,660,794.00"

In line 39 delete the figure "\$13,383,513.00" and insert in lieu thereof the figure "\$14,418,513.00"

For the Senate:

Ralph J. Erickstad
A. W. Luick
Leonard A. Bopp

For the House:

E. A. Tough
Otto Hauf
Brynhild Haugland

Senator Erickstad moved that the report be adopted, which motion prevailed.

Senator Erickstad moved that the rules be suspended and that Senate Bill No. 26 be deemed properly re-engrossed and placed on second reading and final passage, as amended in Conference Committee, which motion prevailed.

Senate Bill No. 26. 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, medical aid to the aged and for the necessary costs of administration of all of the programs above mentioned.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 42; nays, 6; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Holand	Murphy
Baker	Hernett	Mutch
Becker	Hystad	Paulson
Berube	Johnson	Nesvig
Bopp	Kamrath	Redlin
Brooks	Kee	Ringsak
Erickson	Kisse	Roen
Erickstad	Lautenschlager	Saumur
Fiedler	Lips	Schrock
Garaas	Longmire	Solberg
Gefreh	Luick	Thompson
George	Meidinger	Van Horn
Gilbertson	Miller	Witteман
Harris	Morgan	Yunker

Those voting in the negative were:

Baeverstad	Reichert	Wadeson
Gronvold	Trenbeath	Wartner

Absent and not voting:

Foss

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the President has appointed a new Conference Committee to serve with a like committee from the House on Senate Bill No. 49:

Senators:

Gefreh
Longmire
Redlin

HOWARD F. DOHERTY, Secretary.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Concurrent Resolution "J" has had the same under consideration and recommends that the Senate recede from its amendments and that House Resolution "J" be amended as follows:

In line 16 after the semicolon insert the following:

"WHEREAS, there are now several state agencies and departments directly concerned with the aforesaid objectives;

WHEREAS, some study has been made previously by the legislative research committee on this subject;"

In line 24 after the comma insert the following; "and including a study of the advisability of the reorganization of any state agencies or departments now effected by said objectives."

In line 27 after the word "recommendations" insert the following: "it being the intent that this study shall supplement but not duplicate the study heretofore made by the legislative research committee on this subject"

Renumber the lines accordingly.

For the Senate:

C. G. Kee
George Longmire
Bronald Thompson

For the House:

Louis Leet
Harold R. Hofstrand
Ralph M. Winge

Senator Kee moved that the report be adopted, which motion prevailed.

Senator Kee moved that the rules be suspended and that House Concurrent Resolution "J" be placed on second reading and final passage, as amended in Conference Committee, which motion prevailed.

House Concurrent Resolution "J". A concurrent resolution directing the legislative research committee to conduct a study of the uniform vehicle code.

Was read the second time.

Senator Kee moved that House Concurrent Resolution "J" be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee to serve with a like committee from the House, on House Bill No. 501:

Senators:

Saumur
Erickstad
Van Horn

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

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.

The vote:

34 Ayes
14 Nays
1 Absent

HOWARD F. DOHERTY, Secretary.

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has:

Adopted the report of the Conference Committee on House Bill No. 507.

The vote:

46 Ayes

0 Nays

3 Absent

Adopted the report of the Conference Committee on Senate Bill No. 26.

Adopted the report of the Conference Committee on House Concurrent Resolution "J".

HOWARD F. DOHERTY, Secretary.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 49 has had the same under consideration and recommends that the House recede from its amendments and that Senate Bill No. 49 be amended as follows:

Delete lines 84 through 90 and insert in lieu thereof the following language:

"shall be a certified psychiatrist. He shall appoint with the approval of the board of administration an assistant superintendent of administration who shall be under his supervision and who shall be a qualified and experienced hospital administrator. The superintendent shall appoint and employ the professional staff and define their qualifications and duties. The assistant superintendent shall employ such other personnel as may be necessary and shall define their qualifications and duties."

Renumber the lines accordingly.

For the Senate:

Adam Gefreh

George Longmire

Rolland Redlin

For the House:

Don Halcrow

Arne Dahl

Walter Christensen

Senator Gefreh moved that the report be adopted, which motion prevailed.

Senator Gefreh moved that the rules be suspended and that Senate Bill No. 49 be deemed properly re-engrossed and placed on second reading and final passage, as amended in Conference Committee, which motion prevailed.

Senate Bill No. 49. A Bill for an Act to provide for the establishment of a mental health authority in the state health department and prescribing its powers and duties, establishment of a mental health coordinating committee and prescribing its functions, the transfer and continuance of the state psychiatric out-patient clinic, to amend and reenact section 25-02-04 of the North Dakota Century Code relating to the superintendent of the state hospital, and to repeal chapter 39 of the 1959 Session Laws relating to the children's psychiatric clinic.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker

Absent and not voting:

Foss

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 49.

HOWARD F. DOHERTY, 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 House concur with the Senate amendments and recommends further the following amendments:

At the end of line 294 insert the following:

"294a Recondition voting machines in House and Senate
\$5,000.00

294b Installation of complete public address system in
House 4,000.00"

In line 297 delete the figure "\$1,056,520.00" and insert in lieu thereof the figure "\$1,065,520.00"

In line 424 delete the figure "\$7,507,353.00" and insert in lieu thereof the figure "\$7,516,353.00"

Renumber the lines accordingly.

For the Senate:

George Saumur
Ralph J. Erickstad
Clark Van Horn

For the House:

Stanley Saugstad
Eldon L. Goebel
Oscar Solberg

Senator Saumur moved that the report be adopted, which motion prevailed.

Senator Saumur moved that the rules be suspended and that House Bill No. 501 be placed on the calendar for second reading and final passage, as amended in Conference Committee, which motion prevailed.

House Bill No. 501. A Bill for an Act to appropriate money for the expenses of the executive, legislative and judicial departments of the State government, and for all of the subdivisions thereof, and for public schools, specifying the amount and time for which such appropriations shall be available, and repealing all acts, or parts of acts, insofar as the same shall relate to appropriations conflicting herewith or to appropriations for the same matters or purposes provided for herein.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended in Conference Committee, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Andre	Hernett	Nesvig
Baeverstad	Holand	Paulson
Baker	Hystad	Redlin
Becker	Johnson	Reichert
Berube	Kamrath	Ringsak
Bopp	Kee	Roen
Brooks	Kisse	Saumur
Erickson	Lautenschlager	Schrock
Erickstad	Lips	Solberg
Fiedler	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gilbertson	Morgan	Wartner
Gronvold	Murphy	Witteman
Harris	Mutch	Yunker

Absent and not voting:

Foss

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1961

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.

The vote:

48 Ayes

0 Nays

1 Absent

HOWARD F. DOHERTY, Secretary.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has:

Adopted the Conference Committee report on House Concurrent Resolution "J".

Adopted the Conference Committee report on House Bill No. 501.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has:

Adopted the Conference Committee report on Senate Bill No. 26.

85 Aye

16 Nay

12 Absent

Adopted the Conference Committee report on Senate Bill No. 49.

80 Aye

22 Nay

11 Absent

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to return:

Senate Bill No. 221

Which the House has indefinitely postponed.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to return:

Senate Bill No. 8

Which the House has amended as follows:

Amendments to Senate Bill No. 8:

In Line 3 of the bill, delete the sum \$534,000.00 and, in lieu thereof, insert the sum \$614,000.00

Add Line 18a as follows: "Mental Health Authority" and the sum \$80,000.00

Line 21, delete the sum \$534,000.00 and, in lieu thereof, insert the sum \$614,000.00

Re-number the lines accordingly.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on Senate Bill No. 45.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 3, 1961

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on Senate Bill No. 4.

GERALD L. STAIR, Chief Clerk.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Erickstad moved that the Senate do concur in the House amendments to Senate Bill No. 8, which motion prevailed.

Senator Erickstad moved that the rules be suspended and that Senate Bill No. 8, be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 8. A Bill for an Act making an appropriation for the operating and maintenance expenses of the Public Health Department.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Andre	Holand	Paulson
Baeverstad	Hystad	Redlin
Baker	Johnson	Reichert
Becker	Kamrath	Ringsak
Berube	Kee	Roen
Bopp	Kisse	Saumur
Brooks	Lautenschlager	Schrock
Erickson	Lips	Solberg
Erickstad	Longmire	Thompson
Garaas	Luick	Trenbeath
Gefreh	Meidinger	Van Horn
George	Miller	Wadeson
Gronvold	Morgan	Wartner
Harris	Murphy	Witteman
Fiedler	Mutch	Yunker
Hernett	Nesvig	

Absent and not voting:

Foss Gilbertson

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1961

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 8.

HOWARD F. DOHERTY, Secretary.

APPOINTMENT OF RESEARCH COMMITTEE MEMBERS

Mr. President: At this time I would like to announce that the chair will appoint on the majority faction for the North Dakota Legislative Research Committee, Senators Holand, Longmire and Kee, and on the minority faction Senators Redlin and Hystad.

MOTIONS

Mr. Baker: Mr. President, I am sorry I told the desk reporter that I did not want my remarks printed in the Journal. I now find I would like to have my remarks printed in the Journal.

I know that all of you have been reading in public print lately the verbal bombardment between the senior senator from North Dakota and the presiding officer of the other house of this legislature. Some of us have been delighted by this exchange and others of us have been appalled. Be that as it may, it has been called to my attention that some of the material that was in some of the speeches on this subject has found its way into the record in the House Journal. Those were the remarks that were made by the Speaker of the House in this controversy and there has been no opportunity for any kind of a rebuttal or anything like that in the Journal from the senior senator. I do not intend to give that matter any kind of a rebuttal or take up that particular argument but I would ask your indulgence of this Senate to have printed in the Senate Journal certain correspondence about which part of the argument revolves in the interest of fair play.

This material consists of the following:

1. Letter addressed to one of the Senators from Senator Young, dated February 6, 1961.
2. Copy of letter addressed to Martin Vaaler, dated February 21, 1961.
3. Telegram addressed to one of the Senators from Senator Young.

At this time I move that these instruments be printed in the Journal.

The question being on the motion of Senator Baker, which motion prevailed.

UNITED STATES SENATE
Committee on Agriculture and Forestry

February 6, 1961

Senator Donald C. Holand
c/o Senate Chambers
State Capitol
Bismarck, North Dakota

Dear Don:

This letter is with reference to the Proposed 23rd Amendment to the Constitution. To make a thorough analysis of the far-reaching effects of this proposed amendment would require considerable time and, too, the advice of good recognized authorities on matters such as this.

It is apparent from the literature and from their other statements that it would require the sale of all our multiple-purpose dams, including Garrison. It would mean that the sale of this public power would, in the future, be in the hands of private individuals or corporations and there would no longer be any preference customers such as cities, other public bodies, and R.E.A. It would certainly mean that no reclamation projects would be feasible in the future. A little more than 80% of the cost of the Garrison Diversion Irrigation Project, for example, would be paid for by the revenue derived from the sale of Missouri Basin power, to which Garrison Dam is a major contributor.

I would think that under the provisions of the Proposed 23rd Amendment our military services would no longer engage in any industrial enterprise. They have engaged in many that they shouldn't. We in the Appropriations Committee have been working for years to stop them from engaging in any business that wasn't completely essential.

We have had considerable success. There are many instances, however, where it is necessary for the military services to operate a business. This is particularly true of our military bases in many parts of the world where, if they didn't have their own business operations, it would not be possible to operate them. I think there would be a grave question whether the Navy, for example, could operate their shipbuilding yards, or the A.E.C. continue to produce certain atomic products and/or weapons. This is a business that I think, for security reasons, must remain in the hands of the Federal government. It would also appear that the Bankhead Jones and other grazing lands would have to be sold. This would include two important grazing units in North Dakota—one at Medora and the other in the Sand Hills in the McLeod area.

I can understand and sympathize with some of the objectives sought in this resolution, but I think the approach is completely unworkable. For example, in fiscal year 1960, 48.9% of the Federal government's total revenue was from personal income taxes and 24.2% from corporate taxes. Presently the appropriation for Armed Services is approximately \$41½ billion. President Kennedy proposes to increase this. In addition to this we spend about \$4 billion for mutual assistance (foreign aid). Much of this goes for the maintenance of military forces in such countries as Korea, Formosa, Vietnam, Turkey, Greece, Italy and, in fact, all of the NATO countries. While I think we are going too far in this program, I don't think we have reached the point where we can completely withdraw immediately.

The net effect of the operation of this proposal would be tremendously far-reaching. I don't see how we could possibly maintain an adequate military establishment. It would certainly be the end of any new reclamation projects. I am not so sure but what many farm price support operations would be prohibited.

It seems to me that the objective of many of the sponsors would be better served by placing a Constitutional limit on the Federal debt of the United States. The Congress then would be enjoined from spending money the government didn't have. The enactment of the so-called 23rd Amendment, as I see it, would not prohibit the government from going deeper into debt and I don't know of anything that is more inflationary than unbalanced budgets.

Don, I hope you didn't mind my passing on the views I have with respect to this proposal. I will be looking forward to seeing you next week. The information you sent is returned herewith. I have had copies made for my files.

Best wishes to you always!

Sincerely,
MILTON R. YOUNG

February 21, 1961

Hon. Martin Vaaler
Public Service Commission
State Capitol
Bismarck, North Dakota
Dear Martin:

The purpose of this letter is to seek information regarding the proposed 23rd Amendment to the Constitution. I

understand you are one of its chief proponents in North Dakota.

First, however, I want to acknowledge your sharp criticism of me in your many speeches around the state. If you desire, I will be glad to return the "favor" in my speeches during the recess of Congress.

It is my understanding, after consulting with good legal counsel here as well as with many members of the Senate, that this proposed Amendment to the Constitution would result in the following:

1. Abolishment of all Federal income taxes.
2. Make it mandatory that the Federal Government discontinue every business operation in which it is now engaged. The language of the resolution is not selective in character but mandatory and all-inclusive.

Various pamphlets issued by the sponsors claim that there would be about 700 business operations affected. Among the many business functions the Federal Government would have to discontinue and dispose of would be the following:

- (a) The Commodity Credit Corporation with all of its holdings of surplus farm commodities. Liquidation of this corporation would mean the end of all farm price support programs.
- (b) Navy Shipbuilding Yards which construct most of our aircraft carriers, atomic submarines, etc.
- (c) Several large installations operated under the supervision of the Atomic Energy Commission.
- (d) All Bureau of Reclamation transmission lines.
- (e) Government-owned hydroelectric dams such as Garrison and others. This would include dams such as the one at Dickinson which is operated primarily as a supplier of water for the City of Dickinson.
- (f) Federal buildings such as the \$4 million one to be constructed in Bismarck. I may say that the Eisenhower Administration was opposed to the Federal Government constructing such buildings. Their program was to have all of these buildings constructed under the lease-purchase program. It would be an easy matter to stop the construction of this Federal project if the people of Bismarck so desired.

This proposal would make the Garrison Diversion Irrigation Project impossible since a little more than 80% of the cost of this irrigation project would be paid for out of the proceeds of the sale of hydroelectric power in the Missouri Basin. Garrison is the major contributor to this fund. The balance of the cost would be paid for by the irrigators over a 50 year period.

There isn't the slightest chance that the proposed 23rd Amendment would ever become a part of the Constitution but any sizable support it might gain in North Dakota would be in contradiction to the all-out support given the Garrison Diversion Irrigation Project by the North Dakota State Water Commission, The Greater North Dakota Association, and just about every civic organization in the state. Before approving any big project such as this, the committee of Congress always first determine how much support it may have in the local community it affects and

in the state. It is going to be very difficult at best to secure this project for North Dakota and it would not take much to ruin its chances.

As I see it, there are a great many inequities in this proposed 23rd Amendment. Let me give you one specific example. The Joe Kennedy family fortune with all its business operations is conservatively estimated to be in excess of \$300 million. The profits from these huge holdings, including the virtual monopoly on the importation of practically all of our Scotch whiskey, runs into untold millions of dollars each year. If this proposal were put into effect, the Kennedys would pay no tax on this large income while a poor family in Bismarck with 12 children, for example, would have to pay a tremendous sales tax on all of their food and clothing requirements.

Income taxes now make up approximately 75% of the total revenue of the Federal Government. The revenue remaining after repeal of income taxes would amount to little more than half the cost of our military preparedness program, to say nothing of the \$9 billion yearly interest on the national debt, funds for veterans care, and other absolutely necessary programs.

If the income tax were abolished, the Federal Government would have to seek other sources of income and all authorities agree that the sales tax is the only other tax that could raise any sizable amount of money. Even though our Federal expenditures were cut by as much as \$10 billion, it would still mean we would have to have a Federal sales tax of between 20 and 30%. I can think of nothing that would be more unjust than to require, for example, that a young man starting a business establishment or a farming operation would have to pay 20 to 30% sales tax on everything he had to buy. This would present an impossible situation when you consider that a diesel tractor costs \$6000 and up, a combine \$8000 and up, and a beet digger \$15,000 or more. And the Kennedys and many others like them would go virtually untaxed!

I realize that some of your proponents believe that we could save billions of dollars in the operation of the Federal Government, particularly in military expenditures. Considerable savings could and should be made but may I point out that President Eisenhower, the Joint Chiefs of Staff, and all of our Veterans Organizations believe that the \$41.5 billion appropriated for the Armed Services in the present fiscal year is the minimum needed for our national security. President Kennedy proposes a sizable increase. It may be that the sponsors of the proposed 23rd Amendment are better authorities on our security needs, but I doubt it.

If the proposed Amendment to the Constitution has merit, then why has it not been endorsed by such prominent conservatives and students of government as former President Herbert Hoover, Senators Barry Goldwater, John Williams, Harry Byrd, and others. To my knowledge, not a single member of the United States Senate has endorsed it.

Martin, I earnestly seek your answers to the questions I have raised and the position that you have taken with respect to the proposed 23rd Amendment to the Constitu-

FRIDAY, MARCH 3, 1961

1011

tion. If I am wrong in any of my statements or conclusions, I wish you would advise me specifically in each instance why I am wrong.

With kindest personal regards,

Sincerely,
MILTON R. YOUNG
February 27, 1961

Senator Leland Roen
Senate Chamber
Bismarck, North Dakota

Frankly, am a bit concerned with developments in legislature with respect to public works projects. The legislature enacted the conservancy district law which permits the raising of funds through taxation to be used in part to promote Garrison Diversion Project. The legislature appropriates money to the State Water Commission to match funds with the GNDA to keep Fred Frederickson in Washington to promote Garrison Diversion and many other public works projects. Understand resolution has been passed supporting Garrison Diversion.

Passage of the proposed 23rd Amendment appears to be a step in just the opposite direction. Proponents, both on the national and state level, condemn members of Congress like me for securing public works projects and claim, among other things, that we do it for the purpose of continuing ourselves in office.

If this proposal became a part of the Constitution, most public works projects, including Garrison Dam and Diversion project, would no longer be legal and practically all present federal public works projects would have to be disposed of. Approval of this resolution would put me in the position of being condemned for having secured projects for North Dakota and place the legislature in the position of being opposed to my securing any future projects. With few exceptions all of these projects were sponsored by local Chambers of Commerce, civic and other organizations. I have no desire to tell the legislature what it should do but I feel it my duty to say that approval of the 23rd Amendment would not only put me in the position of being condemned for the innumerable projects I have secured for North Dakota but would make it difficult, if not impossible, to secure future projects including Garrison Diversion. Regards.

MILT YOUNG
U. S. Senator

**ELECTION OF PRESIDENT PRO TEM
FOR THE INTERIM**

Senator Meidinger: Mr. President, if it be in order at this time I should like to place in nomination the name of a man for President Pro Tem for the Interim who has served this Senate well. It is my good fortune to be able to place in nomination the name of a man I have a very high respect for. He has demonstrated strength of character on many occasions and has been conscientious in his work in this session, as well as many other sessions. It gives me a great deal of pleasure to place in nomination the name of Harry Wadeson of Cass for President Pro Tem for the Interim.

Senator Garaas: Mr. President, I would like to place in nomination for the office of President Pro Tem for the Interim, the name of Senator Schrock.

Senator Wartner moved that nominations be closed, which motion prevailed.

ROLL CALL

The question being on the election of President Pro Tem for the Interim, the roll was called and there were 27 votes for Wadeson; 21 for Schrock; absent and not voting, 1.

Those voting for Senator Wadeson:

Baeverstad	Harris	Miller
Baker	Hernett	Morgan
Becker	Holand	Mutch
Brooks	Kee	Ringsak
Erickson	Kisse	Roen
Erickstad	Lips	Saumur
Gefreh	Luick	Schrock
George	Longmire	Trenbeath
Gronvold	Meidinger	Wartner

Those voting for Senator Schrock:

Andre	Johnson	Reichert
Berube	Kamrath	Solberg
Bopp	Lautenschlager	Thompson
Fiedler	Murphy	Van Horn
Garaas	Nesvig	Wadeson
Gilbertson	Paulson	Witteman
Hystad	Redlin	Yunker

Absent and not voting:

Foss

Senator Holand moved that Senator Wadeson, newly elected President Pro Tem for the Interim, favor the Senate with a few remarks. Motion seconded and carried.

Senator Wadeson: Mr. President and members of the Senate: I surely am very grateful to you in electing me to the office of President Pro Tem. I hope that should the necessity arise, I will be able to discharge the duties of this office to your satisfaction. I want to assure you that this recognition which you have given me will always be one of the high spots of my life, and I again want to express my appreciation of this high honor.

Senator Holand moved that Senator Wadeson's remarks be printed in the Journal, which motion carried.

MESSAGE TO THE SENATE

House Chamber

Bismarck, March 4, 1961

Mr. President: I have the honor to transmit:

House Bill No. 506
 House Bill No. 544
 House Bill No. 547
 House Bill No. 578
 House Bill No. 582
 House Bill No. 603
 House Bill No. 615
 House Bill No. 661
 House Bill No. 684

House Bill No. 723
 House Bill No. 735
 House Bill No. 748
 House Bill No. 754
 House Bill No. 886
 House Bill No. 908

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

REPORTS OF A STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 9
 Senate Bill No. 19
 Senate Bill No. 23
 Senate Bill No. 24
 Senate Bill No. 25
 Senate Bill No. 28
 Senate Bill No. 30
 Senate Bill No. 31
 Senate Bill No. 33
 Senate Bill No. 35
 Senate Bill No. 36
 Senate Bill No. 37
 Senate Bill No. 43
 Senate Bill No. 44
 Senate Bill No. 53
 Senate Bill No. 61
 Senate Bill No. 63
 Senate Bill No. 72
 Senate Bill No. 77
 Senate Bill No. 89
 Senate Bill No. 92
 Senate Bill No. 93
 Senate Bill No. 95
 Senate Bill No. 98
 Senate Bill No. 100
 Senate Bill No. 104
 Senate Bill No. 108
 Senate Bill No. 111
 Senate Bill No. 117
 Senate Bill No. 121
 Senate Bill No. 127
 Senate Bill No. 136

Were delivered to the Governor for his approval at the hour of 1:30 o'clock p.m., March 4, 1961.

SENATOR KISSE, Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 141
 Senate Bill No. 146
 Senate Bill No. 153
 Senate Bill No. 158
 Senate Bill No. 163
 Senate Bill No. 171
 Senate Bill No. 178
 Senate Bill No. 179
 Senate Bill No. 181
 Senate Bill No. 184

Senate Bill No. 188
 Senate Bill No. 216
 Senate Bill No. 218
 Senate Bill No. 225
 Senate Bill No. 233
 Senate Bill No. 239
 Senate Bill No. 246
 Senate Bill No. 249
 Senate Bill No. 254
 Senate Bill No. 255
 Senate Bill No. 267
 Senate Bill No. 274
 Senate Bill No. 284
 Senate Bill No. 294
 Senate Bill No. 296
 Senate Bill No. 306
 Senate Bill No. 310

Were delivered to the Governor for his approval at the hour of 1:30 o'clock p.m., March 4, 1961.

SENATOR KISSE, Chairman.

Mr. President: Your Committee on Enrollment and En-grossment respectfully reports that it has examined the following bills:

Senate Bill No. 20
 Senate Bill No. 32
 Senate Bill No. 78
 Senate Bill No. 128
 Senate Bill No. 129
 Senate Bill No. 151
 Senate Bill No. 185
 Senate Bill No. 259
 Senate Bill No. 263
 Senate Bill No. 313
 Senate Bill No. 316

And finds the same correctly enrolled.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 505
 House Bill No. 515
 House Bill No. 516
 House Bill No. 524
 House Bill No. 525
 House Bill No. 526
 House Bill No. 535
 House Bill No. 638
 House Bill No. 666
 House Bill No. 711

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 505
 House Bill No. 515

House Bill No. 516
 House Bill No. 524
 House Bill No. 525
 House Bill No. 526
 House Bill No. 535
 House Bill No. 638
 House Bill No. 666
 House Bill No. 711

Which the President has signed.

HOWARD F. DOHERTY, Secretary.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 7
 Senate Bill No. 15
 Senate Bill No. 29
 Senate Bill No. 34
 Senate Bill No. 45
 Senate Bill No. 90
 Senate Bill No. 124
 Senate Bill No. 223
 Senate Bill No. 272
 Senate Bill No. 281
 Senate Bill No. 311

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber
 Bismarck, March 4, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 7
 Senate Bill No. 15
 Senate Bill No. 29
 Senate Bill No. 34
 Senate Bill No. 45
 Senate Bill No. 90
 Senate Bill No. 124
 Senate Bill No. 223
 Senate Bill No. 272
 Senate Bill No. 281
 Senate Bill No. 311

Which the President has signed and your signature is respectfully requested.

HOWARD F. DOHERTY, Secretary.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 506
 House Bill No. 544
 House Bill No. 547
 House Bill No. 578
 House Bill No. 582
 House Bill No. 603
 House Bill No. 615
 House Bill No. 661
 House Bill No. 684

House Bill No. 723
 House Bill No. 735
 House Bill No. 748
 House Bill No. 754
 House Bill No. 886
 House Bill No. 908

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber
 Bismarck, March 4, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 506
 House Bill No. 544
 House Bill No. 547
 House Bill No. 578
 House Bill No. 582
 House Bill No. 603
 House Bill No. 615
 House Bill No. 661
 House Bill No. 684
 House Bill No. 723
 House Bill No. 735
 House Bill No. 748
 House Bill No. 754
 House Bill No. 886
 House Bill No. 908

Which the President has signed.

HOWARD F. DOHERTY, Secretary.

MESSAGE TO THE SENATE

House Chamber
 Bismarck, March 4, 1961

Mr. President: I have the honor to return:

Senate Bill No. 7
 Senate Bill No. 15
 Senate Bill No. 29
 Senate Bill No. 34
 Senate Bill No. 45
 Senate Bill No. 90
 Senate Bill No. 124
 Senate Bill No. 223
 Senate Bill No. 272
 Senate Bill No. 281
 Senate Bill No. 311

Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

REPORTS OF A STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 7
 Senate Bill No. 15
 Senate Bill No. 29
 Senate Bill No. 34
 Senate Bill No. 45
 Senate Bill No. 90
 Senate Bill No. 124

Senate Bill No. 223
 Senate Bill No. 272
 Senate Bill No. 281
 Senate Bill No. 311

Were delivered to the Governor for his approval at the hour of 1:30 o'clock p.m., March 4, 1961.

SENATOR KISSE, Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 144
 Senate Bill No. 307

Were delivered to the Governor for his approval at the hour of 4:30 p.m., March 4, 1961.

SENATOR KISSE, Chariman.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 20
 Senate Bill No. 32
 Senate Bill No. 78
 Senate Bill No. 128
 Senate Bill No. 129
 Senate Bill No. 151
 Senate Bill No. 185
 Senate Bill No. 259
 Senate Bill No. 263
 Senate Bill No. 313
 Senate Bill No. 316

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber
 Bismarck, March 4, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 20
 Senate Bill No. 32
 Senate Bill No. 78
 Senate Bill No. 128
 Senate Bill No. 129
 Senate Bill No. 151
 Senate Bill No. 185
 Senate Bill No. 259
 Senate Bill No. 263
 Senate Bill No. 313
 Senate Bill No. 316

Which the President has signed and your signature is respectfully requested.

HOWARD F. DOHERTY, Secretary.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that it has examined the following bills:

Senate Bill No. 2
 Senate Bill No. 4
 Senate Bill No. 8

Senate Bill No. 26
 Senate Bill No. 49
 Senate Bill No. 51
 Senate Bill No. 123
 Senate Bill No. 131
 Senate Bill No. 148
 Senate Bill No. 213
 Senate Bill No. 219
 Senate Bill No. 227
 Senate Bill No. 231
 Senate Bill No. 232
 Senate Bill No. 242

And finds the same correctly enrolled.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

MESSAGE TO THE SENATE

House Chamber
 Bismarck, March 4, 1961

Mr. President: I have the honor to transmit:

House Bill No. 501
 House Bill No. 504
 House Bill No. 507
 House Bill No. 527
 House Bill No. 528
 House Bill No. 552
 House Bill No. 662
 House Bill No. 721
 House Bill No. 768
 House Bill No. 829
 House Bill No. 837
 House Bill No. 838
 House Bill No. 842
 House Bill No. 874
 House Bill No. 905
 House Bill No. 920
 House Bill No. 922
 House Bill No. 923

House Concurrent Resolution "V"

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 501

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 reports that it has examined the following resolutions:

Senate Concurrent Resolution "I"
 Senate Concurrent Resolution "K"
 Senate Concurrent Resolution "Y"
 Senate Concurrent Resolution "KK"

Senate Concurrent Resolution "MM"
Senate Concurrent Resolution "QQ"
Senate Concurrent Resolution "RR"
Senate Concurrent Resolution "SS"
Senate Concurrent Resolution "TT"

And finds the same correctly enrolled.

SENATOR KISSE, Chairman.

Senator Kisse moved that the report be adopted, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 504
House Bill No. 507
House Bill No. 527
House Bill No. 528
House Bill No. 552
House Bill No. 662
House Bill No. 721
House Bill No. 768
House Bill No. 829
House Bill No. 837
House Bill No. 838
House Bill No. 842
House Bill No. 874
House Bill No. 905
House Bill No. 920
House Bill No. 922
House Bill No. 923
House Concurrent Resolution "V"

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 504
House Bill No. 507
House Bill No. 527
House Bill No. 528
House Bill No. 552
House Bill No. 662
House Bill No. 721
House Bill No. 768
House Bill No. 829
House Bill No. 837
House Bill No. 838
House Bill No. 842
House Bill No. 874
House Bill No. 905
House Bill No. 920
House Bill No. 922
House Bill No. 923
House Concurrent Resolution "V"

Which the President has signed.

HOWARD F. DOHERTY, Secretary.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 2
 Senate Bill No. 4
 Senate Bill No. 8
 Senate Bill No. 26
 Senate Bill No. 49
 Senate Bill No. 51
 Senate Bill No. 123
 Senate Bill No. 131
 Senate Bill No. 148
 Senate Bill No. 213
 Senate Bill No. 219
 Senate Bill No. 227
 Senate Bill No. 231
 Senate Bill No. 232
 Senate Bill No. 242

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1961

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2
 Senate Bill No. 4
 Senate Bill No. 8
 Senate Bill No. 26
 Senate Bill No. 49
 Senate Bill No. 51
 Senate Bill No. 123
 Senate Bill No. 131
 Senate Bill No. 148
 Senate Bill No. 213
 Senate Bill No. 219
 Senate Bill No. 227
 Senate Bill No. 231
 Senate Bill No. 232
 Senate Bill No. 242

Which the President has signed and your signature is respectfully requested.

HOWARD F. DOHERTY, Secretary.

MESSAGE TO THE SENATE

House Chamber

Bismarck, March 4, 1961

Mr. President: I have the honor to return:

Senate Bill No. 2
 Senate Bill No. 4
 Senate Bill No. 8
 Senate Bill No. 26
 Senate Bill No. 49
 Senate Bill No. 51
 Senate Bill No. 123
 Senate Bill No. 131
 Senate Bill No. 148
 Senate Bill No. 213
 Senate Bill No. 219
 Senate Bill No. 227

Senate Bill No. 231
 Senate Bill No. 232
 Senate Bill No. 242
 Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution "V"
 Senate Concurrent Resolution "PP"

Were delivered to the Secretary of State at the hour of 11:00 o'clock a.m., March 3, 1961.

SENATOR KISSE, Chairman.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution "I"
 Senate Concurrent Resolution "K"
 Senate Concurrent Resolution "Y"
 Senate Concurrent Resolution "KK"
 Senate Concurrent Resolution "MM"
 Senate Concurrent Resolution "QQ"
 Senate Concurrent Resolution "RR"
 Senate Concurrent Resolution "SS"
 Senate Concurrent Resolution "TT"

And the President signed the same in the presence of the Senate.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1961

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "I"
 Senate Concurrent Resolution "K"
 Senate Concurrent Resolution "Y"
 Senate Concurrent Resolution "KK"
 Senate Concurrent Resolution "MM"
 Senate Concurrent Resolution "QQ"
 Senate Concurrent Resolution "RR"
 Senate Concurrent Resolution "SS"
 Senate Concurrent Resolution "TT"

Which the President has signed and your signature is respectfully requested.

HOWARD F. DOHERTY, Secretary.
 Senate Chamber

Bismarck, March 4, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 501

Which the President has signed.

HOWARD F. DOHERTY, Secretary.

MESSAGES TO THE SENATE

House Chamber

Bismarck, March 4, 1961

Mr. President: I have the honor to return:

Senate Concurrent Resolution "I"
 Senate Concurrent Resolution "K"

Senate Concurrent Resolution "Y"
 Senate Concurrent Resolution "KK"
 Senate Concurrent Resolution "MM"
 Senate Concurrent Resolution "QQ"
 Senate Concurrent Resolution "RR"
 Senate Concurrent Resolution "SS"
 Senate Concurrent Resolution "TT"

Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

House Chamber

Bismarck, March 4, 1961

Mr. President: I have the honor to return:

Senate Bill No. 20
 Senate Bill No. 32
 Senate Bill No. 78
 Senate Bill No. 128
 Senate Bill No. 129
 Senate Bill No. 151
 Senate Bill No. 185
 Senate Bill No. 259
 Senate Bill No. 263
 Senate Bill No. 313
 Senate Bill No. 316

Which the Speaker has signed.

GERALD L. STAIR, Chief Clerk.

REPORTS OF A STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 20
 Senate Bill No. 32
 Senate Bill No. 78
 Senate Bill No. 128
 Senate Bill No. 129
 Senate Bill No. 151
 Senate Bill No. 185
 Senate Bill No. 259
 Senate Bill No. 263
 Senate Bill No. 313
 Senate Bill No. 316

Were delivered to the Governor for his approval at the hour of 5:00 o'clock p.m., March 4, 1961.

SENATOR KISSE, Chairman.

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution "T"
 Senate Concurrent Resolution "K"
 Senate Concurrent Resolution "Y"
 Senate Concurrent Resolution "KK"
 Senate Concurrent Resolution "MM"
 Senate Concurrent Resolution "QQ"
 Senate Concurrent Resolution "RR"
 Senate Concurrent Resolution "SS"
 Senate Concurrent Resolution "TT"

Were delivered to the Secretary of State at the hour of 5:00 o'clock p.m., March 4, 1961.

SENATOR KISSE, Chairman.

FRIDAY, MARCH 3, 1961

1023

MESSAGE TO THE SENATE

House Chamber

Bismarck, March 4, 1961

Mr. President: I have the honor to transmit:

House Bill No. 539
House Bill No. 545
House Bill No. 583
House Bill No. 601
House Bill No. 646
House Bill No. 654
House Bill No. 657
House Bill No. 692
House Bill No. 802
House Bill No. 831
House Bill No. 844
House Bill No. 850
House Bill No. 854
House Bill No. 878
House Bill No. 901
House Bill No. 914
House Bill No. 921
House Concurrent Resolution "H"
House Concurrent Resolution "I"
House Concurrent Resolution "J"
House Concurrent Resolution "M"
House Concurrent Resolution "B-1"
House Concurrent Resolution "M-1"
House Concurrent Resolution "R-1"
House Concurrent Resolution "S-1"
House Concurrent Resolution "T-1"
House Concurrent Resolution "V-1"
House Concurrent Resolution "W-1"
House Concurrent Resolution "X-1"
House Concurrent Resolution "Y-1"
House Concurrent Resolution "Z-1"
House Concurrent Resolution "U-1"

Which the Speaker has signed and your signature is respectfully requested.

GERALD L. STAIR, Chief Clerk.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 539
House Bill No. 545
House Bill No. 583
House Bill No. 601
House Bill No. 646
House Bill No. 654
House Bill No. 657
House Bill No. 692
House Bill No. 802
House Bill No. 831
House Bill No. 844
House Bill No. 850
House Bill No. 854
House Bill No. 878
House Bill No. 901

House Bill No. 914

House Bill No. 921

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1961

Mr. Speaker: I have the honor to return:

House Bill No. 539

House Bill No. 545

House Bill No. 583

House Bill No. 601

House Bill No. 646

House Bill No. 654

House Bill No. 657

House Bill No. 692

House Bill No. 802

House Bill No. 831

House Bill No. 844

House Bill No. 850

House Bill No. 854

House Bill No. 878

House Bill No. 901

House Bill No. 914

House Bill No. 921

Which the President has signed.

HOWARD F. DOHERTY, Secretary.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Concurrent Resolution "H"

House Concurrent Resolution "I"

House Concurrent Resolution "J"

House Concurrent Resolution "M"

House Concurrent Resolution "B-1"

House Concurrent Resolution "M-1"

House Concurrent Resolution "R-1"

House Concurrent Resolution "S-1"

House Concurrent Resolution "T-1"

House Concurrent Resolution "V-1"

House Concurrent Resolution "W-1"

House Concurrent Resolution "X-1"

House Concurrent Resolution "Y-1"

House Concurrent Resolution "Z-1"

House Concurrent Resolution "U-1"

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 4, 1961

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "H"

House Concurrent Resolution "I"

House Concurrent Resolution "J"

House Concurrent Resolution "M"

House Concurrent Resolution "B-1"

House Concurrent Resolution "M-1"
 House Concurrent Resolution "R-1"
 House Concurrent Resolution "S-1"
 House Concurrent Resolution "T-1"
 House Concurrent Resolution "V-1"
 House Concurrent Resolution "W-1"
 House Concurrent Resolution "X-1"
 House Concurrent Resolution "Y-1"
 House Concurrent Resolution "Z-1"
 House Concurrent Resolution "U-1"
 Which the President has signed.

HOWARD F. DOHERTY, Secretary.

REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2
 Senate Bill No. 4
 Senate Bill No. 8
 Senate Bill No. 26
 Senate Bill No. 49
 Senate Bill No. 51
 Senate Bill No. 123
 Senate Bill No. 131
 Senate Bill No. 148
 Senate Bill No. 213
 Senate Bill No. 219
 Senate Bill No. 227
 Senate Bill No. 231
 Senate Bill No. 232
 Senate Bill No. 242

Were delivered to the Governor for his approval at the hour of 4:40 o'clock p.m., March 4, 1961.

SENATOR KISSE, Chairman.

PRESENTATIONS AND RECOGNITIONS

Senator Holand extended his appreciation and thanks to the staff of the Legislative Research Office and said staff was recognized by the Senate.

Senator Erickstad: Mr. President. According to custom I would like to move that the rules be suspended and that we recognize some additional personnel of the legislature and to begin this program I would request that the President recognize Senator George.

Mr. President: Senator George.

Senator George: Mr. President. It is my proud privilege to have been selected, on this occasion, to represent the Senators of the 37th Legislative Assembly in this important ceremony today.

The Republican Party is proud to have you as their presiding officer, and I speak in behalf of both factions when I say I feel you have been fair in all your rulings, have shown the utmost patience with we Senators, and in our light moments, our serious moments, and sometimes, I know, trying moments, when parliamentary procedure has been a question both in debate and in matters of personal privilege.

As we close this session sine die we sincerely thank you for your 60-day service and wish you a most pleasant term of duty as our Lieutenant Governor.

Therefore, on behalf of my colleagues, it gives me pleasure to present to you, Lieutenant Governor Orville Hagen, this gift as a token of our appreciation.

Lt. Gov. Hagen: Thank you, Senator George, and Members of the Senate. It has been both a pleasure and a privilege to serve as your presiding officer, and at this time I want to express to each of you my sincere thanks and appreciation for the fine cooperation given to me and for the many courtesies extended to me by you fine people. Both factions have indeed been most cooperative and courteous to me at all times. I have tried to be fair and impartial in my rulings, and if I have been a good presiding officer most of the credit is due to the cooperation and patience I have received from the floor and from the very competent and hard working desk force. My personal feelings are in most instances — if you try to be fair and do what you think is right — you will usually be right. Perhaps the most difficult decision to make is where to draw the line on personal privilege. I am real happy there has not been too much of this during this session.

I am very proud indeed to have had the privilege to serve as your presiding officer these sixty days. This has perhaps been the most wonderful experience of my life. I now wish to thank you most humbly for this gift and wish you all much success in this centennial year and much happiness in the future. Thank you so very much.

Senator Erickstad: Now, Mr. President, I would request that you recognize Senator Meidinger.

Mr. President: Senator Meidinger.

Senator Meidinger: Mr. President, Senator Baeverstad and Members of the Senate: It is indeed an honor and a privilege to be selected to be the one to perform a very pleasant duty. Senator Baeverstad, our President Pro Tem in the Interim, is a wonderful man to work with. He has served several sessions in the legislature and has won the respect and admiration of all. He is a man of high principles and integrity. He lends dignity to the legislative branch of the government and as a net result he lends dignity to the government as a whole.

As a token of our esteem, it is a very great pleasure to present this gift to you, Senator Baeverstad. It is our way of saying "Thank You" for a job well done.

Senator Baeverstad: Mr. President, Senator Meidinger, and Members of the Senate. I do feel rather humble at this moment. It was indeed an honor and a pleasure for me to have served as your President Pro Tem during the past legislative interim. When you have arrived at that time of service as a member of the Senate when you are accorded the recognition of being selected President Pro Tem, you do begin to wonder if you have not arrived at the period of retirement. It is of course not necessarily the case, however, inasmuch as I must in order to return become a candidate for re-election, it does enter your thoughts. Therefore, at this time I do want to say to you that I have very much enjoyed the many years I have served in the State Senate, the great number of very fine people I have met, the friends I have made.

I will always remember them. Senator Meidinger, I thank you for those kind words, and all of you Senators, I thank you very much.

Senator Erickstad: Mr. President, I would request that you recognize Senator Hernet.

Mr. President: Senator Hernet.

Senator Hernet: Mr. President. It has now reached that time in this Legislative Session that we all know and appreciate the work done by our fellow colleagues. This session, like many previous sessions, has called for hard work, long hours, and compromise agreements to obtain the best results for the people of North Dakota. Through all this we have had the untiring service of the men who have spent many, many years in the service of their State. It goes without saying that their contribution toward our efforts have materially assisted us in our deliberations and have likewise lessened our labors.

Not only has their experience been evidenced in our deliberations, but also we have imposed upon some of them to assume responsibilities in excess of their ordinary duties. It is such an individual that, at this time, it is my privilege to recognize. A Lincoln-like character, a son of the soil, a man of firm convictions, dedicated to North Dakota and her people; it is indeed my pleasure to present our President Pro Tem this small token of our appreciation.

Senator Luick: Mr. President, Mr. Hernet and all Senators. It has certainly been an honor to serve as President Pro Tem. And it has been a great experience to serve as your presiding officer on a couple of occasions. I don't know how one could find a nicer group of people to work with than I have had in this session, and in the many sessions that I have served here. It has been a great privilege to serve with all of you. I also wish to thank the desk force for the wonderful help they gave me the little while I was up there. If it had not been for them I am sure we would all have been in a mess. Last but not least I want to thank Lt. Gov. Hagen for the very fine cooperation extended to me. Without further remarks I thank you for the honor that you have given me.

Senator Erickstad: I now request, Mr. President, that you recognize Senator Fiedler.

Mr. President: Senator Fiedler.

Senator Fiedler: Mr. President. It is a real privilege to have been delegated the honor to extend this gesture of the esteem of this body to the Majority Floor Leader, Senator Holand. Under his guidance this body has ably discharged its duties in a most efficient manner. He has been fair and impartial to both the majority and minority, and I can truthfully say that the Majority Floor Leader has never attempted to use his position for his own personal advantage. He has been courteous and considerate and shown firm qualities of leadership. As a member of the minority, I can say with complete sincerity that we have been at all times fairly treated by the Majority Floor Leader.

His combination of modesty and tolerance, blended with firm leadership, have been an example to us all.

In addition, as a member of the Legislative Research Committee, I wish to commend Senator Holand for the same type of conduct and leadership that he has exemplified on the Senate Floor. His term as Chairman reflects credit upon himself and all those who served on the Research Committee and its subcommittees.

This gift is a small expression of our way of saying "Thank You" for a job exceedingly well done as Majority Floor Leader and as Chairman of the Legislative Research Committee during the past biennium.

Senator Holand: Mr. President, Senator Fiedler and Members of the Senate. I deeply appreciate these remarks that you have made, Senator Fiedler, and I am going to accept them as coming as an expression from this group. I might inform you that I shall not receive remarks of this kind should I return two years from now. There are two reasons why I shall not serve in this capacity, one of them is that there are others in this body, many of them, who are able to do this job in an efficient manner, and the other is a perhaps more selfish reason, and that is that I would much prefer to be back in the work of the Senate serving on committees than to be serving in this capacity. I don't mean that as a suggestion that I don't enjoy my duties as floor leader because I have. You have been a wonderful body of men to work with. Several years ago I was involved, very deeply involved, in a bitter lawsuit with an attorney whom many of you know, Attorney Bangert of Enderlin. We struggled through this lawsuit for about two or three days and it was finally submitted to the jury about 11:30 one morning. This was after a very bitter exchange between Mr. Bangert and myself on behalf of our clients before the jury. Immediately after the matter was submitted to the jury, Mr. Bangert and I got our coats and went downtown for lunch together. I was rather amused a couple of days later when a neighbor lady inquired as to how it would be possible, after such a furious exchange that we could casually walk out of the court room down to the cafe to have lunch together. Well, that's the practice of law. This is the way we operate. We have a situation here during these 60 days where we have some rather bitter exchanges, this is only natural because we have differences of opinion in the analysis of these problems, but I submit to you, gentlemen, and I know this will be true, that when we have completed our term of duty here in this session that we will walk out of the door and have lunch together. Thank you.

Senator Erickstad: Mr. President. According to custom, it is my great privilege to be accorded the opportunity as the assistant majority floor leader of speaking on behalf of the majority party in the Senate to show our respect for Senator John Garaas.

I speak, however, not only because of custom, but because of the great feeling that all of us have for Senator Garaas and the esteem in which we hold him.

Senator Garaas, as the minority floor leader, in spite of the many issues and debates in which he has been involved, has never demonstrated anger and has always been extremely fair in his interpretation of the rules by which our Senate functions.

He has been a great advocate of his party's programs; and, although many of the programs have met with defeat, he has been a good loser. As we have judged him, we do not believe that he carries any grudges or resentment in connection with his duties in the legislature.

In matters involving highway safety legislation, Senator Garaas has always been a fighter.

Although John Garaas has now reached the top in his party and although he now is the state chairman of the Democratic Party, he has retained the same friendly and humble personality throughout.

We believe that the legislation passed this session has undoubtedly been improved as a result of the efforts and critical analysis of the minority party and its leaders.

It is now my pleasure to present to you, John, this gift from all of the members of the Senate as a token of our esteem for you.

Senator Garaas: Mr. President, and fellow Members of the Senate. I accept this gift in behalf of the minority Democratic Non Partisan League party, with a sincere thanks. For good legislation, it is necessary to have two political parties so that both sides of an issue can be studied, considered and debated. We in the minority have been able to in our way stop bad legislation in many cases and also in many ways lead the way to better legislation. The fact that we may not have been successful in getting our programs for legislation through does not necessarily mean that our program is wrong; nor does it mean that our program is against the best interest of the people of North Dakota. To be in the minority is often times more difficult than to be in the majority in that our approach to good government is often belittled by various citizens who are blind to the fact that there is often another side to any issue. We as legislators, both Republicans, Democrats, NPL or any other faction need to be continuously alert, with open minds, to seek further knowledge and to recognize that there is another side to the question that may be right. We will in keeping informed remove from our minds prejudices toward the opposition. Our legislature must respect the minority and to give it the full time and consideration that it is entitled to and when we fail in this, the people the minority represent are denied their due share of legislative processes. No political party, majority or minority, has all the solutions to our governmental affairs and history has taught us that the minority views of today are often the majority views of the tomorrow. As spokesman and floor leader for the Democrat Non Partisan League party, I am not at this late closing hours of the 37th legislative session saying that we in the minority are satisfied with legislation passed during this session. We have opposed you on many issues and the fact that you have out voted us does not mean that we now agree with your side of the issue. In our opposition to your legislation or in our drive for our own legislative program, we have constantly kept this on an impersonal basis without challenging any individual's integrity or any individual's right to think as he believes. We have always attacked the majority as a political party and never attacked an individual. The fact that we in the minority may not agree

with you on political matters should never be any indication that we are not your friends. We have developed a deep friendship among ourselves as a minority group and we have developed a deep friendship among ourselves in both sides of the aisle. This cherished friendship that we have is much deeper than politics. I hope that you will recognize that our opposition to you is an honest difference of opinion as to what is wrong and what is right and that it should never be taken as an attack on your integrity or be taken as evidence of unfriendliness toward you. I think you, the majority, will agree that even when our bills were killed, we were still good losers. In summary, you the majority had the votes, we did not have the votes and we will as good citizens do everything in our power to abide by the decisions of the majority for the best interest of the people of the state of North Dakota. We will not knowingly and we will not intentionally mislead the people as to the results of this session merely for our political advantage.

MOTIONS

Senator Holand moved that the President appoint a committee of three to inform the Governor that the Senate has finished its business and is about to adjourn sine die, which motion prevailed.

The President appointed as such committee, Senators George, Harris and Paulson.

Senator Holand 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 Erickson, Morgan and Lautenschlager.

Senator George 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 business and requests that the committee be discharged, which request was granted.

Senator Erickson 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, has completed its business and requests 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 Holand moved that the Senate adjourn sine die, which motion prevailed.

And the Senate stood adjourned sine die, pursuant to the motion of Senator Holand.

HOWARD F. DOHERTY, Secretary.

GENERAL INDEX

SECRETARY OF SENATE:

- Secretary V. L. Gilbreath of Thirty-sixth Legislative Assembly calls Senate to order, 1.
- Nomination, 3.
- Election, 4.
- Administered Oath of Office, 5.

LIEUTENANT GOVERNOR ORVILLE W. HAGEN

- Oath of Office, 3.
- Oath of Office to Secretary of Senate, 5.
- Oath of Office to President Pro Tem, 30.
- Oath of Office to Desk Reporter, 5.
- Oath of Office to Sergeant-at-Arms, 6.
- Oath of Office to Employees, 5 (2), 6, 18, 22, 27 (2), 48.
- Appointed Select Committees, 22, 30, 41, 46, 51, 79 (2), 181, 219, 360, 471.
- Courtesy of Floor to four Eagle Scouts, 344.
- Appointed Research Committee, 1006.
- Remarks, 471, 472, 473, 928.

COMMITTEES:

- Committee on Committees, 6.
- Committee on Revision and Correction of Journal, 7.
- Committee on Committee Rooms, 6, 7.
- Committee on Chaplaincy, 27, 28, 29.
- Committee on Stationery and Supplies, 7, 12.
- Committee on Rules, 8, 46.
- Committee on Telephone, 22.
- Committee on Mileage and Per Diem, 8.
- Committee on Joint Memorial (Washington's Birthday) 639.
- Committee on Photography, 79.
- Committee on Employment, 7, 17, 21, 26, 30.
- Committee on Delayed Bills, 107.
- Standing Committees, 43, 47.
- Committee on Legislative Research Resolutions, 108.
- Committee on Legislative Research, 1006.
- Committee on Joint Rules, 10, 103, 108.
- Committee on Enrolling and Engrossing, 22.
- Committee on Printing, 7, 12.

SELECT COMMITTEE REPORTS:

- Committee on Committees, 43.
- Committee on Chaplaincy, 46.
- Committee on Employment, 46, 48.
- Committee on Rooms, 13.
- Committee on Mileage, 89.
- Committee on Stationery and Supplies, 41, 48.
- Committee on Printing, 44, 45.
- Committee on Rules, 90, adopted, 109.

COMMUNICATIONS:

- A. W. Wentz, 21.
- Milo W. Hoisveen, 47.
- Secretary of State of New Hampshire, 47.
- Bismarck Junior College, 164.
- Lyle Swigart, Executive Vice President of G.N.D.A., 165.
- Senator Quentin Burdick, 209.
- Secretary of State of Arkansas, 209.
- City of Minot, 833.
- Letter to Senator Foss, 866.
- Letter to Donald Holand from U. S. Sen. Milton R. Young, 1008.
- Letter to Martin Vaaler from U. S. Sen. Milton R. Young, 1011.
- Letter to Leland Roen from U. S. Sen. Milton R. Young, 1011.

SPEECHES:

- Senator Page, 79.
- Mr. Milton Rue, 95.
- Miss Karla Schwarz of Bremen, Forge, Germany, 127, 128.
- Senator Garaas, 155.
- Rube Scholl, 219.
- Lt. Governor Hagen, 220.
- Mr. Ray Vendsel, 236.
- Vincent J. Marheim, Clinton, Iowa, National Vice Commander of American Legion, 371.
- Miss Annette Wangier of Rugby, State Dairy Princess, 355.
- Congressman Nygaard, 471, 472.
- Congressman Short, 473.
- U. S. Senator Young, 474.
- Mrs. Lowe, 587.
- Mrs. Piper, 587.
- Senator Wadeson, 1012.

MISCELLANEOUS:

- Call to Order, 1.
- Message from Secretary of State, 1.
- Senators elected, 1.
- Senators heldover, 2.
- Secretary appointed committees, 3 (2).
- Oath of Office to newly-elected senators (except Berube) 3.
- Oath of Office to Senator Berube, 4.
- Prayer, 3, 12.
- Election of President Pro Tem, 9.
- Remarks by President Pro Tem, 9.
- Executive Session, 51, 771.
- Joint Session, 15, 561, 639.
- Messages to Governor, 56, 259, 774, 922.
- Messages from Governor, 229, 454, 549, 664, 751, 773, 831, 832, 913 (2).
- Communications from Governor, 832, 833.
- Committees by President Pro Tem, 95.

INDEX TO MEMBERS

ANDRE

Bills, 53, 57, 78, 91 (2), 149 (2), 151, 166, 197.
Standing Committees, 43, 44, 45.
Senate Concurrent Resolutions, 40, 58, 195.
Motions, 158, 340, 758.

BAEVERSTAD

Bills, 38 (2), 39 (2), 91 (2), 149, 151 (2), 187, 189, 191 (2),
198 (2).
Standing Committees, 44, Chairman, 46.
Committees other than Standing, 8.
Committee Reports, 67, 201, 202, 222, 231, 232, 233 (2),
234 (2), 337, 434 (2), 447 (2), 448, 487, 492 (2), 493, 495,
497, 498, 507, 509, 583 (2), 584 (2), 585, 586 (3), 600,
601 (2), 602 (4), 603 (3), 605 (2), 606, 652, 738.
Adopts Committee Reports, 67, 201, 202, 222, 231, 232,
233 (2), 234 (2), 337, 434 (2), 447 (2), 448, 487, 492 (2),
493, 496, 497, 498 (2), 507, 509, 583 (2), 584 (2), 585,
586 (3), 600, 601 (2), 602 (3), 603 (4), 605 (2), 606, 619,
652, 738.
Senate Concurrent Resolutions, 49, 93, 149.
Remarks, 906.
Request, 448.
Appreciation speech, 1026.
Motions, 215, 227, 251 (6), 371, 455, 518 (6), 519, 606, 615,
626, 627, 646, 648, 703, 763 (3), 764, 766, 772 (3), 906.

BAKER

Bills, 79, 90, 91, 98, 111, 135, 140, 141 (2), 149, 166 (2), 177,
187, 188 (2), 192 (2), 193, 198.
Standing Committees, 43, 44, 45.
Committees other than Standing, 12.
Legislative Research Resolutions Committee, 108.
Joint Rules Committee, 10, 108.
Committee Reports, 42.
Adopts Committee Report, 48.
Senate Concurrent Resolutions, 49 (2), 93, 136, 142 (2),
163.
Conference Committees, 893, 956.
Conference Committee Report, 931, 964.
Request, 727.
Remarks, 1006.
Motions, 51, 76, 77, 107 (2), 136, 142, 147, 345 (2), 370, 456,
501, 670, 727, 743 (2), 800, 806, 816, 839 (2), 845, 871,
899 (2), 931, 981, 986, 1007.

BECKER

Bills, 53, 60, 70, 78, 91, 97, 98, 141, 188, 191 (3), 197, 198.
Senate Concurrent Resolutions, 49 (2), 70, 93, 568.
Resolutions, 253.
Standing Committees, 44, 45 (2).
Select Committees, 12, 41, 79, 355, 471.
Conference Committees, 893, 964.
Conference Committee Reports, 930, 988.
Personal privilege, 72.
Motions, 25, 75, 128, 433, 516, 930, 931.

BERUBE

Bills, 53, 58, 134, 161 (2).
 Senate Concurrent Resolutions, 195.
 Resolutions, 23.
 Standing Committees, 43, 44, 46.
 Select Committees, 7.
 Conference Committees, 766, 956.
 Conference Committee Report, 859, 964.
 Request, 516.

BOPP

Bills, 78, 98, 136, 198, 199.
 Senate Concurrent Resolutions, 50, 461.
 Standing Committees, 23, 44 (2), 46.
 Standing Committee Reports, 85.
 Adopts Committee Report, 85.
 Select Committee, 41.
 Conference Committees, 763, 893, 912.
 Conference Committee Reports, 891, 893, 931.

BROOKS

Bills, 10, 90, 91, 98, 111 (2), 135, 142, 149, 151, 159 (2),
 161 (2), 177, 178, 179, 187, 190, 194, 195, 198.
 Senate Concurrent Resolutions, 49, 50, 459 (2).
 Standing Committees, 44, 45, Vice Chairman, 46.
 Select Committees, 3, 8.
 Delayed Bills, 107.
 Conference Committees, 769, 893 (3), 983.
 Conference Committee Reports, 858, 929, 966, 972, 984.
 Requests, 346, 378, 510, 748, 907, 942, 943, 986.
 Objection, 346.
 Remarks, 251.
 Explains vote, 598, 900.
 Takes exception to vote, 4.
 Motions, 3, 6, 59, 96, 210, 304, 326, 384, 404, 459, 524, 525,
 526, 535, 704, 745, 748, 791 (2), 835, 844, 846, 858, 931,
 941, 942 (3), 950, 972, 984, 985.

ERICKSON

Bills, 61, 92, 97, 112, 141 (2), 151, 161 (3), 166 (2), 189,
 190, 192, 197 (2), 198.
 Senate Concurrent Resolutions, 99, 142 (2), 150, 264, 461.
 Standing Committees, 43, Vice Chairman, 44, 45.
 Committee on Joint Rules, 10, 108.
 Delayed Bills Committee, 107, Chairman.
 Select Committees, 6, 12, 1030.
 Select Committee Reports, 6, 1030.
 Conference Committees, 763, 858, 966.
 Conference Committee Reports, 889, 891, 990.
 Motions, 200, 262, 507, 508, 526, 661.

ERICKSTAD

Second member of State Budget Board, 870.
Assistant Floor Leader (Majority)
Bills, 64 (2), 97, 99, 134, 151, 186, 187 (2), 188, 190, 196,
197 (2).
Senate Concurrent Resolutions, 40, 49, 136, 569 (2).
Resolutions, 16, 296.
Committee on Committees, 6.
Standing Committees, 43, 44.
Select Committees, 3, 8.
Conference Committees, 893 (2), 912, 944, 997.
Conference Committee Reports, 961, 962, 967, 998, 1003.
Requests, 127, 1025, 1026, 1027 (2).
Presentation to Minority Floor Leader, 1028.
Motions, 5, 51, 163, 172, 181, 185, 196, 199, 200, 387, 780 (2),
893, 894, 908 (4), 909 (3), 948, 966, 976 (2), 977 (4),
978 (2), 990, 998 (2), 1025.

FIEDLER

Bills, 37 (4), 39, 70, 91, 135 (2), 162, 166, 178, 187, 188 (3),
190, 194, 196, 197 (2), 198 (2), 199 (2).
Senate Concurrent Resolutions, 40, 49, 50, 136, 195, 366.
Resolutions, 16, 296.
Committee on Committees, 6.
Standing Committees, 44, 45, 46.
Standing Committee Reports, 499.
Adopts Committee Reports, 499.
Select Committees, 6, 8, 46, 587.
Legislative Research Resolutions Committee, 108.
Conference Committees, 847, 893, 944, 966.
Conference Committee Reports, 929, 944, 962, 990.
Requests, 165, 252, 318, 381.
Remarks, 375, 376, 587.
Explains vote, 276, 560.
Presentation to Majority Floor Leader, 1027.
Motions, 52, 268, 272, 273, 318, 375, 391, 496, 582, 584, 809,
877 (2).

FOSS

Nominates Senator Luick as President Pro Tem, 8.
Bills, 37, 38, 49, 70 (2), 79, 91, 99, 134, 135, 160 (4), 166,
178, 179, 187, 191.
Senate Concurrent Resolutions, 39, 70.
Select Committees, 30, 95.
Standing Committees, Chairman, 43, 44.
Standing Committee Reports, 66 (4), 67, 88 (3), 103,
104 (4), 146, 147 (3), 173, 174, 175 (2), 213 (2), 214 (3),
230 (5), 231 (2), 232, 233, 234, 235 (2), 241 (3), 242 (2),
243, 248, 299, 303, 304 (3), 305, 306, 307, 335 (2), 342 (5),
364, 365, 374, 455, 456 (2), 457 (2), 501, 512, 623 (5),
624 (4), 666 (6), 667 (3), 696 (4), 807, 808 (7), 809 (2),
810, 822 (2), 823, 827.

Adopts Committee Reports, 66 (4), 67, 88 (3), 103, 104 (4), 147 (4), 173, 174, 175 (2), 213 (2), 214 (3), 230 (5), 231 (2), 232, 233, 234, 235 (2), 241 (2), 242 (2), 243 (2), 248, 299, 304 (4), 305, 306, 307, 335 (2), 342 (5), 364, 365, 374, 375, 455, 456 (2), 457 (2), 501, 512, 623 (5), 624 (4), 666 (6), 667 (3), 671, 695 (2), 696 (5), 697 (4), 807, 808 (6), 809 (3), 810, 822, 823 (2), 827.

Requests, 103, 163, 165, 515.

Personal privilege, 73.

Motions, 5, 6 (2), 75, 84, 158, 186, 222, 235, 251 (5), 264 (3), 275, 321 (2), 352 (2), 419, 452, 499, 515, 518 (2), 519, 647, 648, 703, 742 (9), 765 (2), 834.

GARAAS

Minority Floor Leader.

Nominates Dr. C. W. Schrock as President Pro Tem, 8.

Nominates Dr. C. W. Schrock as President Pro Tem for Interim, 10, 12.

Bills, 39 (2), 60 (2), 61 (2), 64 (4), 78, 92 (2), 135 (2), 136 (2), 149, 159, 160, 161, 162, 166 (3), 178 (2), 179 (3), 187, 188, 189, 190 (2), 191 (2), 192 (2), 193, 194 (5), 195 (2), 196, 197, 198 (2).

Senate Concurrent Resolutions, 40, 50, 150, 163, 253.

Resolutions, 296.

Select Committees, 3, 8, 181, 236.

Conference Committees, 769, 980.

Conference Committee Reports, 858, 984.

Requests, 175, 249, 303, 336, 368, 375, 376, 394, 496, 497, 508, 509, 518, 520, 527, 746, 812.

Personal privilege, 58, 826.

Explains vote, 508, 538, 550, 899.

Remarks, 855.

Speech, 155, 1029.

Motions, 19, 78, 175, 236 (2), 249, 251, 263, 321, 336, 368, 376, 462, 511, 518, 520, 553, 586, 602, 729, 743 (2), 746, 782, 816, 824, 825, 907, 917 (2), 925 (2).

GEFREH

Bills, 38 (2), 39 (2), 49, 59, 70, 78, 90 (2), 92 (3), 98, 134, 135 (2), 136, 141, 142, 151, 159, 177, 178, 187 (2), 189 (2), 198 (2).

Senate Concurrent Resolutions, 136.

Resolutions, 40.

Standing Committees, 44, 44. Vice Chairman, 45.

Select Committees, 46, 360.

Conference Committees, 761, 893, 944 (2), 984, 998.

Conference Committee Reports, 814, 927, 962, 979, 988, 1002.

Requests, 127, 208, 591, 729.

Motions, 18, 21, 69, 80, 86, 101, 110, 140 (3), 196, 208, 236, 332 (2), 350, 413, 431, 517, 523, 590, 713, 814 (3), 943, 963 (2), 979, 997, 1002 (2).

GEORGE

Bills, 92, 98, 151, 178 (2), 187, 190, 192 (2), 198.
 Senate Concurrent Resolutions, 49.
 Standing Committees, 44, 45, 45 Vice Chairman.
 Standing Committee Reports, 74, 75, 104, 174 (3), 261 (2),
 262, 263 (3), 302, 305, 370, 372 (2), 374, 377 (2), 419,
 572, 667, 668 (5), 669 (2), 670 (2), 672, 698, 699, 700 (4),
 701, 702 (4), 703, 737 (2), 738.
 Adopts Committee Reports, 104, 174 (3), 261 (2), 262,
 263 (3), 302, 305, 370, 372, 373, 374, 377 (2), 419, 572,
 667, 668 (5), 669 (2), 670 (2), 672, 698, 699, 700 (4), 701,
 702 (3), 703 (2), 737 (2), 738.
 Select Committee, 8, 1030.
 Reports, 89, 1030.
 Presentation to Lt. Governor, 1025, 1026.
 Motions, 8, 297 (2), 321 (2), 328, 419, 420, 459, 588 (2),
 643 (2), 742, 767 (3).

GILBERTSON

Bills, 161 (2).
 Standing Committees, 43, 45, 46.
 Select Committee, 7.
 Conference Committee, 944.
 Conference Committee Report, 979.

GRONVOLD

Bills, 112, 135, 136, 151, 188, 199 (2).
 Senate Concurrent Resolutions, 136, 149, 253.
 Standing Committees, 23, 43, 44. Vice Chairman, 45.
 Adopts Committee Reports, 13.
 Select Committees, 6, 41, 127, 355.
 Select Committee Reports, 13.
 Conference Committees, 761, 893, 912 (2).
 Conference Committee Reports, 813, 930, 959 (2).
 Requests, 127, 516, withdrawn, 516.
 Changes vote, 662.
 Introduction, 355.
 Motions, 6, 10, 96, 128, 145, 355, 960 (2).

HARRIS

Bills, 49, 57, 134, 151, 176, 192, 196, 197, 198.
 Senate Concurrent Resolutions, 50.
 Standing Committees, 19, 44 (2), 45.
 Standing Committee Reports, 21, 26, 30, 47, 52, 59, 62, 65,
 69, 81, 86, 101, 110, 122, 129, 145, 151, 164, 181, 200, 209,
 221, 237, 252, 266, 285, 309, 325, 345, 369, 414, 432, 471,
 514, 548, 570, 582, 591, 607, 630, 650, 677, 706, 744, 770,
 818, 849, 913.
 Adopts Committee Reports, 21, 26, 30, 47, 52, 59, 62, 65, 69,
 81, 86, 101, 110, 122, 129, 145, 151, 164, 181, 200, 209, 221,
 237, 252, 266, 286, 309, 325, 345, 369, 414, 432, 471, 514, 548,
 570, 582, 591, 607, 630, 650, 677, 706, 744, 770, 818, 849,
 973.
 Select Committees, 6, 51, 1030.
 Conference Committees, 769, 956.
 Conference Committee Reports, 892, 970.

VIII

INDEX

HERNETT

Bills, 37, 38, 53, 61 (2), 111, 135 (2), 142, 151, 159, 161, 178, 187 (2), 192, 193, 198 (2).
 Senate Concurrent Resolutions, 39, 49, 50, 366, 568.
 Committee on Committees, 6.
 Standing Committees, 43, 45. Chairman, 45.
 Standing Committee Reports, 85, 104, 147 (2), 148, 157, 158, 233, 234, 243, 244, 246, 247, 336, 337 (4), 339 (5), 373 (6), 374, 378 (2), 495, 498, 500, 506 (2), 511, 572 (3), 573, 645 (2), 646, 647 (2), 667, 668, 669 (2), 670 (4), 671, 672, 701, 810, 827 (4), 828 (4), 829 (2), 830.
 Adopts Committee Reports, 85, 104, 147 (2), 148, 157, 158, 233, 234, 243, 244, 246, 247, 336, 337 (4), 339 (5), 374 (2), 378 (2), 495, 498, 500, 506 (2), 512, 572 (3), 573, 645 (2), 646, 647 (2), 667, 668, 669 (2), 670 (4), 671, 672, 701, 810, 827 (4), 828 (4), 829 (2), 830.
 Select Committee, 6.
 Select Committee Report, 6.
 Conference Committee, 893, 966, 983.
 Conference Committee Report, 972, 984, 998.
 Presentation to President Pro Tem; 1027.
 Motions, 5, 12, 59 (2), 85, 87, 176, 264 (3), 265 (3), 276 (2), 341, 343 (2), 420, 430, 502, 510, 519 (3), 586 (3), 627, 743 (2), 800 (2), 841, 865 (2), 881 (4), 882 (2), 926 (2), 956 (2), 957 (2), 972, 981.

HOLAND

Majority Floor Leader.
 Legislative Research Committee, 1006.
 Bills, 10, 37 (2), 38, 59, 61, 63 (2), 64 (2), 92 (2), 97, 141 (2), 179 (3), 187, 188 (2), 190.
 Senate Concurrent Resolutions, 40, 136, 569 (2).
 Resolutions, 296.
 Committee on Committees, 6.
 Standing Committee Reports, 46.
 Adopts Committee Reports, 46 (2), 90.
 Select Committee, 8, 181, 471.
 Conference Committee, 642.
 Conference Committee Reports, 677.
 Requests, 51, 58.
 Remarks, 516, 1025.
 Appreciation speech, 1028.
 Motions, 3 (2), 4, 6 (2), 7 (2), 8, 11 (3), 12 (2), 15 (2), 16, 17, 18, 20, 21, 23 (2), 24, 30 (4), 40, 42 (2), 46, 47, 50, 51, 52, 53, 54 (4), 58, 59, 61, 62 (2), 64 (2), 65, 68, 69, 71 (2), 73, 75, 79, 80, 84, 86, 92, 96, 100, 101, 102, 106 (3), 107 (2), 108 (3), 109 (5), 110 (2), 115 (2), 116, 117, 120, 121 (2), 123, 124, 128, 131, 132, 137, 144, 145, 150 (2), 155, 181, 197, 203, 205, 208, 212, 216, 221 (2), 228, 236, 238, 239 (2), 240, 250, 253, 258, 264, 265, 268, 276 (5), 280, 285 (2), 290 (2), 292, 297, 308 (3), 309, 315 (2), 321, 325, 331, 333, 344, 346, 347, 352 (2), 354, 360, 367, 371, 378, 384 (2), 404, 405, 413, 419, 422, 431, 451 (2), 453, 458, 461, 462, 470, 471, 474, 475, 477, 482 (2), 486, 503, 512 (3), 513, 514, 516, 519 (2), 522, 523, 524, 525, 529, 532, 548, 551, 553 (2), 554, 558, 559, 561, 570 (3), 582 (2), 586, 590, 594, 595, 598, 606 (2), 611, 617, 621, 622, 627, 630, 639, 650, 663, 672, 676, 677 (2), 690, 720, 742, 743 (2), 750, 771, 772, 799, 807, 815 (2),

818 (3), 834, 835 (2), 840, 848, 856, 866 (2), 872, 873, 881, 895 (2), 902, 904, 912, 917, 928, 934, 936, 941 (2), 944, 945, 950, 953 (3), 954 (4), 955, 958, 968 (2), 969 (2), 971, 973, 981, 992 (3), 997, 1012 (2), 1030 (3).

HYSTAD

Legislative Research Committee, 1006.
 Bills, 37 (4), 39 (2), 70, 78, 134, 141, 160, 166, 191.
 Senate Concurrent Resolutions, 149.
 Resolutions, 40, 253.
 Standing Committees, 44, 45, 46.
 Select Committees, 8, 79.
 Conference Committees, 663, 983.
 Conference Committee Reports, 678, 984.
 Requests, 208, 235.
 Motions, 20, 501, 698, 825.

JOHNSON

Bills, 38 (2), 39 (2), 69, 70 (2), 92, 111, 161, 177, 191, 194, 198.
 Senate Concurrent Resolutions, 40, 50, 93, 142 (2), 459.
 Standing Committees, 44 (2), 46.
 Select Committees, 3, 8, 12.
 Committee on Joint Rules, 10, 108.
 Conference Committees, 858, 893, 912, 986.
 Conference Committee Reports, 889, 959, 994, 998.
 Explains vote, 422.
 Motions, 114, 507.

KAMRATH

Bills, 58, 91, 92, 98, 135, 166 (2).
 Senate Concurrent Resolutions, 40, 99.
 Standing Committees, 44, 45, 46.
 Select Committees, 12.
 Conference Committees, 964.
 Conference Committee Reports, 988.
 Request, 360.

KEE

Legislative Research Committee, 1006.
 Bills, 38 (2), 39 (2), 60 (2), 61 (2), 78, 92, 97, 111, 151, 159, 161 (2), 187, 198.
 Senate Concurrent Resolutions, 49.
 Standing Committees, 43, 45, 46, Chairman.
 Standing Committee Reports, 19, 104, 105 (3), 181, 182 (4), 261, 262, 263, 365 (2), 418 (2), 457, 573, 575 (2), 668, 671, 672.
 Select Committee, 7.
 Conference Committee, 761, 765, 858, 912, 986, 996.
 Conference Committee Reports, 813, 857, 889, 959, 994, 1001.
 Motions, 7, 13, 297, 407, 459, 586 (3), 619, 704, 765, 858, 889 (2), 959 (2), 1001 (3).

KISSE

Nominated Howard Doherty for Secretary of Senate, 3.
 Bills, 39, 57, 60, 78, 97, 99, 134, 161, 198.
 Senate Concurrent Resolutions, 49.
 Standing Committees, 23, 24 (2), 26 (2), 43, 44, 45, Vice
 Chairman.
 Standing Committee Reports, 43, 51 (2), 57, 67, 117,
 125 (2), 138, 146, 157, 173 (3), 186 (2), 201 (2), 229 (3),
 240 (2), 250, 259, 277 (3), 298 (3), 307, 316, 334 (2), 348,
 361 (2), 393 (3), 404, 423 (2), 431, 450, 454, 458, 478, 500,
 503, 515, 532, 548, 552 (3), 554 (2), 583, 599 (2), 600,
 622 (2), 641, 692 (2), 720 (3), 721 (2), 751, 752, 773, 774,
 820 (2), 830, 857, 880, 913, 954, 984, 1017, 1018, 1019,
 1021, 1022 (2), 1025.
 Adopts Committee Reports, 24 (2), 43, 51, 68, 117, 125 (2),
 138, 146, 157, 173 (2), 186 (2), 201 (2), 229 (3), 240 (2),
 259, 277 (3), 298 (3), 316, 334 (2), 348, 361 (2), 393 (3),
 404, 423 (2), 450, 454, 458, 478, 500, 503, 532, 548, 552 (2),
 553, 554 (2), 599 (2), 600, 622 (2), 641, 692, 720, 721 (2),
 751, 773, 774, 820 (2), 830, 857, 880, 913, 955, 984.
 Select Committee, 7.
 Conference Committee, 847, 893, 956.
 Conference Committee Reports, 890, 963, 967.
 Motions, 3, 713, 865, 963, 967 (2).

LAUTENSCHLAGER

Bills, 37, 38, 53 (2), 60, 122, 141, 188, 199.
 Senate Concurrent Resolutions, 39, 195, 461.
 Standing Committees, 44, 45, 46.
 Select Committees, 360, 1030.
 Conference Committees, 769, 956.
 Conference Committee Reports, 892, 971.

LIPS

Bills, 60, 61, 78, 90, 91, 97, 98, 111, 134, 149, 159 (2), 177 (3),
 178, 188, 189 (3), 191 (2), 192, 195, 198 (2).
 Senate Concurrent Resolutions, 49, 50, 136, 343, 459, 461,
 568, 569.
 Standing Committees, 19, 44 (2), 45.
 Select Committees, 7, 306, 587.
 Conference Committees, 893, 964.
 Conference Committee Reports, 931, 988.
 Proclamation, 833.
 Requests, 252, 542.
 Changed vote, 781.
 Motions, 5, 25, 164, 306, 760, 830 (2), 988 (2).

LONGMIRE

Legislative Research Committee, 1006.
 Bills, 37 (4), 49, 60, 63 (4), 78, 90, 92, 97, 98 (3), 111, 136,
 141, 142, 149, 151, 159, 160, 161 (2), 177, 178, 187, 189 (2),
 190 (4), 192 (4), 193 (6), 197 (2), 198.
 Senate Concurrent Resolutions, 49, 252, 568.
 Resolutions, 23.
 Standing Committees, 44, 44, Chairman, 45.

Standing Committee Reports, 67 (2), 75, 88, 138 (3), 139 (5), 140, 202 (5), 210, 221, 222 (3), 243, 245, 248 (2), 261, 306 (2), 319 (4), 320 (6), 341, 447, 497, 500 (2), 512, 513, 571, 584, 585 (5), 601 (2), 602 (3), 603 (2), 605 (2), 606 (2), 736, 737 (3), 738 (5), 739 (2), 756 (2), 757, 759, 760, 771 (3).

Adopts Committee Reports, 67 (2), 75, 88, 138 (2), 139 (6), 140, 202 (5), 210, 221, 222 (3), 243, 245, 248 (2), 261, 306 (2), 319 (4), 320 (6), 341, 447, 500 (2), 512, 513, 571, 584, 585 (4), 586, 601 (2), 602 (3), 603 (2), 605, 606 (3), 736, 737 (3), 738 (4), 739 (3), 756 (2), 757, 759, 760, 771 (3).

Conference Committees, 742, 847, 966, 980, 984, 996, 998.

Conference Committee Reports, 767, 944, 984, 988, 989, 997, 1002.

Select Committees, 3, 6, 95, 127.

Request, 252.

Motions, 95, 107 (2), 111, 127, 132, 148 (4), 168, 210 (2), 222, 237 (2), 264 (2), 297, 321, 326 (2), 343 (3), 352, 390, 448 (2), 496, 513 (2), 517, 524, 584 (2), 586, 606 (2), 626 (2), 627, 676, 730, 756 (3), 761 (2), 762, 767, 768 (2), 786, 790, 812 (3), 816, 831 (2), 835 (2), 836 (4), 837, 845, 846 (2), 871, 887, 894 (3), 942, 984, 990 (2), 991.

LUICK

Elected President Pro Tem, 9.

Oath of Office, 30.

Bills, 38 (2), 39 (2), 53, 92, 97, 99, 111, 112, 135, 141, 142, 161 (3), 177 (2), 180, 187.

Resolutions, 23.

Standing Committees, 43 (2), 46, Vice Chairman.

Select Committees, 79.

Conference Committees, 761, 893 (2), 912, 983, 986.

Conference Committee Reports, 813, 929, 961, 985, 994.

Requests, 208, 419.

Appreciation speech, 1027.

Presides, 97, 101.

Motions, 41, 122, 523, 813, 859, 865, 909 (2), 910 (2), 930 (2), 986, 994, 995.

MEIDINGER

Nominates Senator Harry Wadeson for President Pro Tem for Interim, 1011.

Bills, 39, 40, 70, 92, 111, 149 (2), 151 (2), 176, 187 (2), 188, 189, 198.

Senate Concurrent Resolutions, 136, 149, 264, 366, 461.

Resolutions, 203.

Standing Committees, 44, Chairman, 45 (2).

Standing Committee Reports, 67 (2), 75, 129, 131, 201, 202 (2), 214 (2), 246 (2), 247, 249 (2), 305 (3), 319, 338, 455 (4), 456 (3), 495, 600, 601 (3), 603, 624, 625, 644, 736 (2), 755, 756, 757 (2), 758, 759 (3), 760, 761, 809, 810 (2), 811 (3), 812.

Adopts Committee Reports, 67 (2), 75, 129, 131, 201, 202 (2), 214 (2), 246 (2), 247, 249 (2), 305 (3), 319, 339, 455 (3), 456 (4), 495, 600, 601 (3), 625 (2), 644, 736 (2), 756, 757 (3), 758, 759 (3), 760, 761, 809, 810 (2), 811 (3), 812.

Select Committees, 3, 8, 317.
 Delayed Bills Committee, 107.
 Conference Committees, 761, 893, 956, 980.
 Conference Committee Reports, 814, 932, 971, 984.
 Requests, 249, 305, 375.
 Presentation to President of Senate, 928.
 Presentation to President Pro Tem for Interim, 1026.
 Explains vote, 207.
 Motions, 84, 214, 227, 235, 264 (2), 317 (2), 352, 519, 626,
 672, 697, 764 (2), 767, 812 (4), 813 (3), 814, 825, 835,
 837 (3), 838 (2), 845 (3), 901, 925, 933 (2), 971 (2).

MILLER

Bills, 49, 57, 60, 69, 70 (2), 97, 134 (2), 159, 177, 179.
 Standing Committees, 23, 43, 44, 45, Chairman.
 Standing Committee Reports, 174 (2), 262 (2), 264,
 299 (2), 301, 304 (2), 364, 365 (2), 370, 419, 447 (2),
 571 (2), 572 (3), 573, 575, 698, 700, 703 (2).
 Adopts Committee Reports, 174 (2), 263 (3), 264, 299 (2),
 301, 304 (2), 364, 365 (2), 370, 419, 447 (2), 571 (2),
 572 (3), 573, 575, 698, 700, 703 (2).
 Conference Committees, 766, 847.
 Conference Committee Reports, 859, 944.
 Requests, 78, 208, 594.
 Motions, 78, 186, 265 (4), 321, 369 (2), 434, 517, 742 (2),
 743, 837, 944.

MORGAN

Bills, 39, 53 (2), 63 (2), 78, 91, 136, 149, 166, 198 (2),
 199 (3).
 Senate Concurrent Resolutions, 40, 93.
 Resolutions, 253.
 Standing Committees, 43, 45, 45, Vice Chairman.
 Select Committees, 8, 219, 1030.
 Conference Committees, 742, 769, 956, 966.
 Conference Committee Report, 767, 858, 963, 989.
 Requests, 180, 333.
 Motions, 219, 220, 845, 858.

MURPHY

Bills, 92, 135, 141, 142, 151 (2), 160, 162, 166 (2), 178, 179,
 197, 198.
 Senate Concurrent Resolutions, 49, 99, 136, 142 (2), 195.
 Standing Committees, 44 (2), 45.
 Committee on Joint Rules, 10, 108.
 Committee on Delayed Bills, 107.
 Requests, 58, 317, 329, 371, 610, 686, 726.
 Remarks, 482, 824, 907.
 Explains vote, 508, 556, 610.
 Motions, 8, 12, 185 (2), 289, 304, 315, 346, 369 (2), 371,
 378, 455, 506, 508, 524, 525 (2), 582, 594, 628, 672, 686,
 726, 742, 760, 768 (2), 834, 847 (2), 865, 870, 871.

MUTCH

Bills, 49, 53, 69, 70 (2), 78 (3), 91, 97, 134, 151, 177, 191, 197.
Senate Concurrent Resolutions, 461.
Resolutions, 23.
Standing Committees, 44, Vice Chairman, 45, 46.
Select Committees, 6, 7.
Conference Committees, 663, 765.
Conference Committee Reports, 678, 857.
Request, 675.
Motions, 308, 509, 646, 675, 747, 758, 844.

NESVIG

Bills, 39 (2), 40, 49, 63, 70, 78, 79, 92, 111, 112, 135, 141, 151, 161, 166, 178, 188, 194, 195 (2), 198 (2).
Senate Concurrent Resolutions, 50, 93, 99, 136 (2), 343, 459, 461.
Standing Committees, 44, 45 (2).
Select Committees, 6.
Conference Committees, 742, 847, 912.
Conference Committee Report, 767, 890, 959.
Request, 181.
Remarks, 824.
Motions, 101 (2), 155, 321, 767, 823.

PAULSON

Bills, 53, 57, 161 (2), 177.
Senate Concurrent Resolutions, 58.
Standing Committees, 43, 45 (2).
Select Committees, 1030.
Conference Committees, 848, 956.
Conference Committee Report, 924, 963.

REDLIN

Legislative Research Committee, 1006.
Bills, 39, 61 (2), 63, 92, 134, 140, 141, 142, 166, 187, 188 (2), 189, 190, 193, 195, 198 (3).
Senate Concurrent Resolutions, 40, 93, 99, 136, 163, 195, 265, 366.
Resolutions, 23.
Standing Committees, 43, 44, 45.
Committee on Legislative Research Resolutions, 108.
Select Committees, 651.
Committee on Delayed Bills, 107.
Conference Committees, 893 (3), 984, 998.
Conference Committee Reports, 932, 961, 967, 988, 998, 1002.
Remarks, 58.
Motions, 107 (2), 176, 332, 812, 834 (2), 843 (2), 865, 924.

REICHERT

Bills, 49, 53, 61, 91, 98 (2), 136, 140, 160, 161, 176 (2), 177, 178, 179, 187 (2), 195, 198 (2), 199.
 Senate Concurrent Resolutions, 50, 150, 343, 569.
 Standing Committees, 23, 44, 45 (2).
 Conference Committees, 893, 966 (2).
 Conference Committee Reports, 930, 972, 989.
 Explains vote, 421.
 Request, 828.
 Motions, 829.

RINGSACK

Bills, 10, 39, 49, 53 (2), 78 (2), 91, 97, 111, 135, 142, 149, 166, 180, 187, 190, 194 (2), 195, 198.
 Senate Concurrent Resolutions, 142, 461.
 Standing Committees, 44, 45, 45, Vice Chairman.
 Adopts Committee Reports, 22.
 Select Committees, 7, 8, 22.
 Committee on Joint Rules, 10, 108.
 Conference Committee, 642, 848, 912.
 Conference Committee Reports, 677, 924, 959.
 Personal privilege, 854.
 Explains vote, 206, 382, 338.
 Request, 19.
 Motions, 8, 19 (2), 81 (2), 355, 374, 380 (3), 588, 649, 807, 840 (2), 911 (2), 980.

ROEN

Bills, 49, 92, 141, 161, 166, 177, 192, 197 (2).
 Senate Concurrent Resolutions, 49, 50, 99, 150, 264, 461, 569.
 Memorial Resolutions, 642.
 Committee on Committees, 6.
 Standing Committees, 44, Vice Chairman, 44, 46.
 Select Committees, 51, 471.
 Conference Committees, 769, 893, 966.
 Conference Committee Reports, 892, 961, 990.
 Requests, 51, 150.
 Motions, 394, 642, 892, 961 (2), 990.

SAUMUR

Bills, 49, 70, 78, 92, 97, 98, 111, 112, 135, 142, 161, 187, 193, 198.
 Senate Concurrent Resolutions, 49, 459, 461.
 Standing Committees, 43, Vice Chairman, 44, 45.
 Committee Reports, 48.
 Adopts Committee Reports, 48.
 Select Committees, 7.
 Committee on Legislative Research Resolutions, 108.
 Conference Committees, 761, 893, 997.
 Conference Committee Reports, 813, 932, 1003.
 Request, 434.
 Announcement, 870.
 Motions, 7, 813, 865 (2), 1004 (2).

SCHROCK

Bills, 57, 111, 188, 189, 199.
 Senate Concurrent Resolutions, 58, 99, 136 (2), 149, 253.
 Committee on Committees, 6.
 Standing Committees, 44 (2), 46.
 Select Committees, 8, 30.
 Conference Committees, 761, 893.
 Conference Committee Reports, 814, 927.
 Remarks, 9, 516.
 Explains vote, 273.
 Motions, 291, 345, 390 (3), 618, 963.

SOLBERG

Bills, 92 (2), 112, 135, 161, 191.
 Senate Concurrent Resolutions, 50, 149.
 Resolutions, 23.
 Standing Committees, 44 (2), 45.
 Select Committees, 7.
 Conference Committees, 983.
 Conference Committee Reports, 985.
 Request, 299.
 Motions, 11, 299.

THOMPSON

Bills, 38 (2), 39 (2), 53, 58, 92, 135, 136, 191.
 Senate Concurrent Resolutions, 70, 99, 136 (2), 195, 343.
 Standing Committees, 44, 45, 46.
 Conference Committees, 765, 983, 996.
 Conference Committee Reports, 857, 984, 1001.
 Requests, 235, 332.
 Motions, 510.

TRENBEATH

Bills, 37, 38, 49 (2), 57, 61, 69, 70 (2), 92 (2), 97 (2),
 111 (2), 122, 136, 161 (2), 179, 190, 191, 198.
 Senate Concurrent Resolutions, 16 (2), 39, 40, 49, 136,
 253, 265, 461.
 Standing Committees, 43, 44, 45, Chairman.
 Standing Committee Reports, 62, 175, 299, 335, 341 (2),
 378, 417, 418 (2), 433, 456 (2), 492, 494, 506, 584, 585,
 586 (2), 667 (2), 699 (2), 701 (3), 702 (4), 703 (2),
 929 (5).
 Adopts Committee Reports, 62, 175, 299, 335, 341 (2),
 377 (2), 378, 418, 456 (2), 492, 494, 506, 584, 585, 586 (2),
 668, 671 (2), 699 (2), 701 (3), 702 (4), 703 (2), 929 (5).
 Committee on Legislative Research Resolutions, 108.
 Select Committees, 360.
 Conference Committees, 763, 847, 859, 956.
 Conference Committee Reports, 890, 891, 924, 964.
 Request, 150.
 Motions, 65, 71, 79, 121 (2), 186, 418 (2), 420 (2), 431,
 459 (3), 516, 519, 606, 703, 727, 742, 743, 762 (2), 812,
 866, 890 (2), 891 (2), 893, 911 (2), 924 (2), 928, 934 (4),
 935, 964, 975 (2), 980 (2), 981 (2).

VAN HORN

Bills, 39 (2), 53 (2), 70, 78, 91, 92, 97, 98, 195, 198.
 Senate Concurrent Resolutions, 40, 70, 343.
 Committee on Committees, 6.
 Standing Committees, 43, 44, 45.
 Conference Committees, 642, 761 (2), 997.
 Conference Committee Reports, 677, 813 (2), 1003.
 Remarks, 20.

WADESON

President Pro Tem for Interim, 1012.
 Bills, 53 (2), 97 (2), 111, 141 (2), 142, 198.
 Senate Concurrent Resolutions, 50.
 Standing Committees, 23, 43, Chairman, 43, 46.
 Standing Committee Reports, 48, 88, 89, 105 (2), 159, 231,
 232, 234, 235, 247, 248, 250 (3), 336, 341, 351 (2), 373 (2),
 575, 625, 626 (3), 645 (2), 647 (3), 700, 810 (3), 811 (2).
 Adopts Committee Reports, 17, 22, 26, 48, 89 (2), 105 (2),
 159, 231, 232, 234, 235, 247, 248, 250 (3), 336, 341, 551 (2),
 573 (2), 575, 625, 626 (3), 645 (2), 647 (3), 700, 810 (3),
 811 (2).
 Select Committees, 7, 17, 22, 26.
 Conference Committees, 663, 766.
 Conference Committee Reports, 859, 985.
 Requests, 50 (2), 84.
 Motions, 7, 122, 148 (2), 159 (2), 251 (2), 264 (3), 281 (2),
 340, 352, 378, 608, 673 (2), 678, 766, 834 (2), 859, 945.

WARTNER

Bills, 10, 39, 70, 92, 97, 98, 99, 111, 135 (2), 136, 141 (2),
 142, 151, 177, 179, 187, 188, 196, 197 (2), 198 (2).
 Senate Concurrent Resolutions, 40, 149.
 Standing Committees, 44, Chairman, 45 (2).
 Standing Committee Reports, 88, 104, 147 (2), 148 (2),
 153 (3), 243, 245, 246 (2), 247 (3), 248 (2), 249, 301, 302,
 303, 338, 339 (3), 349 (6), 351 (4), 364 (2), 365 (4), 370,
 377 (3), 497, 498, 500, 503, 506, 511, 624 (3), 625 (6),
 626 (4), 645, 646, 647, 667 (2), 668, 669 (3), 670, 671,
 672 (2), 683, 811 (2), 823, 828 (2).
 Adopts Committee Reports, 88, 104, 147 (2), 148 (2),
 158 (3), 243, 245, 246, 247 (3), 248 (2), 249, 301, 302, 303,
 338, 339 (3), 349 (6), 350 (6), 351 (4), 364 (2), 365 (4),
 370, 377 (3), 497, 498, 500, 503, 506, 511, 624 (3), 625 (6),
 626 (4), 645, 646, 647, 667 (2), 668, 669 (3), 670, 672 (2),
 683, 811 (2), 823, 828 (2).
 Select Committees, 8.
 Conference Committees, 893, 944.
 Conference Committee Reports, 927, 979.
 Objection, 346.
 Requests, 150, 163, 262, 303, 825.
 Remarks, 824.
 Motions, 159, 175, 176, 210 (2), 264 (3), 276 (2), 321 (3),
 352, 368, 376, 378 (2), 383 (2), 420, 511, 519 (2), 521, 648,
 673, 703 (2), 742, 766 (2), 801 (2), 825, 865, 883 (4),
 884 (2), 895, 900, 927 (2), 978, 979, 1012.

WITTEMAN

Bills, 53, 134, 151, 187, 195.
Senate Concurrent Resolutions, 50, 149.
Standing Committees, 44, 45 (2).
Select Committees, 236.

YUNKER

Bills, 37 (4), 38 (2), 39 (2), 53, 78, 92, 98, 111, 191, 194,
198, 199.
Senate Concurrent Resolutions, 93, 461.
Standing Committees, 44, 45 (2).
Select Committees, 7.

RECORD OF SENATE BILLS IN THE SENATE

Senate Bill No. 1—(Senators Gefreh, Brooks, Holand, Ring-sak and Wartner)

Senate Bill No. 1. A Bill for an Act to enact the North Dakota Century Code together with chapter 13-03 in pocket part supplement form attached to Volume 3 of such code; to provide for the effective date of sections 4-01-14, 6-01-21.4, 6-09-17, chapters 10-24, 10-25, 10-26, 10-27, and 10-28, sections 11-03-08, 11-05-16, 11-08-06, 11-08-08, 11-08-13, 11-09-28, 11-10-02, 11-10-06, 11-11-10, 11-19-08, 11-19-13, 11-19-14, 11-19-15, 11-19-19, 11-30-16, 12-45-01, 12-49-06, 12-53-13, 15-21-02, 15-39-16, 15-39-21, 15-39-32, 15-40-07, 15-40-19, 15-40-20, 15-44-02, 15-44-03, 18-03-03, 18-03-04, 18-03-05, 18-03-07, 18-03-08, 18-04-02, 18-04-03, 18-04-05, 18-04-06, 18-05-12, 18-05-13, 19-01-08, 19-05-08, 19-05-09, 19-05-10, 20-13-07, 20-14-08, 24-02-12, 24-02-13, 24-02-37, 24-07-22, subsection 5 of section 25-01-01, subsection 12 of section 25-01-01, the last sentence of section 25-04-01, sections 25-04-12, 25-05-01, 25-08-10, 25-08-11, 25-08-13, 25-08-14, 25-08-15, 25-08-16, 25-08-17, 25-08-19, 25-08-20, 25-08-21, 26-22-09, 27-07-02, 27-08-20, 27-18-01, 27-18-02, 27-18-03, 27-18-04, 27-18-05, 29-01-14, 29-05-07, 29-05-29, 29-05-31, 29-07-06, 29-07-25, 29-08-18, 29-29-06, 32-12-03, 32-12-04, 32-14-09, 32-22-18, 33-01-00.1, 33-01-01, 33-01-03, 33-01-04, 33-01-08, 33-01-09, 33-01-11, 33-01-12, 33-01-15, 33-01-16, 33-01-17, 33-01-19, 33-01-20, 33-01-21, 33-01-22, 33-01-23, 33-01-24, 33-01-25, 33-02-12, 33-03-05, 33-03-12, 33-04-17, 33-05-03, 33-05-04, 33-05-08, 33-05-12, 33-08-17, 33-09-01, 33-09-09, 33-09-12, 33-10-01, 33-10-03, 33-11-03, 33-11-05, 33-11-07, 33-11-09, 33-11-10, 33-11-11, 33-11-12, 33-11-13, 33-11-14, 33-12-01, 33-12-06, 33-12-12, 33-12-34, 33-12-41, 36-01-17, 36-01-18, 36-11-10, 36-11-11, 36-16-04, 36-16-05, 36-16-06, 36-16-07, 36-16-08, 36-16-09, 36-16-10, 36-16-12, 36-22-09, 37-06-02, 37-06-03, 37-06-06, 37-15-13, 37-15-15, 38-06-59, 39-03-08, 39-06-16, 40-05-07, 40-07-08, 40-14-01, 40-15-01, 40-18-01, 40-18-03, 40-18-05, 40-18-06, 40-18-07, 40-18-08, 40-18-09, 40-18-10, 40-18-11, 40-18-13, 40-18-14, 40-18-15, 40-18-16, 40-18-17, 40-18-18, 40-18-19, 40-20-05, 40-49-17, 42-01-07, 42-03-01, 42-03-03, 44-05-01, 44-08-09, 44-09-01, 44-11-12, 47-19-14, 47-19-37, 49-01-09, 50-06-14, 54-06-06, 54-06-08, 54-10-01, 54-10-02, 54-10-03, 54-10-04, 54-11-01, 54-11-02, 54-11-03, 54-12-07, 54-14-01, 54-14-02, 54-15-04, 54-15-05, 54-15-06, 54-15-08, 54-15-09, 54-15-13, 54-16-08, 54-16-09, 54-18-14, 54-23-06, 54-23-41, 54-27-03, 54-27-04, 54-27-05, 54-27-06, 54-27-07, 54-27-08, 54-27-09, 54-27-11, 54-27-14, 54-27-15, 54-27-15.1, 54-27-15.4, 54-30-16, chapter 54-44, sections 55-01-04, 55-01-07, 57-37-24, 57-45-08, 58-04-02, 58-04-10, 58-05-02, 58-05-05, 58-05-07, 58-07-03, 58-11-01, and 61-02-13; to amend and reenact section 46-04-18 of the North Dakota Century Code relating to sales of the code; to provide for the repeal of sections 1-01-01.1, 1-01-01.2, 1-01-43, 1-02-33.1, chapters 4-03, and 4-04, sections 4-05-03.2, 4-05-08.2, 4-05-08.3, 5-01-24, 5-02-10, 5-03-18, 5-05-06, 5-05-18, 5-05-19, 6-03-29.1, 6-03-30, 6-03-75, 6-09-31, 10-04-20, 10-12-05, 10-13-09, 10-23-18, 10-23-19, 11-10-10.3, 11-10-10.4, 11-14-01, 12-21-08, 12-22-18, 15-03-14.1, 15-07-19, 15-08-18.2, 15-08-18.4,

15-08-18.5, subsection 14 of section 15-29-08, sections 15-36-03, 15-36-09, 15-36-14, 15-41-22, 15-56-01, 15-56-01.1, 15-56-02, 15-56-03, 15-56-04, 15-56-05, 15-56-06, 15-56-07, 15-56-08, 15-56-09, 16-17-18.2, 16-18-08, the first paragraph of section 19-02-14.1, sections 19-02-30, 19-02-31, 19-02-32, 19-02-33, 19-19-01, 20-01-04.2, 20-01-04.3, 20-05-02.2, 23-16-13, 23-20-01, chapter 24-A01, sections 24-01-24, 24-12-10, 24-13-11, 24-13-12, 24-13-13, 24-13-14, 25-05-12, 25-05-32, 26-22-40, 27-04-08.1, 28-02-02, 28-05-06, 28-06-11, 28-06-12, 28-06-13, 28-06-14, 28-06-15, 28-06-18, 28-07-21, 28-09-08, 28-12-11, 28-15-05, 28-15-06, 28-15-07, 28-15-08, 28-15-11, 28-28-04, 28-28-05, 28-28-08, 28-28-09, 29-26-22.3, 29-30-12, 29-30-17, 30-23-18, 30-23-19, 31-12-05, 32-15-03.1, 32-15-07, 32-15-08, 32-15-09, 32-15-10, 32-15-11, 32-15-12, 32-15-15, 33-04-05, 33-04-08, 33-04-09, 33-04-10, 33-04-12, 33-04-13, 33-08-03, 34-01-09.2, 34-01-09.3, 34-01-11, 34-06-21, 34-09-07, chapter 35-16, sections 35-24-23, 35-25-12, 36-01-20, 36-08-10, 36-09-21, 36-11-05, 36-11-05.1, 37-01-25.2, chapter 37-13, section 37-18-10, chapter 37-22, sections 38-04-05, 38-09-01.4, 39-06-41, 39-11-01.1, 39-16-33, 39-16-34, 39-16-35, 39-16-36, 39-16-37, 39-17-06.1, 40-05-01.2, 40-15-04, 40-22-41, 40-22-42, 40-23-07.1, 40-52-01, 41-02-24, 41-02-25, 41-17-15, 41-17-18, 43-09-24, 43-15-37, chapter 43-16, sections 43-19-17, 43-21-06, 44-01-15, 46-03-04, 47-04-13, 47-04-15, 47-04-16, 47-04-17, 47-04-18, 49-02-13, 49-02-19, 49-05-13, 49-15-05, 49-20-07, 50-01-11, 50-04-09, 50-07-40, chapter 51-03, sections 51-05-07, 51-05-12, 51-07-05, 51-07-06, 51-08-09, 51-08-10, 51-08-12, 52-01-05, chapter 52-07, sections 53-02-11, 53-02-14, 54-06-13, 54-15-15, 54-18-16, chapter 54-20, sections 54-23-44, 54-23-46, 54-23-47, 54-23-48, chapter 54-26, sections 54-27-09.1, 54-27-09.2, chapter 54-33, sections 57-15-06.1, 57-15-06.2, 57-15-25, 57-15-29, 57-15-29.1, 57-15-47, 57-40-15, 57-48-17, 58-05-17, 58-10-01, 58-10-02, 58-14-04, 61-21-59, 61-21-60, 61-21-61, 65-05-18, and 65-11-07; to provide for the delayed repeal of sections 6-01-21, chapters 10-08, 10-09, 10-10, and 10-11, sections 11-10-03, 40-18-02, 54-10-05, 54-10-06, 54-10-07, 54-10-08, 54-10-09, 54-10-11, chapter 54-13, sections 54-15-12, 54-15-14, 54-21-15, 54-21-16, 54-27-15.2, 58-10-01, 58-10-02, 58-14-04, and 65-02-10; to provide for the citation of sections in the North Dakota Century Code and pocket part supplements thereto; and declaring an emergency.

Introduction, first reading, 10, 11.

Rules suspended, not referred to committee, but referred to Senate as a Whole.

Engrossed, 11.

Second reading, 13.

Final passage, 13.

Emergency clause carried, 15.

Clincher, 15.

To House, 15, 25.

Returned to Senate, 20, 25.

Enrolled, 24.

Signed by President, 24.

Sent to Governor, 26.

Approved by Governor, 52.

Senate Bill No. 2—(Committee on Appropriations)

Senate Bill No. 2. A Bill for an Act making an appropriation for the general maintenance, plant improvements, and new buildings of the state institutions of higher learning of the State of North Dakota and declaring an emergency.

Introduction, first reading, 30.
Referred to Committee on Appropriations, 30.
Reported back, amended, 361, 364.
Amendments adopted, 419.
Engrossed, 423.
Placed at head of calendar, 451.
Second reading, 451, 976.
Final passage, 452.
Clincher, 452.
To House, 475, 1020.
Returned to Senate, amended, 937.
House amendments, 937, 938.
Senate concurs, 976.
Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 976.
Emergency clause carried, 976.
Enrolled, 1017.
Returned to Senate, signed by Speaker, 1020.
Signed by President, 1020.
Sent to Governor, 1025.

Senate Bill No. 3—(Committee on Appropriations)

Senate Bill No. 3. A Bill for an Act relating to an appropriation for the purpose of administering the provisions of Chapter 52-10 of the North Dakota Century Code, pertaining to social security coverage of public employees.

Introduction, first reading, 31.
Referred to Committee on Appropriations, 31.
Reported back, do pass, 298.
Second reading, 352.
Final passage, 352.
To House, 368, 612.
Returned to Senate, 588.
Enrolled, 599.
Signed by President, 600.
Returned to Senate, signed by Speaker, 629.
Sent to Governor, 540.
Approved by Governor, 665.

Senate Bill No. 4—(Committee on Appropriations)

Senate Bill No. 4. A Bill for an Act making an appropriation to the Livestock Sanitary Board for its operating and maintenance expense, and for indemnifying owners of animals, to the Bangs Disease Fund and to the Bovine Tuberculosis Fund.

Introduction, first reading, 31.
Referred to Committee on Appropriations, 31.
Reported back, amended, 229.
Amendments adopted, 251.

Engrossed, 259, 277.
 Amended from floor, 272.
 Second reading, 272, 991.
 Final passage, 273, 991.
 Rules suspended, deemed re-engrossed and placed on final passage, 273.
 To House, 291, 1020.
 Returned to Senate, amended, 795.
 House amendments, 795.
 Senate does not concur, 966.
 Conference Committee, Senate, 966.
 Conference Committee, House, 976.
 Conference Committee report, 990.
 Senate adopts Conference Committee report, 990.
 House adopts Conference Committee report, 1005.
 Enrolled, 1017.
 Signed by President, 1020.
 Returned to Senate, signed by Speaker, 1020.
 Sent to Governor, 1025.

Senate Bill No. 5—(Committee on Appropriations)

Senate Bill No. 5. A Bill for an Act authorizing the State Livestock Sanitary Board to provide by regulation for the quarantine of livestock feedlots; providing for the licensing of quarantined feedlots; and making an appropriation.

Introduction, first reading, 31.
 Referred to Committee on Appropriations, 31.
 Reported back, do pass, 103.
 Second reading, 117.
 Final passage, 118.
 To House, 127, 748.
 Returned to Senate, 673.
 Enrolled, 721.
 Signed by President, 722.
 Returned to Senate, signed by Speaker, 753.
 Sent to Governor, 775.
 Approved by Governor, 913.

Senate Bill No. 6—(Committee on Appropriations)

Senate Bill No. 6. A Bill for an Act making an appropriation to pay veterinary inspectors and expenses in connection with livestock sales rings as provided by law and by regulations promulgated by the Livestock Sanitary Board.

Introduction, first reading, 31.
 Referred to Committee on Appropriations, 31.
 Reported back, do pass, 104.
 Second reading, 118.
 Final passage, 118.
 To House, 127, 748.
 Returned to Senate, 673.
 Enrolled, 720.
 Signed by President, 722.
 Returned to Senate, signed by Speaker, 753.
 Sent to Governor, 775.
 Approved by Governor, 913.

Senate Bill No. 7—(Committee on Appropriations)

Senate Bill No. 7. A Bill for an Act making an appropriation to the State Historical Society for salary, clerk-hire and miscellaneous expenses and maintenance of state parks.

- Introduction, first reading, 31.
- Referred to Committee on Appropriations, 31.
- Reported back, amended, 240, 241.
- Amendments adopted, 264.
- Engrossed, 277.
- Laid over one legislative day, 289.
- Second reading, 289, 325, 909.
- Final passage, 326, 910.
- To House, 348.
- Returned to Senate, amended, 852.
- House amendments, 853.
- Senate concurs, 909.
- Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 909.
- Enrolled, 983.
- Signed by President, 1015.
- Returned to Senate, signed by Speaker, 1016.
- Sent to Governor, 1016.

Senate Bill No. 8—(Committee on Appropriations)

Senate Bill No. 8. A Bill for an Act making an appropriation for the operating and maintenance expenses of the Public Health Department.

- Introduction, first reading, 31.
- Referred to Committee on Appropriations, 31.
- Reported back, do pass, 88.
- Second reading, 112, 1006.
- Final passage, 113, 1006.
- To House, 122, 1020.
- Returned to Senate, amended, 1005.
- House amendments, 1005.
- Senate concurs, 1006.
- Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 1006.
- Enrolled, 1017.
- Signed by President, 1020.
- Returned to Senate, signed by Speaker, 1020.
- Sent to Governor, 1025.

Senate Bill No. 9—(Committee on Appropriations)

Senate Bill No. 9. A Bill for an Act making an appropriation for the purpose of paying salary, clerkhire and general expenses of the Department of Coal Mine Inspector and coal mine safety work.

- Introduction, first reading, 31.
- Referred to Committee on Appropriations, 31.
- Reported back, do pass, 241.
- Second reading, 273.
- Final passage, 274.

To House, 291, 817.
 Returned to Senate, 753.
 Enrolled, 773.
 Signed by President, 774.
 Returned to Senate, signed by Speaker, 854.
 Sent to Governor, 1013.

Senate Bill No. 10—(Committee on Appropriations)

Senate Bill No. 10. 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 Chapter 54-16 of the North Dakota Century Code, and for civil defense.

Introduction, first reading, 31.
 Referred to Committee on Appropriations, 32.
 Reported back, do pass, 66.
 Second reading, 81.
 Final passage, 81.
 To House, 94, 612.
 Returned to Senate, 588.
 Enrolled, 599.
 Signed by President, 600.
 Returned to Senate, signed by Speaker, 629.
 Sent to Governor, 640.
 Approved by Governor, 665.

Senate Bill No. 11—(Committee on Appropriations)

Senate Bill No. 11. A Bill for an Act making an appropriation to pay the expenses of the State Board of Veterinary Medical Examiners as authorized under Chapter 36-02 of the North Dakota Century Code.

Introduction, first reading, 32.
 Referred to Committee on Appropriations, 32.
 Reported back, do pass, 104.
 Second reading, 118.
 Final passage, 119.
 To House, 127, 748.
 Returned to Senate, 674.
 Enrolled, 720.
 Signed by President, 722.
 Returned to Senate, signed by Speaker, 753.
 Sent to Governor, 775.
 Approved by Governor, 913.

Senate Bill No. 12—(Committee on Appropriations)

Senate Bill No. 12. A Bill for an Act making an appropriation for the purpose of refunding money erroneously paid into or credited to the General Fund.

Introduction, first reading, 32.
 Referred to Committee on Appropriations, 32.
 Reported back, do pass, 66.
 Second reading, 81.
 Final passage, 82.
 To House, 94, 612.

Returned to Senate, 588.
Enrolled, 599.
Signed by President, 600.
Returned to Senate, signed by Speaker, 629.
Sent to Governor, 640.
Approved by Governor, 665.

Senate Bill No. 13—(Committee on Appropriations)

Senate Bill No. 13. A Bill for an Act providing an appropriation for the paying of salary, clerkhire, travel and general expenses of the office of Commissioner of Veterans' Affairs.

Introduction, first reading, 32.
Referred to Committee on Appropriations, 32.
Reported back, do pass, 104.
Second reading, 119.
Final passage, 119.
To House, 127, 748.
Returned to Senate, 674.
Enrolled, 691.
Signed by President, 722.
Returned to Senate, signed by Speaker, 753.
Sent to Governor, 775.
Approved by Governor, 913.

Senate Bill No. 14—(Committee on Appropriations)

Senate Bill No. 14. A Bill for an Act making an appropriation for the administration expenses of the Veterans' Aid Commission.

Introduction, first reading, 32.
Referred to Committee on Appropriations, 32.
Reported back, do pass, 104.
Second reading, 119.
Final passage, 120.
To House, 127, 748.
Returned to Senate, 674.
Enrolled, 720.
Signed by President, 722.
Returned to Senate, signed by Speaker, 753.
Sent to Governor, 775.
Approved by Governor, 913.

Senate Bill No. 15—(Committee on Appropriations)

Senate Bill No. 15. 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, and declaring an emergency.

Introduction, first reading, 32.
Referred to Committee on Appropriations, 32.
Reported back, do pass, 173.
Second reading, 205, 909.
Final passage, 205, 909.
To House, 228.
Returned to Senate, amended, 795.

House amendments, 796.
 Senate concurs, 909.
 Emergency clause carried, 909.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 909.
 Enrolled, 983.
 Signed by President, 1015.
 Returned to Senate, signed by Speaker, 1016.
 Sent to Governor, 1016.

Senate Bill No. 16—(Committee on Appropriations)

Senate Bill No. 16. A Bill for an Act making an appropriation to provide funds for the arrest and return of fugitives from justice.

Introduction, first reading, 32.
 Referred to Committee on Appropriations, 32.
 Reported back, do pass, 66.
 Second reading, 82.
 Final passage, 82.
 To House, 94, 612.
 Returned to Senate, 588.
 Enrolled, 599.
 Signed by President, 600.
 Returned to Senate, signed by Speaker, 629.
 Sent to Governor, 640.
 Approved by Governor, 665.

Senate Bill No. 17—(Committee on Appropriations)

Senate Bill No. 17. 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, 32.
 Referred to Committee on Appropriations, 32.
 Reported back, do pass, 66.
 Second reading, 82.
 Final passage, 83.
 To House, 94, 748.
 Returned to Senate, 674.
 Enrolled, 691.
 Signed by President, 722.
 Returned to Senate, signed by Speaker, 753.
 Sent to Governor, 775.
 Approved by Governor, 913.

Senate Bill No. 18—(Committee on Appropriations)

Senate Bill No. 18. A Bill for an Act making an appropriation for inquest and burial for penal inmates, and action to release mentally ill.

Introduction, first reading, 32.
 Referred to Committee on Appropriations, 32.
 Reported back, amended, 66, 67.
 Amendments adopted, 75.

Engrossed, 85.
 Second reading, 99.
 Final passage, 100.
 To House, 103, 612.
 Returned to Senate, 588.
 Enrolled, 599.
 Signed by President, 600.
 Returned to Senate, signed by Speaker, 629.
 Sent to Governor, 640.
 Approved by Governor, 665.

Senate Bill No. 19—(Committee on Appropriations)

Senate Bill No. 19. A Bill for an Act making an appropriation for salaries, operation, maintenance, general and miscellaneous expenses for the State Laboratories Department.

Introduction, first reading, 33.
 Referred to Committee on Appropriations, 33.
 Reported back, do pass, 317.
 Motion to substitute minority for majority report, lost, 318.
 Division requested, lost, 318.
 Second reading, 381.
 Final passage, 381.
 To House, 448, 986.
 Returned to Senate, 898.
 Enrolled, 913.
 Signed by President, 974.
 Returned to Senate, signed by Speaker, 996.
 Sent to Governor, 1023.

Senate Bill No. 20—(Committee on Appropriations)

Senate Bill No. 20. A Bill for an Act making an appropriation for the use of the North Dakota Economic Development Commission.

Introduction, first reading, 33.
 Referred to Committee on Appropriations, 33.
 Reported back, amended, 230.
 Amendments adopted, 251.
 Engrossed, 259.
 Second reading, 274, 959.
 Final passage, 274, 959.
 To House, 292, 1017.
 Returned to Senate, amended, 860.
 House amendments, 860.
 Senate does not concur, 909.
 Conference Committee, Senate, 912.
 Conference Committee, House, 919.
 Conference Committee report, 958.
 Senate adopts Conference Committee report, 959.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 959.
 Enrolled, 1014.
 Signed by President, 1017.
 Returned to Senate, signed by Speaker, 1022.
 Sent to Governor, 1022.

Senate Bill No. 21—(Committee on Appropriations)

Senate Bill No. 21. 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, 33.
 Referred to Committee on Appropriations, 33.
 Reported back, amended, 146.
 Adopted, 147.
 Engrossed, 173.
 Second reading, 182.
 Final passage, 183.
 To House, 205, 748.
 Returned to Senate, 674.
 Enrolled, 691.
 Signed by President, 722.
 Returned to Senate, signed by Speaker, 753.
 Sent to Governor, 775.
 Approved by Governor, 913.

Senate Bill No. 22—(Committee on Appropriations)

Senate Bill No. 22. A Bill for an Act making an appropriation into the "Administrative Fund" for the State Water Conservation Commission for general administration expenses, maintaining and construction of dams; planning and surveying projects; expenses of state Compacts; and for organizing water conservation and irrigation districts for construction and development.

Introduction, first reading, 33.
 Referred to Committee on Appropriations, 33.
 Reported back, do pass, 213.
 Second reading, 237.
 Final passage, 238.
 To House, 256, 755.
 Returned to Senate, 739.
 Enrolled, 751.
 Signed by President, 752.
 Returned to Senate, signed by Speaker, 798.
 Sent to Governor, 832.
 Approved by Governor, 913.

Senate Bill No. 23—(Committee on Appropriations)

Senate Bill No. 23. A Bill for an Act making an appropriation to the State Water Conservation Commission for continued participation in the investigation, planning, construction and maintenance of multiple-purpose projects for beneficial utilization, control and management of public waters and providing that moneys appropriated by this Act, and any unused balance of moneys remaining unexpended, appropriated for the purpose mentioned, shall be covered into a fund designated "multiple-purpose fund" and that such fund shall remain available to the Commission until expended.

Introduction, first reading, 33.
 Referred to Committee on Appropriations, 33.
 Reported back, do pass, 213.

Second reading, 238, 910.
 Final passage, 238, 911.
 To House, 256, 986.
 Returned to Senate, amended, 795.
 House amendments, 796.
 Senate concurs, 910.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 910.
 Enrolled, 954.
 Signed by President, 974.
 Returned to Senate, signed by Speaker, 996.
 Sent to Governor, 1023.

Senate Bill No. 24—(Committee on Appropriations)

Senate Bill No. 24. 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, 33.
 Referred to Committee on Appropriations, 33.
 Reported back, do pass, 147.
 Second reading, 166.
 Final passage, 167.
 To House, 185, 986.
 Returned to Senate, 898.
 Enrolled, 913.
 Signed by President, 974.
 Returned to Senate, signed by Speaker, 996.
 Sent to Governor, 1023.

Senate Bill No. 25—(Committee on Appropriations)

Senate Bill No. 25. A Bill for an Act making an appropriation to the North Dakota Firemen's Association.

Introduction, first reading, 33.
 Referred to Committee on Appropriations, 33.
 Reported back, do pass, 147.
 Second reading, 167.
 Final passage, 167.
 To House, 185, 851.
 Returned to Senate, 798.
 Enrolled, 820.
 Signed by President, 820.
 Returned to Senate, signed by Speaker, 897.
 Sent to Governor, 1023.

Senate Bill No. 26—(Committee on Appropriations)

Senate Bill No. 26. 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, medical aid to the aged and for the necessary costs of administration of all of the programs above mentioned.

Introduction, first reading, 34.
 Referred to Committee on Appropriations, 34.
 Reported back, amended, 213.
 Amendments adopted, 235.
 Engrossed, 240.
 Second reading, 256, 1000.
 Final passage, 257, 1000.
 To House, 272, 1020.
 Returned to Senate, amended, 860.
 House amendments, 860.
 Senate does not concur, 908.
 Conference Committee, Senate, 912.
 Conference Committee, House, 919.
 Conference Committee report, 999.
 Senate adopts Conference Committee report, 999.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended in Conference Committee, 999.
 House adopts Conference Committee report, 1005.
 Enrolled, 1018.
 Signed by President, 1020.
 Returned to Senate, signed by Speaker, 1020.
 Sent to Governor, 1025.

Senate Bill No. 27—(Committee on Appropriations)

Senate Bill No. 27. A Bill for an Act making an appropriation for the purpose of carrying out the provisions of Chapter 54-36 of the North Dakota Century Code.

Introduction, first reading, 34.
 Referred to Committee on Appropriations, 34.
 Reported back, do pass, 147.
 Second reading, 167.
 Final passage, 168.
 To House, 185, 755.
 Returned to Senate, 739.
 Enrolled, 751.
 Signed by President, 752.
 Returned to Senate, signed by Speaker, 798.
 Sent to Governor, 832.
 Approved by Governor, 913.

Senate Bill No. 28—(Committee on Appropriations)

Senate Bill No. 28. A Bill for an Act to provide for the payment of the expenses of auditing and examining the affairs of the State Industrial institutions, and the special departments and its subdivisions, of the State of North Dakota, designating and appropriating the funds from which paid; providing for the payment of said collections into the Special Fund in the State Treasury; providing for repeal of acts.

Introduction, first reading, 34.
 Referred to Committee on Appropriations, 34.
 Reported back, amended, 173.
 Amendments adopted, 186.
 Engrossed, 201.
 Second reading, 215.

Final passage, 215.
 To House, 239, 868.
 Returned to Senate, 798.
 Enrolled, 830.
 Signed by President, 857.
 Returned to Senate, signed by Speaker, 798.
 Sent to Governor, 1023.

Senate Bill No. 29—(Committee on Appropriations)

Senate Bill No. 29. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Department of the Registrar of Motor Vehicles.

Introduction, first reading, 34.
 Referred to Committee on Appropriations, 34.
 Reported back, do pass, 88.
 Second reading, 113, 908.
 Final passage, 113, 908.
 To House, 122.
 Returned to Senate, amended, 795.
 House amendments, 796.
 Senate concurs, 908.
 Rules suspended, deemed re-engrossed, placed on second reading, and final passage as amended by House, 908.
 Enrolled, 984.
 Signed by President, 1015.
 Returned to Senate, signed by Speaker, 1016.
 Sent to Governor, 1016.

Senate Bill No. 30—(Committee on Appropriations)

Senate Bill No. 30. 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, 34.
 Referred to Committee on Appropriations, 34.
 Reported back, do pass, 230.
 Second reading, 257.
 Final passage, 257.
 To House, 272, 817.
 Returned to Senate, 739.
 Enrolled, 773.
 Signed by President, 774.
 Returned to Senate, signed by Speaker, 993.
 Sent to Governor, 1013.

Senate Bill No. 31—(Committee on Appropriations)

Senate Bill No. 31. A Bill for an Act making an appropriation for the construction of buildings by the State Highway Department.

Introduction, first reading, 34.
 Referred to Committee on Appropriations, 34.
 Reported back, do pass, 241.
 Second reading, 274, 894.

Final passage, 275, 894.
 To House, 292, 986.
 Returned to Senate, amended, 795.
 House amendements, 796.
 Senate concurs, 893.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 894.
 Enrolled, 913.
 Signed by President, 974.
 Returned to Senate, signed by Speaker, 996.
 Sent to Governor, 1013.

Senate Bill No. 32—(Committee on Appropriations)

Senate Bill No. 32. A Bill for an Act making an appropriation out of the State Treasury for the operation, maintenance, equipment, supplies, outfitting of patrolmen, travel and miscellaneous expenses for the Highway Patrol.

Introduction, first reading, 34.
 Referred to Committee on Appropriations, 34.
 Reported back, amended, 454.
 Amendments adopted, 518.
 Engrossed, 548.
 Second reading, 549, 960.
 Final passage, 549, 960.
 To House, 554, 1017.
 Returned to Senate, amended, 860.
 House amendments, 860.
 Senate does not concur, 908.
 Conference Committee, Senate, 912.
 Conference Committee, House, 919.
 Conference Committee report, 959.
 Senate adopts Conference Committee report, 960.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended in Conference Committee, 960.
 House adopts Conference Committee report, 982.
 Enrolled, 1014.
 Signed by President, 1017.
 Returned to Senate, signed by Speaker, 1022.
 Sent to Governor, 1022.

Senate Bill No. 33—(Committee on Appropriations)

Senate Bill No. 33. 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, 35.
 Referred to Committee on Appropriations, 35.
 Reported back, do pass, 242.
 Second reading, 275, 289.
 Placed at foot of calendar, 275.
 Placed at head of calendar, 280.
 Final passage, 289.
 To House, 316, 851.
 Returned to Senate, 798.
 Enrolled, 820.
 Signed by President, 820.
 Returned to Senate, signed by Speaker, 897.
 Sent to Governor, 1013.

Senate Bill No. 34—(Committee on Appropriations)

Senate Bill No. 34. 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, 35.
Referred to Committee on Appropriations, 35.
Reported back, amended, 242, 335.
Amendments adopted, 264, 352.
Engrossed, 277, 361, 423.
Second reading, 289, 404, 930.
Re-referred to Committee on Appropriations, 290.
Reported back, amended, 335.
Amended from the floor, 404.
Rules suspended, deemed re-engrossed, placed on second reading and final passage, as amended from the floor, 405.
Final passage, 405, 930.
To House, 448.
Returned to Senate, amended, 852.
House amendments, 853.
Senate does not concur, 859.
Conference Committee, Senate, 893.
Conference Committee, House, 908.
Senate adopts Conference Committee report, 930.
Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended in Conference Committee, 930.
House adopts Conference Committee report, 947.
Enrolled, 984.
Signed by President, 1015.
Returned to Senate, signed by Speaker, 1016.
Sent to Governor, 1016.

Senate Bill No. 35—(Committee on Appropriations)

Senate Bill No. 35. A Bill for an Act making an appropriation for the purpose of operating and maintaining the Teachers' Insurance and Retirement Fund.

Introduction, first reading, 35.
Referred to Committee on Appropriations, 35.
Reported back, do pass, 88.
Second reading, 113.
Final passage, 114.
To House, 122, 986.
Returned to Senate, 863.
Enrolled, 913.
Signed by President, 974.
Returned to Senate, signed by Speaker, 996.
Sent to Governor, 1013.

Senate Bill No. 36—(Committee on Appropriations)

Senate Bill No. 36. A Bill for an Act making an appropriation to provide for nurse preparation scholarships for qualified residents of North Dakota who express an intent to prepare for nursing, as provided for in Chapter 43-12 of the North Dakota Century Code.

Introduction, first reading, 35.
Referred to Committee on Appropriations, 35.
Reported back, do pass, 230.
Second reading, 258.
Final passage, 258.
To House, 272, 851.
Returned to Senate, 798.
Enrolled, 820.
Signed by President, 820.
Returned to Senate, signed by Speaker, 897.
Sent to Governor, 1013.

Senate Bill No. 37—(Committee on Appropriations)

Senate Bill No. 37. A Bill for an Act making an appropriation for the purpose of carrying out the provisions of Chapter 54-38 of the North Dakota Century Code.

Introduction, first reading, 35.
Referred to Committee on Appropriations, 35.
Reported back, amended, 214.
Re-referred to Committee on Appropriations, 222.
Reported back, amended, 230.
Amendments adopted, 251.
Engrossed, 259.
Second reading, 275.
Final passage, 276.
To House, 292, 851.
Returned to Senate, 798.
Enrolled, 820.
Signed by President, 820.
Returned to Senate, signed by Speaker, 897.
Sent to Governor, 1013.

Senate Bill No. 38—(Committee on Appropriations)

Senate Bill No. 38. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Public Safety Division.

Introduction, first reading, 35.
Referred to Committee on Appropriations, 35.
Reported back, amended, 243.
Amendments adopted, 264.
Engrossed, 277.
Second reading, 312.
Final passage, 312.
To House, 334, 748.
Returned to Senate, 674.
Enrolled, 691.
Signed by President, 722.
Returned to Senate, signed by Speaker, 753.
Sent to Governor, 775.
Approved by Governor, 913.

Senate Bill No. 39—(Legislative Research Committee)

Senate Bill No. 39. A Bill for an Act relating to the rights of parties under oil and gas leases and remedies available to such parties, and to provide for a presumption of drainage of oil or gas under certain circumstances.

Introduction, first reading, 35.
Referred to Committee on Natural Resources, 35.
Reported back, indefinitely postponed, 299.
Motion to place on calendar, lost, 299.
Motion to reconsider, lost, 300.

Senate Bill No. 40—(Legislative Research Committee)

Senate Bill No. 40. A Bill for an Act to amend and reenact subsection 2 of section 38-08-08 of the North Dakota Century Code relating to the payment of costs of oil and gas operations when fractional oil and gas interests are pooled by order of the industrial commission, and to the method of requiring that such costs be paid by all owners of fractional interests, and to repeal section 38-08-10 of the North Dakota Century Code relating to the filing and foreclosure of liens upon the interests of parties not sharing costs of pooled operations.

Introduction, first reading, 35.
Referred to Committee on Natural Resources, 36.
Reported back, amended, 371.
Amendments adopted, 419.
Engrossed, 423.
Second reading, 528.
Final passage, 529.
To House, 554.
Returned to Senate, indefinitely postponed, 753.

Senate Bill No. 41—(Legislative Research Committee)

Senate Bill No. 41. A Bill for an Act to amend and reenact section 38-08-09 of the North Dakota Century Code relating to the approval by the industrial commission of voluntary agreements for the unit or cooperative development and operation of common sources of oil and gas.

Introduction, first reading, 36.
Referred to Committee on Natural Resources, 36.
Reported back, amended, 418.
Amendments adopted, 459.
Engrossed, 478.
Second reading, 537.
Final passage, 538.
To House, 554.
Returned to Senate, indefinitely postponed, 753.

Senate Bill No. 42—(Legislative Research Committee)

Senate Bill No. 42. A Bill for an Act to create and enact sections 38-08-09.1 through 38-08-09.16, inclusive, of the North Dakota Century Code, to provide for the unitized management, operation, and development of common sources of supply of oil and gas in order to encourage cycling, re-cycling, pressure maintenance, and secondary recovery operations in order that the greatest possible economic recovery of oil and gas be obtained within the state to the benefit of landowners, royalty owners, producers,

and the general public, and for the protection of the correlative rights of all such persons; and to prescribe procedures for organizing such unit operations.

Introduction, first reading, 36.

Referred to Committee on Natural Resources, 36.

Reported back, indefinitely postponed, 372.

Senate Bill No. 43—(Legislative Research Committee)

Senate Bill No. 43. A Bill for an Act to amend and reenact sections 38-08-04 and 38-08-06 of the North Dakota Century Code relating to powers of the industrial commission in regard to oil and gas conservation and authorizing oil and gas marketing districts.

Introduction, first reading, 36.

Referred to Committee on Natural Resources, 36.

Reported back, amended, 433.

Amended from the floor, 516.

Amendments adopted, 516.

Engrossed, 548.

Second reading, 549.

Final passage, 550.

To House, 554, 986.

Returned to Senate, 898.

Enrolled, 954.

Signed by President, 974.

Returned to Senate, signed by Speaker, 996.

Sent to Governor, 1013.

Senate Bill No. 44—(Legislative Research Committee)

Senate Bill No. 44. A Bill for an Act relating to the obligation to pay royalties under oil and gas leases and providing remedies for breach of such obligation.

Introduction, first reading, 36.

Referred to Committee on Natural Resources, 36.

Reported back, amended, 372.

Amendments adopted, 419.

Engrossed, 423.

Second reading, 529.

Final passage, 529.

To House, 554, 851.

Returned to Senate, 798.

Enrolled, 820.

Signed by President, 820.

Returned to Senate, signed by Speaker, 897.

Sent to Governor, 1013.

Senate Bill No. 45—(Legislative Research Committee)

Senate Bill No. 45. A Bill for an Act to create and enact section 38-08-04.1 of the North Dakota Century Code, authorizing the industrial commission to appoint examiners to conduct hearings with respect to oil and gas conservation matters coming before the commission, and to make findings and recommendations with respect thereto to the commission.

Introduction, first reading, 36.
 Referred to Committee on Natural Resources, 36.
 Reported back, amended, 414, 417.
 Amendments adopted, 459.
 Engrossed, 478.
 Second reading, 537, 931.
 Final passage, 537, 931.
 To House, 554.
 Returned to Senate, amended, 852.
 House amendments, 853.
 Senate does not concur, 893.
 Conference Committee, Senate, 893.
 Conference Committee, House, 907.
 Senate adopts Conference Committee report, 931.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 931.
 Enrolled, 984.
 House adopts Conference Committee report, 1005.
 Signed by President, 1015.
 Returned to Senate, signed by Speaker, 1016.
 Sent to Governor, 1016.

Senate Bill No. 46—(Senators Fiedler, Hystad, Longmire and Yunker)

Senate Bill No. 46. A Bill for an Act to create and enact sections 19-02-02.1 and 23-05-07.1 of the North Dakota Century Code and to amend and reenact subsection 1 of section 23-01-05 and subsection 9 of section 23-09-09 and sections 23-04-07, 23-09-02, 23-09-10, 23-09-11, 23-09-14, 23-09-16, 23-09-17, 23-09-18, 23-09-19, 23-09-22, 23-10-02, 23-10-03, 23-10-04, 23-10-06, 23-10-10, 23-10-11, 23-10-12, and 23-14-12 of the North Dakota Century Code relating to licensing and regulation of restaurants, hotels, boardinghouses, lodgings, motor courts, and trailer courts, and the enforcement of laws relating thereto.

Introduction, first reading, 37.
 Referred to Committee on State and Federal Government, 37.
 Reported back, amended, 260.
 Amendments adopted, 297.
 Engrossed, 298, 334, 393.
 Amended from the floor, 326.
 Second reading, 326, 390.
 Laid over one legislative day, 326.
 Amended from the floor, 390.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended from the floor, 390.
 Final passage, 391.
 Motion to reconsider, lost, 394.
 To House, 448.
 Returned to Senate, indefinitely postponed, 852.

Senate Bill No. 47—(Senators Fiedler, Hystad, Longmire and Yunker)

Senate Bill No. 47. A Bill for an Act to authorize the establishment of community mental health service units, to provide for their administration and for state aid and

assistance from the state health department, and to authorize a mill levy of not to exceed three-quarters of one mill for such purpose.

Introduction, first reading, 37.

Referred to Committee on Social Welfare and Veterans Affairs, 37.

Reported back, indefinitely postponed, 299.

Motion to reconsider, lost, 300.

Senate Bill No. 48—(Senators Fiedler, Hystad, Longmire and Yunker)

Senate Bill No. 48. A Bill for an Act to provide for the transfer of the children's psychiatric clinic from the board of administration to the state health department and authorizing the health department to use the staff of the clinic to a limited extent in other mental health activities.

Introduction, first reading, 37.

Referred to Committee on State and Federal Government, 37.

Re-referred to Committee on Social Welfare and Veterans Affairs, 107.

Reported back, indefinitely postponed, 299.

Senate Bill No. 49—(Senators Fiedler, Holand, Hystad, Longmire and Yunker)

Senate Bill No. 49. A Bill for an Act to provide for the establishment of a mental health authority in the state health department and prescribing its powers and duties, establishment of a mental health coordinating committee and prescribing its functions, the transfer and continuance of the state psychiatric out-patient clinic, to amend and reenact section 25-02-04 of the North Dakota Century Code relating to the superintendent of the state hospital, and to repeal chapter 39 of the 1959 Session Laws relating to the children's psychiatric clinic.

Introduction, first reading, 37.

Referred to Committee on Social Welfare and Veterans Affairs, 37.

Reported back, amended, 300.

Amendments adopted, 321.

Engrossed, 334.

Second reading, 381, 1002.

Final passage, 382, 1003.

To House, 449, 1020.

Returned to Senate, amended, 852.

House amendments, 853.

Senate does not concur, 837.

Conference Committee, Senate, 847, 944, 980, 984, 998.

Conference Committee, House, 869, 955, 976, 994, 995, 998.

Conference Committee discharged, 944.

House does not adopt Conference Committee report, 976.

Senate does not adopt Conference Committee report, 979.

Conference Committee discharged, 984.

Senate refuses to adopt, 988.

House adopts, 994.

Senate adopts, 997.

House refuses to adopt, 997.

Senate adopts, 1002.

Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended in Conference Committee, 1002.

House adopts, 1005.

Enrolled, 1018.

Signed by President, 1020.

Returned to Senate, signed by Speaker, 1020.

Sent to Governor, 1025.

Senate Bill No. 50—(Senators Foss, Hernet, Holand, Lautenschlager and Trenbeath)

Senate Bill No. 50. A Bill for an Act to create and enact chapter 21-09 of the North Dakota Century Code relating to the investment of public funds, creation of a state investment board, appointment of a director, types of legal investments, providing a penalty, and providing an appropriation for the operation of the board; and to amend and reenact sections 15-39-26, 26-23-03, 26-24-07, 54-27-16, and 65-04-31 of the North Dakota Century Code relating to the investment of public funds.

Introduction, first reading, 37.

Referred to Committee on State and Federal Government, 37.

Reported back, amended, 243.

Amendments adopted, 264.

Engrossed, 277.

Second reading, 312.

Final passage, 313.

To House, 348.

Returned to Senate, indefinitely postponed, 795.

Senate Bill No. 51—(Senators Foss, Hernet, Lautenschlager and Trenbeath)

Senate Bill No. 51. A Bill for an Act providing for a transfer of all funds in the charitable institutions revolving fund and the institutional support funds and providing that all collections from liquor taxes be deposited in the general fund and to relieve the counties of any share of costs of operation and administration of the state hospital, state school, and tuberculosis sanatorium, and further providing for the collection of expenses incurred by the state for care and treatment of patients at such institutions to create and enact chapter 25-09 of the North Dakota Century Code, and to amend and reenact sections 5-03-09, 5-03-11, 25-03-15, 25-03-26, 25-04-04, and 25-05-34 of the North Dakota Century Code and to repeal sections 25-01-14, 25-02-07, 25-02-08, 25-02-10, 25-03-03, 25-03-04, 25-04-09, 25-04-10, 25-05-08, 25-05-09, and 25-05-10, and chapter 25-08 of the North Dakota Century Code relating to institutional care and treatment and expenses thereof and the disposition of liquor taxes.

Introduction, first reading, 38.

Referred to Committee on State and Federal Government, 38.

Reported back, amended, 88.

Amendments adopted, 111, 132.
 Engrossed, 117, 138.
 Amended from the floor, 132.
 Rules suspended, deemed re-engrossed and placed on calendar, 132.
 Second reading, 123, 131, 132, 884.
 Laid over one legislative day, 123.
 Final passage, 133, 884.
 To House, 144, 1020.
 Returned to Senate, amended, 860.
 House amendments, 861.
 Senate concurs, 884.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 884.
 Enrolled, 1018.
 Signed by President, 1020.
 Returned to Senate, signed by Speaker, 1020.
 Sent to Governor, 1025.

Senate Bill No. 52—(Senators Luick, Baeverstad, Gefreh, Johnson, Kee, Thompson and Yunker)

Senate Bill No. 52. A Bill for an Act providing for a county supervisor of assessment, prescribing his powers and duties, and to amend and reenact section 57-02-12 of the North Dakota Century Code relating to the manner of listing personal property for taxation and providing a penalty.

Introduction, first reading, 38.
 Referred to Committee on Finance and Taxation, 38.
 Re-referred to Committee on Finance and Taxation, 371.
 Reported back, amended, 487 to 492.
 Amendments adopted, 518.
 Engrossed, 552.
 Placed at head of calendar, 553.
 Second reading, 555.
 Final passage, 556.
 To House, 569.
 Returned to Senate, indefinitely postponed, 852.

Senate Bill No. 53—(Senators Luick, Holand, Baeverstad, Gefreh, Johnson, Kee, Thompson and Yunker)

Senate Bill No. 53. A Bill for an Act creating the office of state supervisor of assessments in the state tax commissioner's office and providing for his appointment and duties.

Introduction, first reading, 38.
 Referred to Committee on State and Federal Government, 38.
 Re-referred to Committee on Finance and Taxation, 210.
 Re-referred to Committee on Finance and Taxation, 371.
 Reported back, amended, 487.
 Amendments adopted, 518.
 Engrossed, 552.
 Placed at head of calendar, 553.
 Second reading, 556.
 Final passage, 556.
 To House, 569, 956.
 Returned to Senate, 852.

Enrolled, 857.
Signed by President, 928.
Returned to Senate, signed by Speaker, 993.
Sent to Governor, 1013.

Senate Bill No. 54—(Senators Luick, Baeverstad, Gefreh, Johnson, Kee, Thompson and Yunker)

Senate Bill No. 54. A Bill for an Act to amend and re-enact section 57-38-37 of the North Dakota Century Code relating to the issuance of a receipt for the payment of income tax.

Introduction, first reading, 39.
Referred to Committee on State and Federal Government, 39.
Reported back, do pass, 67.
Second reading, 83.
Final passage, 83.
To House, 94, 651.
Returned to Senate, 611.
Enrolled, 622.
Signed by President, 641.
Returned to Senate, signed by Speaker, 675.
Sent to Governor, 692.
Approved by Governor, 751.

Senate Bill No. 55—(Senators Luick, Baeverstad, Gefreh, Johnson, Kee, Thompson and Yunker)

Senate Bill No. 55. A Bill for an Act to create and enact subsection 10 of section 57-02-01 of the North Dakota Century Code relating to the definition of a farm for tax purposes.

Introduction, first reading, 39.
Referred to Committee on Judiciary, 39.
Reported back, do pass, 88.
Second reading, 114.
Final passage, 114.
To House, 122.
Returned to Senate, indefinitely postponed, 795.

Senate Bill No. 56—(Senators Nesvig, Fiedler, Garaas, Hystad, Kisse, Meidinger, Morgan, Redlin and Wartner)

Senate Bill No. 56. A Bill for an Act to create and enact section 16-20-16.1 of the North Dakota Century Code, relating to the posting of campaign material on private property and the willful destruction thereof and providing a penalty.

Introduction, first reading, 39.
Referred to Committee on State and Federal Government, 39.
Reported back, do pass, 67.
Second reading, 83.
Final passage, 84.
To House, 94.
Returned to Senate, indefinitely postponed; 753.

Senate Bill No. 57—(Senators Nesvig, Van Horn and Hystad)

Senate Bill No. 57. A Bill for an Act to amend and reenact sections 35-12-10, 35-12-11, 35-12-15, and 35-12-19 of the North Dakota Century Code, relating to time allowed in which to file mechanic's lien.

Introduction, first reading, 39.
Referred to Committee on Judiciary, 39.
Reported back, indefinitely postponed, 104.

Senate Bill No. 58—(Senator Garaas)

Senate Bill No. 58. A Bill for an Act to amend and reenact sections 38-09-17 and 38-09-18 of the North Dakota Century Code relating to leasing of public lands for the exploration and development of oil and gas.

Introduction, first reading, 39.
Referred to Committee on Natural Resources, 39.
Reported back, do pass, 335.
Second reading, 391.
Final passage, 392.
To House, 449.
Returned to Senate, indefinitely postponed, 753.

Senate Bill No. 59—(Senators Van Horn and Ringsak)

Senate Bill No. 59. A Bill for an Act to amend and reenact section 26-26-08 of the North Dakota Century Code, relating to the supervision by the commissioner of insurance over nonprofit hospital service corporations.

Introduction, first reading, 39.
Referred to Committee on Industry, Business and Labor, 39.
Motion to return bill to Senate, 81.
Requested unanimous consent to withdraw bill, granted, 81.

Senate Bill No. 60—(Senator Gefreh)

Senate Bill No. 60. A Bill for an Act to amend and reenact subsection 1 of section 21-03-06 of the North Dakota Century Code, relating to the borrowing of money and the issuance of bonds by a county.

Introduction, first reading, 49.
Referred to Committee on Political Subdivisions, 49.
Reported back, do pass, 104.
Second reading, 120, 125.
Laid over one legislative day, 120.
Final passage, 126.
To House, 144, 689.
Returned to Senate, 629.
Enrolled, 640.
Signed by President, 664.
Returned to Senate, signed by Speaker, 704.
Sent to Governor, 720.
Approved by Governor, 773.

Senate Bill No. 61—(Senators Roen, Reichert, Longmire, Mutch, Trenbeath, Miller, Ringsak, Foss and Saumur)

Senate Bill No. 61. A Bill for an Act to authorize the state board of higher education to sell tax exempt bonds for the purpose of constructing revenue-producing buildings at institutions of higher learning in this state, and providing an appropriation.

Introduction, first reading, 49.
 Referred to Committee on Education, 49.
 Reported back, do pass, 67.
 Re-referred to Committee on Appropriations, 84.
 Reported back, do pass, 231.
 Second reading, 84, 266, 765.
 Final passage, 266, 766.
 To House, 292, 817.
 Returned to Senate, amended, 674.
 House amendments, 674.
 Senate concurs, 765.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 765.
 Enrolled, 773.
 Signed by President, 774.
 Returned to Senate, signed by Speaker, 854.
 Sent to Governor, 1013.

Senate Bill No. 62—(Senators Trenbeath, Harris and Nesvig)

Senate Bill No. 62. A Bill for an Act to amend and reenact subsection (a) of section 4-10A-06 and subsection (a) of section 4-10A-09 of the North Dakota Century Code, relating to fee collected by the potato development commission to promote sale and use of potatoes grown in this state.

Introduction, first reading, 49.
 Referred to Committee on Agriculture, 49.
 Reported back, indefinitely postponed, 231.

Senate Bill No. 63—(Senator Reichert)

Senate Bill No. 63. A Bill for an Act to authorize the transfer of certain state-owned land under the control of the North Dakota State University of Agriculture and Applied Science to the city of Dickinson.

Introduction, first reading, 53.
 Referred to Committee on State and Federal Government, 53.
 Reported back, do pass, 75.
 Second reading, 100.
 Final passage, 100.
 To House, 103, 851.
 Returned to Senate, 798.
 Enrolled, 820.
 Signed by President, 820.
 Returned to Senate, signed by Speaker, 897.
 Sent to Governor, 1013.

Senate Bill No. 64—(Senators Morgan, Ringsak, Van Horn, Hernet, Wadeson and Witteman)

Senate Bill No. 64. A Bill for an Act to amend and reenact sections 19-03-02 and 19-03-31 of the North Dakota Century Code relating to the violation of narcotics laws and to repeal section 19-03-28 of the North Dakota Century Code relating to sale and possession of marijuana and providing a penalty.

Introduction, first reading, 53.

Referred to Committee on Social Welfare and Veterans Affairs, 53.

Reported back, amended, 174.

Amendments adopted, 186.

Engrossed, 201.

Second reading, 215.

Final passage, 216.

To House, 239, 612.

Returned to Senate, 588.

Enrolled, 599.

Signed by President, 600.

Returned to Senate, signed by Speaker, 629.

Sent to Governor, 640.

Approved by Governor, 665.

Senate Bill No. 65—(Senators Nesvig, Ringsak, Yunker, Andre, Van Horn, Lautenschlager and Thompson)

Senate Bill No. 65. A Bill for an Act to create and enact subsection 3 of section 26-07-11 of the North Dakota Century Code, relating to the power of the insurance commissioner to revoke an insurance company's certificate of authority.

Introduction, first reading, 53.

Referred to Committee on Industry, Business and Labor, 53.

Reported back, indefinitely postponed, 104.

Senate Bill No. 66—(Senators Morgan, Wadeson, Becker, Luick, Paulson, Berube and Lautenschlager)

Senate Bill No. 66. A Bill for an Act to amend and reenact section 57-50-11 of the North Dakota Century Code, relating to the assignment of motor vehicle fuel refund claims.

Introduction, first reading, 53.

Referred to Committee on Finance and Taxation, 53.

Reported back, indefinitely postponed, 67.

Senate Bill No. 67—(Committee on Education)

Senate Bill No. 67. A Bill for an Act to amend and reenact section 21-03-07 of the North Dakota Century Code relating to election requirements of municipalities and school districts for the issuance of bonds.

Introduction, first reading, 53.
 Referred to Committee on Education, 53.
 Reported back, do pass, 129.
 Second reading, 143.
 Final passage, 144.
 To House, 146.
 Returned to Senate, indefinitely postponed, 629.

Senate Bill No. 68—(Committee on Education)

Senate Bill No. 68. A Bill for an Act to amend and re-enact Section 15-2206 of the 1957 Supplement to the North Dakota Revised Code of 1943 relating to the deputies of the county superintendent, their appointment and salary.

Introduction, first reading, 57.
 Referred to Committee on Education, 57.
 Reported back, indefinitely postponed, 67.

Senate Bill No. 69—(Committee on Education)

Senate Bill No. 69. A bill for an Act to amend and re-enact Section 15-53-05 of the North Dakota Century Code relating to selection, qualifications, term, salary of members of the County Committee on school district reorganization.

Introduction, first reading, 57.
 Referred to Committee on Education, 57.
 Reported back, amended, 129, 130, 131.
 Amendments adopted, 140, 215.
 Re-referred to Committee on Education, 140.
 Engrossed, 146, 229, 240.
 Reported back, amended, 201.
 Second reading, 238, 254.
 Amended from the floor, 238.
 Rules suspended, deemed re-engrossed and placed for final action, 239.
 Final passage, 254.
 To House, 272.
 Returned to Senate, indefinitely postponed, 663.

Senate Bill No. 70—(Senators Schrock, Paulson, Trenbeath and Andre)

Senate Bill No. 70. A Bill for an Act to create and enact sections 10-28-23 and 10-28-24 of the North Dakota Century Code, relating to annual reports which shall be filed by certain nonprofit corporations with the secretary of state, fixing the fee therefor, and providing a penalty.

Introduction, first reading, 57.
 Referred to Committee on Industry, Business and Labor, 57.
 Reported back, amended, 157.
 Engrossed, 186.
 Second reading, 206.
 Final passage, 206.
 To House, 228.
 Returned to Senate, indefinitely postponed, 674.

Senate Bill No. 71—(Senators Miller, Harris and Kisse)

Senate Bill No. 71. A Bill for an Act to create and enact section 15-53-09.1 of the North Dakota Century Code, relating to the exclusion of property from school district reorganization proceedings.

Introduction, first reading, 57.
 Referred to Committee on Education 57.
 Returned to Senate, 78.
 Withdrawn, 78.

Senate Bill No. 72—(Senators Berube, Kamrath and Thompson)

Senate Bill No. 72. A Bill for an Act making an appropriation to meet extraordinary expenses of law enforcement arising by reason of the location of Indian reservations, and declaring an emergency.

Introduction, first reading, 58.
 Referred to Committee on Appropriations, 58.
 Reported back, amended, 231.
 Amendments adopted, 251.
 Engrossed, 259, 316.
 Second reading, 313.
 Final passage, emergency clause carried, 313.
 To House, 334, 851.
 Returned to Senate, 798.
 Enrolled, 820.
 Signed by President, 820.
 Returned to Senate, signed by Speaker, 897.
 Sent to Governor, 1013.

Senate Bill No. 73—(Senators Gefreh and Holand)

Senate Bill No. 73. A Bill for an Act to amend and reenact section 57-37-24 of the North Dakota Century Code, relating to the collection and distribution of estate taxes.

Introduction, first reading, 59.
 Referred to Committee on Finance and Taxation, 59.
 Reported back, do pass, 201.
 Placed at foot of calendar, 216.
 Second reading, 222.
 Final passage, 223.
 To House, 239, 719.
 Returned to Senate, 662.
 Enrolled, 665.
 Signed by President, 691.
 Returned to Senate, signed by Speaker, 741.
 Sent to Governor, 752.
 Approved by Governor, 831.

Senate Bill No. 74—(Senators Becker, Kisse, Miller, Kee, Lips and Lautenschlager)

Senate Bill No. 74. A Bill for an Act to amend and reenact section 57-22-02 of the North Dakota Century Code relating to the county treasurer making out a list of delinquent personal property taxpayers, and the giving of notice by mail thereof to such delinquent taxpayers.

Introduction, first reading, 60.
 Referred to Committee on Finance and Taxation, 60.

Reported back, amended, 231.
 Amendments adopted, 251.
 Engrossed, 259.
 Placed at head of calendar, 280.
 Second reading, 281.
 Final passage, 281.
 To House, 307, 651.
 Returned to Senate, 611.
 Enrolled, 622.
 Signed by President, 641.
 Returned to Senate, signed by Speaker, 675.
 Sent to Governor, 692.
 Approved by Governor, 751.

Senate Bill No. 75—(Senators Garaas and Longmire)

Senate Bill No. 75. A Bill for an act to create and enact section 30-13-05.1, and to amend and reenact sections 30-21-01 and 30-21-03, and subdivisions a, b, c, and d of sub-section 2 of section 56-01-04 of the North Dakota Century Code, relating to the administration and distribution of decedent's estate.

Introduction, first reading, 60.
 Referred to Committee on Judiciary, 60.
 Reported back, amended, 301.
 Amendments adopted, 321, 383.
 Engrossed, 334, 393.
 Amended from the floor, 383.
 Rules suspended, deemed re-engrossed, placed for second reading and final passage as amended from the floor, 383.
 Second reading, 383.
 Final passage, 383.
 To House, 449, 748.
 Returned to Senate, 674.
 Enrolled, 692.
 Signed by President, 722.
 Returned to Senate, signed by Speaker, 753.
 Sent to Governor, 775.
 Approved by Governor, 913.

Senate Bill No. 76—(Senators Garaas and Kee)

Senate Bill No. 76. A Bill for an Act to amend and reenact sections 24-01-15 and 39-07-03 of the North Dakota Century Code relating to the designation of through highways.

Introduction, first reading, 60.
 Referred to Committee on Transportation, 61.
 Reported back, do pass, 104.
 Second reading, 120, 126.
 Laid over one legislative day, 120.
 Final passage, 126.
 To House, 144, 612.
 Returned to Senate, 588.
 Enrolled, 599.
 Signed by President, 600.
 Returned to Senate, signed by Speaker, 629.
 Sent to Governor, 640.
 Approved by Governor, 665.

Senate Bill No. 77—(Senators Garaas and Kee)

Senate Bill No. 77. A Bill for an Act to amend and reenact section 54-01-17 of the North Dakota Century Code relating to right-of-way over state lands.

Introduction, first reading, 61.
 Referred to Committee on Transportation, 61.
 Reported back, amended, 105.
 Amendments adopted, 122.
 Engrossed, 125.
 Second reading, 133.
 Final passage, 133.
 To House, 144, 986.
 Returned to Senate, 863.
 Enrolled, 913.
 Signed by President, 974.
 Returned to Senate, signed by Speaker, 996.
 Sent to Governor, 1013.

Senate Bill No. 78—(Senators Kee, Erickson, Holand, Lips, Redlin, Hernet and Garaas)

Senate Bill No. 78. A Bill for an Act to amend and reenact section 39-09-02 of the North Dakota Century Code relating to speed limitations.

Introduction, first reading, 61.
 Referred to Committee on Transportation, 61.
 Reported back, amended, 418.
 Amendments adopted, 459.
 Engrossed, 478.
 Second reading, 538, 889.
 Final passage, 538, 890.
 To House, 554, 1017.
 Returned to Senate, amended, 739.
 House amendments, 740.
 Senate does not concur, 765.
 Conference Committee, Senate, 765.
 Conference Committee, House, 794.
 Conference Committee, House, 852.
 House adopts report, 852, 946.
 Conference Committee, Senate, 858.
 Senate adopts report, 858.
 Conference Committee change, House, 859.
 Senate adopts report, 889.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended in Conference Committee, 889.
 Enrolled, 1014.
 Signed by President, 1017.
 Returned to Senate, signed by Speaker, 1022.
 Sent to Governor, 1022.

Senate Bill No. 79—(Senators Redlin, Trenbeath, Hernet and Reichert)

Senate Bill No. 79. A Bill for an Act providing for a spot check of the perpetual physical property inventory of the state highway department by the state auditor and designating that cost hereof be paid from state highway funds.

Introduction, first reading, 61.
 Referred to Committee on State and Federal Government, 61.
 Reported back, amended, 138.
 Engrossed, 157, 240.
 Second reading, 168, 266.
 Re-referred to Committee on State and Federal Government, 168.
 Reported back, amended, 221.
 Amendments adopted, 237.
 Final passage, 267.
 To House, 292, 612.
 Returned to Senate, 588.
 Enrolled, 599.
 Signed by President, 600.
 Returned to Senate, signed by Speaker, 629.
 Sent to Governor, 640.
 Approved by Governor, 665.

Senate Bill No. 80—(Senator Longmire)

Senate Bill No. 80. A Bill for an Act to amend and re-enact subsection 8 of section 28-22-02 of the North Dakota Century Code, relating to exemptions of property from process, levy, or sale.

Introduction, first reading, 63.
 Referred to Committee on Finance and Taxation, 63.
 Re-referred to Committee on Judiciary, 215.
 Reported back, do pass, 349.
 Second reading, 405.
 Final passage, 405.
 To House, 449.
 Returned to Senate, indefinitely postponed, 852.

Senate Bill No. 81—(Senators Longmire and Redlin)

Senate Bill No. 81. A Bill for an Act to amend and re-enact section 39-09-01 of the North Dakota Century Code relating to care required in operating motor vehicles on the highways of this state.

Introduction, first reading, 63.
 Referred to Committee on Transportation, 63.
 Reported back, do pass, 105.
 Second reading, 120.
 Final passage, 121.
 To House, 127, 651.
 Returned to Senate, 611.
 Enrolled, 622.
 Signed by President, 641.
 Returned to Senate, signed by Speaker, 675.
 Sent to Governor, 692.
 Approved by Governor, 751.

Senate Bill No. 82—(Senator Longmire)

Senate Bill No. 82. A Bill for an Act to amend and re-enact sections 40-38-03 and 40-41-01 of the North Dakota Century Code, relating to the terms and membership of municipal library and budget review boards.

Introduction, first reading, 63.
 Referred to Committee on Education, 63.
 Reported back, indefinitely postponed, 455.

Senate Bill No. 83—(Senator Longmire)

Senate Bill No. 83. A Bill for an Act to appropriate money to pay the special assessments levied by the city of Grand Forks concerning property occupied by the state school for the blind, and declaring an emergency.

Introduction, first reading, 63.
 Referred to Committee on Appropriations, 63.
 Reported back, do pass, 214.
 Second reading, 254.
 Final passage, emergency clause carried, 255.
 To House, 272, 689.
 Returned to Senate, 629.
 Enrolled, 640.
 Signed by President, 664.
 Returned to Senate, signed by Speaker, 704.
 Sent to Governor, 720.
 Approved by Governor, 773.

Senate Bill No. 84—(Senators Holand and Morgan)

Senate Bill No. 84. A Bill for an Act to authorize the board of county commissioners to determine the need for grasshopper infestation control on any land that is retired from farming and to provide that the landowner pay for the cost of such control.

Introduction, first reading, 63.
 Referred to Committee on Agriculture, 63.
 Reported back, amended, 231.
 Placed on calendar without recommendation, 232.
 Amendments adopted, 251, 281.
 Engrossed, 259, 298.
 Placed at head of calendar, 280.
 Second reading, 281, 308.
 Amended from the floor, 281.
 Rules suspended, deemed re-engrossed and placed for final passage, 281.
 Second reading, 281, 308.
 Final passage, lost, lack of constitutional majority, 282.
 Reconsidered, 308.
 Placed for second reading and final passage, 308.
 Passed, 308.
 To House, 334.
 Returned to Senate, indefinitely postponed, 741.

Senate Bill No. 85—(Senators Holand, Morgan and Nesvig)

Senate Bill No. 85. A Bill for an Act to amend and reenact sections 63-03-01, 63-03-05, and 63-03-06 of the North Dakota Century Code, relating to weeds and grasses on highways, streets and alleys, and to repeal sections 63-03-02, 63-03-03, and 63-03-04 of the North Dakota Century Code.

Introduction, first reading, 63.
 Referred to Committee on Political Subdivisions, 64.
 Reported back, amended, 301.
 Re-referred to Committee on Political Subdivisions, 321.
 Reported back, amended, 372.
 Amendments not adopted, 321, 419.
 Engrossed, 423.
 Motion to indefinitely postpone, lost, 529.
 Second reading, 529.
 Final passage, 530.
 To House, 554.
 Returned to Senate, indefinitely postponed, 629.

Senate Bill No. 86—(Senator Holand)

Senate Bill No. 86. A Bill for an Act to amend and reenact sections 24-09-14 and 39-10-43 of the North Dakota Century Code and to repeal section 24-09-07 of the North Dakota Century Code, relating to motor vehicles approaching, stopping, and proceeding through railroad crossings.

Introduction, first reading, 64.
 Referred to Committee on Transportation, 64.
 Reported back, do pass, 105.
 Re-referred to Committee on Judiciary, 105.
 Reported back, do pass, 158.
 Second reading, 183.
 Final passage, 183.
 To House, 205, 651.
 Returned to Senate, 611.
 Enrolled, 622.
 Signed by President, 641.
 Returned to Senate, signed by Speaker, 675.
 Sent to Governor, 692.
 Approved by Governor, 751.

Senate Bill No. 87—(Senators Holand, Garaas and Erickstad)

Senate Bill No. 87. A Bill for an Act providing for meetings of legislators and legislators-elect in advance of legislative sessions.

Introduction, first reading, 64.
 Referred to Committee on State and Federal Government, 64.
 Reported back, do pass, 138.
 Re-referred to Committee on Appropriations, 138.
 Reported back, do pass, 232.
 Second reading, 267.
 Final passage, 267.
 To House, 292.
 Returned to Senate, indefinitely postponed, 674.

Senate Bill No. 88—(Senator Garaas)

Senate Bill No. 88. A Bill for an Act to amend and reenact section 32-15-29 of the North Dakota Century Code, relating to taking possession of property acquired by emi-

ment domain after entry of judgment and to provide for taking possession in certain instances prior to entry of judgment.

Introduction, first reading, 64.
 Referred to Committee on Judiciary, 64.
 Reported back, indefinitely postponed, 147.

Senate Bill No. 89—(Senators Garaas and Erickstad)

Senate Bill No. 89. A Bill for an Act to amend and reenact sections 39-20-01, 39-20-03, and 39-20-07 of the North Dakota Century Code relating to the alcoholic content in the blood for purposes of determining intoxication and relating to the test to be given for such purpose and the consent of a person incapable of refusal to give consent to a chemical test.

Introduction, first reading, 64.
 Referred to Committee on Judiciary, 64.
 Reported back, amended, 302.
 Amendments adopted, 321.
 Engrossed, 334.
 Motion to re-refer to committee, lost, 384.
 Second reading, 384, 801.
 Final passage, 384, 802.
 To House, 449, 868.
 Returned to Senate, amended, 795.
 House amendments, 796.
 Senate concurs, 801.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 801.
 Enrolled, 830.
 Signed by President, 857.
 Returned to Senate, signed by Speaker, 897.
 Sent to Governor, 1013.

Senate Bill No. 90—(Senator Garaas)

Senate Bill No. 90. A Bill for an Act to amend and reenact section 28-22-02 of the North Dakota Century Code, relating to exemptions from process, levy, or sale.

Introduction, first reading, 64.
 Referred to Committee on Finance and Taxation, 64.
 Re-referred to Committee on Judiciary, 215.
 Reported back, do pass, 349.
 Second reading, 406, 925.
 Final passage, 406, 926.
 To House, 449.
 Returned to Senate, amended, 898.
 House amendments, 898.
 Senate concurs, 925.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 925.
 Enrolled, 984.
 Signed by President, 1015.
 Returned to Senate, signed by Speaker, 1016.
 Sent to Governor, 1016.

Senate Bill No. 91—(Senators Trenbeath, Mutch, Miller and Johnson)

Senate Bill No. 91. A Bill for an Act to create and enact subsection 7 of section 57-53-01 of the North Dakota Century Code, and to create and enact section 57-53-10 of the North Dakota Century Code, relating to the special fuel tax on special fuel sold for heating, agricultural or railroad purposes and providing for the licensing of special fuel wholesale dealers in liquefied petroleum gas, and the issuance of permits to retail dealers in liquefied petroleum gas, and providing for the administration thereof.

Introduction, first reading, 69.
 Referred to Committee on Finance and Taxation, 70.
 Reported back, do pass, 201.
 Placed at foot of calendar, 216.
 Second reading, 223.
 Final passage, 223.
 To House, 239, 719.
 Returned to Senate, 662.
 Enrolled, 665.
 Signed by President, 691.
 Returned to Senate, signed by Speaker, 741.
 Sent to Governor, 752.
 Approved by Governor, 831.

Senate Bill No. 92—(Senators Mutch, Miller, Trenbeath and Johnson)

Senate Bill No. 92. A Bill for an Act to create and enact section 57-54 of the North Dakota Century Code imposing a tax on motor vehicle fuels, providing for the administration and enforcement thereof, providing a penalty, and repealing chapters 57-41, 57-43 and 57-48 of the North Dakota Century Code.

Introduction, first reading, 70.
 Referred to Committee on Finance and Taxation, 70.
 Reported back, amended, 232.
 Amendments adopted, 251.
 Engrossed, 259.
 Second reading, 313, 763.
 Final passage, 314, 763.
 To House, 334, 817.
 Returned to Senate, amended, 674.
 House amendments, 674.
 Senate concurs, 763.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 763.
 Enrolled, 773.
 Signed by President, 774.
 Returned to Senate, signed by Speaker, 854.
 Sent to Governor, 1013.

Senate Bill No. 93—(Senators Trenbeath, Mutch, Miller and Johnson)

Senate Bill No. 93. A Bill for an Act to amend and reenact sections 57-50-03 and 57-50-05 of the North Dakota Century Code, relating to motor vehicle fuel tax refunds.

Introduction, first reading, 70.
Referred to Committee on Finance and Taxation, 70.
Reported back, amended, 232.
Amendments adopted, 251.
Engrossed, 259.
Second reading, 314, 764.
Final passage, 314, 764.
To House, 334, 817.
Returned to Senate, amended, 704.
House amendments, 704.
Senate concurs, 763.
Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 764.
Enrolled, 773.
Signed by President, 774.
Returned to Senate, signed by Speaker, 854.
Sent to Governor, 1013.

Senate Bill No. 94—(Senators Meidinger, Nesvig, Wartner, and Van Horn)

Senate Bill No. 94. A Bill for an Act to amend and reenact section 5-02-01 of the North Dakota Century Code relating to the manufacturing and sale of beer.

Introduction, first reading, 70.
Referred to Committee on Industry, Business and Labor, 70.
Reported back, do pass, 147.
Second reading, 168.
Final passage, 169.
To House, 185, 755.
Returned to Senate, 739.
Enrolled, 751.
Signed by President, 752.
Returned to Senate, signed by Speaker, 798.
Sent to Governor, 832.
Approved by Governor, 913.

Senate Bill No. 95—(Senator Foss)

Senate Bill No. 95. A Bill for an Act to amend and reenact sections 5-02-22 and 5-03-22 of the North Dakota Century Code, relating to the imposition of taxes on the sale of beer and liquor.

Introduction, first reading, 70.
Referred to Committee on Finance and Taxation, 70.
Reported back, indefinitely postponed, 507.
Minority report "do pass" prevailed, 508.
Motion to place at head of calendar, 523.
Amended from the floor, 524.
Adopted, 525.
Second reading, 524, 564.
Final passage, 565.
To House, 569, 986.
Returned to Senate, 863.
Enrolled, 913.
Signed by President, 974.
Returned to Senate, signed by Speaker, 996.
Sent to Governor, 1013.

Senate Bill No. 96—(Senators Foss, Saumur, Becker, Fiedler, Gefreh and Hystad)

Senate Bill No. 96. A Bill for an Act making an appropriation for the construction of a state public health laboratory at Bismarck, North Dakota.

Introduction, first reading, 70.
 Referred to Committee on Appropriations, 70.
 Reported back, do pass, 233.
 Second reading, 268.
 Indefinitely postponed, 268.

Senate Bill No. 97—(Senators Hystad, Kisse and Nesvig)

Senate Bill No. 97. A Bill for an Act authorizing the establishment of maximum speeds for passenger motor vehicles on the interstate and defense highways in North Dakota.

Introduction, first reading, 78.
 Referred to Committee on Transportation, 78.
 Reported back, indefinitely postponed, 418.

Senate Bill No. 98—(Senators Van Horn, Andre, Garaas, Mutch and Gefreh)

Senate Bill No. 98. A Bill for an Act to amend and reenact sections 24-02-17 and 24-02-19 of the North Dakota Century Code relating to the amount for which the highway commissioner may contract without advertising for bids.

Introduction, first reading, 78.
 Referred to Committee on Transportation, 78.
 Reported back, do pass, 181.
 Second reading, 206.
 Final passage, 207.
 To House, 228, 851.
 Returned to Senate, 798.
 Enrolled, 820.
 Signed by President, 820.
 Returned to Senate, signed by Speaker, 897.
 Sent to Governor, 1013.

Senate Bill No. 99—(Senators Ringsak and Mutch)

Senate Bill No. 99. A Bill for an Act to amend and reenact section 12-48-14 of the North Dakota Century Code relating to compensation of inmates at the penitentiary.

Introduction, first reading, 78.
 - Referred to Committee on Social Welfare and Military Affairs, 78.
 Reported back, do pass, 174.
 Second reading, 207.
 Final passage, 207.
 To House, 228, 651.
 Returned to Senate, 611.
 Enrolled, 622.
 Signed by President, 641.

Returned to Senate, signed by Speaker, 675.
 Sent to Governor, 692.
 Approved by Governor, 751.

Senate Bill No. 100—(Senators Ringsak, Mutch and Kee)

Senate Bill No. 100. A Bill for an Act to amend and reenact section 13-03-16 of the North Dakota Century Code relating to loans made by small loans companies in excess of one thousand dollars and providing for the interest rate thereon.

Introduction, first reading, 78.
 Referred to Committee on Industry, Business and Labor, 78.
 Reported back, do pass, 147.
 Second reading, 169.
 Final passage, 169.
 To House, 185, 986.
 Returned to Senate, 863.
 Enrolled, 913.
 Signed by President, 974.
 Returned to Senate, signed by Speaker, 996.
 Sent to Governor, 1013.

Senate Bill No. 101—(Senators Longmire, Lips and Saumur)

Senate Bill No. 101. A Bill for an Act to amend and reenact section 57-15-14 of the North Dakota Century Code establishing tax levy limitations in school districts and making an exception in the case of school districts with a population in excess of five thousand.

Introduction, first reading, 78.
 Referred to Committee on Education, 78.
 Reported back, indefinitely postponed, 455.

Senate Bill No. 102—(Senators Morgan, Becker, Yunker and Bopp)

Senate Bill No. 102. A Bill for an Act to amend and reenact section 39-04-15 of the North Dakota Century Code relating to the date registration fees become due and delinquent for certain farm trucks.

Introduction, first reading, 78.
 Referred to Committee on Transportation, 79.
 Reported back, indefinitely postponed, 182.

Senate Bill No. 103—(Senator Baker)

Senate Bill No. 103. A Bill for an Act to amend and reenact sections 57-34-03 and 57-34-11 of the North Dakota Century Code, relating to the taxation of mutual or co-operative telephone companies.

Introduction, first reading, 79.
 Referred to Committee on Finance and Taxation, 79.
 Re-referred to Committee on Industry, Business and Labor, 107.
 Reported back, indefinitely postponed, 158.

Senate Bill No. 104—(Senators Nesvig and Foss)

Senate Bill No. 104. A Bill for an Act to amend and reenact sections 46-04-02 and 46-04-11 of the North Dakota Century Code, relating to the distribution of laws and executive documents.

Introduction, first reading, 79.
 Referred to Committee on State and Federal Government, 79.
 Reported back, do pass, 138.
 Second reading, 151.
 Final passage, 152.
 To House, 165, 851.
 Returned to Senate, 799.
 Enrolled, 820.
 Signed by President, 820.
 Returned to Senate, signed by Speaker, 897.
 Sent to Governor, 1013.

Senate Bill No. 105—(Senators Brooks, Longmire, Lips and Baker)

Senate Bill No. 105. A Bill for an Act to amend and reenact section 57-17-05 of the North Dakota Century Code, relating to excess levies.

Introduction, first reading, 90.
 Referred to Committee on Political Subdivisions, 90.
 Reported back, amended, 261.
 Amendments adopted, 297.
 Engrossed, 298, 334.
 Amended from the floor, 326.
 Second reading, 326, 391.
 Final passage, 391.
 To House, 449.
 Returned to Senate, indefinitely postponed, 629.

Senate Bill No. 106—(Senator Gefreh)

Senate Bill No. 106. A Bill for an Act to provide that failure of a business corporation to file annual reports for a period of ten consecutive years shall be deemed a forfeiture of its reserved name and shall authorize the secretary of state to cease keeping records of any kind regarding such corporation.

Introduction, first reading, 90.
 Referred to Committee on Judiciary, 90.
 Reported back, amended, 243.
 Amendments adopted, 264.
 Engrossed, 277.
 Placed at head of calendar, 290.
 Second reading, 290.
 Final passage, 290.
 To House, 316, 612.
 Returned to Senate, 588.
 Enrolled, 599.
 Signed by President, 600.
 Returned to Senate, signed by Speaker, 629.
 Sent to Governor, 640.
 Approved by Governor, 665.

Senate Bill No. 107—(Senator Gefreh)

Senate Bill No. 107. A Bill for an Act to amend and reenact the first paragraph of section 16 of chapter 91 of the 1959 Session Laws appearing as section 2-06-15 of the North Dakota Century Code relating to renumbering such section to appear as section 2-06-16 of the North Dakota Century Code and to correct a printing error.

Introduction, first reading, 90.
 Referred to Committee on Judiciary, 91.
 Reported back, do pass, 158.
 Second reading, 183.
 Final passage, 184.
 To House, 205, 689.
 Returned to Senate, 629.
 Enrolled, 640.
 Signed by President, 664.
 Returned to Senate, signed by Speaker, 704.
 Sent to Governor, 720.
 Approved by Governor, 773.

Senate Bill No. 108—(Senators Andre and Baeverstad, By request of the Tax Commissioner)

Senate Bill No. 108. A Bill for an Act to amend and reenact subsections 2 and 6 of section 57-39-01, section 57-39-02, and subsections 6 and 10 of section 57-40-01 of the North Dakota Century Code relating to retail sales taxes and use taxes on subscriptions to magazines and other periodicals.

Introduction, first reading, 91.
 Referred to Committee on Finance and Taxation, 91.
 Reported back, amended, 233.
 Amendments adopted, 251, 276.
 Engrossed, 259, 316.
 Amended from the floor, 276.
 Placed at head of calendar, 276.
 Rules suspended, deemed re-engrossed, placed on final passage as amended from the floor, 276.
 Second reading, 276, 311.
 Final passage, 312.
 To House, 334, 986.
 Returned to Senate, 863.
 Enrolled, 913.
 Signed by President, 974.
 Returned to Senate, signed by Speaker, 996.
 Sent to Governor, 1013.

Senate Bill No. 109—(Senators Andre and Baeverstad, By request of the Tax Commissioner)

Senate Bill No. 109. A Bill for an Act to amend and reenact subsection 3 of section 57-39-01 and subsection 3 of section 57-40-01 and to repeal subsections 6 and 7 of section 57-40-03 of the North Dakota Century Code, relating to exclusions and exemptions from retail sales taxes and use taxes.

Introduction, first reading, 91.
Referred to Committee on Finance and Taxation, 91.
Reported back, do pass, 222.
Second reading, 255.
Final passage, 255.
To House, 272, 719.
Returned to Senate, 662.
Enrolled, 665.
Signed by President, 691.
Returned to Senate, signed by Speaker, 741.
Sent to Governor, 752.
Approved by Governor, 831.

Senate Bill No. 110—(Senator Fiedler)

Senate Bill No. 110. A Bill for an Act to amend and reenact section 4-02-30 of the North Dakota Century Code, relating to the submission to a vote of the people of the county the question of levying a tax in aid of an agricultural fair.

Introduction, first reading, 91.
Referred to Committee on Political Subdivisions, 91.
Reported back, do pass, 174.
Second reading, 207.
Final passage, 208.
To House, 228, 719.
Returned to Senate, 662.
Enrolled, 665.
Signed by President, 691.
Returned to Senate, signed by Speaker, 741.
Sent to Governor, 752.
Approved by Governor, 831.

Senate Bill No. 111—(Senators Becker, Brooks, Kamrath, Mutch, Baker and Morgan)

Senate Bill No. 111. A Bill for an Act to create and enact subsection 18 of section 20-01-01, and to amend and reenact sections 20-01-04 and 20-04-07 of the North Dakota Century Code, relating to use of artificial blinds in the taking of game birds.

Introduction, first reading, 91.
Referred to Committee on Natural Resources, 91.
Reported back, amended, 418.
Amendments adopted, 459.
Engrossed, 478.
Second reading, 539.
Final passage, 539.
To House, 554, 851.
Returned to Senate, 799.
Enrolled, 820.
Signed by President, 820.
Returned to Senate, signed by Speaker, 897.
Sent to Governor, 1013.

Senate Bill No. 112—(Senators Foss, Lips and Reichert)

Senate Bill No. 112. A Bill for an Act providing for the licensing of life, or accident and health, and hospitalization insurance agents and appropriating funds for the administration thereof, and providing a penalty.

Introduction, first reading, 91.

Referred to Committee on Industry, Business and Labor, 91.

Reported back, indefinitely postponed, 233.

Senate Bill No. 113—(Senators Van Horn and Ringsak)

Senate Bill No. 113. A Bill for an Act to amend and reenact section 26-26-04 of the North Dakota Century Code, relating to qualifications of directors of nonprofit hospital service corporations, and section 26-26-08 of the North Dakota Century Code, relating to the supervision by the commissioner of insurance over nonprofit hospital service corporations, and section 26-26-14 of the North Dakota Century Code relating to the licensing of sales representatives of nonprofit hospital service corporations.

Introduction, first reading, 91.

Referred to Committee on Industry, Business and Labor, 92.

Reported back, indefinitely postponed, 243.

Senate Bill No. 114—(Senators Trenbeath, Yunker, Johnson, Luick, Erickson and Gefreh)

Senate Bill No. 114. A Bill for an Act to create and enact section 10-06-07 of the North Dakota Century Code, authorizing small corporations to engage in farming and ranching operations, and providing limitations thereon.

Introduction, first reading, 92.

Referred to Committee on Judiciary, 92.

Reported back, amended, 302.

Minority objected to report, 303.

On division, committee report adopted, 303.

Amendments adopted, 321.

Engrossed, 334.

Placed at foot of calendar, 378.

Second reading, 420.

Final passage, lost for lack of a constitutional majority, 421.

Senate Bill No. 115—(Senators Kee, George and Meidinger)

Senate Bill No. 115. A Bill for an Act to amend and reenact section 15-14-01 of the North Dakota Century Code, relating to the name of the state normal and industrial school at Ellendale.

Introduction, first reading, 92.

Referred to Committee on Education, 92.

Reported back, do pass, 139.

Second reading, 152.

Final passage, 152.
 To House, 165, 719.
 Returned to Senate, 662.
 Enrolled, 665.
 Signed by President, 691.
 Returned to Senate, signed by Speaker, 742.
 Sent to Governor, 752.
 Approved by Governor, 831.

Senate Bill No. 116—(Senators Nesvig, Longmire, Saumur, Solberg, Kamrath, Gefreh, Wartner and Murphy)

Senate Bill No. 116. A Bill for an Act to amend and reenact chapter 50-15 of the North Dakota Century Code, relating to licensing and regulation of charitable organizations which solicit funds, and providing a penalty.

Introduction, first reading, 92.
 Referred to Committee on State and Federal Government, 92.
 Returned to Senate, 101.
 Withdrawn, 101.

Senate Bill No. 117—(Senators Solberg, Trenbeath, Garaas, Roen, Redlin, Van Horn and Thompson)

Senate Bill No. 117. A Bill for an Act to create and enact sections 15-18-04.1 and 15-18-04.2 of the North Dakota Century Code, authorizing certain cities to establish and maintain off-campus educational centers and levy a tax for their support.

Introduction, first reading, 92.
 Referred to Committee on Education, 92.
 Reported back, do pass, 202.
 Placed at foot of calendar, 216.
 Second reading, 223, 764.
 Final passage, 224, 764.
 To House, 239, 817.
 Returned to Senate, amended, 739.
 House amendments, 740.
 Senate concurs, 764.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 764.
 Enrolled, 773.
 Signed by President, 774.
 Returned to Senate, signed by Speaker, 854.
 Sent to Governor, 1013.

Senate Bill No. 118—(Senators Miller, Trenbeath, Erickstad, Wartner, Kee, Wadeson, Mutch, Lips, Longmire, Becker and Saumur)

Senate Bill No. 118. A Bill for an Act to amend and reenact subsections 1, 8, and 9 and to create and enact subsection 10 of section 10-13-03 of the North Dakota Century Code, and to amend and reenact section 10-15-18 of the North Dakota Century Code relating to electric cooperatives and their authority to own and operate electric generation or transmission cooperatives.

Introduction, first reading, 97.
 Referred to Committee on Industry, Business and Labor, 97.
 Reported back, amended, 243.
 Amendments adopted, 264.
 Engrossed, 277.
 Second reading, 314.
 Final passage, 315.
 To House, 334, 748.
 Returned to Senate, 674.
 Enrolled, 720.
 Signed by President, 722.
 Returned to Senate, signed by Speaker, 753.
 Sent to Governor, 775.
 Approved by Governor, 913.

Senate Bill No. 119—(Senators Ringsak and Van Horn)

Senate Bill No. 119. A Bill for an Act to create and enact section 26-27-14 of the North Dakota Century Code, relating to the licensing of sales representatives of non-profit medical service corporations.

Introduction, first reading, 97.
 Referred to Committee on Industry, Business and Labor, 97.
 Reported back, do pass, 233.
 Second reading, 268.
 Final passage, 268.
 To House, 292, 748.
 Returned to Senate, 674.
 Enrolled, 720.
 Signed by President, 722.
 Returned to Senate, signed by Speaker, 753.
 Sent to Governor, 775.
 Approved by Governor, 913.

Senate Bill No. 120—(Senators Erickson, Kisse, Luick, Wadeson and Trenbeath)

Senate Bill No. 120. A Bill for an Act to amend and reenact sections 57-20-08 and 57-38-31 and to create and enact sections 15-40-33 and 57-38-58 of the North Dakota Century Code relating to the imposition of an additional tax on the net income of certain taxpayers, relating to the imposition of a separate and additional tax on banks and trust companies for the privilege of transacting business in this state, and providing for credits therefrom and also providing for the proceeds therefrom to be deposited into the state equalization fund, providing for the distribution thereof, and providing further that this Act shall apply to income accruing after December 31, 1960.

Introduction, first reading, 97.
 Referred to Committee on Finance and Taxation, 97.
 Reported back, indefinitely postponed, 506.
 Minority report "do pass" prevailed, 507.
 Second reading, 525, 553.
 Amended from the floor, 526, 527.
 Engrossed, 552.
 Placed at head of calendar, 553.
 Final passage, lost, 554.

Senate Bill No. 121—(Senator Holand)

Senate Bill No. 121. A Bill for an Act to amend and reenact sections 37-15-06, 37-15-07, 37-15-15, and 37-15-17 of the North Dakota Century Code, relating to members of the board of trustees of the soldiers' home, the commandant of the soldiers' home, and estates of resident members of the soldiers' home.

Introduction, first reading, 97.

Referred to Committee on State and Federal Government, 98.

Reported back, amended, 244, 245.

Motion that reading amendments be dispensed with, 264.

Amendments adopted, 264.

Engrossed, 277.

Placed at head of calendar, 290.

Second reading, 290, 836.

Final passage, 291, 836.

To House, 316, 956.

Returned to Senate, amended, 795.

House amendments, 797.

Senate concurs, 836.

Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 836.

Enrolled, 857.

Signed by President, 928.

Returned to Senate, signed by Speaker, 993.

Sent to Governor, 1013.

Senate Bill No. 122—(Senators Lips, Becker, George, Wartner and Reichert)

Senate Bill No. 122. A Bill for an Act to amend and reenact Section 39-04-39 of the North Dakota Century Code relating to the distribution of registration fees collected from the licensing of motor vehicles, and to the crediting of the application of the certificate of title to the county wherein the buyer of the motor vehicle resides.

Introduction, first reading, 98.

Referred to Committee on Finance and Taxation, 98.

Reported back, amended, 492.

Amendments adopted, 518.

Engrossed, 552.

Placed at head of calendar, 553.

Second reading, 557.

Final passage, 557.

To House, 569.

Returned to Senate, indefinitely postponed, 753.

Senate Bill No. 123—(Senators Bopp, Kamrath, Yunker and Reichert)

Senate Bill No. 123. A Bill for an Act to create and enact section 27-18-06 and to amend and reenact section 11-10-02 of the North Dakota Century Code, relating to the office of county justice.

Introduction, first reading, 98.

Referred to Committee on Political Subdivisions, 98.

Reported back, do pass, 174.

Second reading, 210, 546, 932.
Re-referred to Committee on Judiciary, 210.
Reported back, without recommendation, 503.
Final passage, 547, 932.
To House, 554, 1020.
Returned to Senate, amended, 860.
House amendments, 861.
Conference Committee, Senate, 893.
Conference Committee, House, 907.
Conference Committee report, Senate adopts, 931.
Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended in Conference Committee, 932.
Conference Committee report, House adopts, 946.
Enrolled, 1018.
Signed by President, 1020.
Returned to Senate, signed by Speaker, 1020.
Sent to Governor, 1025.

Senate Bill No. 124—(Senators Longmire, Saumur, Baker and Brooks)

Senate Bill No. 124. A Bill for an Act to amend and reenact section 40-35-02 of the North Dakota Century Code to permit the issuance of revenue bonds by municipalities for airports and related facilities, and declaring an emergency.

Introduction, first reading, 98.
Referred to Committee on Political Subdivisions, 98.
Reported back, do pass, 174.
Second reading, 210.
Final passage, emergency clause carried, 211.
To House, 228, 880.
Returned to Senate, indefinitely postponed, 863.
House requests return, 869.
Returned to Senate, 898.
Enrolled, 984.
Signed by President, 1015.
Returned to Senate, signed by Speaker, 1016.
Sent to Governor, 1016.

Senate Bill No. 125—(Senators Wartner and Gefreh)

Senate Bill No. 125. A Bill for an Act to amend and reenact subsection 1 of section 57-39-10 of the North Dakota Century Code, relating to the time retail sales taxes become due and payable, and to amend and reenact section 57-39-11 of the North Dakota Century Code, relating to liens for retail sales taxes.

Introduction, first reading, 98.
Referred to Committee on Judiciary, 98.
Reported back, do pass, 245.
Placed at head of calendar, 280.
Second reading, 282.
Final passage, 282.
To House, 307, 612.
Returned to Senate, 588.
Enrolled, 599.

Signed by President, 600.
 Returned to Senate, signed by Speaker, 629.
 Sent to Governor, 640.
 Approved by Governor, 665.

Senate Bill No. 126—(Senator Longmire)

Senate Bill No. 126. A Bill for an Act to create and enact section 40-58-20 of the North Dakota Century Code, allowing municipalities to accept as credits against federal matching funds for urban renewal projects, the aggregate amounts expended by institutions of higher education on approved urban renewal projects.

Introduction, first reading, 98.
 Referred to Committee on State and Federal Government, 98.
 Reported back, do pass, 202.
 Placed at foot of calendar, 216.
 Second reading, 224.
 Final passage, 225.
 To House, 239.
 Returned to Senate, indefinitely postponed, 629.

Senate Bill No. 127—(Senators Van Horn and Longmire)

Senate Bill No. 127. A Bill for an Act to amend and re-enact section 50-21-03 of the North Dakota Century Code, relating to terms and conditions for state loans made to nursing homes and homes for the aged, making an appropriation and declaring an emergency.

Introduction, first reading, 98.
 Referred to Committee on Appropriations, 99.
 Reported back, amended, 303.
 Amendments adopted, 321, 384.
 Engrossed, 334, 393.
 Amended from the floor, 384.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended from floor, 384.
 Second reading, 384.
 Final passage, emergency clause carried, 385.
 To House, 449, 851.
 Returned to Senate, 799.
 Enrolled, 820.
 Signed by President, 820.
 Returned to Senate, signed by Speaker, 897.
 Sent to Governor, 1013.

Senate Bill No. 128—(Senators Foss, Trenbeath, Luick and Erickstad)

Senate Bill No. 128. A Bill for an Act to transfer certain moneys from the accumulated profits and surplus of the Bank of North Dakota, from the collection and land department of the Bank of North Dakota, and the state mill and elevator association to the general fund of this state.

Introduction, first reading, 99.
 Referred to Committee on Appropriations, 99.
 Reported back, amended, 304.

Amendments adopted, 321.
 Engrossed, 334.
 Second reading, 385, 977.
 Final passage, 385, 977.
 To House, 449, 1017.
 Returned to Senate, amended, 898.
 House amendments, 898.
 Senate concurs, 977.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 977.
 Enrolled, 1014.
 Signed by President, 1017.
 Returned to Senate, signed by Speaker, 1022.
 Sent to Governor, 1022.

Senate Bill No. 129—(Senators Kisse and Trenbeath)

Senate Bill No. 129. A Bill for an Act to amend and reenact section 48-02-02 of the North Dakota Century Code relating to the procurement of plans, drawings, and specifications when a public building is altered, repaired, or constructed.

Introduction, first reading, 99.
 Referred to Committee on Education, 99.
 Reported back, do pass, 202.
 Placed at foot of calendar, 216.
 Second reading, 225, 890.
 Final passage, 225, 891.
 To House, 239, 1017.
 Returned to Senate, amended, 795.
 House amendments, 797.
 Senate does not concur, 837.
 Conference Committee, Senate, 847.
 Conference Committee, House, 870.
 House adopts report, 880.
 Senate adopts report, 890.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended in Conference Committee, 890.
 Enrolled, 1014.
 Signed by President, 1017.
 Returned to Senate, signed by Speaker, 1022.
 Sent to Governor, 1022.

Senate Bill No. 130—(Senator Trenbeath)

Senate Bill No. 130. A Bill for an Act relating to moneys paid to the state water conservation commission by a municipality or political subdivision of the state, to cover its part of the cost of a water survey or water project shared with the commission on a matching basis.

Introduction, first reading, 111.
 Referred to Committee on Natural Resources, 111.
 Re-referred to Committee on Appropriations, 121.
 Reported back, amended, 335.
 Amendments adopted, 352.
 Engrossed, 361.
 Second reading, 406.
 Final passage, 407.

To House, 449, 651.
 Returned to Senate, 611.
 Enrolled, 622.
 Signed by President, 641.
 Returned to Senate, signed by Speaker, 675.
 Sent to Governor, 692.
 Approved by Governor, 751.

Senate Bill No. 131—(Senators Luick, Trenbeath, Ringsak, Yunker, Johnson, Nesvig and Wadeson)

Senate Bill No. 131. A Bill for an Act to amend and reenact sections 61-21-13, 61-21-14 and 61-21-15 of the North Dakota Century Code relating to the establishment of drainage projects.

Introduction, first reading, 111.
 Referred to Committee on Natural Resources, 111.
 Reported back, do pass, 492.
 Second reading, 542, 911.
 Final passage, 542, 911.
 To House, 554, 1020.
 Returned to Senate, amended, 852.
 House amendments, 853.
 Senate concurs, 911.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 911.
 Enrolled, 1018.
 Signed by President, 1020.
 Returned to Senate, signed by Speaker, 1020.
 Sent to Governor, 1025.

Senate Bill No. 132—(Senator Schrock)

Senate Bill No. 132. A Bill for an Act requiring a course of study in junior and senior high schools on the subject of money and its relationship to economic and political affairs, and prescribing the duties of the state superintendent of public instruction and state board of public school education in relation thereto.

Introduction, first reading, 111.
 Referred to Committee on Education, 111.
 Reported back, indefinitely postponed, 245, 246.

Senate Bill No. 133—(Senators Brooks and Wartner)

Senate Bill No. 133. A Bill for an Act relating to the recording of a petition for bankruptcy, or a decree of adjudication, or an order approving the trustee's bond in order to provide constructive notice of commencement of bankruptcy proceeding.

Introduction, first reading, 111.
 Referred to Committee on Judiciary, 111.
 Reported back, amended, 246.
 Amendments adopted, 264.
 Engrossed, 277.
 Placed at head of calendar, 290.
 Second reading, 291.
 Final passage, 291.

To House, 316, 612.
Returned to Senate, 588.
Enrolled, 599.
Signed by President, 600.
Returned to Senate, signed by Speaker, 629.
Sent to Governor, 640.
Approved by Governor, 665.

Senate Bill No. 134—(Senators Brooks, Meidinger, Longmire, Saumur, Baker and Lips)

Senate Bill No. 134. A Bill for an Act relating to municipal police officers' witness fees in criminal actions.

Introduction, first reading, 111.
Referred to Committee on Judiciary, 111.
Reported back, amended, 158.
Engrossed, 186.
Second reading, 211.
Final passage, 211.
To House, 228, 719.
Returned to Senate, 662.
Enrolled, 665.
Signed by President, 691.
Returned to Senate, signed by Speaker, 742.
Sent to Governor, 752.
Approved by Governor, 831.

Senate Bill No. 135—(Senators Erickson and Gronvold)

Senate Bill No. 135. A Bill for an Act to amend and reenact section 2-05-10 of the North Dakota Century Code, relating to registration of airmen.

Introduction, first reading, 112.
Referred to Committee on Transportation, 112.
Reported back, amended, 182.
Re-referred to Committee on Transportation, 200.
Reported back, amended, 261.
Amendments adopted, 297.
Engrossed, 298.
Second reading, 327.
Final passage, 327.
To House, 348, 612.
Returned to Senate, 588.
Enrolled, 599.
Signed by President, 600.
Returned to Senate, signed by Speaker, 629.
Sent to Governor, 640.

Senate Bill No. 136—(Senators Kee and Hernett)

Senate Bill No. 136. A Bill for an Act to create and enact section 4-18-02.1 and to amend and reenact section 4-18-02 of the North Dakota Century Code relating to the licensing and bonding of purchasers and processors of dairy products.

Introduction, first reading, 112.
Referred to Committee on Agriculture, 112.
Reported back, amended, 335.

Amendments adopted, 352, 430.
 Engrossed, 361, 454.
 Second reading, 407, 430.
 Placed at foot of calendar, 407.
 Amended from the floor, 430.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended from floor, 430.
 Final passage, 431.
 To House, 475, 817.
 Returned to Senate, 739.
 Enrolled, 773.
 Signed by President, 774.
 Returned to Senate, signed by Speaker, 854.
 Sent to Governor, 1013.

Senate Bill No. 137—(Senators Luick, Solberg, Saumur and Nesvig)

Senate Bill No. 137. A Bill for an Act to create and enact subsection 11 of section 57-39-03 of the North Dakota Century Code relating to sales tax exemptions of certain nonresidents.

Introduction, first reading, 112.
 Referred to Committee on Finance and Taxation, 112.
 Reported back, amended, 234.
 Amendments adopted, 251.
 Engrossed, 259.
 Second reading, 315.
 Final passage, lost for lack of constitutional majority, 315.

Senate Bill No. 138—(Senators Trenbeath and Lautenschlager)

Senate Bill No. 138. A Bill for an Act to create and enact section 15-34-18.1 of the North Dakota Century Code, relating to the authority of school boards to lease for purchase, purchase, or construct storage facilities for school buses.

Introduction, first reading, 122.
 Referred to Committee on Education, 123.
 Reported back, amended, 214.
 Amendments adopted, 235.
 Engrossed, 240.
 Second reading, 268.
 Final passage, 269.
 To House, 292, 719.
 Returned to Senate, 662.
 Enrolled, 665.
 Signed by President, 691.
 Returned to Senate, signed by Speaker, 742.
 Sent to Governor, 752.
 Approved by Governor, 831.

Senate Bill No. 139—(Senators Miller, Kisse and Harris)

Senate Bill No. 139. A Bill for an Act to amend and reenact section 15-53-23 of the North Dakota Century Code, relating to the exclusion of property from school districts.

Introduction, first reading, 134.
Referred to Committee on Education, 134.
Reported back, amended, 246.
Amendments adopted, 264.
Engrossed, 277.
Placed at head of calendar, 290.
Second reading, 291, 327.
Laid over one legislative day, 291.
Final passage, 327.
To House, 348.
Returned to Senate, indefinitely postponed, 629.

Senate Bill No. 140—(Senators Redlin and Erickstad, By request)

Senate Bill No. 140. A Bill for an Act to regulate the labeling of certain hazardous substances for nonmanufacturing purposes which are intended or suitable for household use, and to provide a penalty.

Introduction, first reading, 134.
Referred to Committee on Social Welfare and Veterans Affairs, 134.
Reported back, indefinitely postponed, 304.

Senate Bill No. 141—(Senators Hystad, Miller, Berube and Witteman)

Senate Bill No. 141. A Bill for an Act to amend and reenact sections 6-06-14 and 6-06-29 of the North Dakota Century Code relating to loans and taxation, and to provide for conversions of credit unions.

Introduction, first reading, 134.
Referred to Committee on Industry, Business and Labor, 134.
Reported back, amended, 246.
Amendments adopted, 264.
Engrossed, 277.
Second reading, 328, 800.
Final passage, 328, 801.
To House, 348, 851.
Returned to Senate, amended, 795.
House amendments, 797.
Senate concurs, 800.
Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 800.
Enrolled, 820.
Signed by President, 820.
Returned to Senate, signed by Speaker, 897.
Sent to Governor, 1013.

Senate Bill No. 142—(Senators Lips, Gefreh and Mutch)

Senate Bill No. 142. A Bill for an Act to amend and reenact Section 10-28-22 of the North Dakota Century Code relating to special provisions regarding fraternal corporations.

Introduction, first reading, 134.
 Referred to Committee on Industry, Business and Labor, 134.
 Reported back, amended, 246.
 Amendments adopted, 264.
 Engrossed, 277.
 Second reading, 292.
 Final passage, 292.
 To House, 316, 749.
 Returned to Senate, 674.
 Enrolled, 721.
 Signed by President, 722.
 Returned to Senate, signed by Speaker, 753.
 Sent to Governor, 775.
 Approved by Governor, 913.

Senate Bill No. 143—(Senator Foss)

Senate Bill No. 143. A Bill for an Act to provide for the final payment of North Dakota Real Estate Series Bonds heretofore issued, and interest thereon, and to authorize delivery of properties and assets of the Real Estate Bond Trust to the custody and control of the manager of the Bank of North Dakota for the ultimate benefit of the state general fund.

Introduction, first reading, 134.
 Referred to Committee on State and Federal Government, 135.
 Reported back, do pass, 202.
 Placed at foot of calendar, 216.
 Second reading, 225.
 Final passage, 226.
 To House, 239, 719.
 Returned to Senate, 662.
 Enrolled, 665.
 Signed by President, 691.
 Returned to Senate, signed by Speaker, 742.
 Sent to Governor, 752.
 Approved by Governor, 831.

Senate Bill No. 144—(Senator Foss)

Senate Bill No. 144. A Bill for an Act authorizing the state board of administration to transfer and convey to the state water conservation commission a tract of land to enable the commission to construct thereon a building for use in storing, servicing, repairing and maintaining machinery, motor vehicles, equipment and materials, and making an appropriation to cover the cost of constructing such building, and declaring an emergency.

Introduction, first reading, 135.
 Referred to Committee on State and Federal Government, 135.
 Reported back, amended, 209, 210.
 Amendments adopted, 222.
 Engrossed, 229.
 Re-referred to Committee on Appropriations, 210.
 Reported back, do pass, 304.

Second reading, 353, 837.
Final passage, emergency clause carried, 353, 837.
To House, 368, 956.
Returned to Senate, amended, 795.
House amendments, 797.
Senate concurs, 836.
Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 837.
Enrolled, 857.
Signed by President, 928.
Returned to Senate, signed by Speaker, 993.
Sent to Governor, 1017.

Senate Bill No. 145—(Senators Fiedler and Hernet)

Senate Bill No. 145. A Bill for an Act to amend and reenact sections 24-03-09 and 24-12-04 of the North Dakota Century Code relating to warning signs of road construction, injury to highway signs and markings and to provide for a reward for information leading to conviction of persons injuring highway signs.

Introduction, first reading, 135.
Referred to Committee on Political Subdivisions, 135.
Reported back, amended, 261.
Amendments adopted, 297, 380.
Engrossed, 298, 393.
Placed at foot of calendar, 328.
Second reading, 328, 380.
Amended from the floor, 380.
Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended from floor, 380.
Final passage, 380.
To House, 449, 612.
Returned to Senate, 588.
Enrolled, 599.
Signed by President, 600.
Returned to Senate, signed by Speaker, 629.
Sent to Governor, 640.
Approved by Governor, 665.

Senate Bill No. 146—(Senators Nesvig, Longmire, Saumur, Solberg, Kamrath, Gefreh, Wartner and Murphy)

Senate Bill No. 146. A Bill for an Act to create and enact chapter 50-22 of the North Dakota Century Code, relating to licensing and regulation of charitable organizations which solicit funds, and to repeal chapter 50-15 of the North Dakota Century Code, relating to solicitations for benevolent associations, and providing a penalty.

Introduction, first reading, 135.
Referred to Committee on Judiciary, 135.
Reported back, amended, 503-506.
Amendments adopted, 521.
Engrossed, 552.
Placed at head of calendar, 553.

Second reading, 557, 883.
 Final passage, 558, 883.
 To House, 569, 986.
 Returned to Senate, amended, 860.
 House amendments, 861.
 Senate concurs, 883.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 883.
 Enrolled, 913.
 Signed by President, 974.
 Returned to Senate, signed by Speaker, 996.
 Sent to Governor, 1013.

Senate Bill No. 147—(Senators Wartner, Gefreh and Garaas)

Senate Bill No. 147. A Bill for an Act to amend and reenact section 35-22-01 of the North Dakota Century Code relating to foreclosure of mortgages of real property.

Introduction, first reading, 135.
 Referred to Committee on Judiciary, 135.
 Reported back, do pass, 247.
 Placed at head of calendar, 280.
 Second reading, 282.
 Final passage, 283.
 To House, 307, 612.
 Returned to Senate, 588.
 Enrolled, 599.
 Signed by President, 600.
 Returned to Senate, signed by Speaker, 629.
 Sent to Governor, 640.
 Approved by Governor, 665.

Senate Bill No. 148—(Senators Hernet, Luick, Brooks, Thompson, Fiedler and Garaas)

Senate Bill No. 148. A Bill for an Act to amend and reenact section 24-03-21 of the North Dakota Century Code relating to the preparation and distribution of road maps and to authorize the highway commissioner to provide for the publication of tourist information, and declaring an emergency.

Introduction, first reading, 135.
 Referred to Committee on Transportation, 135.
 Reported back, do pass, 182.
 Second reading, 211, 881.
 Final passage, emergency clause carried, 212, 881.
 To House, 228, 1020.
 Returned to Senate, amended, 860.
 House amendments, 861.
 Senate concurs, 881.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 881.
 Enrolled, 1018.
 Signed by President, 1020.
 Returned to Senate, signed by Speaker, 1020.
 Sent to Governor, 1025.

Senate Bill No. 149—(Senators Gronvold, Baker and Ringsak)

Senate Bill No. 149. A Bill for an Act to create and enact chapter 57-51.1 of the North Dakota Century Code, relating to establishment of a use tax on oil, gas, and petroleum products to be supplementary to the North Dakota gross production tax and upon which no gross production tax has been paid, providing for its administration, and providing a penalty.

Introduction, first reading, 136.
 Referred to Committee on Finance and Taxation, 136.
 Reported back, amended, 492.
 Amendments adopted, 518, 535.
 Engrossed, 532, 552.
 Amended from the floor, 535.
 Second reading, 567.
 Final passage, lost, 568.

Senate Bill No. 150—(Senators Thompson, Reichert and Longmire)

Senate Bill No. 150. A bill for an Act to provide for employee temporary disability insurance and to provide that the administration and operation of such insurance shall be a duty of the Division of Unemployment Compensation of the North Dakota Workmen's Compensation Bureau; to provide for the establishment of a temporary disability insurance fund; to provide for contributions by the employee; and to provide for benefits to be paid to employees in the case of a disability or sickness; and to provide penalties, and making an appropriation.

Introduction, first reading, 136.
 Referred to Committee on Industry, Business and Labor, 136.
 Reported back, indefinitely postponed, 336, 337.
 Motion to place on calendar, lost, 336.

Senate Bill No. 151—(Senators Morgan, Gronvold, Garaas, Bopp and Trenbeath)

Senate Bill No. 151. A Bill for an Act to amend and reenact sections 61-04-02, 61-04-04, 61-04-06, 61-04-09, 61-04-11 and 61-04-14 of the North Dakota Century Code relating to acquisition of right to appropriate water for beneficial use.

Introduction, first reading, 136.
 Referred to Committee on Natural Resources, 136.
 Reported back, do pass, 372.
 Re-referred to Committee on Natural Resources, 431.
 Reported back, amended, 493.
 Amendments adopted, 519.
 Engrossed, 552.
 Placed at head of calendar, 553.
 Second reading, 558, 891.
 Final passage, 558, 891.
 To House, 569, 1017.
 Returned to Senate, amended, 739.

House amendments, 740.
 Senate does not concur, 763.
 Conference Committee, Senate, 763.
 Conference Committee, House, 794.
 Conference Committee report, House adopts, 880.
 Conference Committee report, Senate adopts, 891.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 891.
 Enrolled, 1014.
 Signed by President, 1017.
 Returned to Senate, signed by Speaker, 1022.
 Sent to Governor, 1022.

Senate Bill No. 152—(Senators Wartner, Garaas and Gefreh)

Senate Bill No. 152. A Bill for an Act to amend and reenact subsection 2 of section 57-22-21 of the North Dakota Century Code, relating to collection of personal property taxes made liens on real estate.

Introduction, first reading, 136.
 Referred to Committee on Judiciary, 136.
 Reported back, do pass, 247.
 Placed at head of calendar, 280.
 Second reading, 283.
 Final passage, 283.
 To House, 307, 612.
 Returned to Senate, 588.
 Enrolled, 599.
 Signed by President, 600.
 Returned to Senate, signed by Speaker, 629.
 Sent to Governor, 640.
 Approved by Governor, 665.

Senate Bill No. 153—(Senators Redlin and Reichert)

Senate Bill No. 153. A Bill for an Act to amend and reenact Section 52-09-09 of the North Dakota Century Code relating to Rate of Contribution; and subsection B of Section 52-09-20 of the North Dakota Century Code relating to Definitions.

Introduction, first reading, 140.
 Referred to Committee on Finance and Taxation, 140.
 Reported back, amended, 234.
 Amendments adopted, 251.
 Engrossed, 259.
 Placed at head of calendar, 276.
 Second reading, 311.
 Final passage, 311.
 To House, 334, 817.
 Returned to Senate, 739.
 Enrolled, 773.
 Signed by President, 774.
 Returned to Senate, signed by Speaker, 854.
 Sent to Governor, 1013.

Senate Bill No. 154—(Senator Baker)

Senate Bill No. 154. A Bill for an Act authorizing the state board of higher education to transfer certain state-owned land to the city of Minot for street purposes.

Introduction, first reading, 140.
 Referred to Committee on State and Federal Government, 141.
 Reported back, do pass, 202.
 Placed at foot of calendar, 216.
 Second reading, 226.
 Final passage, 226.
 To House, 239, 612.
 Returned to Senate, 588.
 Enrolled, 599.
 Signed by President, 600.
 Returned to Senate, signed by Speaker, 629.
 Sent to Governor, 640.
 Approved by Governor, 665.

Senate Bill No. 155—(Senator Holand)

Senate Bill No. 155. A Bill for an Act to authorize the board of trustees of the soldiers' home to sell certain lands.

Introduction, first reading, 141.
 Referred to Committee on State and Federal Government, 141.
 Reported back, indefinitely postponed, 222.

Senate Bill No. 156—(Senators Murphy and Baker)

Senate Bill No. 156. A Bill for an Act to provide that all employers must grant time for all employees to vote at any special, primary, or general election, and providing for a penalty.

Introduction, first reading, 141.
 Referred to Committee on Judiciary, 141.
 Reported back, amended, 349.
 Amendments adopted, 378.
 Engrossed, 393.
 Second reading, 450.
 Final passage, 450.
 To House, 475.
 Returned to Senate, indefinitely postponed, 936.

Senate Bill No. 157—(Senators Lautenschlager, Becker, Erickson, Hystad, Wadeson and Nesvig)

Senate Bill No. 157. A Bill for an Act to amend and reenact section 63-01-09 of the North Dakota Century Code, relating to the cleaning of harvesting machines.

Introduction, first reading, 141.
 Referred to Committee on Agriculture, 141.
 Reported back, amended, 234.
 Amendments adopted, 251.
 Engrossed, 259.
 Placed at head of calendar, 280.

Second reading, 283.
 Final passage, 284.
 To House, 307.
 Returned to Senate, indefinitely postponed, 852.

Senate Bill No. 158—(Senator Baker)

Senate Bill No. 158. A Bill for an Act to amend and reenact section 15-59-01 of the North Dakota Century Code relating to special education of exceptional children.

Introduction, first reading, 141.
 Referred to Committee on Education, 141.
 Reported back, do pass, 247.
 Second reading, 328, 839.
 Final passage, 329, 839.
 To House, 348, 956.
 Returned to Senate, amended, 852.
 House amendments, 853.
 Senate concurs, 839.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 839.
 Enrolled, 857.
 Signed by President, 928.
 Returned to Senate, signed by Speaker, 993.
 Sent to Governor, 1013.

Senate Bill No. 159—(Senators Longmire and Wartner)

Senate Bill No. 159. A Bill for an Act to amend and reenact section 12-06-06 of the North Dakota Century Code, relating to the determination of the degree of crime by a jury and the determination of punishment by a judge.

Introduction, first reading, 141.
 Referred to Committee on Judiciary, 141.
 Reported back, do pass, 247.
 Placed at head of calendar, 280.
 Second reading, 284.
 Final passage, 284.
 To House, 307, 612.
 Returned to Senate, 588.
 Enrolled, 599.
 Signed by President, 600.
 Returned to Senate, signed by Speaker, 629.
 Sent to Governor, 641.
 Approved by Governor, 665.

Senate Bill No. 160—(Senators Gefreh, Holand and Wartner)

Senate Bill No. 160. A Bill for an Act to amend and reenact section 10-24-23 of the North Dakota Century Code, relating to officers of a nonprofit corporation.

Introduction, first reading, 141.
 Referred to Committee on Industry, Business and Labor, 141.
 Reported back, do pass, 234.
 Second reading, 269.

Final passage, 269.
 To House, 292, 749.
 Returned to Senate, 674.
 Enrolled, 692.
 Signed by President, 722.
 Returned to Senate, signed by Speaker, 753.
 Sent to Governor, 775.
 Approved by Governor, 913.

Senate Bill No. 161—(Senators Wadeson, Redlin and Luick)

Senate Bill No. 161. A Bill for an Act authorizing the state board of higher education to sell certain land now owned by the state for the benefit and use of the North Dakota Agricultural Experiment Station of the North Dakota State University of Agriculture and Applied Science.

Introduction, first reading, 141.
 Referred to Committee on State and Federal Government, 141.
 Re-referred to Committee on Agriculture, 148.
 Reported back, amended, 247.
 Amendments adopted, 264.
 Engrossed, 277.
 Placed at head of calendar, 290.
 Second reading, 293.
 Final passage, 293.
 To House, 316, 755.
 Returned to Senate, 739.
 Enrolled, 751.
 Signed by President, 752.
 Returned to Senate, signed by Speaker, 798.
 Sent to Governor, 832.
 Approved by Governor, 913.

Senate Bill No. 162—(Senators Erickson and Roen)

Senate Bill No. 162. A Bill for an Act to amend and reenact section 20-08-03 of the North Dakota Century Code relating to the contents of the governor's proclamation for the taking of game birds, fish, and game animals.

Introduction, first reading, 141.
 Referred to Committee on Natural Resources, 141.
 Reported back, indefinitely postponed, 506.

Senate Bill No. 163—(Senators Wadeson, Redlin and Luick)

Senate Bill No. 163. A Bill for an Act to authorize the state board of higher education to sell or exchange certain land owned by the state of North Dakota for the benefit and use of the North Dakota Agricultural Experiment Station of the North Dakota State University of Agriculture and Applied Science for other land of equal or greater value and appropriating the proceeds of any sale to the state board of higher education for the purpose of acquiring other land.

Introduction, first reading, 142.
 Referred to Committee on State and Federal Government, 142.
 Re-referred to Committee on Agriculture, 148.
 Reported back, amended, 247, 248.
 Amendments adopted, 264.
 Engrossed, 277.
 Placed at head of calendar, 290.
 Second reading, 293, 761.
 Final passage, 294, 762.
 To House, 316, 817.
 Returned to Senate, amended, 739.
 House amendments, 740.
 Senate concurs, 761.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 761.
 Enrolled, 773.
 Signed by President, 774.
 Returned to Senate, signed by Speaker, 854.
 Sent to Governor, 1013.

Senate Bill No. 164—(Senator Hernettt)

Senate Bill No. 164. A Bill for an Act to amend and re-enact section 52-06-30 of the North Dakota Century Code relating to Assignment of Benefits Prohibited; Benefits Exempt From Remedies for Collection of Debt; Exception.

Introduction, first reading, 142.
 Referred to Committee on Industry, Business and Labor, 142.
 Reported back, indefinitely postponed, 337.

Senate Bill No. 165—(Senators Gefreh, Ringsak, Brooks, Saumur, Longmire, Wartner and Murphy)

Senate Bill No. 165. A Bill for an Act to amend and re-enact section 39-06-30 and subsection 10 of section 39-16-01 of the North Dakota Century Code, relating to definitions and meanings of the words "conviction" and "state" for the purposes of certain chapters in title 39.

Introduction, first reading, 142.
 Referred to Committee on Judiciary, 142.
 Reported back, amended, 248.
 Amendments adopted, 264.
 Engrossed, 277.
 Placed at head of calendar, 290.
 Second reading, 294.
 Final passage, 294.
 To House, 317.
 Returned to Senate, indefinitely postponed, 563.

Senate Bill No. 166—(Senators Lips, Longmire and Brooks)

Senate Bill No. 166. A Bill for an Act to amend and re-enact subsection 3 of Section 26-08-11 of the North Dakota Century Code relating to investments authorized for domestic insurance companies and providing for an increase

in the amount of secured amortized loans from sixty-six and two-thirds per cent of the value of the property mortgaged to seventy-five per cent.

Introduction, first reading, 149.
 Referred to Committee on Industry, Business and Labor, 149.
 Reported back, do pass, 337.
 Second reading, 394.
 Final passage, 394.
 To House, 449, 689.
 Returned to Senate, 629.
 Enrolled, 640.
 Signed by President, 664.
 Returned to Senate, signed by Speaker, 704.
 Sent to Governor, 720.
 Approved by Governor, 773.

Senate Bill No. 167—(Senator Baker)

Senate Bill No. 167. A Bill for an Act to amend and reenact sections 40-46-02, 40-46-04, 40-46-09, 40-46-13 and 40-46-20 of the North Dakota Century Code, relating to employees' pension plan in cities.

Introduction, first reading, 149.
 Referred to Committee on Political Subdivisions, 149.
 Reported back, do pass, 262.
 Second reading, 329.
 Final passage, 329.
 To House, 348, 817.
 Returned to Senate, 753.
 House requests return, 795.
 Motion to return bill to House, 800.
 Returned to Senate, indefinitely postponed, 898.

Senate Bill No. 168—(Senators Andre and Morgan)

Senate Bill No. 168. A Bill for an Act to amend and reenact subsection 8 of section 57-38-22 of the North Dakota Century Code, relating to deductions allowed for contributions in computing net income.

Introduction, first reading, 149.
 Referred to Committee on Finance and Taxation, 149.
 Reported back, indefinitely postponed, 455.
 Motion to substitute minority report for that of majority, lost, 455.

Senate Bill No. 169—(Senators Garaas, Andre, Ringsak and Baeverstad)

Senate Bill No. 169. A Bill for an Act to amend and reenact sections 16-04-15 and 16-04-26 of the North Dakota Century Code relating to primary election ballots.

Introduction, first reading, 149.
 Referred to Committee on Judiciary, 149.
 Reported back, indefinitely postponed, 368.
 Motion to substitute minority for majority report, lost, 369.

Senate Bill No. 170—(Senator Meidinger)

Senate Bill No. 170. A Bill for an Act to amend and reenact Section 15-53-09 of the North Dakota Century Code relating to proposals for reorganization of school districts and for adjustment of assets and liabilities thereof.

Introduction, first reading, 149.

Referred to Committee on Finance and Taxation, 149.

Re-referred to Committee on Education, 215.

Reported back, indefinitely postponed, 455.

Senate Bill No. 171—(Senator Meidinger)

Senate Bill No. 171. A Bill for an Act to amend and reenact Section 21-03-15 of the North Dakota Century Code relating to taxes for municipal bonds.

Introduction, first reading, 149.

Referred to Committee on Finance and Taxation, 149.

Re-referred to Committee on Industry, Business and Labor, 215.

Re-referred to Committee on Political Subdivisions, 265.

Reported back, do pass, 372.

Second reading, 450, 912.

Final passage, 451, 912.

To House, 475, 854, 986.

Returned to Senate, indefinitely postponed, 795.

House requests return, 835.

Motion to return bill to House, 835.

Returned to Senate, amended, 860.

House amendments, 862.

Senate concurs, 911.

Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 912.

Enrolled, 954.

Signed by President, 974.

Returned to Senate, signed by Speaker, 996.

Sent to Governor, 1013.

Senate Bill No. 172—(Senator Murphy)

Senate Bill No. 172. A Bill for an Act to amend and reenact Section 39-17-04.1 of the North Dakota Century Code, providing for appointment of special counsel for the attorney general.

Introduction, first reading, 151.

Referred to Committee on Judiciary, 151.

Reported back, do pass, 349.

Second reading, 407.

Final passage, 407.

To House, 449, 651.

Returned to Senate, 611.

Enrolled, 622.

Signed by President, 641.

Returned to Senate, signed by Speaker, 675.

Sent to Governor, 692.

Approved by Governor, 751.

Senate Bill No. 173—(Senators Brooks, Meidinger, Hernet, Baeverstad, Erickson and George)

Senate Bill No. 173. A Bill for an Act to establish the office of state toxicologist.

Introduction, first reading, 151.
 Referred to Committee on Social Welfare and Veterans Affairs, 151.
 Reported back, indefinitely postponed, 304.
 Motion to place on calendar, carried, 304.
 Second reading, 353.
 Final passage, 353.
 To House, 368, 689.
 Returned to Senate, 629.
 Enrolled, 640.
 Signed by President, 664.
 Returned to Senate, signed by Speaker, 704.
 Sent to Governor, 720.
 Approved by Governor, 773.

Senate Bill No. 174—(Senators Nesvig, Andre, Witteman and Murphy)

Senate Bill No. 174. A Bill for an Act to provide for pooling state-owned aircraft for increased efficiency, defining state agencies affected, permitting state agencies and departments to utilize and pay for state aircraft transportation, providing for pooling of state pilots, establishing a special aviation revolving fund and appropriating moneys therefrom, and making an appropriation.

Introduction, first reading, 151.
 Referred to Committee on Appropriations, 151.
 Reported back, indefinitely postponed, 304.
 Motion to lay over one legislative day, lost, 304.
 Report adopted, 304.

Senate Bill No. 175—(Senators Gefreh, Wartner, Mutch, Gronvold, Meidinger, Longmire, Baeverstad, Kee, Harris and Erickstad)

Senate Bill No. 175. A Bill for an Act to amend and reenact section 57-51-15 of the North Dakota Century Code, relating to the apportionment of the proceeds of the oil and gas production tax.

Introduction, first reading, 151.
 Referred to Committee on Finance and Taxation, 151.
 Reported back, indefinitely postponed, 337.

Senate Bill No. 176—(Senator Miller)

Senate Bill No. 176. A Bill for an Act to amend and reenact section 11-32-01 of the North Dakota Century Code relating to a tax levy for county memorials.

Introduction, first reading, 159.
 Referred to Committee on Finance and Taxation, 159.
 Reported back, indefinitely postponed, 434.
 Motion to place on calendar, lost, 434.

Senate Bill No. 177—(Senator Brooks)

Senate Bill No. 177. A Bill for an Act to amend and reenact section 6-08-16 of the North Dakota Century Code relating to the issuance of a check or draft without sufficient funds or credit and providing a penalty.

Introduction, first reading, 159.

Referred to Committee on Judiciary, 159.

Reported back, indefinitely postponed, 349.

Senate Bill No. 178—(Senators Longmire, Lips and Garaas)

Senate Bill No. 178. A Bill for an Act to amend and reenact sections 15-52-10, 15-52-15, 15-52-16, 15-52-17, 15-52-18, 15-52-19, 15-52-20, subsection 2 of section 15-52-22, sections 15-52-26, and 15-52-27 of the North Dakota Century Code, relating to loans for dental students from the medical center loan fund.

Introduction, first reading, 159.

Referred to Committee on State and Federal Government, 159.

Reported back, amended, 222.

Amendments adopted, 237.

Engrossed, 240.

Second reading, 269, 858.

Final passage, 270, 859.

To House, 292, 986.

Returned to Senate, amended, 739.

House amendments, 740.

Senate does not concur, 762.

Conference Committee, Senate, 769.

Conference Committee, House, 794.

House adopts report, 851.

Senate adopts report, 858.

Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by Conference Committee, 858.

Enrolled, 954.

Signed by President, 974.

Returned to Senate, signed by Speaker, 996.

Sent to Governor, 1013.

Senate Bill No. 179—(Senators Brooks, Kee, Gefreh, Herrett and Lips)

Senate Bill No. 179. A Bill for an Act to authorize the superintendent of public instruction to contract with non-profit corporations for the provision of educational television services in the state, and making an appropriation therefor.

Introduction, first reading, 159.

Referred to Committee on Education, 159.

Reported back, do pass, 455.

Re-referred to Committee on Appropriations, 455.

Reported back, do pass, 494.

Second reading, 543.

Final passage, 543.

To House, 554, 986.

Returned to Senate, 863.
Enrolled, 913.
Signed by President, 974.
Returned to Senate, signed by Speaker, 996.
Sent to Governor, 1013.

Senate Bill No. 180—(Senator Hystad)

Senate Bill No. 180. A Bill for an Act to amend and reenact section 39-11-10.1 of the North Dakota Century Code, relating to the requirement for turn signals on motor vehicles.

Introduction, first reading, 160.
Referred to Committee on Transportation, 160.
Reported back, do pass, 262.
Placed at head of calendar, 290.
Second reading, 294.
Final passage, 295.
To House, 317, 612.
Returned to Senate, 588.
Enrolled, 599.
Signed by President, 600.
Returned to Senate, signed by Speaker, 629.
Sent to Governor, 640.
Approved by Governor, 665.

Senate Bill No. 181—(Senators Longmire, Reichert, Murphy and Garaas)

Senate Bill No. 181. A Bill for an Act to amend and reenact Section 27-17-01 of the North Dakota Century Code relating to retirement of supreme court judges and district court judges.

Introduction, first reading, 160.
Referred to Committee on Judiciary, 160.
Reported back, amended, 364.
Amendments adopted, 420.
Engrossed, 423.
Second reading, 530.
Final passage, 530.
To House, 554, 817.
Returned to Senate, 739.
Enrolled, 773.
Signed by President, 774.
Returned to Senate, signed by Speaker, 854.
Sent to Governor, 1013.

Senate Bill No. 182—(Committee on State and Federal Government)

Senate Bill No. 182. A Bill for an Act to amend and reenact section 23-16-05 and section 23-16-12 of the North Dakota Century Code relating to state department of health inspections, consultations, and injunctions, and declaring an emergency

Introduction, first reading, 160.
 Referred to Committee on Social Welfare and Veterans Affairs, 160.
 Re-referred to Committee on State and Federal Government, 265.
 Reported back, do pass, 319.
 Second reading, 386.
 Final passage, emergency clause carried, 386.
 To House, 449, 689.
 Returned to Senate, 629.
 Enrolled, 640.
 Signed by President, 664.
 Returned to Senate, signed by Speaker, 704.
 Sent to Governor, 720.
 Approved by Governor, 773.

Senate Bill No. 183—(Senator Foss)

Senate Bill No. 183. A Bill for an Act to amend and reenact section 57-32-04 of the North Dakota Century Code relating to the allocation of taxes on car line companies and air transportation companies.

Introduction, first reading, 160.
 Referred to Committee on State and Federal Government, 160.
 Reported back, do pass, 222.
 Second reading, 255.
 Final passage, 256.
 To House, 272, 719.
 Returned to Senate, 662.
 Enrolled, 665.
 Signed by President, 691.
 Returned to Senate, signed by Speaker, 742.
 Sent to Governor, 752.
 Approved by Governor, 831.

Senate Bill No. 184—(Senator Foss)

Senate Bill No. 184. A Bill for an Act authorizing preparation, issuance and sale of revenue anticipation certificates of the state school construction fund by the state board of public school education, the purchase of such certificates by The Bank of North Dakota, and by other state departments, making provision for payment and retirement of such certificates, and making an appropriation.

Introduction, first reading, 160.
 Referred to Committee on State and Federal Government, 160.
 Re-referred to Committee on Education, 265.
 Reported back, amended, 494.
 Amendments adopted, 519.
 Engrossed, 552.
 Placed at head of calendar, 588.
 Second reading, 558.
 Final passage, 559.
 To House, 569, 987.
 Returned to Senate, 863.
 Enrolled, 913.

Signed by President, 974.
 Returned to Senate, signed by Speaker, 996.
 Sent to Governor, 1013.
 Vetoed by Governor.

Senate Bill No. 185—(Senator Foss)

Senate Bill No. 185. A Bill for an Act to appropriate and transfer \$425,000.00 from the general fund to the school construction fund as reimbursement for appropriations made for construction at the state training school.

Introduction, first reading, 160.
 Referred to Committee on Appropriations, 160.
 Reported back, do pass, 248.
 Placed at head of calendar, 280.
 Second reading, 286, 978.
 Final passage, 286, 978.
 To House, 307, 1017.
 Returned to Senate, amended, 914.
 House amendments, 914.
 Senate concurs, 978.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 978.
 Enrolled, 1014.
 Signed by President, 1017.
 Returned to Senate, signed by Speaker, 1022.
 Sent to Governor, 1022.

Senate Bill No. 186—(Senator Foss)

Senate Bill No. 186. A Bill for an Act to make a deficiency appropriation for the payment of general expenses of the Thirty-seventh Legislative Assembly, and declaring an emergency.

Introduction, first reading, 160.
 Referred to Committee on Appropriations, 160.
 Reported back, amended, 234.
 Amendments adopted, 251.
 Engrossed, 259.
 Placed at head of calendar, 280.
 Second reading, 286.
 Final passage, emergency clause carried, 287.
 To House, 317, 412.
 Returned to Senate, 371.
 Enrolled, 393.
 Signed by President, 393.
 Returned to Senate, signed by Speaker, 413.
 Sent to Governor, 431.
 Approved by Governor, 454.

Senate Bill No. 187—(Senators Garaas and Solberg)

Senate Bill No. 187. A Bill for an Act to amend and reenact section 16-12-04 of the North Dakota Century Code, relating to election ballots.

Introduction, first reading, 161.
 Referred to Committee on Judiciary, 161.
 Reported back, indefinitely postponed, 349.

Senate Bill No. 188—(Senator Hernet)

Senate Bill No. 188. A Bill for an Act to amend and reenact section 44-08-10 of the North Dakota Century Code, relating to public notices and printing.

Introduction, first reading, 161.

Referred to Committee on Industry, Business and Labor, 161.

Reported back, do pass, 495.

Second reading, 543, 881.

Final passage, 544, 882.

To House, 554, 987.

Returned to Senate, amended, 860.

House amendments, 862.

Senate concurs, 881.

Rules suspended, deemed re-engrossed, placed on second reading and final passage, as amended by House, 881.

Enrolled, 913.

Signed by President, 974.

Returned to Senate, signed by Speaker, 996.

Sent to Governor, 1014.

Senate Bill No. 189—(Senators Erickson, Longmire and Johnson)

Senate Bill No. 189. A Bill for an Act to amend and reenact section 52-10-03 of the North Dakota Century Code relating to federal-state agreement interstate instrumentalities; section 52-10-04 of the North Dakota Century Code relating to contributions by employees of the state and of political subdivisions; to create and enact subsection e. of section 52-10-05 of the North Dakota Century Code relating to the plans for coverage of employees of political subdivisions; and to amend and reenact section 52-10-07 of the North Dakota Century Code relating to referenda and certification.

Introduction, first reading, 161.

Referred to Committee on State and Federal Government, 161.

Reported back, do pass, 319.

Second reading, 386.

Final passage, 387.

To House, 449, 749.

Returned to Senate, 674.

Enrolled, 720.

Signed by President, 722.

Returned to Senate, signed by Speaker, 753.

Sent to Governor, 775.

Approved by Governor, 913.

Senate Bill No. 190—(Senators Brooks, Nesvig, Kee, Roen, Luick and Longmire)

Senate Bill No. 190. A Bill for an Act to amend and reenact section 20-03-06 of the North Dakota Century Code relating to the taking of any game bird on posted lands by nonresidents.

Introduction, first reading, 161.
 Referred to Committee on Natural Resources, 161.
 Reported back, do pass, 456.
 Second reading, 539.
 Final passage, 540.
 To House, 554.
 Returned to Senate, indefinitely postponed, 863.

Senate Bill No. 191—(Senators Luick, Erickson, Gilbertson, Trenbeath, Paulson and Berube)

Senate Bill No. 191. A Bill for an Act to create and enact section 15-34-27 of the North Dakota Century Code relating to transportation of elementary school children.

Introduction, first reading, 161.
 Referred to Committee on Education, 161.
 Reported back, do pass, 214.
 Second reading, 256.
 Final passage, 256.
 To House, 272.
 Returned to Senate, indefinitely postponed, 629.

Senate Bill No. 192—(Senators Luick, Trenbeath, Paulson, Kisse, Erickson, Gilbertson, Kee and Berube)

Senate Bill No. 192. A Bill for an Act providing mileage expenses for all members of any school district board.

Introduction, first reading, 161.
 Referred to Committee on Education, 161.
 Reported back, indefinitely postponed, 262.
 Motion to place on calendar, carried, 262.
 Indefinitely postponed, 456.

Senate Bill No. 193—(Senators Brooks, Saumur, Reichert and Johnson)

Senate Bill No. 193. A Bill for an Act to amend and reenact Section 57-53-09 of the North Dakota Century Code relating to special fuels tax levy.

Introduction, first reading, 161.
 Referred to Committee on Finance and Taxation, 161.
 Reported back, indefinitely postponed, 495.

Senate Bill No. 194—(Senators Fiedler and Garaas)

Senate Bill No. 194. A Bill for an Act to amend and reenact sections 4-09-02, 4-09-03, 4-09-07, 4-09-20, 4-10-13, 4-10-18, 4-11-21, 15-52-03, 23-01-02, 37-15-20, 54-21-17, 54-21-18, 54-23-18, 54-23-22, 54-42-06, and 54-42-08 of the North Dakota Century Code; to amend sections 4-22-05, 12-46-03, 12-46-04, 12-46-06, 12-46-07, 12-46-09, 12-46-10, 12-46-17, 12-46-18, 12-47-05, 12-47-06, 12-47-08, 12-47-11, 12-47-12, 12-47-13, 12-47-15, 12-47-32, 12-47-33, 12-47-34, 12-48-02, 12-48-03, 12-48-04, 12-48-05, 12-48-06, 12-48-07, 12-48-08, 12-48-09, 12-48-11, 12-48-12, 12-48-14, 12-48-22, 12-48-23, 12-49-01, 12-49-02, 12-49-03, 12-49-07, 12-50-13, 12-51-02, 12-51-03, 12-51-04, 12-51-06, 12-51-07, 12-51-08,

12-51-09, 12-52-01, 12-52-02, 12-52-03, 12-52-04, 12-52-05,
 12-52-07, 12-54-02, 12-54-04, 12-54-05, 12-54-06, 12-55-08,
 12-57-01, 15-47-34, 23-08-01, 25-01-01, 25-01-02, 25-01-03,
 25-01-04, 25-01-05, 25-01-06, 25-01-07, 25-01-08, 25-01-10,
 25-01-12, 25-01-13, 25-02-07, 25-02-08, 25-02-09, 25-02-10,
 25-03-15, 25-03-16, 25-03-20, 25-03-25, 25-04-02, 25-04-03,
 25-04-04, 25-04-05, 25-04-06, 25-04-08, 25-05-01, 25-05-02,
 25-05-03, 25-05-04, 25-05-05, 25-05-06, 25-05-07, 25-05-08,
 25-05-11, 25-05-16, 25-05-19, 25-05-20, 25-05-22, 25-05-23,
 25-05-24, 25-05-25, 25-05-27, 25-05-30, 25-05-31, 25-05-33,
 25-05-34, 25-06-03, 25-06-04, 25-06-05, 25-06-06, 25-07-04,
 25-07-05, 25-07-07, 25-08-09.1, 25-08-14, 25-08-15, 26-24-08,
 32-36-22, 32-36-33, chapters 48-02, 48-06, 48-07, sections
 48-08-03, 48-08-05, 50-14-04, 54-01-11, 54-21-07, 54-21-09,
 54-21-10, 54-21-11, 54-21-12, 54-21-13, 54-21-19, 54-21-20,
 54-21-24, 54-23-01, 54-23-02, 54-23-03, 54-23-04, 54-23-05,
 54-23-06, 54-23-07, 54-23-08, 54-23-09, 54-23-11, 54-23-12,
 54-23-13, 54-23-14, 54-23-15, 54-23-16, 54-23-17, 54-23-19,
 54-23-20, 54-23-21, 54-23-23, 54-23-24, 54-23-25, 54-23-26,
 54-23-27, 54-23-28, 54-23-30, 54-23-31, 54-23-33, 54-23-35,
 54-23-36, 54-23-38, 54-23-39, 54-23-40, 54-23-41, 54-23-43,
 54-23-45, 54-23-49, 54-23-50, 54-23-51, 54-23-52, chapter
 54-23A, sections 54-24-01, 54-27-11, 54-27-12, and 54-27-13
 of the North Dakota Century Code, relating to the state
 hospital, school for the feeble-minded, tuberculosis sana-
 torium, training school, penitentiary, school for the blind,
 school for the deaf, library commission, seed department,
 and the radio broadcasting system; and to transfer all
 duties and responsibilities hereinbefore administered by
 the state board of administration to the state health offi-
 cer, executive director of the public welfare board, super-
 intendent of public instruction, department of accounts
 and purchases, commissioner of agriculture and labor,
 superintendent of capitol buildings and grounds, and
 bureau of criminal identification; and to repeal sections
 25-04-12, 54-21-01, 54-21-02, 54-21-03, 54-21-04, 54-21-05,
 54-21-06, 54-21-08, and 54-21-14 of the North Dakota Cen-
 tury Code, relating to electrical power furnished Dunseith
 from state school power plant and to the board of
 administration.

Introduction, first reading, 162.

Referred to Committee on State and Federal
 Government, 162.

Reported back, indefinitely postponed, 496.

Motion to substitute minority report for that of majority,
 lost, 496.

Senate Bill No. 195—(Senator Murphy)

Senate Bill No. 195. A Bill for an Act to amend and re-
 enact section 5-02-02 of the North Dakota Century Code,
 relating to the sale of beer.

Introduction, first reading, 162.

Referred to Committee on Social Welfare and Veterans
 Affairs, 163.

Reported back, indefinitely postponed, 369.

Motion to place on calendar, lost, 369.

Senate Bill No. 196—(Senators Erickson, Redlin, Kamrath and Baker)

Senate Bill No. 196. A Bill for an Act to amend and re-enact section 23-14-11 of the North Dakota Century Code, relating to the authorizing and disbursing of health district funds.

Introduction, first reading, 166.

Referred to Committee on Social Welfare and Veterans Affairs, 166.

Request unanimous consent to read resolution from Custer District Health Unit, granted, 329.

Second reading, 329.

Final passage, lost for lack of a constitutional majority, 330.

Senate Bill No. 197—(Senators Morgan, Baker, Foss, Garaas and Fiedler)

Senate Bill No. 197. A Bill for an Act to amend and re-enact section 19-03-12 of the North Dakota Century Code, relating to exempted medicinal preparations.

Introduction, first reading, 166.

Referred to Committee on Social Welfare and Veterans Affairs, 166.

Reported back, do pass, 262.

Placed at head of calendar, 290.

Second reading, 295.

Final passage, 295.

To House, 317, 689.

Returned to Senate, 629.

Enrolled, 640.

Signed by President, 664.

Returned to Senate, signed by Speaker, 704.

Sent to Governor, 720.

Approved by Governor, 773.

Senate Bill No. 198—(Senators Kamrath, Erickson, Roen and Garaas)

Senate Bill No. 198. A Bill for an Act to amend and re-enact section 16-09-01 of the North Dakota Century Code to grant to boards of county commissioners additional authority in redividing, combining, vacating and annexing of voting precincts.

Introduction, first reading, 166.

Referred to Committee on Political Subdivisions, 166.

Reported back, amended, 304.

Amendments adopted, 321.

Engrossed, 334.

Second reading, 387.

Final passage, 387.

To House, 449, 719.

Returned to Senate, 662.

Enrolled, 665.

Signed by President, 691.

Returned to Senate, signed by Speaker, 742.

Sent to Governor, 752.

Approved by Governor, 832.

Senate Bill No. 199—(Senators Garaas, Andre, Nesvig and Murphy)

Senate Bill No. 199. A Bill for an Act to amend and re-enact sections 5-02-22 and 5-03-22 of the North Dakota Century Code, relating to the taxation of beer and alcoholic beverages.

Introduction, first reading, 166.
 Referred to Committee on Finance and Taxation, 166.
 Reported back, amended, 509.
 Motion the amendments be laid on table, carried, 509.

Senate Bill No. 200—(Senator Murphy)

Senate Bill No. 200. A Bill for an Act to amend and re-enact section 5-03-03 of the North Dakota Century Code, relating to retail sales liquor license fees.

Introduction, first reading, 166.
 Referred to Committee on Industry, Business and Labor, 166.
 Re-referred to Committee on Social Welfare and Veterans Affairs, 185.
 Reported back, indefinitely postponed, 369, 370.
 Motion to place on calendar, 369.
 Division requested, to place on calendar, lost, 369, 370.

Senate Bill No. 201—(Senators Hystad and Ringsak)

Senate Bill No. 201. A Bill for an Act to amend and re-enact sections 57-33-05, 57-33-06, and 57-33-07 of the North Dakota Century Code relating to apportionment and allocation of taxes received from certain cooperatives.

Introduction, first reading, 166.
 Referred to Committee on Industry, Business and Labor, 166.
 Reported back, do pass, 373.
 Second reading, 452.
 Final passage, 452.
 To House, 475, 749.
 Returned to Senate, 674.
 Enrolled, 721.
 Signed by President, 722.
 Returned to Senate, signed by Speaker, 753.
 Sent to Governor, 775.
 Approved by Governor, 913.

Senate Bill No. 202—(Senator Reichert)

Senate Bill No. 202. A Bill for an Act to amend and re-enact Sections 28-13-01 and 28-13-05 of the North Dakota Century Code, relating to affidavits of prejudice in district court, and duties of the judge designated to hear the cause, and declaring an emergency.

Introduction, first reading, 176.
 Referred to Committee on Judiciary, 176.
 Reported back, indefinitely postponed, 349.

Senate Bill No. 203—(Senator Meidinger, By request)

Senate Bill No. 203. A Bill for an Act to amend and re-enact Section 57-15-24 of the North Dakota Century Code relating to county mill levies for schools.

Introduction, first reading, 176.
 Referred to Committee on Finance and Taxation, 176.
 Re-referred to Committee on Education, 215.
 Reported back, indefinitely postponed, 456.

Senate Bill No. 204—(Senator Reichert)

Senate Bill No. 204. A Bill for an Act to amend and re-enact Section 27-08-18 of the North Dakota Century Code relating to reporting in County Courts having increased jurisdiction.

Introduction, first reading, 176.
 Referred to Committee on Judiciary, 176.
 Reported back, indefinitely postponed, 350.

Senate Bill No. 205—(Senators Lips and Luick)

Senate Bill No. 205. A Bill for an Act to amend and re-enact section 12-55-03 of the North Dakota Century Code relating to meetings of the board of pardons.

Introduction, first reading, 177.
 Referred to Committee on State and Federal Government, 177.
 Reported back, do pass, 248.
 Placed at head of calendar, 280.
 Second reading, 287.
 Final passage, 287.
 To House, 317, 651.
 Returned to Senate, 611.
 Enrolled, 622.
 Signed by President, 641.
 Returned to Senate, signed by Speaker, 675.
 Sent to Governor, 692.
 Approved by Governor, 751.

Senate Bill No. 206—(Senators Johnson and Ringsak)

Senate Bill No. 206. A Bill for an Act to amend and re-enact section 11-10-14 of the North Dakota Century Code relating to fees and compensation received by county officers.

Introduction, first reading, 177.
 Referred to Committee on Political Subdivisions, 177.
 Reported back, indefinitely postponed, 263.
 Motion to place on calendar, lost, 263.

Senate Bill No. 207—(Senators Lips and Mutch)

Senate Bill No. 207. A Bill for an Act to define the standard of care required of physicians and surgeons when rendering emergency care at the scene of an emergency, and protecting nonresident physicians and surgeons with respect to nonlicensure.

Introduction, first reading, 177.
 Referred to Committee on Social Welfare and Veterans Affairs, 177.
 Reported back, do pass, 364.
 Second reading, 424.
 Final passage, 424.
 To House, 475, 689.
 Returned to Senate, 629.
 Enrolled, 640.
 Signed by President, 664.
 Returned to Senate, signed by Speaker, 704.
 Sent to Governor, 720.
 Approved by Governor, 773.

Senate Bill No. 208—(Senators Lips and Longmire)

Senate Bill No. 208. A Bill for an Act to make a portion of excise taxes on aviation gasoline and jet motor fuel used by aircraft not refundable and provide for distribution of the proceeds.

Introduction, first reading, 177.
 Referred to Committee on Political Subdivisions, 177.
 Reported back, do pass, 263.
 Second reading, 331.
 Final passage, 331.
 To House, 348.
 Returned to Senate, indefinitely postponed, 795.

Senate Bill No. 209—(Senator Reichert)

Senate Bill No. 209. A Bill for an Act to amend and reenact section 57-37-07, relating to treatment of powers of appointment for estate tax purposes, and subdivision f of subsection 2 of section 57-37-11, relating to life estates with power of appointment in the surviving spouse and qualification of such life estates for the marital deduction exemption for estate tax purposes, of the North Dakota Century Code.

Introduction, first reading, 177.
 Referred to Committee on Judiciary, 177.
 Reported back, do pass, 364.
 Second reading, 424.
 Final passage, 425.
 To House, 475, 749.
 Returned to Senate, 674.
 Enrolled, 721.
 Signed by President, 722.
 Returned to Senate, signed by Speaker, 753.
 Sent to Governor, 775.
 Approved by Governor, 913.

Senate Bill No. 210—(Senators Miller and Gefreh)

Senate Bill No. 210. A Bill for an Act to amend and reenact sections 37-12-01 and 37-12-02 of the North Dakota Century Code relating to the establishment and operation of the state guard and providing an appropriation.

Introduction, first reading, 177.
 Referred to Committee on Appropriations, 177.
 Reported back, do pass, 305.
 Second reading, 358.
 Final passage, 359.
 To House, 368.
 Returned to Senate, indefinitely postponed, 705.

Senate Bill No. 211—(Senators Brooks, Baker, Roen, Wartner and Luick)

Senate Bill No. 211. A Bill for an Act to amend and reenact section 20-01-15, and to create and enact section 20-01-15.1 of the North Dakota Century Code relating to posting of lands to prohibit hunting and driving vehicles or setting fires when hunting, and providing a penalty.

Introduction, first reading, 177.
 Referred to Committee on Natural Resources, 177.
 Reported back, indefinitely postponed, 456.
 Motion to place on calendar, carried, 456.
 Motion to place at head of calendar, 523.
 Amended from the floor, 523.
 Second reading, 523, 563.
 Engrossed, 554.
 Final passage, lost, 564.

Senate Bill No. 212—(Senator Foss)

Senate Bill No. 212. A Bill for an Act to amend and reenact sections 65-12-06 and 65-12-11 of the North Dakota Century Code, relating to fees charged by Workmen's Compensation Bureau for inspection of boilers.

Introduction, first reading, 178.
 Referred to Committee on Industry, Business and Labor, 178.
 Reported back, do pass, 337.
 Second reading, 395.
 Final passage, 395.
 To House, 449, 749.
 Returned to Senate, 674.
 Enrolled, 721.
 Signed by President, 722.
 Returned to Senate, signed by Speaker, 753.
 Sent to Governor, 775.
 Approved by Governor, 913.

Senate Bill No. 213—(Senator George)

Senate Bill No. 213. A Bill for an Act to amend and reenact sections 11-11-28, 24-02-20, 39-03-08.3, 40-22-20 and 61-19-08, of the North Dakota Century Code relating to cashiers checks for bidders deposits.

Introduction, first reading, 178.
 Referred to Committee on Industry, Business and Labor, 178.
 Reported back, amended, 373.
 Amendments adopted, 420.

Engrossed, 423.
 Second reading, 530, 957.
 Final passage, 531, 957.
 To House, 554, 1020.
 Returned to Senate, amended, 914.
 House amendments, 914.
 Senate concurs, 956.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 956.
 Enrolled, 1018.
 Signed by President, 1020.
 Returned to Senate, signed by Speaker, 1020.
 Sent to Governor, 1025.

Senate Bill No. 214—(Senator George)

Senate Bill No. 214. A Bill for an Act to amend and reenact section 6-03-62 of the North Dakota Century Code relating to interest of bank loans.

Introduction, first reading, 178.
 Referred to Committee on Industry, Business and Labor, 178.
 Reported back, amended, 373.
 Amendments adopted, 420.
 Engrossed, 423.
 Second reading, 531.
 Final passage, lost, 531.

Senate Bill No. 215—(Senators Nesvig and Hernet, By request of State Tax Commissioner)

Senate Bill No. 215. A Bill for an Act to amend Chapter 57-40 of the North Dakota Century Code by creating and adding thereto two new sections providing for penalties for failure to pay the tax imposed by section 57-40-02 and for failure to comply with other provisions of Chapter 57-40, and providing for a lien for such tax and penalties thereon.

Introduction, first reading, 178.
 Referred to Committee on Finance and Taxation, 178.
 Reported back, do pass, 434.
 Second reading, 535.
 Final passage, 535.
 To House, 554, 719.
 Returned to Senate, 662.
 Enrolled, 665.
 Signed by President, 691.
 Returned to Senate, signed by Speaker, 742.
 Sent to Governor, 752.
 Approved by Governor, 832.

Senate Bill No. 216—(Senators Longmire, Reichert, Murphy, Lips, Garaas, Brooks, Harris and Gefreh)

Senate Bill No. 216. A Bill for an Act to amend and reenact section 27-06-08 of the North Dakota Century Code, relating to fees for transcripts.

Introduction, first reading, 178.
 Referred to Committee on Judiciary, 178.
 Reported back, do pass, 350.
 Second reading, 408, 766.
 Final passage, 408, 766.
 To House, 449, 817.
 Returned to Senate, amended, 740.
 House amendments, 741.
 Senate concurs, 766.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 766.
 Enrolled, 773.
 Signed by President, 774.
 Returned to Senate, signed by Speaker, 854.
 Sent to Governor, 1014.

Senate Bill No. 217—(Senators Garaas and Fiedler)

Senate Bill No. 217. A Bill for an Act to amend chapter 57-38 of the North Dakota Century Code by creating and adding thereto a new section relating to the imposition of an additional tax on the income of certain taxpayers, providing for deduction of credits from such tax, providing for the administration of and penalties for failure to comply with the provisions of said section, providing for the attachment of a lien for such tax, providing for the proceeds therefrom to be deposited in the state equalization fund, and providing for an effective date for such section; and to amend and reenact section 57-20-08 of the North Dakota Century Code, relating to receipts issued by the county treasurer.

Introduction, first reading, 178.
 Referred to Committee on Judiciary, 178.
 Re-referred to Committee on Finance and Taxation, 210.
 Reported back, amended, 507.
 Amendments adopted, 519.
 Engrossed, 552.
 Placed at head of calendar, 558.
 Second reading, 559.
 Final passage, 559.
 To House, 569.
 Returned to Senate, indefinitely postponed, 863.

Senate Bill No. 218—(Senators Gefreh, Reichert, Miller and Murphy)

Senate Bill No. 218. A Bill for an Act to amend and reenact sections 57-27-05, 57-28-05, 57-28-07, 57-28-08, 57-28-09 and 57-28-10 of the North Dakota Century Code relating to tax deed proceedings.

Introduction, first reading, 179.
 Referred to Committee on Judiciary, 179.
 Reported back, amended, 497.
 Amendments adopted, 519.
 Engrossed, 554.
 Second reading, 565.
 Final passage, 565.
 To House, 569, 987.

Returned to Senate, 863.
 Enrolled, 954.
 Signed by President, 974.
 Returned to Senate, signed by Speaker, 996.
 Sent to Governor, 1014.

Senate Bill No. 219—(Senators Wartner, Brooks and Garaas)

Senate Bill No. 219. A Bill for an Act to amend and reenact sections 5-03-06, 5-03-08, 5-03-09, 5-03-14, 5-03-21 and 5-04-03 of the North Dakota Century Code, and to repeal section 5-03-07 of the North Dakota Century Code, and to enact supplemental sections, relating to levy and collection of excise taxes on alcoholic beverages, providing for the elimination of the use of excise tax stamps and the inauguration of a monthly return system to pay such taxes.

Introduction, first reading, 179.
 Referred to Committee on State and Federal Government, 179.
 Reported back, amended, 319.
 Re-referred to Committee on State and Federal Government, 343.
 Reported back, amended, 434.
 Amendments adopted, 517.
 Engrossed, 554.
 Second reading, 565, 883.
 Final passage, 566, 884.
 To House, 569, 1020.
 Returned to Senate, amended, 860.
 House amendments, 862.
 Senate concurs, 883.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 883.
 Enrolled, 1018.
 Signed by President, 1020.
 Returned to Senate, signed by Speaker, 1020.
 Sent to Governor, 1025.

Senate Bill No. 220—(Senator Holand)

Senate Bill No. 220. A Bill for an Act to amend and reenact sections 27-09-12 and 27-09-16 of the North Dakota Century Code, relating to selection of persons qualified to act as jurors and to require notice by mail be sent to each person so selected.

Introduction, first reading, 179.
 Referred to Committee on Judiciary, 179.
 Reported back, indefinitely postponed, 350.
 Motion to place on calendar, carried, 350.
 Second reading, 408.
 Final passage, 409.
 To House, 449, 749.
 Returned to Senate, 674.
 Enrolled, 720.
 Signed by President, 722.
 Returned to Senate, signed by Speaker, 753.
 Sent to Governor, 775.
 Approved by Governor, 913.

Senate Bill No. 221—(Senators Holand and Garaas)

Senate Bill No. 221. A Bill for an Act to amend and reenact section 57-39-02 of the North Dakota Century Code relating to the imposition of a sales tax.

Introduction, first reading, 179.
 Referred to Committee on Finance and Taxation, 179.
 Reported back, do pass, 497.
 Second reading, 544.
 Final passage, 544.
 To House, 554, 755, 942.
 Returned to Senate, 739.
 Enrolled, 751.
 Signed by President, 752.
 Returned to Senate, signed by Speaker, 798.
 Sent to Governor, 832.
 Governor requested to return bill to Senate, 917.
 Message to Governor, 922.
 Bill returned to Senate, 928.
 House requests return of bill, 936.
 Returned to Senate, indefinitely postponed, 1005.

Senate Bill No. 222—(Senators Holand and Garaas)

Senate Bill No. 222. A Bill for an Act making an appropriation to the office of the adjutant general to cover expenses incurred for the inauguration of elected state officials.

Introduction, first reading, 179.
 Referred to Committee on Appropriations, 179.
 Reported back, do pass, 234.
 Second reading, 270.
 Final passage, 270.
 To House, 292; 749.
 Returned to Senate, 674.
 Enrolled, 692.
 Signed by President, 722.
 Returned to Senate, signed by Speaker, 753.
 Sent to Governor, 775.
 Approved by Governor, 913.

Senate Bill No. 223—(Senator Foss)

Senate Bill No. 223. A Bill for an Act to authorize the board of administration to execute leases on properties owned by the state at Bathgate, North Dakota and formerly utilized by the school for the blind.

Introduction, first reading, 179.
 Referred to Committee on State and Federal Government, 179.
 Reported back, do pass, 319.
 Placed at foot of calendar, 387.
 Second reading, 387, 423, 925.
 Final passage, 424, 925.
 To House, 475.
 Returned to Senate, amended, 795.
 House amendments, 798.

Senate does not concur, 837.
 Conference Committee, Senate, 848.
 Conference Committee, House, 869.
 Senate adopts report, 925.
 House adopts report, 946.
 Enrolled, 984.
 Signed by President, 1015.
 Returned to Senate, signed by Speaker, 1016.
 Sent to Governor, 1017.

Senate Bill No. 224—(Senator Trenbeath)

Senate Bill No. 224. A Bill, for an Act requiring that consulting engineers and architects working on projects exceeding one hundred thousand dollars for governmental agencies carry professional liability insurance.

Introduction, first reading, 179.
 Referred to Committee on Industry, Business and Labor, 179.
 Reported back, amended, 506.
 Amendments adopted, 519.
 Engrossed, 552.
 Second reading, 566.
 Final passage, 566.
 To House, 569.
 Returned to Senate, indefinitely postponed, 705.

Senate Bill No. 225—(Senators Luick and Ringsak)

Senate Bill No. 225. A Bill for an Act to provide that the courts of North Dakota shall recognize and enforce taxation statutes of other states which extend like comity to North Dakota.

Introduction, first reading, 180.
 Referred to Committee on Judiciary, 180.
 Reported back, do pass, 365.
 Second reading, 425.
 Final passage, 425.
 To House, 475, 987.
 Returned to Senate, 863.
 Enrolled, 913.
 Signed by President, 974.
 Returned to Senate, signed by Speaker, 996.
 Sent to Governor, 1014.

Senate Bill No. 226—(Senator Erickstad)

Senate Bill No. 226. A Bill for an amend and re-enact section 57-15-16 of the North Dakota Century Code relating to school district building fund levy.

Introduction, first reading, 186.
 Referred to Committee on Education, 186.
 Reported back, do pass, 305.
 Second reading, 359.
 Final passage, 359.
 To House, 368.
 Returned to Senate, indefinitely postponed, 663.

Senate Bill No. 227—(Senators Erickstad, Meidinger, Gefreh, Ringsak, Redlin and Fiedler)

Senate Bill No. 227. A Bill for an Act to provide for medical assistance to the aged.

Introduction, first reading, 187.

Referred to Committee on Social Welfare and Veterans Affairs, 187.

Reported back, amended, 435.

Amendments adopted, 517.

Amended from the floor, 517, 518.

Engrossed, 552.

Placed at head of calendar, 559.

Second reading, 560, 963.

Final passage, 560, 963.

To House, 569, 1020.

Returned to Senate, amended, 937.

House amendments, 938, 940.

Senate does not concur, 943.

Conference Committee, Senate, 944.

Conference Committee, House, 947.

Conference Committee report, 962.

Senate adopts report, 963.

Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended in Conference Committee, 963.

House adopts report, 982.

Enrolled, 1018.

Signed by President, 1020.

Returned to Senate, signed by Speaker, 1020.

Sent to Governor, 1025.

Senate Bill No. 228—(Senators Erickstad and Holand)

Senate Bill No. 228. A Bill for an Act making an appropriation for auditing purposes in accordance with the provisions of section 54-10-04 of the North Dakota Century Code.

Introduction, first reading, 187.

Referred to Committee on Appropriations, 187.

Reported back, do pass, 235.

Second reading, 270.

Final passage, 271.

To House, 292, 689.

Returned to Senate, 629.

Enrolled, 640.

Signed by President, 664.

Returned to Senate, signed by Speaker, 704.

Sent to Governor, 720.

Approved by Governor, 773.

Senate Bill No. 229—(Senators Gefreh, Garaas and Wartner)

Senate Bill No. 229. A Bill for an Act to amend section 57-38-48, relating to attachment of income tax liens, and section 57-38-45, relating to penalties for failure to comply with provisions of the income tax law, of the North Dakota Century Code.

Introduction, first reading, 187.
 Referred to Committee on Judiciary, 187.
 Reported back, do pass, 350.
 Second reading, 409.
 Final passage, 409.
 To House, 449.
 Returned to Senate, indefinitely postponed, 563.

Senate Bill No. 230—(Senators Baker, Foss, Reichert, Saurmur, Meidinger, Luick, Brooks and Longmire)

Senate Bill No. 230. A Bill for an Act to amend and reenact section 39-01-09 of the North Dakota Century Code relating to the use of parking meters by cities and villages, and declaring an emergency.

Introduction, first reading, 187.
 Referred to Committee on Political Subdivisions, 187.
 Reported back, amended, 370.
 Amendments adopted, 420.
 Engrossed, 423.
 Second reading, 532.
 Final passage, lost, 532.

Senate Bill No. 231—(Senators George, Kee, Reichert and Witteman)

Senate Bill No. 231. A Bill for an Act to amend and reenact section 52-04-05 of the North Dakota Century Code as amended by House Bill 558 of the Thirty-seventh Legislative Assembly of North Dakota relating to Standard Rate of Contributions — Reduction of Rates; and subsection 1 of section 52-04-06 of the North Dakota Century Code relating to Variations in Standard Rate of Contributions — How Determined.

Introduction, first reading, 187.
 Referred to Committee on Industry, Business and Labor, 187.
 Reported back, do pass, 373.
 Second reading, 452, 926.
 Final passage, 453, 927.
 To House, 475, 1020.
 Returned to Senate, amended, 914.
 House amendments, 915.
 Senate concurs, 926.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 926.
 Enrolled, 1018.
 Signed by President, 1020.
 Returned to Senate, signed by Speaker, 1021.
 Sent to Governor, 1025.

Senate Bill No. 232—(Senators Hernet and Baeverstad, By request)

Senate Bill No. 232. A Bill for an Act to amend and reenact section 52-06-02 of the North Dakota Century Code relating to disqualification for benefits.

Introduction, first reading, 187.
 Referred to Committee on Industry, Business and Labor, 187.
 Reported back, do pass, 337.
 Second reading, 395, 957.
 Final passage, 396, 958.
 To House, 449, 1020.
 Returned to Senate, amended, 914.
 House amendments, 916.
 Senate concurs, 957.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 957.
 Enrolled, 1018.
 Signed by President, 1020.
 Returned to Senate, signed by Speaker, 1021.
 Sent to Governor, 1025.
 Vetoed by Governor.

Senate Bill No. 233—(Senator Hernet)

Senate Bill No. 233. A Bill for an Act to create and enact section 15-34-27 of the North Dakota Century Code relating to transportation of students outside state by school bus, and to amend and reenact section 15-40-15 of the North Dakota Century Code, relating to reciprocal agreement for payment for the education and transportation of students in a bordering state.

Introduction, first reading, 187.
 Referred to Committee on Education, 188.
 Reported back, do pass, 305.
 Second reading, 359, 838.
 Final passage, 360, 839.
 To House, 368, 956.
 Returned to Senate, amended, 852.
 House amendments, 854.
 Senate concurs, 838.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 838.
 Enrolled, 857.
 Signed by President, 928.
 Returned to Senate, signed by Speaker, 993.
 Sent to Governor, 1014.

Senate Bill No. 234—(Senators Fiedler and Holand)

Senate Bill No. 234. A Bill for an Act to create and enact section 16-10-17 of the North Dakota Century Code relating to a meeting of all inspectors of elections with states attorneys and county auditors.

Introduction, first reading, 188.
 Referred to Committee on Judiciary, 188.
 Reported back, amended, 337, 338.
 Amendments adopted, 352.
 Engrossed, 361.
 Second reading, 409.
 Final passage, 410.
 To House, 449, 755.
 Returned to Senate, 739.

Enrolled, 751.
Signed by President, 752.
Returned to Senate, signed by Speaker, 798.
Sent to Governor, 832.
Approved by Governor, 913.

Senate Bill No. 235—(Senators Garaas, Fiedler and Redlin)

Senate Bill No. 235. A Bill for an Act to authorize guaranteed adjustment type farm loans and making an appropriation.

Introduction, first reading, 188.
Referred to Committee on Industry, Business and Labor, 188.
Reported back, indefinitely postponed, 509, 510.

Senate Bill No. 236—(Senators Baker, Gronvold and Lautenschlager)

Senate Bill No. 236. A Bill for an Act to amend and reenact sections 26-27-01, 26-27-02, 26-27-03, 26-27-05, 26-27-08, and 26-27-10 of the North Dakota Century Code, relating to participation by chiropodists in nonprofit medical service corporations.

Introduction, first reading, 188.
Referred to Committee on Social Welfare and Veterans Affairs, 189.
Reported back, indefinitely postponed, 370.
Motion to place on calendar, lost, 370.

Senate Bill No. 237—(Senators Wartner, Erickstad, Nesvig, Holand, Baker, Becker, Redlin, Fiedler and Schrock)

Senate Bill No. 237. A Bill for an Act to amend and reenact sections 16-04-01, 16-04-11, 16-06-04, 16-17-01, 16-17-10, 16-17-15, and 16-17-17 of the North Dakota Century Code relating to the time for primary elections, time for secretary of state to give notice to the county auditor, time for county party committee organization meetings, state central committee meetings, time for meeting of the precinct committeemen to elect delegates to state party convention and time for the holding of state party conventions.

Introduction, first reading, 188.
Referred to Committee on Judiciary, 188.
Reported back, amended, 350.
Amendments adopted, 378.
Engrossed, 393.
Second reading, 475.
Final passage, 476.
To House, 554.
Returned to Senate, indefinitely postponed, 753.

Senate Bill No. 238—(Senator Lips, By request)

Senate Bill No. 238. A Bill for an Act to repeal section 53-05-08 of the North Dakota Century Code, relating to the presence of minors under eighteen years of age in pool halls.

Introduction, first reading, 188.
 Referred to Committee on Social Welfare and Veterans
 Affairs, 188.
 Reported back without recommendation, 263.
 Second reading, 331.
 Final passage, lost, lack of constitutional majority, 332.
 Clincher, 332.

Senate Bill No. 239—(Senator Meidinger)

Senate Bill No. 239. A Bill for an Act to create and enact section 15-59-07 of the North Dakota Century Code relating to the special education of physically handicapped children and providing financial aid therefor.

Introduction, first reading, 188.
 Referred to Committee on Education, 188.
 Reported back, amended, 338.
 Amendments adopted, 352.
 Engrossed, 361.
 Second reading, 410, 838.
 Final passage, 410, 838.
 To House, 449, 956.
 Returned to Senate, amended, 852.
 House amendments, 854.
 Senate concurs, 837.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage, as amended by House, 837.
 Enrolled, 857.
 Signed by President, 928.
 Returned to Senate, signed by Speaker, 993.
 Sent to Governor, 1014.

Senate Bill No. 240—(Senator Lips)

Senate Bill No. 240. A Bill for an Act to amend and reenact sections 43-07-05, 43-07-07, and 43-07-10 of the North Dakota Century Code relating to classes, fees, and renewals of contractors' licenses.

Introduction, first reading, 189.
 Referred to Committee on Industry, Business and
 Labor, 189.
 Reported back, do pass, 373.
 Second reading, 476, 501, 542.
 Final passage, 476.
 Clincher, 477.
 Motion to reconsider, 501.
 Placed at foot of calendar, 502.
 Request unanimous consent to withdraw bill, granted,
 542.

Senate Bill No. 241—(Senator Lips)

Senate Bill No. 241. A Bill for an Act making an appropriation for the purpose of administering the contractor's license law.

Introduction, first reading, 189.
 Referred to Committee on Appropriations, 189.
 Reported back, indefinitely postponed, 456.

Senate Bill No. 242—(Senator Lips)

Senate Bill No. 242. A Bill for an Act to amend and re-enact section 43-07-12 of the North Dakota Century Code relating to and providing for information on bidders to be contained on bid envelopes.

Introduction, first reading, 189.
 Referred to Committee on Industry, Business and Labor, 189.
 Reported back, amended, 373.
 Amendments adopted, 420.
 Engrossed, 423.
 Second reading, 532.
 Final passage, 533.
 To House, 554, 1020.
 Returned to Senate, 863.
 Enrolled, 1018.
 Signed by President, 1020.
 Returned to Senate, signed by Speaker, 1021.
 Sent to Governor, 1025.

Senate Bill No. 243—(Senators Longmire and Redlin)

Senate Bill No. 243. A Bill for an Act authorizing the preparation and certification of payrolls by state departments and the execution of certificates upon payroll warrants.

Introduction, first reading, 189.
 Referred to Committee on State and Federal Government, 189.
 Reported back, do pass, 248.
 Placed at head of calendar, 280.
 Second reading, 287.
 Final passage, 288.
 To House, 317, 689.
 Returned to Senate, 629.
 Enrolled, 640.
 Signed by President, 664.
 Returned to Senate, signed by Speaker, 704.
 Sent to Governor, 720.
 Approved by Governor, 773.

Senate Bill No. 244—(Senators Erickson, Longmire and Garaas)

Senate Bill No. 244. A Bill for an Act to amend and re-enact sections 2-02-01, 2-02-02, 2-02-04, 2-02-05 and 2-05-06.1 of the North Dakota Century Code, relating to authority to acquire and regulate airports, acquisition of property, air rights, rights for making fields and authorization to accept federal or other moneys.

Introduction, first reading, 189.
 Referred to Committee on State and Federal Government, 189.
 Reported back, amended, 497.
 Amendments adopted, 519.
 Engrossed, 562.
 Placed at head of calendar, 559.
 Second reading, 560.
 Final passage, 561.

To House, 569, 895.
 Returned to Senate, indefinitely postponed, 836, 936.
 House requests return, 887.
 Motion to return bill to House, 887.

Senate Bill No. 245—(Senators Gefreh, Becker, Baeverstad, Schrock and Meidinger)

Senate Bill No. 245. A Bill for an Act to amend and reenact sections 15-40-02, 15-40-18, 15-34-26, and 57-15-24 of the North Dakota Century Code relating to payments to the county equalization fund from the state equalization fund and for county mill levies for the balance of payments due from the county equalization fund.

Introduction, first reading, 189.
 Referred to Committee on Finance and Taxation, 189.
 Re-referred to Committee on Education, 215.
 Reported back, do pass, 305.
 Placed at foot of calendar, 378, 423.
 Amended from the floor, 523.
 Adopted, 523.
 Placed at head of calendar, 523.
 Second reading, 523, 568.
 Engrossed, 552.
 Final passage, lost, 568.

Senate Bill No. 246—(Senator Gefreh)

Senate Bill No. 246. A Bill for an Act to amend and reenact subsection 2 of section 50-06-06 of the North Dakota Century Code relating to the powers and duties of the public welfare board.

Introduction, first reading, 189.
 Referred to Committee on Social Welfare and Veterans Affairs, 189.
 Reported back, do pass, 365.
 Second reading, 426.
 Final passage, 426.
 To House, 475, 851.
 Returned to Senate, 799.
 Enrolled, 820.
 Signed by President, 820.
 Returned to Senate, signed by Speaker, 897.
 Sent to Governor, 1014.

Senate Bill No. 247—(Senator Holand)

Senate Bill No. 247. A Bill for an Act to authorize the state highway department to participate in the construction of access roads from state highways to state-operated soldiers' homes.

Introduction, first reading, 190.
 Referred to Committee on Transportation, 190.
 Reported back, do pass, 263.
 Placed at head of calendar, 290.
 Second reading, 295.
 Final passage, 296.
 To House, 317.
 Returned to Senate, indefinitely postponed, 741.

Senate Bill No. 248—(Senators Gronvold and Ringsak)

Senate Bill No. 248. A Bill for an Act to amend and re-enact section 30-18-18 of the North Dakota Century Code relating to debts and the order of their payment.

Introduction, first reading, 190.
 Referred to Committee on Industry, Business and Labor, 190.
 Reported back, do pass, 365.
 Second reading, 426.
 Final passage, 426.
 To House, 475, 755.
 Returned to Senate, 739.
 Enrolled, 751.
 Signed by President, 752.
 Returned to Senate, signed by Speaker, 798.
 Sent to Governor, 832.
 Approved by Governor, 913.

Senate Bill No. 249—(Senators Longmire and Brooks)

Senate Bill No. 249. A Bill for an Act to amend and re-enact sections 15-55-02, 15-55-05, 15-55-06, and 15-55-14 of the North Dakota Century Code, relating to constructing, operating and financing revenue producing buildings at higher educational institutions.

Introduction, first reading, 190.
 Referred to Committee on Education, 190.
 Reported back, do pass, 319.
 Second reading, 387.
 Final passage, 388.
 To House, 449, 868.
 Returned to Senate, 799.
 Enrolled, 830.
 Signed by President, 857.
 Returned to Senate, signed by Speaker, 897.
 Sent to Governor, 1014.

Senate Bill No. 250—(Senator Longmire)

Senate Bill No. 250. A Bill for an Act to amend and re-enact section 39-06-01 of the North Dakota Century Code relating to municipal licensing of taxi drivers.

Introduction, first reading, 190.
 Referred to Committee on State and Federal Government, 190.
 Reported back, do pass, 319.
 Second reading, 388.
 Final passage, 388.
 To House, 449, 719.
 Returned to Senate, 662.
 Enrolled, 665.
 Signed by President, 691.
 Returned to Senate, signed by Speaker, 742.
 Sent to Governor, 752.
 Approved by Governor, 832.

Senate Bill No. 251—(Senator Longmire)

Senate Bill No. 251. A Bill for an Act to amend and re-enact section 39-06-01 of the North Dakota Century Code relating to municipal licensing of taxi drivers, and to remove any conflict with subsection 27 of section 40-05-01 of the North Dakota Century Code.

- Introduction, first reading, 190.
- Referred to Committee on State and Federal Government, 190.
- Reported back, indefinitely postponed, 320.

Senate Bill No. 252—(Senators Erickstad and Garaas)

Senate Bill No. 252. A Bill for an Act to amend and re-enact sections 39-20-05 and 39-20-06 of the North Dakota Century Code relating to administrative and judicial review of an order of revocation of driver's license arising from refusal to take a chemical test to determine degree of intoxication.

- Introduction, first reading, 190.
- Referred to Committee on Judiciary, 190.
- Reported back, do pass, 350.
- Second reading, 410.
- Final passage, 411.
- To House, 449, 749.
- Returned to Senate, 674.
- Enrolled, 720.
- Signed by President, 722.
- Returned to Senate, signed by Speaker, 753.
- Sent to Governor, 775.
- Approved by Governor, 913.

Senate Bill No. 253—(Senators Longmire, Erickson, George, Trenbeath, Fiedler, Redlin and Garaas)

Senate Bill No. 253. A Bill for an Act to amend and re-enact sections 15-47-06, 16-18-01, 16-18-02, 16-18-03, 16-18-04, 16-18-05, 16-18-06, 16-18-07, 16-18-09, 16-18-11, 16-18-12, 16-18-13, 16-18-14, 16-18-15, 16-18-16, 16-18-19, and 40-21-13 of the North Dakota Century Code, relating to the use of absent voters' ballots in general, primary and special state elections and in city, village and school elections.

- Introduction, first reading, 190.
- Referred to Committee on Judiciary, 190.
- Reported back, do pass, 339.
- Second reading, 396.
- Final passage, 396.
- To House, 449.
- Returned to Senate, indefinitely postponed, 898.

Senate Bill No. 254—(Senators Becker and Hystad)

Senate Bill No. 254. A Bill for an Act to amend and re-enact sections 18-10-07, 18-10-08, and 18-10-09 of the North Dakota Century Code relating to rural fire protection districts.

Introduction, first reading, 191.
 Referred to Committee on Political Subdivisions, 191.
 Reported back, amended, 419.
 Amendments adopted, 459.
 Engrossed, 478.
 Second reading, 540.
 Final passage, 540.
 To House, 554, 851.
 Returned to Senate, 799.
 Enrolled, 820.
 Signed by President, 820.
 Returned to Senate, signed by Speaker, 897.
 Sent to Governor, 1014.

Senate Bill No. 255—(Senators Becker, Mutch, Johnson, Solberg, Trenbeath, Baeverstad, Thompson and Lips)

Senate Bill No. 255. A Bill for an Act creating a conservation council which shall be a factfinding body comprised of the chiefs of state agencies dealing with the management of the state's natural resources for the purpose of coordinating the activities of such agencies in managing such resources.

Introduction, first reading, 191.
 Referred to Committee on Natural Resources, 191.
 Reported back, amended, 374.
 Amendments adopted, 420.
 Engrossed, 423.
 Second reading, 533, 762.
 Final passage, 533, 762.
 To House, 555, 817.
 Returned to Senate, amended, 740.
 House amendments, 741.
 Senate concurs, 762.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 762.
 Enrolled, 773.
 Signed by President, 774.
 Returned to Senate, signed by Speaker, 854.
 Sent to Governor, 1014.

Senate Bill No. 256—(Senator Garaas)

Senate Bill No. 256. A Bill for an Act to amend and reenact section 27-17-03 of the North Dakota Century Code, relating to duties of retired judges.

Introduction, first reading, 191.
 Referred to Committee on Judiciary, 191.
 Reported back, indefinitely postponed, 370, 371.

Senate Bill No. 257—(Senators Baeverstad and Becker)

Senate Bill No. 257. A Bill for an Act to create and enact subsection 23 of section 57-02-08 of the North Dakota Century Code providing for property tax exemption of household goods, clothing and other personal belongings, musical instruments, and all farm and ranch machinery, except tractors, combines, potato harvesters, beet har-

vesters, and corn harvesting machinery not more than ten years old, if not used for custom work or for hire and relating to tax levies and tax levy limitations.

Introduction, first reading, 191.

Referred to Committee on Finance and Taxation, 191.

Reported back, indefinitely postponed, 498.

Senate Bill No. 258—(Senator Lips)

Senate Bill No. 258. A Bill for an Act to repeal subsection 2 and subsection 3 of section 26-11-10 of the North Dakota Century Code, relating to salaries and expenses of officers and agents of domestic life insurance companies, regulation and restrictions thereof.

Introduction, first reading, 191.

Referred to Committee on Industry, Business and

Labor, 191.

Reported back, do pass, 339.

Second reading, 396.

Final passage, 397.

To House, 449, 689.

Returned to Senate, 629.

Enrolled, 640.

Signed by President, 664.

Returned to Senate, signed by Speaker, 704.

Sent to Governor, 720.

Approved by Governor, 773.

Senate Bill No. 259—(Senator Foss)

Senate Bill No. 259. A Bill for an Act transferring one and one-half million dollars from the general fund to the state equalization fund.

Introduction, first reading, 191.

Referred to Committee on Appropriations, 191.

Reported back, do pass, 365.

Second reading, 427, 977.

Final passage, 427, 978.

To House, 475, 1017.

Returned to Senate, amended, 898.

House amendments, 899.

Senate concurs, 977.

Rules suspended, deemed re-engrossed, placed on second reading and final passage, as amended by House, 977.

Enrolled, 1014.

Signed by President, 1017.

Returned to Senate, signed by Speaker, 1022.

Sent to Governor, 1022.

Senate Bill No. 260—(Senators Garaas and Yunker)

Senate Bill No. 260. A Bill for an Act to make an appropriation of highway funds for street and highway construction on the capitol grounds in Bismarck, the state university campus at Fargo, and the state teachers' college campus at Valley City.

Introduction, first reading, 191.

Referred to Committee on Appropriations, 192.

Reported back, indefinitely postponed, 374.

Senate Bill No. 261—(Senators Longmire and Garaas)

Senate Bill No. 261. A Bill for an Act to amend and reenact section 16-01-03 of the North Dakota Century Code, relating to qualifications of electors.

Introduction, first reading, 192.

Referred to Committee on Judiciary, 192.

Reported back, indefinitely postponed, 339.

Senate Bill No. 262—(Senator Longmire)

Senate Bill No. 262. A Bill for an Act to provide for continuing programs for the efficient and economical management of state records, and to amend and reenact section 46-04-20 of the North Dakota Century Code, relating to destruction of public records.

Introduction, first reading, 192.

Referred to Committee on State and Federal Government, 192.

Reported back, do pass, 320.

Second reading, 389.

Final passage, 389.

To House, 449, 689.

Returned to Senate, 629.

Enrolled, 640.

Signed by President, 664.

Returned to Senate, signed by Speaker, 704.

Sent to Governor, 720.

Approved by Governor, 773.

Senate Bill No. 263—(Senators Longmire and Baker)

Senate Bill No. 263. A Bill for an Act to provide that all electors must be registered in the precinct prior to being authorized to vote in any statewide special, primary, or general election, providing for the method of registration and to amend and reenact section 16-18-06 of the North Dakota Century Code relating to absent voters' ballots, and providing a penalty.

Introduction, first reading, 192.

Referred to Committee on Judiciary, 192.

Reported back, do pass, 510.

Motion to substitute minority report for that of majority, lost, 511.

Second reading, 547.

Final passage, 548.

To House, 555, 1017.

Returned to Senate, 936.

Enrolled, 1014.

Signed by President, 1017.

Returned to Senate, signed by Speaker, 1022.

Sent to Governor, 1022.

Vetoed by Governor.

Senate Bill No. 264—(Senators Baker and Harris)

Senate Bill No. 264. A Bill for an Act to amend and reenact section 27-07-36 of the North Dakota Century Code, relating to records of the county court and public inspection thereof.

Introduction, first reading, 192.
 Referred to Committee on Judiciary, 192.
 Reported back, do pass, 365.
 Second reading, 427.
 Final passage, lost, 428.
 Clincher, 428.

Senate Bill No. 265—(Senator Longmire, By request)

Senate Bill No. 265. A Bill for an Act to repeal chapter 26-26 of the North Dakota Century Code.

Introduction, first reading, 192.
 Referred to Committee on Judiciary, 192.
 Reported back, indefinitely postponed, 339.

Senate Bill No. 266—(Senators Lips, Garaas and George)

Senate Bill No. 266. A Bill for an Act to amend and reenact section 6-03-59 of the North Dakota Century Code relating to limitation of loans by banks.

Introduction, first reading, 192.
 Referred to Committee on Industry, Business and Labor, 192.
 Reported back, do pass, 374.
 Second reading, 483.
 Final passage, 483.
 To House, 555, 755.
 Returned to Senate, 739.
 Enrolled, 751.
 Signed by President, 752.
 Returned to Senate, signed by Speaker, 798.
 Sent to Governor, 832.
 Approved by Governor, 913.

Senate Bill No. 267—(Senators George, Roen, Hernet and Erickson)

Senate Bill No. 267. A Bill for an Act to amend and reenact section 16-17-11 of the North Dakota Century Code, relating to selection of delegates to the state central committee; and to repeal section 16-17-12 of the North Dakota Century Code, relating to selection of delegates to state central committee when two or more counties are embraced in a legislative district.

Introduction, first reading, 192.
 Referred to Committee on Judiciary, 192.
 Reported back, do pass, 339.
 Second reading, 397.
 Final passage, 397.
 To House, 449, 851.
 Returned to Senate, 799.
 Enrolled, 820.
 Signed by President, 820.
 Returned to Senate, signed by Speaker, 897.
 Sent to Governor, 1014.

Senate Bill No. 268—(Senator Longmire, By request)

Senate Bill No. 268. A Bill for an Act to repeal chapter 26-27 of the North Dakota Century Code.

Introduction, first reading, 193.

Referred to Committee on Judiciary, 193.

Reported back, indefinitely postponed, 339.

Senate Bill No. 269—(Senator Longmire)

Senate Bill No. 269. A Bill for an Act to create and enact section 40-52-08 of the North Dakota Century Code, relating to status of duly elected alderman residing within the city but no longer residing within the ward from which elected because of a change in ward boundaries.

Introduction, first reading, 193.

Referred to Committee on Political Subdivisions, 193.

Reported back, do pass, 263.

Placed at head of calendar, 290.

Second reading, 296.

Final passage, 296.

To House, 317, 749.

Returned to Senate, 674.

Enrolled, 692.

Signed by President, 722.

Returned to Senate, signed by Speaker, 753.

Sent to Governor, 775.

Approved by Governor, 913.

Senate Bill No. 270—(Senators Longmire and Garaas)

Senate Bill No. 270. A Bill for an Act creating a state planning office; providing for a director of state planning and a state planning council; creating a state planning fund; providing an appropriation; authorizing regional and metropolitan planning commissions; establishing powers and duties of such office, director, council and commissions; and providing for acceptance of federal aid.

Introduction, first reading, 193.

Referred to Committee on State and Federal Government, 193.

Reported back, amended, 306.

Amendments adopted, 321.

Engrossed, 334.

Second reading, 389.

Final passage, 390.

To House, 449.

Returned to Senate, indefinitely postponed, 674.

Senate Bill No. 271—(Senators Longmire and Saumur)

Senate Bill No. 271. A Bill for an Act to authorize the board of higher education to sell tax-exempt bonds for the purpose of constructing revenue producing buildings at the university of North Dakota, and to enter into rental-purchase agreements with nonprofit fraternal organizations, and providing an appropriation.

Introduction, first reading, 193.
 Referred to Committee on Industry, Business and
 Labor, 193.
 Re-referred to Committee on Education, 265.
 Reported back, indefinitely postponed, 320.

Senate Bill No. 272—(Senators Hernet and Redlin)

Senate Bill No. 272. A Bill for an Act to create and enact section 40-57-19 and to amend and reenact sections 40-57-02, 40-57-03, 40-57-10, and 40-57-14 of the North Dakota Century Code relating to the issuance of revenue producing bonds by municipalities for municipal industrial development and to authorize state chartered banks to purchase a certain percentage of these bonds, and authorizing the municipality to issue general obligation bonds and levy taxes to pay the interest and principal thereof in certain industrial development cases, if approved by the municipality.

Introduction, first reading, 193.
 Referred to Committee on Industry, Business and
 Labor, 193.
 Reported back, amended, 498.
 Amendments adopted, 518.
 Engrossed, 552.
 Placed at head of calendar, 560.
 Second reading, 561, 882.
 Final passage, 561, 883.
 To House, 569.
 Returned to Senate, amended, 860.
 House amendments, 862.
 Senate concurs, 882.
 Rules suspended, deemed re-engrossed, placed on second
 reading and final passage as amended by House, 882.
 Enrolled, 984.
 Signed by President, 1015.
 Returned to Senate, signed by Speaker, 1016.
 Sent to Governor, 1017.

Senate Bill No. 273—(Senators Longmire and Baker)

Senate Bill No. 273. A Bill for an Act to amend and reenact section 16-10-08 of the North Dakota Century Code relating to time for filing certificate of nomination for judge of election with the inspector of elections.

Introduction, first reading, 193.
 Referred to Committee on Judiciary, 193.
 Reported back, indefinitely postponed, 351.

Senate Bill No. 274—(Senator Longmire)

Senate Bill No. 274. A Bill for an Act relating to a change from the council system of government, providing the petition required therefor, the determination of the sufficiency of said petition by the city auditor, the procedure to be followed when said petition is filed, and for a special election and ballot thereon.

Introduction, first reading, 193.
 Referred to Committee on Political Subdivisions, 194.
 Reported back, do pass, 374.

Second reading, 483.
 Final passage, 484.
 To House, 555, 851.
 Returned to Senate, 799.
 Enrolled, 820.
 Signed by President, 820.
 Returned to Senate, signed by Speaker, 897.
 Sent to Governor, 1014.

Senate Bill No. 275—(Senator Garaas)

Senate Bill No. 275. A Bill for an Act to provide that the governor shall appoint a committee to redraft and revise the Constitution of the state of North Dakota and submit the same to the Thirty-eighth Legislative Assembly, and making an appropriation.

Introduction, first reading, 194.
 Referred to Committee on Judiciary, 194.
 Reported back, indefinitely postponed, 511.

Senate Bill No. 276—(Senators Garaas and Nesvig)

Senate Bill No. 276. A Bill for an Act to amend and reenact section 16-12-05 of the North Dakota Century Code, relating to voting by an elector.

Introduction, first reading, 194.
 Referred to Committee on Judiciary, 194.
 Reported back, indefinitely postponed, 351.

Senate Bill No. 277—(Senators Ringsak and Brooks)

Senate Bill No. 277. A Bill for an Act to amend and reenact section 14-03-02 of the North Dakota Century Code, relating to the lawful age for marriage.

Introduction, first reading, 194.
 Referred to Committee on Social Welfare and Veterans Affairs, 194.
 Reported back, do pass, 365.
 Second reading, 428.
 Final passage, 428.
 To House, 475.
 Returned to Senate, indefinitely postponed, 795.

Senate Bill No. 278—(Senator Ringsak, By request)

Senate Bill No. 278. A Bill for an Act making unlawful knowingly and willfully to cause persons under parole to violate their parole and providing for a penalty.

Introduction, first reading, 194.
 Referred to Committee on Judiciary, 194.
 Reported back, indefinitely postponed, 374.
 Re-referred to Committee on Judiciary, 374.
 Reported back, amended, 498.
 Amendments adopted, 519.
 Engrossed, 552.
 Placed at head of calendar, 560.
 Second reading, 563.

Final passage, 563.
 To House, 569, 755.
 Returned to Senate, 739.
 Enrolled, 751.
 Signed by President, 752.
 Returned to Senate, signed by Speaker, 798.
 Sent to Governor, 832.
 Approved by Governor, 913.

Senate Bill No. 279—(Senator Garaas)

Senate Bill No. 279. A Bill for an Act relating to and making an appropriation for the purpose of applied research in fields of economic benefit to the people and state of North Dakota.

Introduction, first reading, 194.
 Referred to Committee on Appropriations, 194.
 Reported back, indefinitely postponed, 498.
 Motion to substitute minority report for that of majority, lost, 499.

Senate Bill No. 280—(Senators Johnson, Yunker and Garaas)

Senate Bill No. 280. A Bill for an Act to amend and reenact sections 39-03-07, 39-03-08 and 39-06-49 of the North Dakota Century Code relating to salaries, wages and expenses of highway patrolmen and disposition of monies collected for sale of driver's license and to repeal sections 39-03-08.1, 39-03-08.2, 39-03-08.3, 39-03-08.4 and 39-03-08.5 relating to purchases by highway patrol and to make an appropriation.

Introduction, first reading, 194.
 Referred to Committee on Appropriations, 194.
 Reported back, indefinitely postponed, 374.
 Motion to substitute minority report for that of majority, division asked for, motion lost, 375.

Senate Bill No. 281—(Senators Garaas and Fiedler)

Senate Bill No. 281. A Bill for an Act to amend and reenact sections 65-05-09 and 65-05-11 of the North Dakota Century Code relating to maximum and minimum benefits to be paid for total disability and for temporary partial disability under the Workmen's Compensation Act.

Introduction, first reading, 194.
 Referred to Committee on Industry, Business and Labor, 195.
 Reported back, do pass, 339.
 Second reading, 398.
 Final passage, 398.
 To House, 449.
 Returned to Senate, 863.
 Enrolled, 984.
 Signed by President, 1015.
 Returned to Senate, signed by Speaker, 1016.
 Sent to Governor, 1017.

Senate Bill No. 282—(Senators Garaas and Nesvig)

Senate Bill No. 282. A Bill for an Act to amend and re-enact section 16-11-06 of the North Dakota Century Code, relating to arrangement of names on ballot.

Introduction, first reading, 195.

Referred to Committee on Judiciary, 195.

Reported back, indefinitely postponed, 376.

Motion to substitute minority report for that of majority, division called, lost, 376.

Senate Bill No. 283—(Senators Van Horn and Ringsak)

Senate Bill No. 283. A Bill for an Act to establish a program of medical assistance for the aged.

Introduction, first reading, 195.

Referred to Committee on Social Welfare and Veterans Affairs, 195.

Reported back, indefinitely postponed, 447.

Senate Bill No. 284—(Senators Garaas and Nesvig)

Senate Bill No. 284. A Bill for an Act to amend and re-enact section 16-01-02 of the North Dakota Century Code, relating to the opening and closing of polls.

Introduction, first reading, 195.

Referred to Committee on Judiciary, 195.

Reported back, do pass, 351.

Second reading, 411.

Final passage, 411.

To House, 449, 851.

Returned to Senate, 799.

Signed by President, 820.

Returned to Senate, signed by Speaker, 897.

Sent to Governor, 1014.

Senate Bill No. 285—(Senator Brooks)

Senate Bill No. 285. A Bill for an Act to amend and re-enact sections 49-05-05 and 49-05-06 of the North Dakota Century Code, relating to the filing by public utilities of rates, fares, schedules, classifications, contracts, rules, and regulations, with the public service commission, and the investigation thereof by the commission.

Introduction, first reading, 195.

Referred to Committee on Industry, Business and Labor, 195.

Reported back, amended, 500.

Amendments adopted, 519.

Engrossed, 552.

Second reading, 566.

Final passage, lost, 567.

Senate Bill No. 286—(Senator Lips, By request)

Senate Bill No. 286. A Bill for an Act providing that chapter 14-12 of the North Dakota Century Code relating to reciprocal enforcement of support shall not be enforceable in this state in certain cases.

Introduction, first reading, 195.
 Referred to Committee on Judiciary, 195.
 Reported back, indefinitely postponed, 377.

Senate Bill No. 287—(Senators Erickstad, Garaas, Longmire, Harris, Fiedler and Wartner, By request)

Senate Bill No. 287. A Bill for an Act to amend and reenact section 40-22-05 of the North Dakota Century Code, relating to the condemnation of land and rights-of-way by municipalities for special improvements and issuance of warrants therefor, and declaring an emergency.

Introduction, first reading, 196.
 Referred to Committee on Judiciary, 197.
 Reported back, do pass, 248.
 Placed at head of calendar, 280.
 Second reading, 288.
 Final passage, emergency clause carried, 288.
 To House, 317, 651.
 Returned to Senate, 611.
 Enrolled, 622.
 Signed by President, 641.
 Returned to Senate, signed by Speaker, 675.
 Sent to Governor, 692.
 Approved by Governor, 751.

Senate Bill No. 288—(Senators Erickstad, Garaas, Longmire, Harris, Fiedler and Wartner, By request)

Senate Bill No. 288. A Bill for an Act authorizing an easement over certain property now opened by the state of North Dakota to the city of Devils Lake, for the construction, installation, operation, and maintenance of a water main or mains and the reversion thereof in case of nonuse, and declaring an emergency.

Introduction, first reading, 197.
 Referred to Committee on Judiciary, 197.
 Reported back, do pass, 249.
 Placed at head of calendar, 280.
 Second reading, 288.
 Final passage, emergency clause carried, 289.
 To House, 317, 651.
 Returned to Senate, 611.
 Enrolled, 622.
 Signed by President, 641.
 Returned to Senate, signed by Speaker, 675.
 Sent to Governor, 692.
 Approved by Governor, 751.

Senate Bill No. 289—(Senators Roen and Erickson, By request)

Senate Bill No. 289. A Bill for an Act to create and enact section 40-33-17.1 of the North Dakota Century Code relating to authority of municipality to construct a swimming pool as part of a waterworks and to issue revenue bonds for payment thereof; providing for the operation thereof; and to amend and reenact section 40-35-02 of the North Dakota Century Code, relating to undertakings for which a municipality may issue revenue bonds.

Introduction, first reading, 197.
 Referred to Committee on Finance and Taxation, 197.
 Reported back, amended, 447.
 Amendments adopted, 518.
 Engrossed, 548.
 Second reading, 550.
 Final passage, 551.
 To House, 555.
 Returned to Senate, indefinitely postponed, 898.

Senate Bill No. 290—(Senator Murphy)

Senate Bill No. 290. A Bill for an Act to prohibit hiring of strikebreakers by employers and providing a penalty.

Introduction, first reading, 197.
 Referred to Committee on Industry, Business and Labor, 197.
 Reported back, indefinitely postponed, 506.
 Motion to place on calendar, lost, 506.
 Motion to reconsider, lost, 524.

Senate Bill No. 291—(Senators Fiedler and Andre)

Senate Bill No. 291. A Bill for an Act to provide for the assessment of a tax of twenty-five cents per head on all cows two years of age and older for the purpose of defraying costs of the statewide brucellosis testing program.

Introduction, first reading, 197.
 Referred to Committee on Agriculture, 197.
 Reported back, indefinitely postponed, 339, 340.
 Majority recommends indefinitely postponed, 339.
 Minority recommends do pass, 340.
 Division, 340.

Senate Bill No. 292—(Senators Becker, Erickson, Roen, Wartner, Mutch and Longmire)

Senate Bill No. 292. A Bill for an Act to provide for the letting of insurance contracts by the state and its agencies and institutions.

Introduction, first reading, 197.
 Referred to Committee on State and Federal Government, 197.
 Reported back, do pass, 320.
 Re-referred to Committee on State and Federal Government, 343.
 Reported back, indefinitely postponed, 447.
 Motion to place on calendar, carried, 447.
 Motion to place at head of calendar, 523.
 Amended from the floor, 524.
 Second reading, 524, 564.
 Engrossed, 552.
 Final passage, 564.
 To House, 569.
 Returned to Senate, indefinitely postponed, 863.

Senate Bill No. 293—(Senators Holand and Erickstad)

Senate Bill No. 293. A Bill for an Act to create a North Dakota department of labor and to prescribe the duties and organization thereof, to amend and reenact sections 16-04-16, 34-05-01, 34-05-03, 34-05-04, subsection 1 of section 34-06-01, subsection 4 of section 34-07-03, sections 34-07-15, 34-07-18, 34-07-19, 34-07-20, 34-07-21, 34-10-02, and 54-06-02 of the North Dakota Century Code, relating to responsibilities and powers of the commissioner of agriculture and labor, to repeal section 34-05-02 of the North Dakota Century Code, relating to the labor division within the department of agriculture and labor, providing for an appropriation, and providing for an effective date.

Introduction, first reading, 197.

Referred to Committee on Industry, Business and Labor, 198.

Reported back, indefinitely postponed, 511.

Motion to place on calendar, carried, 512.

Re-referred to Committee on Appropriations, 512.

Reported back, amended, 512.

Amended from the floor, 519.

Amendments adopted, 519.

Engrossed, 548.

Second reading, 551.

Final passage, 551.

To House, 555.

Returned to Senate, indefinitely postponed, 753.

Senate Bill No. 294—(Senator Baeverstad)

Senate Bill No. 294. A Bill for an Act to amend and reenact section 16-18-16 of the North Dakota Century Code relating to submitting and delivering absent voters' ballots to inspector of elections, requiring auditor to obtain mail on election day and to deliver such ballots, empowering auditor to command the services of the sheriff or his deputy to deliver absent voters' ballots.

Introduction, first reading, 198.

Referred to Committee on Judiciary, 198.

Reported back, do pass, 351.

Second reading, 411.

Final passage, 412.

To House, 449, 987.

Returned to Senate, 898.

Enrolled, 954.

Signed by President, 974.

Returned to Senate, signed by Speaker, 996.

Sent to Governor, 1014.

Vetoed by Governor.

Senate Bill No. 295—(Senator Lips)

Senate Bill No. 295. A Bill for an Act to authorize the board of administration to sell certain land owned by the state of North Dakota in connection with the operation of the state penitentiary and making an appropriation.

Introduction, first reading, 198.

Referred to Committee on State and Federal Government, 198.

Reported back, amended, 340.
 Re-referred to Committee on Appropriations, 341.
 Amendments adopted, 352.
 Engrossed, 361.
 Reported back, do pass, 456.
 Second reading, 540.
 Final passage, 541.
 To House, 555.
 Returned to Senate, indefinitely postponed, 795.

Senate Bill No. 296—(Senator Longmire)

Senate Bill No. 296. A Bill for an Act to amend and re-enact section 57-37-06 of the North Dakota Century Code relating to inclusion of various joint interests in a decedent's gross estate for estate tax purposes.

Introduction, first reading, 198.
 Referred to Committee on Finance and Taxation, 198.
 Reported back, do pass, 447.
 Second reading, 536.
 Final passage, 536.
 To House, 555, 987.
 Returned to Senate, 863.
 Enrolled, 913.
 Signed by President, 974.
 Returned to Senate, signed by Speaker, 996.
 Sent to Governor, 1014.

Senate Bill No. 297—(Senators Morgan, Hernett, Nesvig, Garaas and Redlin)

Senate Bill No. 297. A Bill for an Act to amend and re-enact section 21-03-38 of the North Dakota Century Code relating to proceeds from bond issue kept in separate fund for protection of purchaser and to authorize investment thereof.

Introduction, first reading, 198.
 Referred to Committee on Industry, Business and Labor, 198.
 Re-referred to Committee on Political Subdivisions, 343.
 Reported back, do pass, 377.
 Second reading, 484.
 Final passage, 484.
 To House, 555, 755.
 Returned to Senate, 739.
 Enrolled, 751.
 Signed by President, 752.
 Returned to Senate, signed by Speaker, 798.
 Sent to Governor, 832.
 Approved by Governor, 913.

Senate Bill No. 298—(Senators Brooks, Gefreh, Yunker, Bopp, Baker, Wartner, Morgan, Becker, Erickson, Lips, Van Horn, Kee, Saumur, Baeverstad, Johnson, Hernett, George, Meidinger, Trenbeath, Wadeson, Nesvig, Garaas, Redlin, Fiedler, Ringsak, Harris, Reichert and Kisse)

Senate Bill No. 298. A Bill for an Act amending and re-enacting section 54-05-10 of the North Dakota Century Code relating to legislative lobbying.

Introduction, first reading, 198.
 Referred to Committee on Judiciary, 198.
 Reported back, indefinitely postponed, 377.

Senate Bill No. 299—(Senators Reichert and Murphy)

Senate Bill No. 299. A Bill for an Act to amend and re-enact section 36-11-07 of the North Dakota Century Code, relating to liability of owners of livestock inflicting damage to persons or property of another.

Introduction, first reading, 198.
 Referred to Committee on Agriculture, 198.
 Reported back, do pass, 341.
 Second reading, 398.
 Final passage, 399.
 To House, 449.
 Returned to Senate, indefinitely postponed, 852.

Senate Bill No. 300—(Senators Fiedler, Gefreh, Redlin and Wartner)

Senate Bill No. 300. A Bill for an Act to create and enact section 15-19-03.1 of the North Dakota Century Code, relating to approval of enrollments in high school correspondence courses.

Introduction, first reading, 198.
 Referred to Committee on Education, 198.
 Reported back, indefinitely postponed, 456.
 Motion to place on calendar, carried, 457.
 Second reading, 541.
 Final passage, lost, 541.

Senate Bill No. 301—(Senators Murphy, Bopp, Fiedler and Gronvold)

Senate Bill No. 301. A Bill for an Act to amend and re-enact subsection 9 of section 61-24-08 of the North Dakota Century Code, relating to funds of the Garrison Conservancy District.

Introduction, first reading, 199.
 Referred to Committee on Natural Resources, 199.
 Reported back, amended, 377.
 Amendments adopted, 420.
 Engrossed, 423.
 Second reading, 534.
 Final passage, 534.
 To House, 555, 749.
 Returned to Senate, 704.
 Enrolled, 721.
 Signed by President, 722.
 Returned to Senate, signed by Speaker, 753.
 Sent to Governor, 775.
 Approved by Governor, 913.

Senate Bill No. 302—(Senators Morgan, Bopp, Fiedler and Gronvold)

Senate Bill No. 302. A Bill for an Act relating to election and filling vacancies of directors for Garrison Diversion Conservancy District.

Introduction, first reading, 199.

Referred to Committee on Natural Resources, 199.

Reported back, do pass, 377.

Second reading, 484.

Final passage, 485.

To House, 555, 749.

Returned to Senate, 704.

Enrolled, 721.

Signed by President, 722.

Returned to Senate, signed by Speaker, 753.

Sent to Governor, 775.

Approved by Governor, 913.

Senate Bill No. 303—(Senators Yunker, Lautenschlager, Reichert and Morgan)

Senate Bill No. 303. A Bill for an Act to create a state milk board to supervise and regulate the fluid milk industry of the state of North Dakota, and defining its powers and duties; setting forth the rules governing said board; providing for the licensing and collection of license fees from milk dealers, producers, and distributors; defining milk, milk dealers, consumers, producers, producer-distributors and distributors, and their duties as such; authorizing the board, created hereunder, to promulgate regulations and rules for the administration of its functions; providing for a review of the board's rulings; fixing penalties and additional remedies; providing for repeal of all laws in conflict with this Act, and establishing the manner of this Act's taking effect, and providing for an appropriation.

Introduction, first reading, 199.

Referred to Committee on Agriculture, 199.

Reported back, do pass, 351.

Re-referred to Committee on Appropriations, 351.

Reported back, indefinitely postponed, 500.

Motion to substitute minority report for that of majority, lost, 501.

Motion to reconsider, lost, 515.

Senate Bill No. 304—(Senator Schrock, By request)

Senate Bill No. 304. A Bill for an Act to provide supervision by the commissioner of insurance over nonprofit medical service corporations, the licensing of sales representatives of nonprofit medical service corporations, and to amend and reenact Section 26-27-05 of the North Dakota Century Code, relating to qualifications of directors of nonprofit medical service corporations.

Introduction, first reading, 199.

Referred to Committee on Industry, Business and Labor, 199.

Reported back, indefinitely postponed, 341.

Senate Bill No. 305—(Committee on Delayed Bills)

Senate Bill No. 305. A Bill for an Act to amend and re-enact subsection 2 of section 39-10-01 of the North Dakota Century Code, relating to the general rules of the road regarding the operation of vehicles upon highways and elsewhere throughout the state, and declaring an emergency.

Introduction, first reading, 280.
 Referred to Committee on Judiciary, 280.
 Reported back, do pass, 365.
 Second reading, 428.
 Final passage, emergency clause carried, 429.
 To House, 475, 755.
 Returned to Senate, 739.
 Enrolled, 751.
 Signed by President, 752.
 Returned to Senate, signed by Speaker, 798.
 Sent to Governor, 832.
 Approved by Governor, 913.

Senate Bill No. 306—(Committee on Delayed Bills)

Senate Bill No. 306. A Bill for an Act to amend and re-enact section 50-12-09 of the North Dakota Century Code relating to child placement agencies.

Introduction, first reading, 343.
 Referred to Committee on Social Welfare and Veterans Affairs, 343.
 Reported back, do pass, 419.
 Second reading, 534.
 Final passage, 535.
 To House, 555, 868.
 Returned to Senate, 799.
 Enrolled, 830.
 Signed by President, 857.
 Returned to Senate, signed by Speaker, 897.
 Sent to Governor, 1014.

Senate Bill No. 307—(Committee on Delayed Bills)

Senate Bill No. 307. A Bill for an Act to amend and re-enact sections 40-45-01, 40-45-02, 40-45-08, 40-45-09, 40-45-13 and 40-45-16 of the North Dakota Century Code relating to police pensions in cities, and declaring an emergency.

Introduction, first reading, 355.
 Referred to Committee on Political Subdivisions, 355.
 Reported back, do pass, 377.
 Second reading, 485, 835.
 Final passage, emergency clause carried, 485, 836.
 Clincher, 485.
 To House, 555, 956.
 Returned to Senate, amended, 853.
 House amendments, 854.
 Senate concurs, 853.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended by House, 835.
 Enrolled, 857.
 Signed by President, 928.
 Returned to Senate, signed by Speaker, 993.
 Sent to Governor, 1017.

Senate Bill No. 308—(Committee on Delayed Bills, By request of Committee on Appropriations)

Senate Bill No. 308. A Bill for an Act to create and enact section 24-14-04 of the North Dakota Century Code relating to meetings of the highway commissioner, motor vehicle registrar, superintendent of the highway patrol, public safety director, and the director of the safety responsibility division of the state highway department for the purpose of coordination of all phases of highway and traffic safety.

Introduction, first reading, 366.
 Referred to Committee on Transportation, 366.
 Reported back, do pass, 457.
 Second reading, 541.
 Final passage, 542.
 To House, 555, 749.
 Returned to Senate, 674.
 Enrolled, 720.
 Signed by President, 722.
 Returned to Senate, signed by Speaker, 753.
 Sent to Governor, 775.
 Approved by Governor, 913.

Senate Bill No. 309—(Committee on Delayed Bills)

Senate Bill No. 309. A Bill for an Act to amend and reenact sections 54-04-01 and 54-04-02 of the North Dakota Century Code relating to engrossing and enrolling of legislative bills.

Introduction, first reading, 378.
 Referred to Committee on Enrollment and Engrossment, 378.
 Reported back, do pass, 500.
 Second reading, 544.
 Final passage, 545.
 To House, 555.
 Returned to Senate, indefinitely postponed, 741.

Senate Bill No. 310—(Committee on Delayed Bills)

Senate Bill No. 310. A Bill for an Act to amend and reenact subsections 6 and 7 of section 54-03-01 of the North Dakota Century Code relating to legislative districts.

Introduction, first reading, 459.
 Referred to Committee on State and Federal Government, 459.
 Reported back, do pass, 500.
 Second reading, 545.
 Final passage, 545.
 To House, 555, 956.
 Returned to Senate, 852.
 Enrolled, 857.
 Signed by President, 928.
 Returned to Senate, signed by Speaker, 993.
 Sent to Governor, 1014.

Senate Bill No. 311—(Committee on Delayed Bills)

Senate Bill No. 311. A Bill for an Act to amend and reenact section 38-08-13 of the North Dakota Century Code, relating to applications for rehearings before the industrial commission.

Introduction, first reading, 606.
Referred to Committee on State and Federal Government, 606.
Reported back, do pass, 739.
Second reading, 786.
Final passage, 786.
To House, 849.
Returned to Senate, 914.
Enrolled, 984.
Signed by President, 1015.
Returned to Senate, signed by Speaker, 1016.
Sent to Governor, 1017.

Senate Bill No. 312—(Committee on Delayed Bills)

Senate Bill No. 312. A Bill for an Act to amend and reenact subsection 1 of section 15-40-08 of the North Dakota Century Code relating to expenditures from the emergency fund of the state equalization fund in extreme emergencies.

Introduction, first reading, 705.
Referred to Committee on Education, 705.
Reported back, indefinitely postponed, 811.

Senate Bill No. 313—(Committee on Delayed Bills)

Senate Bill No. 313. A Bill for an Act to provide that all persons shall have equal rights in public places in North Dakota, and providing a penalty.

Introduction, first reading, 705.
Referred to Committee on State and Federal Government, 705.
Reported back, do pass, 739.
Placed at foot of calendar, 786.
Second reading, 841.
Final passage, 842.
To House, 867, 1017.
Returned to Senate, 967.
Enrolled, 1014.
Signed by President, 1017.
Returned to Senate, signed by Speaker, 1022.
Sent to Governor, 1022.

Senate Bill No. 314—(Committee on Delayed Bills)

Senate Bill No. 314. A Bill for an Act to amend and reenact section 26-24-22 of the North Dakota Century Code relating to reinsurance of risks carried by the state fire and tornado fund.

Introduction, first reading, 768.
 Referred to Committee on State and Federal
 Government, 768.
 Reported back, do pass, 770.
 Second reading, 844.
 Final passage, 844.
 Clincher, 844.
 To House, 868.
 Returned to Senate, House refused to introduce, 936.

Senate Bill No. 315—(Committee on Delayed Bills)

Senate Bill No. 315. A Bill for an Act to create and enact section 54-03-01.1 and to amend and reenact section 54-03-01 of the North Dakota Century Code relating to reapportionment of the house of representatives of the state of North Dakota and providing that such house consist of one hundred and thirteen members.

Introduction, first reading, 768.
 Referred to Committee on State and Federal
 Government, 768.
 Reported back, do pass, 771.
 Second reading, 844.
 Final passage, lost, 845.

Senate Bill No. 316—(Committee on Delayed Bills)

Senate Bill No. 316. A Bill for an Act to amend and reenact section 12-44-29 of the North Dakota Century Code, relating to commitments when no adequate county jail exists within a county and authorizing contracts for the custody of prisoners within jails operated by the United States, and declaring an emergency.

Introduction, first reading, 794.
 Referred to Committee on Judiciary, 794.
 Reported back, do pass, 830.
 Second reading, 935, 979.
 Final passage, emergency clause carried, 936, 979.
 To House, 947, 1017.
 Returned to Senate, amended, 968.
 House amendments, 968.
 Senate concurs, 978.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage, as amended by House, 979.
 Enrolled, 1014.
 Signed by President, 1017.
 Returned to Senate, signed by Speaker, 1022.
 Sent to Governor, 1022.

SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution "A"—(Senator Trenbeath)

Senate Concurrent Resolution "A". A concurrent resolution requesting the national Congress to give immediate attention to amending the Sugar Act of 1948, and to give the American farmers their right to produce a larger share of the United States sugar market.

Introduction, first reading, 16.
Referred to Committee on Agriculture, 16.
Reported back, do pass, 88.
Second reading, 114, 123.
Laid over one legislative day, 114.
Adopted, 124.
To House, 127.
Returned to Senate, 433.
Enrolled, 458.
Signed by President, 478.
To House, 514.
Returned to Senate, signed by Speaker, 522.
To Secretary of State, 523.

Senate Concurrent Resolution "B"—(Senator Trenbeath)

Senate Concurrent Resolution "B". A concurrent resolution urging the United States Secretary of Agriculture, Secretary of State, and National Congress to curtail seed wheat importations from Canada in excess of the allowable annual wheat import quota of eight hundred thousand (800,000) bushels.

Introduction, first reading, 16.
Referred to Committee on Agriculture, 16.
Reported back, do pass, 89.
Second reading, 114.
Adopted, 115.
To House, 122.
Returned to Senate, 413.
Enrolled, 450.
Signed by President, 450.
To House, 475.
Returned to Senate, signed by Speaker, 502.
To Secretary of State, 515.

Senate Concurrent Resolution "C"—(Senators Foss, Hernetz, Lautenschlager and Trenbeath)

Senate Concurrent Resolution "C". A concurrent resolution for the amendment of sections 156 and 162 of the Constitution of the state of North Dakota relating to the direction of the investment of and the types of permissible investments for the permanent funds of the common schools and institutions of the state.

Introduction, first reading, 39.
Referred to Committee on Industry, Business and Labor, 40.
Returned to Senate, 59.

Re-referred to Committee on State and Federal Government, 59.
 Reported back, do pass, 306.
 Second reading, 379.
 Adopted, 380.
 To House, 449.
 Returned to Senate, indefinitely postponed, 795.

Senate Concurrent Resolution "D"—(Senators Johnson and Trenbeath)

Senate Concurrent Resolution "D". A concurrent resolution favoring the early construction of the proposed Pembilier dam and reservoir project and urging the corps of engineers to expedite the completion of a favorable report thereon.

Introduction, first reading, 40.
 Referred to Committee on Natural Resources, 40.
 Reported back, amended, 62.
 Amendments adopted, 65, 71.
 Engrossed, 67.
 Amended from the floor, 71.
 Second reading, 71.
 Adopted, 71.
 To House, 85.
 Returned to Senate, 458.
 Enrolled, 503.
 Signed by President, 513.
 To House, 522.
 Returned to Senate, signed by Speaker, 562.
 To Secretary of State, 583.

Senate Concurrent Resolution "E"—Senators Garaas, Holland, Fiedler, Erickstad, Van Horn, Wartner, Morgan, Kamrath, Nesvig, Andre, Meidinger and Redlin)

Senate Concurrent Resolution "E". A concurrent resolution for the repeal of section 39 of the Constitution of the State of North Dakota prohibiting any member of the Legislative Assembly from being appointed or elected to civil office during the term for which he shall have been elected or any office for which the compensation was increased during his term.

Introduction, first reading, 40.
 Referred to Committee on Judiciary, 40.
 Reported back, do pass, 147.
 Motion to indefinitely postpone, lost, 147.
 Second reading, 169.
 Adopted, 170.
 To House, 185.
 Returned to Senate, 588.
 Enrolled, 599.
 Signed by President, 600.
 To House, 612.
 Returned to Senate, signed by Speaker, 629.
 To Secretary of State, 641.

Senate Concurrent Resolution "F"—(Senators Lips, Murphy, Baker, Kisse, Becker, Erickstad, Saumur and Fiedler)

Senate Concurrent Resolution "F". A concurrent resolution urging early completion of studies and commencement of construction for erosion control and Missouri River bank stabilization.

Introduction, first reading, 49.
 Referred to Committee on Natural Resources, 49.
 Reported back, amended, 174.
 Amendments adopted, 186.
 Engrossed, 201.
 Second reading, 216.
 Adopted, 217.
 To House, 239.
 Returned to Senate, 458.
 Enrolled, 503.
 Signed by President, 513.
 To House, 522.
 Returned to Senate, signed by Speaker, 562.
 To Secretary of State, 583.

Senate Concurrent Resolution "G"—(Senators Baker, Becker, Kee, Longmire, Roen, Hernet, Trenbeath, Baeverstad, George and Brooks)

Senate Concurrent Resolution "G". A concurrent resolution for the amendment of section 39 of the Constitution of the state of North Dakota prohibiting any member of the legislative assembly from being appointed or elected to civil office during the term for which he shall have been elected or any office for which the compensation was increased during his term.

Introduction, first reading, 49.
 Referred to Committee on Judiciary, 50.
 Reported back, indefinitely postponed, 148.

Senate Concurrent Resolution "H"—(Senators Nesvig, Bopp, Wadson, Roen, Reichert, Fiedler, Brooks, Solberg, Hernet, Johnson, Garaas, Harris, Lips and Witteman)

Senate Concurrent Resolution "H". A concurrent resolution providing for the amendment of section 121 of the Constitution of the state of North Dakota, relating to the elective franchise.

Introduction, first reading, 50.
 Referred to Committee on Judiciary, 50.
 Reported back, indefinitely postponed, 175.
 Motion to substitute minority report for that of majority, lost, 176.

Senate Concurrent Resolution "I"—(Committee on Education)

Senate Concurrent Resolution "I". A concurrent resolution authorizing and directing the Research Committee to study the organization, administration, scope and financing of the office of county superintendent.

Introduction, first reading, 58.
 Referred to Committee on Education, 58.
 Reported back, do pass, 75.
 Laid over one legislative day, 100.
 Re-referred to Legislative Research Resolutions
 Committee, 115.
 Reported back, do pass, 928.
 Rules suspended, placed at head of calendar for second
 reading and final passage, 934.
 Second reading, 934.
 Adopted, 934.
 To House, 947, 1021.
 Returned to Senate, 967.
 Enrolled, 1018.
 Signed by President, 1021.
 Returned to Senate, signed by Speaker, 1021.
 To Secretary of State, 1022.

Senate Concurrent Resolution "J"—(Senators Schrock,
 Paulson and Andre)

Senate Concurrent Resolution "J". A concurrent resolu-
 tion requesting the Congress of the United States to
 enact legislation to permit full agricultural production with
 a guaranteed price.

Introduction, first reading, 58.
 Referred to Committee on Agriculture, 58.
 Reported back, amended, 158.
 Minority moved to indefinitely postpone, lost, 158.
 Amendments adopted, 176.
 Engrossed, 186.
 Second reading, 217.
 Lost, 217.

Senate Concurrent Resolution "K"—(Senators Thompson,
 Becker and Van Horn)

Senate Concurrent Resolution "K". A concurrent resolu-
 tion memorializing the secretary of agriculture to re-
 establish a local testing program for grains that are subject
 to an application for a federal loan.

Introduction, first reading, 70.
 Referred to Committee on Agriculture, 70.
 Reported back, amended, 105.
 Amendments adopted, 122.
 Engrossed, 125.
 Second reading, 133.
 Adopted, 134.
 To House, 144, 1021.
 Returned to Senate, amended, 740.
 House amendments, 741.
 Senate does not concur, 766.
 Conference Committee, Senate, 766.
 Conference Committee, House, 794.
 House adopts Conference Committee report, 852.
 Senate adopts Conference Committee report, 859.
 Enrolled, 1018.
 Signed by President, 1021.
 Returned to Senate, signed by Speaker, 1021.
 To Secretary of State, 1022.

Senate Concurrent Resolution "L"—(Senator Foss)

Senate Concurrent Resolution "L". A concurrent resolution designating the month of February as "American History Month".

Introduction, first reading, 71.

Not referred to committee, not printed as bill but printed in Journal, 71.

Placed on calendar and laid over one legislative day, 71.

Second reading, 84.

Adopted, 84.

To House, 94.

Returned to Senate, 799.

Enrolled, 820.

Signed by President, 820.

To House, 851.

Returned to Senate, signed by Speaker, 897.

To Secretary of State, 913.

Senate Concurrent Resolution "M"—(Senator Gefreh)

Senate Concurrent Resolution "M". A joint resolution authorizing the secretary of state to dispose of volumes of the North Dakota Revised Code of 1943, and supplements thereto.

Introduction, first reading, 92.

Referred to Committee on Judiciary, 92.

Reported back, amended, 148.

Amendments adopted, 159.

Engrossed, 173.

Second reading, 184.

Adopted, 184.

To House, 205.

Returned to Senate, 588.

Enrolled, 599.

Signed by President, 600.

To House, 612.

Returned to Senate, signed by Speaker, 629.

To Secretary of State, 641.

Senate Concurrent Resolution "N"—(Senators Holand and Garaas)

Senate Concurrent Resolution "N". A concurrent resolution for the purpose of designating February 10, 1961 as Newspaperman's Day at the state legislative assembly.

Introduction, first reading, 92.

Not to be printed as bill, printed in Journal, 92.

Laid over one legislative day, 92.

Placed on calendar, 115.

Second reading, 115.

Adopted, 116.

To House, 122, 155.

Returned to Senate, 140.

Enrolled, 146.

Signed by President, 155.

To House, 164.

Returned to Senate, signed by Speaker, 166.

To Secretary of State, 173.

Senate Concurrent Resolution "O"— (Senators Nesvig, Becker, Morgan, Yunker, Johnson and Baeverstad)

Senate Concurrent Resolution "O". A concurrent resolution memorializing the Congress to make such changes in the law as may be necessary to prohibit the placement of entire farming units in the soil bank program.

Introduction, first reading, 93.
 Referred to Committee on Agriculture, 93.
 Reported back, 159.
 Placed on calendar without recommendation, 159.
 Second reading, 184.
 Adopted, 185.
 To House, 205.
 Returned to Senate, indefinitely postponed, 663.

Senate Concurrent Resolution "P"—(Senators Redlin and Baker)

Senate Concurrent Resolution "P". A concurrent resolution memorializing the Congress to provide full state control over federal aid funds for education.

Introduction, first reading, 93.
 Referred to Committee on Education, 93.
 Reported back, amended, 249.
 Engrossed, 264, 277.
 Amendments laid on table, 332.

Senate Concurrent Resolution "Q"— (Senators Redlin, Schrock, Nesvig, Thompson and Murphy)

Senate Concurrent Resolution "Q". A concurrent resolution memorializing the Congress to authorize the Garrison Diversion Project and to appropriate funds therefor.

Introduction, first reading, 99.
 Referred to Committee on Natural Resources, 99.
 Returned to Senate, 107.
 Withdrawn, 107.

Senate Concurrent Resolution "R"—(Senators Roen, Erickson and Kamrath)

Senate Concurrent Resolution "R". A concurrent resolution requesting the Chicago, Milwaukee, St. Paul and Pacific Railroad to continue its passenger service to the southwestern part of this state.

Introduction, first reading, 99.
 Referred to Committee on Transportation, 99.
 Reported back, do pass, 182.
 Second reading, 217.
 Adopted, 218.
 To House, 239.
 Returned to Senate, 588.
 Enrolled, 622.
 Signed by President, 622.
 To House, 638.
 Returned to Senate, signed by Speaker, 641.
 To Secretary of State, 662.

Senate Concurrent Resolution "S"—(Senators Redlin, Trenbeath, Erickstad, Thompson, Fiedler, Gronvold, Murphy, Nesvig, Holand, Lips, Schrock and Baker)

Senate Concurrent Resolution "S". A concurrent resolution memorializing the Congress to authorize the Garrison Diversion Project and to appropriate funds therefor.

Introduction, first reading, 136.

Referred to Committee on Natural Resources, 136.

Reported back, do pass, 341.

Second reading, 401.

Adopted, 402.

To House, 449, 749.

Returned to Senate, 704.

Engrossed, 721.

Signed by President, 722.

Returned to Senate, signed by Speaker, 753.

To Secretary of State, 775.

Senate Concurrent Resolution "T"—(Senators Meidinger, Gefreh, Nesvig, Thompson and Schrock)

Senate Concurrent Resolution "T". A concurrent resolution providing for the amendment of sections 71 and 82 of the Constitution of the state of North Dakota relating to the terms of office of certain elected state officials.

Introduction, first reading, 136.

Referred to Committee on Judiciary, 136.

Reported back, indefinitely postponed, 377.

Senate Concurrent Resolution "U"—(Senators Baker, Ringsak, Johnson, Erickson and Murphy)

Senate Concurrent Resolution "U". A concurrent resolution directing the secretary of state to charge a fee for mailing copies of bills introduced during the session to persons requesting such service and directing the chief mailing room clerk to mail the same, and providing that such fees collected by the secretary of state be deposited in the general fund.

Introduction, first reading, 142.

Motion to suspend rules, not refer to committee, printed in Journal, placed on calendar and laid over one legislative day, 142.

Printed in Journal, 142, 143.

Second reading, 154.

Adopted, 154.

To House, 165.

Returned to Senate, indefinitely postponed, 705.

Senate Concurrent Resolution "V"—(Senators Solberg, Wartner, Baeverstad, Schrock, Hystad, Gronvold, Witeman and Meidinger)

Senate Concurrent Resolution "V". A concurrent resolution urging North Dakota public utilities to extend natural gas service for heating and industrial use to North Dakota communities.

Introduction, first reading, 149.
 Referred to Committee on Industry, Business and
 Labor, 149.
 Reported back, do pass, 376.
 Second reading, 485.
 Adopted, 486.
 To House, 555, 817.
 Returned to Senate, 739.
 Enrolled, 774.
 Signed by President, 774.
 To House, 817.
 Returned to Senate, signed by Speaker, 854.
 To Secretary of State, 1021.

Senate Concurrent Resolution "W"—(Senators Erickson,
 Roen, Reichert and Garaas)

Senate Concurrent Resolution "W". A concurrent resolu-
 tion requesting Congress to extend the time for com-
 pleting negotiations for a compact apportioning waters of
 the Little Missouri River and its tributaries among North
 Dakota, South Dakota, Montana and Wyoming.

Introduction, first reading, 150.
 Referred to Committee on Natural Resources, 150.
 Reported back, do pass, 341.
 Second reading, 402.
 Adopted, 402.
 To House, 449.
 Returned to Senate, 629.
 Enrolled, 641.
 Signed by President, 664.
 To House, 689.
 Returned to Senate, signed by Speaker, 704.
 To Secretary of State, 720.

Senate Concurrent Resolution "X"—(Senators Redlin,
 Garaas and Baker)

Senate Concurrent Resolution "X". A concurrent resolu-
 tion urging the board of higher education to adopt salary
 schedules for faculty members at institutions of higher
 learning.

Introduction, first reading, 163.
 Referred to Committee on Education, 163.
 Reported back, indefinitely postponed, 249.
 Motion to place on calendar, division vote tied, Lt. Gov.
 voted, substitute motion carried, 250.
 Laid over one legislative day, 345.
 Amended from the floor, 345.
 Second reading, 345, 486.
 Engrossed, 348.
 Placed at foot of calendar, 378, 423.
 Lost, 487.

Senate Concurrent Resolution "Y"—(Senators Murphy, Thompson, Berube, Andre, Witteman, Fiedler, Redlin, Lautenschlager and Reichert)

Senate Concurrent Resolution "Y". A concurrent resolution directing the legislative research committee with the aid and cooperation of the state tax department to continue the study of the state tax laws and tax structure.

Introduction, first reading, 195.

Referred to Committee on Finance and Taxation, 195.

Reported back, amended, 447.

Re-referred to Legislative Research Resolutions Committee, 448.

Amendments adopted, 518.

Engrossed, 554.

Reported back, do pass, 929.

Rules suspended, placed at head of calendar for second reading and final passage, 934.

Second reading, 934.

Adopted, 934.

To House, 947.

Returned to Senate, 967.

Enrolled, 1018.

Signed by President, 1021.

To House, 1021.

Returned to Senate, signed by Speaker, 1021.

To Secretary of State, 1022.

Senate Concurrent Resolution "Z"—(Senator Longmire)

Senate Concurrent Resolution "Z". A concurrent resolution directing the legislative research committee to study the Sabbath laws of this state.

Introduction, first reading, 252.

Referred to Committee on Industry, Business and Labor, 253.

Reported back, do pass, 378.

Re-referred to Legislative Research Resolutions Committee, 378.

Reported back, indefinitely postponed, 929.

Senate Concurrent Resolution "AA"—(Senators Trenbeath, Schrock, Garaas and Gronvold)

Senate Concurrent Resolution "AA". A concurrent resolution directing the legislative research committee to study the operation of the North Dakota State Mill and Elevator Association and its present and future contributions to the welfare of the state.

Introduction, first reading, 253.

Referred to Committee on State and Federal Government, 253.

Reported back, do pass, 320.

Re-referred to Legislative Research Resolutions Committee, 320.

Reported back, indefinitely postponed, 929.

Motion to place on calendar, 929.

Rules suspended, placed at head of calendar for second reading and final passage, 934.

Second reading, 934.

Adopted, 934.

To House, 947.

Returned to Senate, indefinitely postponed, 968.

Senate Concurrent Resolution "BB"—(Senators Meidinger, Roen and Erickson)

Senate Concurrent Resolution "BB". A concurrent resolution urging the Congress to refrain from initiating any additional grant-in-aid programs to the states or political subdivisions without the approval of at least a majority of the states.

Introduction, first reading, 264.

Referred to Committee on State and Federal Government, 265.

Reported back, amended, 320.

Minority objected to report, 320.

Amendments adopted, 343.

Engrossed, 348.

Placed at foot of calendar, 378.

Second reading, 421.

Adopted, 422.

To House, 449.

Returned to Senate, indefinitely postponed, 795.

Senate Concurrent Resolution "CC"—(Senators Redlin and Trenbeath)

Senate Concurrent Resolution "CC". A concurrent resolution requesting the Legislative Assembly of the state of Minnesota to direct the appropriate agency of that state to cooperate with the North Dakota state water conservation commission and the North Dakota state health department in matters of pollution control along the Red River of the North.

Introduction, first reading, 265.

Referred to Committee on Natural Resources, 265.

Reported back, do pass, 378.

Second reading, 486.

Adopted, 486.

To House, 555, 749.

Returned to Senate, 704.

Engrossed, 721.

Signed by President, 722.

Returned to Senate, signed by Speaker, 753.

To Secretary of State, 775.

Senate Concurrent Resolution "DD"—(Senator Nesvig)

Senate Concurrent Resolution "DD". A concurrent resolution urging the Postmaster General of the United States to curtail the operation of the metro mail service within the state of North Dakota.

Introduction, first reading, 343.

Referred to Committee on State and Federal Government, 343.

Reported back, amended, 571.

Amendments adopted, 586.
 Engrossed, 600.
 Second reading, 620.
 Adopted, 621.
 To House, 639.
 Returned to Senate, indefinitely postponed, 705.

Senate Concurrent Resolution "EE"—(Senators Thompson and Van Horn, By request)

Senate Concurrent Resolution "EE". A concurrent resolution requesting the Congress of the United States to bring an end to the soil bank as it is operated today, and to establish full parity with a graduated acreage quota system for agricultural products.

Introduction, first reading, 343.
 Referred to Committee on Agriculture, 343.
 Reported back, indefinitely postponed, 626.

Senate Concurrent Resolution "FF"—(Senators Lips and Reichert)

Senate Concurrent Resolution "FF". A concurrent resolution directing that the new highway bridge across the Missouri River in the Bismarck-Mandan vicinity be named the "Captain Grant Marsh Memorial Bridge".

Introduction, first reading, 343.
 Referred to Committee on Transportation, 344.
 Reported back, do pass, 365.
 Second reading, 429.
 Adopted, 429.
 To House, 475.
 Returned to Senate, 799.
 Enrolled, 820.
 Signed by President, 820.
 To House, 851.
 Returned to Senate, signed by Speaker, 897.
 To Secretary of State, 913.

Senate Concurrent Resolution "GG"—(Senators Meidinger, Hernet, Fiedler and Redlin)

Senate Concurrent Resolution "GG". A concurrent resolution urging the support of the economic development of the state by all public officials and citizens regardless of political affiliations.

Introduction, first reading, 366.
 Referred to Committee on State and Federal Government, 366.
 Reported back, do pass, 448.
 Second reading, 536.
 Adopted, 537.
 To House, 555.
 Returned to Senate, 799.
 Enrolled, 820.
 Signed by President, 820.
 To House, 851.
 Returned to Senate, signed by Speaker, 897.
 To Secretary of State, 913.

Senate Concurrent Resolution "HH"—(Senators Brooks, Johnson, Nesvig, Lips and Saumur)

Senate Concurrent Resolution "HH". A concurrent resolution directing a study of sections 5-05-04, 5-05-05 and 5-05-07 of the North Dakota Century Code relating to food and alcoholic beverages for a report and recommendations concerning the operation of such laws.

Introduction, first reading, 459.

Referred to Committee on Industry, Business and Labor, 459.

Reported back, do pass, 672.

Second reading, 734.

Adopted, 734.

To House, 771.

Returned to Senate, indefinitely postponed, 936.

Senate Concurrent Resolution "II"—(Senator Brooks)

Senate Concurrent Resolution "II". A concurrent resolution authorizing various state associations to celebrate and commemorate their respective association activities during legislative sessions.

Introduction, first reading, 459.

Rules suspended, not referred to committee, not printed as a bill, but printed in Journal and laid over one legislative day, 459.

Printed in Journal, 459, 461.

Amended from the floor, 525.

Motion to place at head of calendar, 523.

Second reading, 525.

Motion that amendments be laid on table, 525.

Senate Concurrent Resolution "JJ"—(Senator Trenbeath)

Senate Concurrent Resolution "JJ". A concurrent resolution memorializing the Congress and the President of the United States to safeguard and preserve established state and individual rights to the use of water within the separate states.

Introduction, first reading, 461.

Referred to Committee on Natural Resources, 461.

Reported back, indefinitely postponed, 586.

Motion to lay over one legislative day, 586.

Indefinitely postponed, 605.

Motion to reconsider, lost for lack of a two-thirds majority, 727.

Senate Concurrent Resolution "KK"—(Senators Yunker, Lautenschlager, Bopp and Nesvig)

Senate Concurrent Resolution "KK". A concurrent resolution directing the legislative research committee to study the feasibility of authorizing limited farming and ranching by corporations.

Introduction, first reading, 461.
Referred to Committee on Judiciary, 461.
Reported back, do pass, 500.
Second reading, 545.
Adopted, 546.
To House, 555.
Returned to Senate, 967.
Enrolled, 1018.
Signed by President, 1021.
To House, 1021.
Returned to Senate, signed by Speaker, 1022.
To Secretary of State, 1022.

Senate Concurrent Resolution "LL"—(Senators Roen, Saumur, Ringsak, Erickson, Lips, Meidinger and Mutch)

Senate Concurrent Resolution "LL". A concurrent resolution extending an invitation to Lawrence Welk and his band to come to North Dakota during the summer of 1961 to participate in the Dakota Territory Centennial Celebration.

Introduction, first reading, 461.
Referred to Committee on State and Federal Government, 461.
Reported back, do pass, 500.
Second reading, 546.
Adopted, 546.
To House, 555.
Returned to Senate, 799.
Enrolled, 820.
Signed by President, 820.
To House, 851.
Returned to Senate, signed by Speaker, 897.
To Secretary of State, 913.

Senate Concurrent Resolution "MM"—(Senator Hernet)

Senate Concurrent Resolution "MM". A concurrent resolution commending the many achievements made by the North Dakota Federation of Women's Clubs in North Dakota and to direct that a resolution adopted by such organization be printed in the senate and house journals.

Introduction, first reading, 568.
Referred to Committee on Transportation, 568.
Reported back, do pass, 672.
Second reading, 734.
Adopted, 735.
Printed in Journal, 735.
To House, 771.
Returned to Senate, 936.
Enrolled, 1019.
Signed by President, 1021.
To House, 1021.
Returned to Senate, signed by Speaker, 1022.
To Secretary of State, 1022.

Senate Concurrent Resolution "NN"—(Senators Lips, Longmire and Becker)

Senate Concurrent Resolution "NN". A concurrent resolution urging the Congress of the United States to pass enabling legislation authorizing individuals to withhold ten percent of their due federal income tax, to be used for school purposes, if an individual state determines such additional money is needed.

Introduction, first reading, 568.

Referred to Committee on Education, 568.

Reported back, indefinitely postponed, 811, 812.

Senate Concurrent Resolution "OO"—(Senators Roen and Reichert)

Senate Concurrent Resolution "OO". A concurrent resolution commending the sponsors of legislation presently in Congress which seeks to remedy the sanitation and water supply facilities of Medora, North Dakota, and also urging the Congress to favorably consider such proposed legislation.

Introduction, first reading, 569.

Referred to Committee on State and Federal Government, 569.

Reported back, do pass, 605.

Second reading, 637.

Adopted, 637.

To House, 650.

Returned to Senate, 799.

Enrolled, 820.

Signed by President, 820.

To House, 851.

Returned to Senate, signed by Speaker, 897.

To Secretary of State, 913.

Senate Concurrent Resolution "PP"—(Senator Lips)

Senate Concurrent Resolution "PP". A concurrent resolution approving a lease contract between the state board of administration and Bismarck special school district.

Introduction, first reading, 569.

Referred to Committee on State and Federal Government, 569.

Reported back, do pass, 606.

Second reading, 648.

Adopted, 648.

To House, 689.

Returned to Senate, 739.

Enrolled, 774.

Signed by President, 774.

To House, 817.

Returned to Senate, signed by Speaker, 854

To Secretary of State, 1021.

Senate Concurrent Resolution "QQ"—(Senators Holand and Erickstad)

Senate Concurrent Resolution "QQ". A concurrent resolution directing the legislative research committee to study methods of equalizing the tax burden; the feasibility of shifting a portion of such tax burden from property to income; methods of equalizing local effort in support of schools as a requirement for participation in the school foundation program; and the portion of school costs that should be borne by the state and the portion that should be borne by local levels of government.

Introduction, first reading, 569.

Referred to Committee on Finance and Taxation, 569.

Reported back, do pass, 606.

Re-referred to Legislative Research Resolutions Committee, 638.

Reported back, do pass, 929.

Second reading, 934.

Rules suspended, placed at head of calendar for second reading and final passage, 934.

Adopted, 934.

To House, 947.

Returned to Senate, 967.

Enrolled, 1019.

Signed by President, 1021.

To House, 1021.

Returned to Senate, signed by Speaker, 1022.

To Secretary of State, 1022.

Senate Concurrent Resolution "RR"—(Senators Holand and Erickstad)

Senate Concurrent Resolution "RR". A concurrent resolution directing the legislative research committee to conduct a study of the possibility of extending the services of the state in the fields of law enforcement, education, health, and welfare to certain Indian citizens not presently receiving such services.

Introduction, first reading, 569.

Referred to Committee on State and Federal Government, 569.

Reported back, do pass, 606.

Re-referred to Legislative Research Resolutions Committee, 638.

Reported back, do pass, 929.

Rules suspended, placed at head of calendar for second reading and final passage, 934.

Second reading, 935.

Adopted, 935.

To House, 947.

Returned to Senate, 967.

Enrolled, 1019.

Signed by President, 1021.

To House, 1021.

Returned to Senate, signed by Speaker, 1022.

To Secretary of State, 1022.

Senate Concurrent Resolution "SS"—(Committee on Delayed Bills)

Senate Concurrent Resolution "SS". A concurrent resolution urging the Congress to pass legislation pending therein which would authorize local governments to receive payments from the federal government for federal real property located therein in lieu of certain taxes and special assessments.

Introduction, first reading, 768.
 Referred to Committee on State and Federal Government, 768.
 Reported back, do pass, 771.
 Second reading, 870.
 Adopted, 870.
 To House, 905.
 Returned to Senate, 936.
 Enrolled, 1019.
 Signed by President, 1021.
 To House, 1021.
 Returned to Senate, signed by Speaker, 1022.
 To Secretary of State, 1022.

Senate Concurrent Resolution "TT"—(Committee on Delayed Bills)

Senate Concurrent Resolution "TT". A concurrent resolution memorializing Congress to protect the Williston Basin oil production from excessive Canadian oil imports.

Introduction, first reading, 768.
 Referred to Committee on State and Federal Government, 768.
 Motion that rules be suspended and "TT" not printed as bill, but printed in Journal, 768.
 Printed in Journal, 768.
 Amended from the floor, 870.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended from floor, 871.
 Second reading, 871.
 Adopted, 871.
 Engrossed, 880.
 To House, 905.
 Returned to Senate, 936.
 Enrolled, 1019.
 Signed by President, 1021.
 To House, 1021.
 Returned to Senate, signed by Speaker, 1022.
 To Secretary of State, 1022.

SENATE RESOLUTIONS

Senate Resolution No. 1—(Senators Erickstad and Fiedler)

Senate Resolution No. 1. A resolution providing copies of the North Dakota Century Code and the 1955, 1957 and 1959 Session Laws for the use of the various committees of the Senate.

Introduction, first reading, 16.

Rules suspended, not referred to committee, printed in Journal, 16.

Rules suspended, placed for second reading, 17.

Second reading, 17.

Adopted, 17.

Enrolled, 24.

Signed by President, 24.

To Secretary of State, 26.

Senate Resolution No. 2—(Senators Luick, Longmire, Mutch, Wadeson, Redlin, Solberg and Berube)

Senate Resolution No. 2. A resolution directing the secretary of the senate to provide identification tags for all members and employees of the senate.

• Introduction, first reading, 23.

Rules suspended, not referred to committee, printed in Journal, 23.

Second reading, 41.

Adopted, 41.

Enrolled, 43.

Signed by President, 50.

To Secretary of State, 51.

Senate Resolution No. 3—(Senators Hystad and Gefreh)

Senate Resolution No. 3. A resolution requiring all chaplains' invocations to be printed in the senate journal.

Introduction, first reading, 40.

Not referred to committee, but printed in Journal, 40.

Second reading, 50.

Adopted, 50.

Enrolled, 51.

Signed by President, 54.

To Secretary of State, 57.

Senate Resolution No. 4—(Senator Meidinger)

Senate Resolution No. 4. A resolution urgently requesting the board of administration to remove from the senate chambers the low cylindrical or round vessels, sometimes known as spittoons, strategically placed in the senate corridor and to replace the same with a more suitable container for ashes.

Introduction, first reading, 203.

Rules suspended, printed in Journal, placed on calendar and laid over one legislative day, 203.

Second reading, 227.
 Motion for adoption, lost, 227.
 Reconsidered, 227.
 Adopted, 228.
 Enrolled, 229.
 Signed by President, 239.
 To Secretary of State, 250.

Senate Resolution No. 5—(Senators Morgan, Becker and Hystad)

Senate Resolution No. 5. A Senate Resolution to appoint an Official Photographer for the Senate of the Thirty-seventh Legislative Assembly of the State of North Dakota.

Introduction, first reading, 253.
 Referred to Committee on Appropriations, 253.
 Rules suspended, not printed as bill, but printed in Journal, 253.
 Reported back, do pass, 306.
 Second reading, 379.
 Adopted, 379.
 Enrolled, 404.
 Signed by President, 404.
 To Secretary of State, 412.

SENATE MEMORIAL RESOLUTIONS

Senate Memorial Resolution No. 1000—(Senators Holand, Garaas, Erickstad and Fiedler)

Senate Memorial Resolution No. 1,000. A memorial resolution in memory of Joseph A. Donahue.

Introduction, first reading, 296.
 Rules suspended, printed in Journal and adopted by rising vote, 296.
 Adopted, 296.
 Printed, 297.
 Enrolled, 298.
 Signed by President, 298.
 To Secretary of State, 307.

Senate Memorial Resolution No. 1001—(Committee on Senate Memorial Resolutions)

Senate Memorial Resolution No. 1,001. A memorial resolution for deceased members of the Senate of the state of North Dakota.

Introduction, first reading, 642.
 Printed in Journal, 642, 643.
 Enrolled, 665.
 Signed by President, 691.
 To Secretary of State, 692.

RECORD OF HOUSE BILLS IN THE SENATE

House Bill No. 501—

House Bill No. 501. 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.

Received from House, 457.
First reading and referred to Committee on Appropriations, 478.
Reported back, amended, 821, 822.
Amendments adopted, 865.
Floor amendments lost, 865.
Rules suspended, placed on calendar, 928.
Placed at foot of calendar, 945.
Placed at head of calendar, 948.
Second reading and final passage, 948, 949, 1004.
To House, amended, 994, 1021.
House does not concur, 996.
Conference Committee, House, 996.
Conference Committee, Senate, 997.
Conference Committee report, 1003.
Senate adopts report, 1004.
Rules suspended, placed on calendar for second reading and final passage as amended in Conference Committee, 1004.
House adopts report, 1005.
Returned to Senate, signed by Speaker, 1018.
Signed by President, 1018.
Partial veto.

House Bill No. 502—

House Bill No. 502. 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 Grand Forks, North Dakota.

Received from House, 307.
First reading and referred to Committee on Appropriations, 322.
Reported back, do pass, 623.
Second reading and final passage, 653.
Returned to House, 689, 755.
Returned to Senate, signed by Speaker, 741.
Signed by President, 751.

House Bill No. 503—

House Bill No. 503. 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.

Received from House, 307.
 First reading and referred to Committee on Appropriations, 322.
 Reported back, amended, 695.
 Amendments adopted, 742.
 Second reading and final passage, 787.
 Returned to House, amended, 849, 987.
 House concurs, 880.
 Returned to Senate, signed by Speaker, 948.
 Signed by President, 973.

House Bill No. 504—

House Bill No. 504. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous items, new building and special projects for the Grafton State School at Grafton, North Dakota.

Received from House, 307.
 First reading and referred to Committee on Appropriations, 322.
 Reported back, amended, 695.
 Amendments adopted, 742.
 Second reading and final passage, 787, 788.
 Returned to House, amended, 849, 1019.
 House concurs, 880.
 Returned to Senate, signed by Speaker, 1018.
 Signed by President, 1019.

House Bill No. 505—

House Bill No. 505. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, and equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

Received from House, 562.
 First reading and referred to Committee on Appropriations, 578.
 Reported back, do pass, 807.
 Second reading and final passage, 871, 872.
 Clincher, 872.
 To House, 905, 1014.
 Returned to Senate, signed by Speaker, 993.
 Signed by President, 1014.

House Bill No. 506—

House Bill No. 506. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous items, new buildings and special projects for the State Hospital at Jamestown, North Dakota.

Received from House, 457.
 First reading and referred to Committee on
 Appropriations, 479.
 Reported back, do pass, 808.
 Second reading and final passage, 872, 873.
 Clincher, 873.
 To House, 905, 1016.
 Returned to Senate, signed by Speaker, 1012.
 Signed by President, 1015.

House Bill No. 507—

House Bill No. 507. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous, new building and special projects for the State Training School at Mandan, North Dakota.

Received from House, 432.
 First reading and referred to Committee on
 Appropriations, 467.
 Reported back, amended, 695.
 Amendments adopted, 742.
 Second reading and final passage, 788, 998, 999.
 Returned to House, amended, 849, 1019.
 House does not concur, 868.
 Conference Committee, House, 869.
 Conference Committee, Senate, 893.
 Conference Committee report, 998.
 House adopts report, 998.
 Senate adopts report, 1002.
 Returned to Senate, signed by Speaker, 1018.
 Signed by President, 1019.

House Bill No. 508—

House Bill No. 508. A Bill for an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous, and special projects, of the State Penitentiary.

Received from House, 412.
 First reading and referred to Committee on
 Appropriations, 462.
 Reported back, amended, 623.
 Amendments adopted, 647.
 Second reading and final passage, 686.
 Returned to House, amended, 718, 987.
 House does not concur, 754.
 Conference Committee, House, 754.
 Conference Committee, Senate, 761.
 House adopts report, 799.
 Senate adopts report, 813.
 Returned to Senate, signed by Speaker, 897.
 Signed by President, 973.

House Bill No. 509—

House Bill No. 509. A Bill for an Act making an appropriation for the general maintenance and operation of the North Dakota State Farm, Bismarck, North Dakota.

Received from House, 354.
First reading and referred to Committee on Appropriations, 366.
Reported back, do pass, 623.
Second reading and final passage, 654.
Returned to House, 689, 755.
Returned to Senate, signed by Speaker, 741.
Signed by President, 751.

House Bill No. 510—

House Bill No. 510. A Bill for an Act making an appropriation for the general maintenance and operation of the Tag and Sign Plant at the State Penitentiary.

Received from House, 354.
First reading and referred to Committee on Appropriations, 366.
Reported back, do pass, 623.
Second reading and final passage, 654.
Returned to House, 689, 755.
Returned to Senate, signed by Speaker, 741.
Signed by President, 751.

House Bill No. 511—

House Bill No. 511. 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.

Received from House, 354.
First reading and referred to Committee on Appropriations, 366.
Reported back, do pass, 623.
Second reading and final passage, 654, 655.
Returned to House, 689, 755.
Returned to Senate, signed by Speaker, 741.
Signed by President, 751.

House Bill No. 512—

House Bill No. 512. 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.

Received from House, 432.
First reading and referred to Committee on Appropriations, 467.
Reported back, do pass, 666.
Second reading and final passage, 706, 707.
Returned to House, 749, 851.
Returned to Senate, signed by Speaker, 798.
Signed by President, 821.

House Bill No. 513—

House Bill No. 513. A Bill for an Act making an appropriation for School Districts operating Junior Colleges as provided for in Sections 15-18-07, 15-18-08, and 15-18-09 of the North Dakota Century Code.

Received from House, 196.
First reading and referred to Committee on
Appropriations, 203.
Reported back, do pass, 666.
Second reading and final passage, 707.
Returned to House, 749, 850.
Returned to Senate, signed by Speaker, 802.
Signed by President, 821.

House Bill No. 514—

House Bill No. 514. A Bill for an Act making an appropriation for Vocational Agriculture, Vocational Home Economics, Business Education, Trade and Industrial Education.

Received from House, 432.
First reading and referred to Committee on
Appropriations, 467.
Reported back, amended, 623.
Amendments adopted, 648.
Second reading and final passage, 686, 687.
Returned to House, amended, 718, 987.
House does not concur, 754.
Conference Committee, House, 754.
Conference Committee, Senate, 761.
House adopts report, 799.
Senate adopts report, 813.
Returned to Senate, signed by Speaker, 869.
Signed by President, 973.

House Bill No. 515—

House Bill No. 515. 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 the two agricultural schools on the basis of enrollment.

Received from House, 502.
First reading and referred to Committee on
Appropriations, 575.
Reported back, do pass, 808.
Second reading and final passage, 873.
To House, 905, 1014.
Returned to Senate, signed by Speaker, 993.
Signed by President, 1014.

House Bill No. 516—

House Bill No. 516. 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.

Received from House, 354.
First reading and referred to Committee on
Appropriations, 366.
Reported back, do pass, 808.

Second reading and final passage, 873, 874.
Returned to House, 905, 1015.
Returned to Senate, signed by Speaker, 993.
Signed by President, 1014.

House Bill No. 517—

House Bill No. 517. A Bill for an Act making an appropriation for the use of Special Education of Exceptional Children.

Received from House, 354.
First reading and referred to Committee on Appropriations, 366.
Reported back, amended, 666.
Amendments adopted, 703.
Second reading and final passage, 744.
Returned to House, amended, 771, 987.
House concurs, 795.
Returned to Senate, signed by Speaker, 869.
Signed by President, 973.

House Bill No. 518—

House Bill No. 518. A Bill for an Act making an appropriation for the administrative expenses of the State School Construction Fund and State School Construction Board.

Received from House, 412.
First reading and referred to Committee on Appropriations, 462.
Reported back, do pass, 624.
Second reading and final passage, 655.
Returned to House, 689, 755.
Returned to Senate, signed by Speaker, 741.
Signed by President, 752.

House Bill No. 519—

House Bill No. 519. A Bill for an Act making an appropriation for the Division of Vocational Rehabilitation and for the Governor's Committee on Employment of the Physically Handicapped.

Received from House, 342.
First reading and referred to Committee on Appropriations, 355.
Reported back, do pass, 624.
Second reading and final passage, 655, 656.
Returned to House, 689, 755.
Returned to Senate, signed by Speaker, 741.
Signed by President, 752.

House Bill No. 520—

House Bill No. 520. A Bill for an Act making an appropriation to the Department of Public Instruction, for the purpose of paying salaries and other expenses of the Director of Surplus Property.

Received from House, 285.
First reading and referred to Committee on
Appropriations, 309.
Reported back, do pass, 624.
Second reading and final passage, 656.
Returned to House, 689, 755.
Returned to Senate, signed by Speaker, 741.
Signed by President, 752.

House Bill No. 521—

House Bill No. 521. A Bill for an Act making an appropriation to permit North Dakota to take advantage of the National Defense Education Act for the purpose of improving instruction in the State in accordance with the Act.

Received from House, 354.
First reading and referred to Committee on
Appropriations, 367.
Reported back, do pass, 696.
Second reading and final passage, 744, 745.
Returned to House, 521, 987.
Returned to Senate, signed by Speaker, 869.
Signed by President, 973.

House Bill No. 522—

House Bill No. 522. A Bill for an Act making an appropriation for salaries and expenses for the State Seed Department.

Received from House, 432.
First reading and referred to Committee on
Appropriations, 467.
Reported back, amended, 696.
Amendments adopted, 742.
Second reading and final passage, 788, 789.
Returned to House, amended, 849, 987.
House concurs, 880.
Returned to Senate, signed by Speaker, 948.
Signed by President, 973.

House Bill No. 523—

House Bill No. 523. A Bill for an Act making an appropriation for the operation, maintenance and miscellaneous expenses of the Poultry Improvement Board.

Received from House, 342.
First reading and referred to Committee on
Appropriations, 356.
Reported back, amended, 696.
Amendments adopted, 742.
Second reading and final passage, 789.
Returned to House, amended, 849, 987.
House concurs, 880.
Returned to Senate, signed by Speaker, 948.
Signed by President, 973.

House Bill No. 524—

House Bill No. 524. A Bill for an Act making an appropriation for the operation and maintenance of the State Hail Insurance Department.

Received from House, 307.
First reading and referred to Committee on Appropriations, 322.
Reported back, do pass, 808.
Second reading and final passage, 874.
Returned to House, 905, 1015.
Returned to Senate, signed by Speaker, 993.
Signed by President, 1014.

House Bill No. 525—

House Bill No. 525. A Bill for an Act making an appropriation for the purpose of operating and maintaining the State Fire and Tornado Fund.

Received from House, 307.
First reading and referred to Committee on Appropriations, 322.
Reported back, do pass, 808.
Second reading and final passage, 874.
Returned to House, 905, 1015.
Returned to Senate, signed by Speaker, 993.
Signed by President, 1014.

House Bill No. 526—

House Bill No. 526. A Bill for an Act making an appropriation for the purpose of operating and maintaining the State Bonding Fund.

Received from House, 307.
First reading and referred to Committee on Appropriations, 322.
Reported back, do pass, 808.
Second reading and final passage, 875.
Returned to House, 905, 1015.
Returned to Senate, signed by Speaker, 993.
Signed by President, 1014.

House Bill No. 527—

House Bill No. 527. A Bill for an Act making an appropriation for the salaries and miscellaneous expenses of the Division of Supervised Study.

Received from House, 562.
First reading and referred to Committee on Appropriations, 578.
Reported back, amended, 822.
Amendments adopted, 865.
Rules suspended, placed on calendar, 928.
Second reading and final passage, 946, 995.
To House, amended, 964, 1019.
House does not concur, 975.
Conference Committee, House, 975.

Conference Committee, Senate, 983.
 Conference Committee report, 985.
 Senate does not adopt report, 986.
 Conference Committee, Senate, 986.
 House does not adopt report, 993.
 Conference Committee, House, 993.
 Conference Committee report, 994.
 Senate adopts report, 995.
 Rules suspended, placed on calendar for second reading
 and final passage as amended in Conference
 Committee, 995.
 House adopts report, 998.
 Returned to Senate, signed by Speaker, 1018.
 Signed by President, 1019.

House Bill No. 528—

House Bill No. 528. A Bill for an Act making an appropriation for the purpose of defraying the expenses of maintenance and operation of The Bank of North Dakota and of the Judge A. M. Christianson Project.

Received from House, 263.
 First reading and referred to Committee on
 Appropriations, 278.
 Reported back, amended, 696.
 Amendments adopted, 742, 834.
 Re-referred to Committee on Appropriations, 742.
 Reported back, amended, 808.
 Motion to further amend, lost, 834.
 Second reading and final passage, 918.
 Returned to House, amended, 953, 1019.
 House concurs, 968.
 Returned to Senate, signed by Speaker, 1018.
 Signed by President, 1019.

House Bill No. 529—

House Bill No. 529. 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.

Received from House, 322.
 First reading and referred to Committee on
 Appropriations, 344.
 Reported back, amended, 697.
 Amendments adopted, 742.
 Second reading and final passage, 789, 790.
 Returned to House, amended, 849, 987.
 House concurs, 880.
 Returned to Senate, signed by Speaker, 948.
 Signed by President, 973.

House Bill No. 530—

House Bill No. 530. A Bill for an Act making an appropriation to pay the costs of the administration of the Old Age and Survivor Insurance System.

Received from House, 122.
 First reading and referred to Committee on
 Appropriations, 137.

Reported back, do pass, 666.
 Second reading and final passage, 707, 708.
 Returned to House, 749, 850.
 Returned to Senate, signed by Speaker, 802.
 Signed by President, 821.

House Bill No. 531—

House Bill No. 531. A Bill for an Act to provide for payment of expenses to certain State Officers, making an appropriation and declaring an emergency.

Received from House, 432.
 First reading and referred to Committee on Appropriations, 467.
 Reported back, amended, 697.
 Amendments adopted, 742.
 Second reading and final passage, emergency clause carried, 790.
 Returned to House, amended, 849, 987.
 House concurs, 880.
 Returned to Senate, signed by speaker, 948.
 Signed by President, 973.

House Bill No. 532—

House Bill No. 532. A Bill for an Act making an appropriation for the purpose of paying expenses of the Children's Psychiatric Outpatient Clinic, located at Bismarck, North Dakota.

Received from House, 432.
 First reading and referred to Committee on Appropriations, 467.
 Reported back, do pass, 697.
 Second reading and final passage, 745, 814, 815.
 Placed at foot of calendar, 745, 786.
 Placed at head of calendar, 814.
 Amended from the floor, 814.
 Rules suspended, placed for second reading and final passage as amended from the floor, 814.
 Returned to House, amended, 849, 987.
 House concurs, 880.
 Returned to Senate, signed by Speaker, 948.
 Signed by President, 973.

House Bill No. 533—

House Bill No. 533. A Bill for an Act making an appropriation to pay for the education of children, who are deaf as well as blind, at any school or institution, outside the State of North Dakota, for which there are no facilities in the State.

Received from House, 307.
 First reading and referred to Committee on Appropriations, 322.
 Reported back, do pass, 666.
 Second reading and final passage, 708.
 Returned to House, 749, 851.
 Returned to Senate, signed by Speaker, 798.
 Signed by President, 821.

House Bill No. 534—

House Bill No. 534. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the State Wheat Commission.

Received from House, 412.
 First reading and referred to Committee on Appropriations, 462.
 Reported back, do pass, 697.
 Second reading and final passage, 745, 746.
 Returned to House, 772, 850.
 Returned to Senate, signed by Speaker, 802.
 Signed by President, 821.

House Bill No. 535—

House Bill No. 535. A Bill for an Act making an appropriation to the State Board of Higher Education for the purpose of payment of reciprocal agreements with other states' institutions of higher learning for higher education of North Dakota students.

Received from House, 458.
 First reading and referred to Committee on Appropriations, 479.
 Reported back, do pass, 809.
 Second reading and final passage, 875, 876.
 To House, 905, 1015.
 Returned to Senate, signed by Speaker, 993.
 Signed by President, 1014.

House Bill No. 536—

House Bill No. 536. A Bill for an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Civil Air Patrol.

Received from House, 102.
 First reading and referred to Committee on Appropriations, 112.
 Reported back, do pass, 666.
 Second reading and final passage, 708, 709.
 Returned to House, 749, 850.
 Returned to Senate, signed by Speaker, 802.
 Signed by President, 821.

House Bill No. 537—

House Bill No. 537. A Bill for an Act making an appropriation to continue the operation of North Dakota Civil Defense as provided for by Chapter 37-17 of the North Dakota Century Code.

Received from House, 432.
 First reading and referred to Committee on Appropriations, 467.
 Reported back, do pass, 667.
 Second reading and final passage, 709.
 Returned to House, 749, 850.
 Returned to Senate, signed by Speaker, 802.
 Signed by President, 821.

House Bill No. 538—

House Bill No. 538. A Bill for an Act making an appropriation for the purpose of paying the wolf, coyote, fox, bobcat and magpie bounty.

Received from House, 371.

First reading and referred to Committee on Appropriations, 462.

Reported back, indefinitely postponed, 809.

Returned to House, indefinitely postponed, 850.

House Bill No. 539—

House Bill No. 539. A Bill for an Act to amend and reenact chapters 15-27, 15-28, and 15-29 of the North Dakota Century Code and sections 11-14-14, 15-18-01, 15-18-03, 15-21-07, 15-21-07.1, 15-34-03, 15-34-04, 15-34-05, 15-34-06, 15-34-08, 15-34-10, 15-34-12, 15-34-14, subsection 3 of section 15-34-15, sections 15-34-16, 15-34-22, 15-35-08, 15-35-09, 15-35-10, 15-35-13, 15-35-14, 15-36-12, 15-37-04, 15-38-01, 15-38-03, 15-38-09, 15-38-13, 15-38-14, 15-38-15, subdivision a of subsection 1 of section 15-39-01, subsection 1 of section 15-39-16, sections 15-39-19, 15-39-20, 15-39-22, 15-39-23, 15-39-24, 15-41-18, subdivisions b and d of subsection 2 of section 15-43-01, sections 15-43-03, 15-43-04, 15-43-06, 15-43-07, 15-43-08, 15-43-09, 15-43-10, 15-45-01, 15-46-01, 15-46-04, 15-47-05, 15-47-06, 15-47-07, 15-47-08, 15-47-10, 15-47-11, 15-47-13, 15-47-14, 15-47-15, 15-47-17, 15-47-18, 15-47-22, 15-47-23, 15-47-25, 15-47-26, 15-47-27, 15-48-01, 15-48-02, 15-49-02, 15-49-09, 15-49-11, 15-53-09, subsection 5 of section 15-53-10, sections 15-53-14, 15-53-18, 15-53-19, 15-53-26, subsections 1 and 2 of section 21-03-01, subsection 4 of section 21-03-06, subsections 2 and 3 of section 21-04-01, sections 21-04-13, 21-04-15, 40-38-03, 40-38-05, 40-41-04, 44-08-01, 57-15-13, 57-15-14, of the North Dakota Century Code, and to repeal chapters 15-23, 15-24, 15-25, 15-26, 15-30, 15-31, 15-32, 15-33, sections 15-41-09, 15-41-10, 15-41-11, 15-41-12, 15-41-13, 15-41-14, 15-41-15, 15-41-16, 15-41-17, 15-41-20, 15-41-21, 15-41-23, and 15-53-17 of the North Dakota Century Code, relating to provisions especially affecting common and independent school district law and joint high school districts.

Received from House, 285.

First reading and referred to Committee on Education, 309.

Reported back, amended, 643.

Reading of amendments dispensed with, 672.

Amendments adopted, 672, 673.

Second reading and final passage, 709, 710, 961, 962.

Motion to reconsider, lost, 726.

Returned to House, amended, 749, 1024.

House does not concur, 767.

Conference Committee, House, 767.

Conference Committee, Senate, 769.

House does not adopt report, 868.

Conference Committee, House, 868.

Senate does not adopt report, 892.

Conference Committee, Senate, 893.
 Senate adopts report, 961.
 Rules suspended, placed on second reading and final passage as amended in Conference Committee, 961.
 House adopts report, 975.
 Returned to Senate, signed by Speaker, 1023.
 Signed by President, 1023.

House Bill No. 540—

House Bill No. 540. A Bill for an Act to amend and reenact sections 53-06-01, 53-06-08, 57-36-02, 57-36-03, 57-36-04, and 57-36-05 of the North Dakota Century Code relating to the licensing of taxicabs and establishments selling soft drinks, cigarettes, and snuff.

Received from House, 108.
 First reading and referred to Committee on Industry, Business and Labor, 124.
 Reported back, do pass, 148.
 Second reading and final passage, 170.
 Returned to House, 185, 228.
 Returned to Senate, signed by Speaker, 196.
 Signed by President, 212.

House Bill No. 541—

House Bill No. 541. A Bill for an Act relating to the filing of examinations required for admission to pursue any profession, trade, occupation, vocation, or art after such examinations have been completed, and to provide a method by which persons failing such examinations may appeal to a board of review.

Received from House, 108.
 First reading and referred to Committee on Industry, Business and Labor, 124.
 Reported back, indefinitely postponed, 697, 698.
 Motion to substitute minority report for that of majority, lost, 698.
 Returned to House, indefinitely postponed, 754.

House Bill No. 542—

House Bill No. 542. A Bill for an Act to amend and reenact sections 23-08-03 and 23-08-06 of the North Dakota Century Code, relating to sterilization of persons in state institutions.

Received from House, 148.
 First reading and referred to Committee on Social Welfare and Veterans Affairs, 172.
 Reported back, do pass, 571.
 Second reading and final passage, 594, 610.
 Motion to re-refer to Committee on Judiciary, lost, 594.
 Placed at foot of calendar, 595.
 Returned to House, 638, 719.
 Returned to Senate, signed by Speaker, 675.
 Signed by President, 691.

House Bill No. 543—

House Bill No. 543. A Bill for an Act to amend and reenact section 25-04-06 of the North Dakota Century Code relating to voluntary admission to the Grafton state school.

Received from House, 165.
 First reading and referred to Committee on Social Welfare and Veterans Affairs, 180.
 Reported back, do pass, 571.
 Second reading and final passage, 595.
 Returned to House, 611, 688.
 Returned to Senate, signed by Speaker, 642.
 Signed by President, 664.

House Bill No. 544—

House Bill No. 544. A Bill for an Act to provide for the appointment of county or multiple county boards of special education, the formulation and approval of programs and budgets, the authorization of excess mill levies to finance such programs, and the distribution of state funds to counties conducting such programs.

Received from House, 122.
 First reading and referred to Committee on Education, 137.
 Reported back, do pass, 600.
 Re-referred to Committee on Education, 628.
 Reported back, amended, 755.
 Amendments adopted, 812.
 Second reading and final passage, 628, 876, 877.
 Returned to House, amended, 905, 1016.
 House does not concur, 955.
 Conference Committee, House, 955.
 Conference Committee, Senate, 956.
 Conference Committee report, 964.
 Senate adopts report, 964.
 House adopts report, 982.
 Returned to Senate, signed by Speaker, 1012.
 Signed by President, 1015.

House Bill No. 545—

House Bill No. 545. A Bill for an Act to amend and reenact sections 12-46-01, 12-46-15, 12-52-02, and 54-23-01 relating to the name of the state training school and records of training school students.

Received from House, 521.
 First reading and referred to Committee on Judiciary, 575.
 Motion to return bill to Senate, lost, 583.
 Reported back, amended, 678 to 683.
 Amendments adopted, 742, 780.
 Placed at head of calendar, 780.
 Amended from the floor, 780.
 Rules suspended, placed on second reading and final passage as amended from the floor, 780.
 Second reading and final passage, 780, 781, 967.
 To House, amended, 849, 1024.
 House does not concur, 868.
 Conference Committee, House, 868.

Conference Committee, Senate, 893.
 Conference Committee report, 966.
 Senate adopts report, 967.
 Rules suspended, placed on second reading and final passage as amended in Conference Committee, 967.
 House adopts report, 998.
 Returned to Senate, signed by Speaker, 1023.
 Signed by President, 1023.

House Bill No. 547—

House Bill No. 547. A Bill for an Act to amend and reenact chapter 37-17 of the North Dakota Century Code, relating to civil defense within the State by creating a civil defense division within the office of the adjutant general to serve in event of major man-made or natural disasters; to provide for a director thereof; to define the powers and duties of the director and the governor in relation thereto; to provide for the organization of civil defense organizations on the local levels within the state; to provide immunities from certain liabilities for civil defense workers; to create and enact section 37-12-14 of the North Dakota Century Code relating to the authority of the governor to commission local civil defense directors as officers in the state guard; and declaring an emergency.

Received from House, 562.
 First reading and referred to Committee on Social Welfare and Veterans Affairs, 578.
 Reported back, amended, 698.
 Amendments adopted, 742.
 Second reading and final passage, emergency clause carried, 842.
 To House, amended, 867, 1016.
 House concurs, 888.
 Returned to Senate, signed by Speaker, 1012.
 Signed by President, 1015.

House Bill No. 548—

House Bill No. 548. A Bill for an Act to provide, in the event of attack upon the United States, for the continuity of the executive and judicial functions of the government of the state and the governments of the political subdivisions of the state by providing for additional officers who can act as governor; by providing for emergency interim succession to other executives offices of the state and its political subdivisions; by providing for special emergency judges; by authorizing political subdivisions to enact resolutions and ordinances relating to the subject; by providing for alternate emergency locations at which state and local governmental business may be transacted, and declaring an emergency.

Received from House, 86.
 First reading and referred to Committee on State and Federal Government, 94.
 Reported back, do pass, 139.
 Second reading and final passage, emergency clause carried, 152, 153.
 To House, 165, 205.
 Returned to Senate, signed by Speaker, 180.
 Signed by President, 186.

House Bill No. 549—

House Bill No. 549. A Bill for an Act to provide for continuity of membership in the legislative assembly in the event of an attack by an enemy of the United States.

Received from House, 102.

First reading and referred to Committee on State and Federal Government, 112.

Reported back, amended, 139.

Amendments adopted, 148.

Second reading and final passage, 170, 171.

Returned to House, amended, 185, 228.

House concurs, 208.

Returned to Senate, signed by Speaker, 208.

Signed by President, 212.

House Bill No. 550—

House Bill No. 550. A Bill for an Act to amend and reenact subsection 2 of section 39-04-19 and section 39-04-39 of the North Dakota Century Code relating to the motor vehicle registration fees and the distribution thereof.

Received from House, 562.

First reading and referred to Committee on Finance and Taxation, 579.

Reported back, amended, 583.

Amendments adopted, 606.

Second reading and final passage, 628.

To House, amended, 651, 817.

House concurs, 675.

Returned to Senate, signed by Speaker, 752.

Signed by President, 774.

House Bill No. 552—

House Bill No. 552. A Bill for an Act to amend and reenact sections 4-02-20, 4-02-21, 4-22-03, 12-57-01, 16-13-33, 16-13-36, 16-13-39, 16-13-47, 23-01-02, 23-13-09, 26-20-04, 26-20-05, 26-20-06, 26-20-07, 26-20-08, 34-10-02, 34-10-03, 34-10-06, 46-04-01, 48-04-10, 54-04-01, 54-04-03, 54-04-04, 54-36-01, 55-01-01, and 61-02-04 of the North Dakota Century Code relating to the membership and duties of various boards and commissions upon which the governor or the superintendent of public instruction serve; and to repeal sections 4-02-13, 4-02-14, 16-13-34, and 16-13-37 of the North Dakota Century Code relating to the boards of directors of the state fair associations, and the state board of canvassers for general and special elections.

Received from House, 108.

First reading and referred to Committee on Agriculture, 124.

Reported back, do pass, 250.

Second reading and final passage, 345, 877, 988, 989.

Re-referred to Committee on Agriculture, 346.

Re-referred to Committee on State and Federal Government, 351.

Reported back, amended, 756.

Amendments adopted, 812.

Amended from the floor, 877.

Rules suspended, placed on second reading and final passage as amended from the floor, 877.
 Returned to House, amended, 905, 1019.
 House does not concur, 955.
 Conference Committee, House, 955.
 Conference Committee, Senate, 956.
 Conference Committee report, 963.
 Senate does not adopt report, 964.
 Conference Committee, Senate, 964.
 Conference Committee, House, 975.
 Conference Committee report, 988.
 Senate adopts, report, 988.
 Rules suspended, placed on second reading and final passage as amended in Conference Committee, 988.
 House adopts report, 998.
 Returned to Senate, signed by Speaker, 1018.
 Signed by President, 1019.

House Bill No. 553—

House Bill No. 553. A Bill for an Act to make a deficiency appropriation to pay salaries and miscellaneous expenses of the state hospital at Jamestown, and declaring an emergency.

Received from House, 196.
 First reading and referred to Committee on Appropriations, 204.
 Reported back, do pass, 342.
 Second reading and final passage, emergency clause carried, 399.
 Returned to House, 449, 514.
 Returned to Senate, signed by Speaker, 458.
 Signed by President, 478.

House Bill No. 554—

House Bill No. 554. A Bill for an Act to amend and reenact section 4-08-10 of the North Dakota Century Code, relating to transportation expenses of county agents, and declaring an emergency.

Received from House, 108.
 First reading and referred to Committee on State and Federal Government, 124.
 Reported back, amended, 139.
 Amendments adopted, 139.
 Second reading and final passage, emergency clause carried, 171.
 Returned to House, amended, 185, 228.
 House concurs, 208.
 Returned to Senate, signed by Speaker, 208.
 Signed by President, 212.

House Bill No. 555—

House Bill No. 555. A Bill for an Act to amend and reenact subsection 2 of section 57-38-22.1 of the North Dakota Century Code, relating to medical expenses as a deduction for income tax purposes, and providing for an applicable date.

Received from House, 165, 771.
 First reading and referred to Committee on Finance and Taxation, 180.
 Reported back, do pass, 583.
 Second reading and final passage, 612, 613.
 Returned to House, 638.
 Senate moves to request return of bill, 766.
 Senate requests return of bill, 767.
 Placed on calendar, 772.
 Indefinitely postponed, 772.
 Motion to reconsider, 772.
 Returned to House, indefinitely postponed, 850.

House Bill No. 556—

House Bill No. 556. A Bill for an Act to make an appropriation to the state penitentiary to meet deficiencies in the money appropriated for the new cell house, and declaring an emergency.

Received from House, 196.
 First reading and referred to Committee on Appropriations, 204.
 Reported back, do pass, 342.
 Second reading and final passage, emergency clause carried, 399, 400.
 Returned to House, 449, 514.
 Returned to Senate, signed by Speaker, 458.
 Signed by President, 478.

House Bill No. 558—

House Bill No. 558. A Bill for an Act to amend and reenact section 52-04-05 of the North Dakota Century Code relating to Standard Rate of Contributions; Reduction of Rates, and declaring an emergency.

Received from House, 80.
 First reading and referred to Committee on Industry, Business and Labor, 84.
 Reported back, do pass, 85.
 Rules suspended, placed on calendar, 85.
 Second reading and final passage, emergency clause carried, clincher, 87.
 To House, 89, 94.
 Returned to Senate, signed by Speaker, 94.
 Signed by President Pro-Tem, 94.

House Bill No. 561—

House Bill No. 561. A Bill for a Act to amend and reenact subdivision d of subsection 9 of section 65-01-02 of the North Dakota Century Code, relating to firemen's compensation and death payments under workmen's compensation.

Received from House, 122.
 First reading and referred to Committee on Industry, Business and Labor, 137.
 Reported back, amended, 571.
 Amendments adopted, 586.
 Second reading and final passage, 613.

Returned to House, amended, 638, 749.
House concurs, 662.
Returned to Senate, signed by Speaker, 705.
Signed by President, 721.

House Bill No. 562—

House Bill No. 562. A Bill for an Act to amend and reenact subsection 5 of section 25-01-01, and sections 25-01-02, 25-04-01, and 25-05-01 of the North Dakota Century Code, relating to location of the state tuberculosis sanatorium, and to repeal subsection 12 of section 25-01-01 and sections 25-04-12 and 25-05-31 of the North Dakota Century Code, relating to name, location, and use of federal funds concerning the state tuberculosis sanatorium, and the furnishing of electric power to Dunseith from San Haven power plant.

Received from House, 148.
First reading and referred to Committee on State and Federal Government, 172.
Reported back, do pass, 736.
Second reading and final passage, 790, 791.
Returned to House, 849, 987.
Returned to Senate, signed by Speaker, 897.
Signed by President, 974.

House Bill No. 563—

House Bill No. 563. A Bill for an Act authorizing the board of administration to sell certain farm buildings and lands belonging to the state tuberculosis sanatorium.

Received from House, 180.
First reading and referred to Committee on State and Federal Government, 195.
Reported back, do pass, 448.
Placed at foot of calendar, 537.
Second reading and final passage, 589.
Returned to House, 611, 688.
Returned to Senate, signed by Speaker, 642.
Signed by President, 664.

House Bill No. 566—

House Bill No. 566. A Bill for an Act authorizing the board of university and school lands with the approval of the North Dakota state board of higher education to donate and convey certain property now owned by the state of North Dakota for the use and benefit of the North Dakota State University of Agriculture and Applied Science to the United States of America and its assigns, for the purpose of establishing and conducting a field laboratory studying various problems related to agriculture, and declaring an emergency.

Received from House, 86.
First reading and referred to Committee on State and Federal Government, 94, 95.
Reported back, do pass, 139.
Second reading and final passage, 153.

Emergency clause carried, 154.
To House, 165, 205.
Returned to Senate, signed by Speaker, 180.
Signed by President, 186.

House Bill No. 567—

House Bill No. 567. A Bill for an Act to make an appropriation to the Dakota Territory Centennial Committee for the purpose of carrying out the directives of Senate Concurrent Resolution "K-K" of the 1959 Session Laws and to pay mileage and expenses of members and to pay the salary and expenses of a full-time director and for such other clerical assistance as may be needed, and declaring an emergency.

Received from House, 86.
First reading and referred to Committee on Appropriations, 95.
Reported back, do pass, 175.
Second reading and final passage, emergency clause carried, 218.
To House, 239, 272.
Returned to Senate, signed by Speaker, 251.
Signed by President, 259.

House Bill No. 568—

House Bill No. 568. A Bill for an Act to provide for the printing and distribution of the North Dakota Blue Book, and making an appropriation therefor.

Received from House, 108.
First reading and referred to Committee on Appropriations, 124.
Reported back, do pass, 342.
Second reading and final passage, 400.
Returned to House, 449, 514.
Returned to Senate, signed by Speaker, 458.
Signed by President, 478.

House Bill No. 569—

House Bill No. 569. A Bill for an Act to amend and reenact sections 54-15-01 and 54-15-03 of the North Dakota Century Code, relating to the appointment of alternate members of the state budget board.

Received from House, 263.
First reading and referred to Committee on State and Federal Government, 278.
Reported back, do pass, 512.
Second reading and final passage, 589, 590.
Returned to House, 612, 638.
Returned to Senate, signed by Speaker, 642.
Signed by President, 664.

House Bill No. 570—

House Bill No. 570. A Bill for an Act making an appropriation to the Superintendent of Public Instruction out of the State Equalization Fund to meet deficiencies in the foundation program per pupil and transportation payments, for the biennium ending June 30, 1961 and declaring an emergency.

Received from House, 86.

First reading and referred to Committee on Appropriations, 95.

Reported back, do pass, 175.

Second reading and final passage, emergency clause carried, 219.

To House, 239, 272.

Returned to Senate, signed by Speaker, 251.

Signed by President, 259.

House Bill No. 571—

House Bill No. 571. A Bill for an Act to amend and reenact sections 49-09-13 and 62-01-08 of the North Dakota Century Code, relating to the filing of conditional sales contracts and pistol licenses.

Received from House, 108.

First reading and referred to Committee on Industry, Business and Labor, 124.

Reported back, do pass, 667.

Second reading and final passage, 710, 711.

Returned to House, 749, 851.

Returned to Senate, signed by Speaker, 798.

Signed by President, 821.

House Bill No. 573—

House Bill No. 573. A Bill for an Act to make an appropriation to the state historical society for the construction of new buildings for the International Music Camp at the International Peace Garden.

Received from House, 371.

First reading and referred to Committee on Appropriations, 462.

Reported back, do pass, 667.

Second reading and final passage, 711.

Returned to House, 749, 851.

Returned to Senate, signed by Speaker, 798.

Signed by President, 821.

House Bill No. 575—

House Bill No. 575. A Bill for an Act to amend and reenact section 57-02-41 of the North Dakota Century Code relating to the prorating of taxes on real property between vendor and purchaser, if one or the other is a religious corporation or organization.

Received from House, 196.
 First reading and referred to Committee on
 Judiciary, 204.
 Reported back, indefinitely postponed, 644.
 Returned to House, indefinitely postponed, 689.

House Bill No. 578—

House Bill No. 578. A Bill for an Act to amend and re-enact section 1 of chapter 147 of the 1959 Session Laws relating to the payment of bonds issued to finance revenue producing buildings at institutions of higher learning.

Received from House, 412.
 First reading and referred to Committee on
 Education, 462.
 Reported back, do pass, 736.
 Amended from the floor, 791.
 Rules suspended, placed on second reading and final
 passage as amended from the floor, 791.
 Second reading and final passage, 791, 792.
 Returned to House, amended, 849, 1016.
 House concurs, 880.
 Returned to Senate, signed by Speaker, 1012.
 Signed by President, 1015.

House Bill No. 579—

House Bill No. 579. A Bill for an Act to create and enact section 15-54-08 of the North Dakota Century Code, relating to health certificates of employees of school lunch programs.

Received from House, 140.
 First reading and referred to Committee on Social
 Welfare and Veterans Affairs, 154.
 Reported back, do pass, 572.
 Second reading and final passage, 595, 596.
 Returned to House, 612, 688.
 Returned to Senate, signed by Speaker, 642.
 Signed by President, 664.

House Bill No. 581—

House Bill No. 581. A Bill for an Act to create and enact section 57-20-08.1 of the North Dakota Century Code, relating to information required on receipt showing payment of taxes on real property located within cities.

Received from House, 180.
 First reading and referred to Committee on Finance and
 Taxation, 195.
 Reported back, indefinitely postponed, 600.
 Returned to House, indefinitely postponed, 638.

House Bill No. 582—

House Bill No. 582. A Bill for an Act to establish the name "Mouse" as the official name for the river herein described.

Received from House, 165.
 First reading and referred to Committee on State and Federal Government, 180.
 Reported back, indefinitely postponed, 584.
 Motion to substitute minority report for that of majority, lost, 584.
 Re-referred to Committee on State and Federal Government, 584.
 Reported back, amended, 756.
 Amendments adopted, 756.
 Motion rules be suspended and bill be placed on sixth order of business, 756.
 Re-referred to Committee on State and Federal Government, 756.
 Reported back, indefinitely postponed, 809.
 Motion to substitute minority report for that of majority, carried, 809.
 Second reading and final passage, 877, 878.
 Returned to House, amended, 905, 1016.
 House concurs, 956.
 Returned to Senate, signed by Speaker, 1012.
 Signed by President, 1015.

House Bill No. 583—

House Bill No. 583. A Bill for an Act to create and enact section 15-53-27.1 of the North Dakota Century Code, relating to the transfer of land in a school district reorganization or annexation proceeding.

Received from House, 342.
 First reading and referred to Committee on Political Subdivisions, 356.
 Re-referred to Committee on Judiciary, 588.
 Reported back, amended, 823.
 Amendments adopted, 865.
 Rules suspended, placed on calendar, 928.
 Second reading and final passage, 949.
 Returned to House, amended, 964, 1024.
 House concurs, 982.
 Returned to Senate, signed by Speaker, 1023.
 Signed by President, 1023.

House Bill No. 584—

House Bill No. 584. A Bill for an Act creating mechanic's liens; relating to lands subject to such liens; prescribing procedures to perfect and enforce such liens; declaring certain acts as larceny; providing penalty for filing unlawful liens; making the provisions of Title 35 of the North Dakota Century Code not in conflict herewith applicable to this Act; and repealing chapter 35-12 of the North Dakota Century Code.

Received from House, 263.
 First reading and referred to Committee on Judiciary, 278.
 Reported back, do pass, 667.
 Second reading and final passage, 711, 712.
 Returned to House, 749, 851.
 Returned to Senate, signed by Speaker, 798.
 Signed by President, 821.

House Bill No. 587—

House Bill No. 587. A Bill for an Act to accept the cession by the State of Minnesota to the State of North Dakota of certain parcels of real property and declaring an emergency.

Received from House, 165.

First reading and referred to Committee on State and Federal Government, 180.

Reported back, do pass, 202.

Second reading and final passage, emergency clause carried, 226, 227.

Returned to House, 239, 272.

Returned to Senate, signed by Speaker, 251.

Signed by President, 259.

House Bill No. 588—

House Bill No. 588. A Bill for an Act to amend and reenact subsection 5 of section 23-06-21 and section 23-06-23 of the North Dakota Century Code, relating to the state department of health enforcement of cemetery regulations including furnishing reports and submitting plans.

Received from House, 263.

First reading and referred to Committee on Social Welfare and Veterans Affairs, 278.

Reported back, do pass, 572.

Second reading and final passage, 596.

Returned to House, 612, 688.

Returned to Senate, signed by Speaker, 642.

Signed by President, 664.

House Bill No. 592—

House Bill No. 592. A Bill for an Act to amend and reenact section 15-40-17 of the North Dakota Century Code, relating to admission of high school students from other districts and tuition charges.

Received from House, 412.

First reading and referred to Committee on Education, 462.

Reported back, amended, 600.

Amendments adopted, 626.

Second reading and final passage, 656, 657.

Returned to House, amended, 690, 987.

House does not concur, 754.

Conference Committee, House, 754.

Conference Committee, Senate, 761.

Senate adopts report, 814.

House adopts report, 852.

Returned to Senate, signed by Speaker, 897.

Signed by President, 974.

House Bill No. 593—

House Bill No. 593. A Bill for an Act authorizing the board of administration to sell, transfer and convey certain real property now owned by the State of North Dakota under the control of the State Training School.

Received from House, 263.
 First reading and referred to Committee on State and Federal Government, 278.
 Reported back, do pass, 512.
 Second reading and final passage, 591.
 Returned to House, 612, 688.
 Returned to Senate, signed by Speaker, 642.
 Signed by President, 664.

House Bill No. 594—

House Bill No. 594. A Bill for an Act to provide for the promulgation of safety rules and regulations concerning the storage, sale and use of combustibles and explosives, and providing a penalty for failure to comply with the safety rules and regulations.

Received from House, 196.
 First reading and referred to Committee on Industry, Business and Labor, 204.
 Reported back, amended, 572.
 Amendments adopted, 586.
 Second reading and final passage, 613, 614.
 Returned to House, amended, 638, 749.
 House concurs, 663.
 Returned to Senate, signed by Speaker, 705.
 Signed by President, 721.

House Bill No. 595—

House Bill No. 595. A Bill for an Act to amend and reenact section 4-22-03 of the North Dakota Century Code, relating to membership on the state soil conservation committee.

Received from House, 180.
 First reading and referred to Committee on Agriculture, 196.
 Reported back, amended, 250.
 Amendments adopted, 250.
 Placed at foot of calendar, 352.
 Second reading and final passage, 403.
 Returned to House, amended, 449, 555.
 House concurs, 521.
 Returned to Senate, signed by Speaker, 522.
 Signed by President, 553.

House Bill No. 596—

House Bill No. 596. A Bill for an Act to amend and reenact section 61-04-05 of the North Dakota Century Code, relating to publication of notice of application to appropriate water rights.

Received from House, 140.
 First reading and referred to Committee on Natural Resources, 154.
 Reported back, do pass, 584.
 Second reading and final passage, 614.
 Returned to House, 638, 719.
 Returned to Senate, signed by Speaker, 675.
 Signed by President, 691.

House Bill No. 597—

House Bill No. 597. A Bill for an Act to create and to enact subsection 8 of section 57-52-03 and to amend and reenact section 57-52-10 of the North Dakota Century Code, relating to the special fuels tax.

Received from House, 148.

First reading and referred to Committee on Finance and Taxation, 172.

Reported back, amended, 601.

Amendments adopted, 626, 703.

Second reading and final passage, 648, 746, 747.

Re-referred to Committee on Finance and Taxation, 648.

Reported back, amended, 652.

Returned to House, amended, 771, 987.

House concurs, 795.

Returned to Senate, signed by Speaker, 869.

Signed by President, 974.

House Bill No. 598—

House Bill No. 598. A Bill for an Act to amend and reenact section 39-04A-06 of the North Dakota Century Code, relating to persons who shall not be charged additional fees for use of motor vehicles engaged in transportation of property.

Received from House, 285.

First reading and referred to Committee on Finance and Taxation, 310.

Reported back, indefinitely postponed, 584.

Returned to House, indefinitely postponed, 611.

House Bill No. 599—

House Bill No. 599. A Bill for an Act making an appropriation to provide a bust of former Senator William Langer in a location to be designated by the State Historical Society.

Received from House, 307.

First reading and referred to Committee on Appropriations, 322.

Reported back, indefinitely postponed, 823.

Motion to place on calendar, lost, 823.

Returned to House, indefinitely postponed, 867.

House Bill No. 601—

House Bill No. 601. A Bill for an Act to amend and reenact sections 15-53-16 and 15-53-20 of the North Dakota Century Code relating to school district reorganization elections and property and assets of reorganized school districts.

Received from House, 412.

First reading and referred to Committee on Education, 463.

Reported back, amended, 756.

Amended from the floor, 812.

Amendments adopted, 812.
 Second reading and final passage, 878, 971.
 Returned to House, amended, 905, 1024.
 House does not concur, 955.
 Conference Committee, House, 955.
 Conference Committee, Senate, 956.
 Conference Committee report, 970.
 Senate adopts report, 971.
 Rules suspended, placed on calendar for second reading and final passage as amended in Conference Committee, 971.
 House adopts report, 982.
 Returned to Senate, signed by Speaker, 1023.
 Signed by President, 1023.

House Bill No. 603—

House Bill No. 603. A Bill for an Act to amend and reenact subsection 2 of section 11-10-10 of the North Dakota Century Code relating to the salaries of elected county officials.

Received from House, 342.
 First reading and referred to Committee on Political Subdivisions, 356.
 Reported back, do pass, 698.
 Second reading and final passage, 747, 840, 841, 923.
 Placed at foot of calendar; 747, 786, 845.
 Amended from the floor, 840.
 Rules suspended, placed on second reading and final passage as amended from the floor, 840.
 Lost for lack of two-thirds majority, 841.
 Reconsidered, 845.
 Motion to place below House Bill No. 874, 918.
 Returned to House, amended, 953, 1016.
 House concurs, 968.
 Returned to Senate, signed by Speaker, 1012.
 Signed by President, 1015.

House Bill No. 607—

House Bill No. 607. A Bill for an Act to create and enact section 15-08-26 of the North Dakota Century Code, relating to leases of university and school lands, and to repeal section 15-04-05 of the North Dakota Century Code relating to the leasing of grant lands.

Received from House, 354.
 First reading and referred to Committee on State and Federal Government, 367.
 Reported back, do pass, 584.
 Second reading and final passage, 614, 615.
 Returned to House, 638, 719.
 Returned to Senate, signed by Speaker, 675.
 Signed by President, 691.

House Bill No. 608—

House Bill No. 608. A Bill for an Act to amend and reenact section 43-25-06 and repeal section 43-25-17 of the

North Dakota Century Code relating to registration of masseurs and the bond of the secretary-treasurer of the board of massage.

Received from House, 263.
 First reading and referred to Committee on Industry, Business and Labor, 278.
 Reported back, do pass, 572.
 Second reading and final passage, 596, 597.
 Returned to House, 612, 688.
 Returned to Senate, signed by Speaker, 642.
 Signed by President, 664.

House Bill No. 610—

House Bill No. 610.— A Bill for an Act to amend and reenact section 20-03-12 of the North Dakota Century Code, relating to hunting license fees, and to repeal chapter 20-13 of the North Dakota Century Code, relating to the predatory animal bounty.

Received from House, 342.
 First reading and referred to Committee on Natural Resources, 356.
 Reported back, amended, 671.
 Amendments adopted, 703.
 Second reading and final passage, 747.
 Clincher, 748.
 Returned to House, amended, 772, 987.
 House concurs, 795.
 Returned to Senate, signed by Speaker, 869.
 Signed by President, 974.

House Bill No. 611—

House Bill No. 611. A Bill for an Act to amend and reenact section 39-17-10 of the North Dakota Century Code relating to amount to be repaid before privileges are restored after revocation of driver's permit.

Received from House, 196.
 First reading and referred to Committee on Judiciary, 204.
 Reported back, amended, 624.
 Amendments adopted, 648.
 Second reading and final passage, 687.
 Returned to House, amended, 718, 850.
 House concurs, 754.
 Returned to Senate, signed by Speaker, 802.
 Signed by President, 821.

House Bill No. 613—

House Bill No. 613. A Bill for an Act to amend and reenact section 27-18-01 of the North Dakota Century Code relating to the establishment of the office of county justice in counties other than counties which have a county court of increased jurisdiction.

Received from House, 196.
 First reading and referred to Committee on Judiciary, 204.

Reported back, do pass, 624.
 Second reading and final passage, 657.
 Returned to House, 689, 755.
 Returned to Senate, signed by Speaker, 741.
 Signed by President, 752.

House Bill No. 614—

House Bill No. 614. A Bill for an Act to amend and reenact section 11-11-49 of the North Dakota Century Code relating to rewards for apprehension and conviction of persons who committed certain crimes.

Received from House, 196.
 First reading and referred to Committee on
 Judiciary, 204.
 Reported back, do pass, 624.
 Second reading and final passage, 657, 658.
 Returned to House, 689, 755.
 Returned to Senate, signed by Speaker, 741.
 Signed by President, 752.

House Bill No. 615—

House Bill No. 615. A Bill for an Act to amend and reenact section 27-09-05 of the North Dakota Century Code, relating to the fees and mileage paid to jurors.

Received from House, 263.
 First reading and referred to Committee on State and
 Federal Government, 278.
 Reported back, amended, 601.
 Re-referred to Committee on State and Federal
 Government, 626.
 Reported back, amended, 757.
 Amendments adopted, 812.
 Second reading and final passage, 879.
 Returned to House, amended, 905, 1016.
 House concurs, 956.
 Returned to Senate, signed by Speaker, 1012.
 Signed by President, 1015.

House Bill No. 616—

House Bill No. 616. A Bill for an Act authorizing the state board of higher education of the state of North Dakota to purchase additional land for use by the agricultural experiment station, North Dakota State University of Agriculture and Applied Science, making an appropriation therefor, and declaring an emergency.

Received from House, 342.
 First reading and referred to Committee on
 Appropriations, 356.
 Reported back, do pass, 667.
 Second reading and final passage, emergency clause
 carried, 712, 713.
 Returned to House, 749, 850.
 Returned to Senate, signed by Speaker, 802.
 Signed by President, 821.

House Bill No. 617—

House Bill No. 617. A Bill for an Act to amend and reenact section 15-12-01 of the North Dakota Century Code, relating to the location and official name of the North Dakota State University of Agriculture and Applied Science.

Received from House, 250.
 First reading and referred to Committee on Education, 278.
 Reported back, do pass, 601.
 Second reading and final passage, 630, 631.
 Returned to House, 650, 749.
 Returned to Senate, signed by Speaker, 705.
 Signed by President, 721.

House Bill No. 618—

House Bill No. 618. A Bill for an Act to provide for an optional county dog tax for the purpose of reimbursing owners of sheep, livestock, or fowl who suffer loss due to the acts of dogs with no owner or dogs whose ownership cannot be determined, and providing a penalty for submitting false claims.

Received from House, 263.
 First reading and referred to Committee on Finance and Taxation, 279.
 Reported back, indefinitely postponed, 601.
 Returned to House, indefinitely postponed, 638.

House Bill No. 620—

House Bill No. 620. A Bill for an Act to amend and reenact Section 39-11-36 of the North Dakota Century Code relating to special lighting and warning equipment on school buses.

Received from House, 307.
 First reading and referred to Committee on Education, 323.
 Reported back, do pass, 601.
 Second reading and final passage, 631.
 Returned to House, 650, 749.
 Returned to Senate, signed by Speaker, 705.
 Signed by President, 721.

House Bill No. 624—

House Bill No. 624. A Bill for an Act to repeal Chapter 15-57 of the North Dakota Century Code relating to teacher preparation scholarships.

Received from House, 263.
 First reading and referred to Committee on Education, 279.
 Reported back, do pass, 736.
 Second reading and final passage, 792.
 Returned to House, 849, 987.
 Returned to Senate, signed by Speaker, 897.
 Signed by President, 974.

House Bill No. 629—

House Bill No. 629. A Bill for an Act to amend and reenact Section 15-40-14 of the North Dakota Century Code relating to payments from county equalization fund.

Received from House, 263.
First reading and referred to Committee on Education, 279.
Reported back, indefinitely postponed, 624, 625.
Returned to House, indefinitely postponed, 651.

House Bill No. 630—

House Bill No. 630. A Bill for an Act to create and enact Section 40-41-01.1 of the North Dakota Century Code relating to boards of budget review.

Received from House, 307.
First reading and referred to Committee on Education, 323.
Reported back, indefinitely postponed, 809.
Returned to House, indefinitely postponed, 850.

House Bill No. 634—

House Bill No. 634. A Bill for an Act to amend and reenact section 16-05-08 of the North Dakota Century Code, relating to use of stickers when a vacancy occurs after election ballots are printed and crossing out name of original nominee causing such vacancy.

Received from House, 216.
First reading and referred to Committee on Judiciary, 235.
Reported back, do pass, 625.
Second reading and final passage, 658.
Returned to House, 689, 755.
Returned to Senate, signed by Speaker, 741.
Signed by President, 752.

House Bill No. 636—

House Bill No. 636. A Bill for an Act to amend and reenact subsection 5 of section 50-08-03 of the North Dakota Century Code, relating to eligibility of assistance.

Received from House, 264.
First reading and referred to Committee on Social Welfare and Veterans Affairs, 279.
Reported back, do pass, 572.
Second reading and final passage, 597.
Returned to House, 612, 688.
Returned to Senate, signed by Speaker, 642.
Signed by President, 664.

House Bill No. 637—

House Bill No. 637. A Bill for an Act making an appropriation for the purpose of paying special assessments for public improvements at Fraine Barracks levied against

the state of North Dakota by the city of Bismarck, and declaring an emergency.

Received from House, 264.
 First reading and referred to Committee on Appropriations, 279.
 Reported back, do pass, 342.
 Second reading and final passage, emergency clause carried, 400, 401.
 Returned to House, 449, 514.
 Returned to Senate, signed by Speaker, 458.
 Signed by President, 478.

House Bill No. 638—

House Bill No. 638. A Bill for an Act to amend and reenact section 20-03-21 of the North Dakota Century Code, relating to issuance of hunting, trapping, fishing, and taxidermists' licenses.

Received from House, 342.
 First reading and referred to Committee on Natural Resources, 356.
 Reported back, amended, 698, 699.
 Amendments adopted, 742.
 Second reading and final passage, 792.
 Returned to House, amended, 849, 1015.
 House concurs, 880.
 Returned to Senate, signed by Speaker, 993.
 Signed by President, 1014.

House Bill No. 639—

House Bill No. 639. A Bill for an Act to amend and reenact section 15-53-19 of the North Dakota Century Code relating to continuance of elementary and high schools in reorganized districts.

Received from House, 432.
 First reading and referred to Committee on Education, 468.
 Reported back, indefinitely postponed, 625.
 Returned to House, indefinitely postponed, 651.

House Bill No. 640—

House Bill No. 640. A Bill for an Act to amend and reenact sections 58-04-01 and 58-08-05 of the North Dakota Century Code, relating to notice of township meetings and the township treasurer's statement.

Received from House, 250.
 First reading and referred to Committee on Political Subdivisions, 279.
 Reported back, amended, 736.
 Amendments adopted, 767.
 Second reading and final passage, lost, 807.
 Returned to House, indefinitely postponed, 867.

House Bill No. 641—

House Bill No. 641. A Bill for an Act to amend section 57-23-03 of the North Dakota Century Code, relating to abatement of invalid, inequitable, or unjust assessments, for purposes of clarification.

Received from House, 264.

First reading and referred to Committee on Finance and Taxation, 279.

Reported back, do pass, 584.

Second reading and final passage, 615, 649.

Laid over one legislative day, 615.

Laid on table, 649.

Motion to reconsider action, lost, 676.

Returned to House, indefinitely postponed, 689.

House Bill No. 642—

House Bill No. 642. A Bill for an Act to prohibit municipalities from adopting seasonal standards of time.

Received from House, 216.

First reading and referred to Committee on Political Subdivisions, 235.

Reported back, do pass, 572.

Second reading and final passage, 597, 598.

Returned to House, 612, 688.

Returned to Senate, signed by Speaker, 642.

Signed by President, 664.

House Bill No. 643—

House Bill No. 643. A Bill for an Act to regulate and license bottle clubs in this state, and providing a penalty.

Received from House, 307.

First reading and referred to Committee on Industry, Business and Labor, 323.

Reported back, do pass, 645.

Second reading and final passage, 688.

Returned to House, 718, 817.

Returned to Senate, signed by Speaker, 752.

Signed by President, 774.

House Bill No. 644—

House Bill No. 644. A Bill for an Act to create and enact section 18-10-15 of the North Dakota Century Code, relating to taxation of certain property for rural fire protection purposes.

Received from House, 250.

First reading and referred to Committee on Political Subdivisions, 279.

Reported back, do pass, 699.

Second reading and final passage, 776, 777.

Returned to House, 849, 987.

Returned to Senate, signed by Speaker, 897.

Signed by President, 974.

House Bill No. 645—

House Bill No. 645. A Bill for an Act to amend and reenact Section 20-08-02 of the North Dakota Century Code relating to the limitations on the governor's power to establish bag and possession limits and seasons on game birds.

Received from House, 216.

First reading and referred to Committee on Natural Resources, 235.

Reported back, do pass, 699.

Second reading and final passage, 777.

Returned to House, 849, 987.

Returned to Senate, signed by Speaker, 897.

Signed by President, 974.

House Bill No. 646—

House Bill No. 646. A Bill for an Act to amend and reenact sections 36-05-03, 36-05-04, 36-05-05, 36-05-06, 36-05-09, and 36-05-13 of the North Dakota Century Code, relating to the licensing of livestock auction markets, and to create and enact sections 36-05-03.1 and 36-05-03.2 of the North Dakota Century Code, relating to applicant's right to administrative hearings and setting forth procedure.

Received from House, 458.

First reading and referred to Committee on Agriculture, 479.

Reported back, amended, 645.

Amendments adopted, 673, 834, 924.

Second reading and final passage, 713, 950, 951.

Re-referred to Committee on Agriculture, 713.

Reported back, amended, 809.

Divided amendments, 834.

Motion to adopt rest of amendments be laid over one legislative day, 834.

Amended from the floor, 865, 924.

Rules suspended, placed on calendar, 928.

To House, amended, 965, 1024.

House concurs, 982.

Returned to Senate, signed by Speaker, 1023.

Signed by President, 1023.

House Bill No. 647—

House Bill No. 647. A Bill for an Act making an appropriation to the North Dakota state soldiers home for the purpose of remodeling, air-conditioning and additional lighting for the laundry.

Received from House, 307.

First reading and referred to Committee on Appropriations, 323.

Reported back, amended, 457.

Amendments adopted, 518.

Second reading and final passage, 591, 592, 677, 678.

Returned to House, amended, 611, 850.

House does not concur, 642.

Conference Committee, House, 642.

Conference Committee, Senate, 642.

Conference Committee report, 677.
 Senate adopts report, 677.
 Placed for final passage, 677.
 House adopts report, 754.
 Returned to Senate, signed by Speaker, 802.
 Signed by President, 821.

House Bill No. 650—

House Bill No. 650. A Bill for an Act to amend and reenact section 28-20-34 of the North Dakota Century Code, relating to the interest rate upon judgments.

Received from House, 216.
 First reading and referred to Committee on
 Judiciary, 235.
 Reported back, do pass, 625.
 Second reading and final passage, 658, 659.
 Returned to House, 689, 755.
 Returned to Senate, signed by Speaker, 741.
 Signed by President, 752.

House Bill No. 652—

House Bill No. 652. A Bill for an Act to amend and reenact subsection 2 of section 39-08-01 of the North Dakota Century Code relating to persons driving motor vehicles while under the influence of intoxicating liquor or narcotic drugs, and providing penalties therefor.

Received from House, 264.
 First reading and referred to Committee on State and
 Federal Government, 279.
 Reported back, amended, 584, 585.
 Amendments adopted, 606.
 Second reading and final passage, 631, 632.
 Returned to House, amended, 651, 851.
 House concurs, 675.
 Returned to Senate, signed by Speaker, 798.
 Signed by President, 821.

House Bill No. 654—

House Bill No. 654. A Bill for an Act authorizing a retirement program for employees of the unemployment compensation division, state employment service, and the national guard.

Received from House, 307.
 First reading and referred to Committee on Social
 Welfare and Veterans Affairs, 323.
 Reported back, amended, 699.
 Amendments adopted, 742.
 Second reading and final passage, 793, 927.
 Returned to House, amended, 849, 1024.
 House does not concur, 868.
 Conference Committee, House, 868.
 Conference Committee, Senate, 893.
 Conference Committee report, 927.
 Senate adopts report, 927.

Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended in Conference Committee, 927.

House adopts report, 982.

Returned to Senate, signed by Speaker, 1023.

Signed by President, 1023.

House Bill No. 655—

House Bill No. 655. A Bill for an Act prohibiting the obtaining of telecommunications service fraudulently, and providing a penalty.

Received from House, 307.

First reading and referred to Committee on Industry, Business and Labor, 323.

Reported back, amended, 573.

Amendments adopted, 586.

Second reading and final passage, 615, 616.

Returned to House, amended, 638, 749.

House concurs, 663.

Returned to Senate, signed by Speaker, 705.

Signed by President, 721.

House Bill No. 657—

House Bill No. 657. A Bill for an Act to amend and reenact sections 15-18-05, 15-18-06, 15-18-07, 15-18-08, and 15-18-09 of the North Dakota Century Code, relating to county and state financing of junior colleges and off-campus educational centers.

Received from House, 342.

First reading and referred to Committee on Education, 356.

Reported back, amended, 757.

Amendments adopted, 812.

Second reading and final passage, 879, 880.

Returned to House, amended, 905, 1024.

House concurs, 956.

Returned to Senate, signed by Speaker, 1023.

Signed by President, 1023.

House Bill No. 658—

House Bill No. 658. A Bill for an Act to amend and reenact section 11-18-14 of the North Dakota Century Code, relating to the authority of the register of deeds to destroy certain documents.

Received from House, 264.

First reading and referred to Committee on Political Subdivisions, 280.

Reported back, do pass, 667.

Second reading and final passage, 713.

Returned to House, 750, 850.

Returned to Senate, signed by Speaker, 802.

Signed by President, 821.

House Bill No. 661—

House Bill No. 661. A Bill for an Act making an appropriation to the state board of higher education for the purpose of taking advantage of the National Defense Student Loan Program.

Received from House, 562.
 First reading and referred to Committee on Education, 579.
 Reported back, do pass, 757.
 Re-referred to Committee on Appropriations, 757.
 Reported back, do pass, 810.
 Second reading and final passage, 885.
 To House, 905, 1016.
 Returned to Senate, signed by Speaker, 1012.
 Signed by President, 1015.

House Bill No. 662—

House Bill No. 662. A Bill for an Act to create and enact sections 51-12-08, 51-12-09, 51-12-10, 51-12-11, 51-12-12, 51-12-13, 51-12-14, and 51-12-15 of the North Dakota Century Code, relating to false advertising in general, and particular offenses, providing for injunctions and providing a penalty therefor; and to repeal sections 51-12-01, 51-12-02 and 51-12-03 of the North Dakota Century Code, relating to false advertising.

Received from House, 264.
 First reading and referred to Committee on Judiciary, 280.
 Reported back, amended, 667.
 Amendments adopted, 703.
 Second reading and final passage, 777, 778.
 Returned to House, amended, 849, 1019.
 House concurs, 880.
 Returned to Senate, signed by Speaker, 1018.
 Signed by President, 1019.

House Bill No. 664—

House Bill No. 664. A Bill for an Act to amend and reenact section 36-07-11 of the North Dakota Century code relating to rendering done by packing plants operating under federal inspection, and declaring an emergency.

Received from House, 180.
 First reading and referred to Committee on Agriculture, 196.
 Reported back, amended, 351.
 Amendments adopted, 378.
 Placed at head of calendar, 482.
 Second reading and final passage, emergency clause carried, 482.
 Clincher, 482.
 Returned to House, amended, 487, 589.
 House concurs, 521.
 Returned to Senate, signed by Speaker, 562.
 Signed by President, 583.

House Bill No. 665—

House Bill No. 665. A Bill for an Act making a deficiency appropriation for the purpose of paying the wolf, coyote, fox, bobcat and magpie bounties and declaring an emergency.

Received from House, 264.

First reading and referred to Committee on Appropriations, 280.

Reported back, do pass, 342.

Second reading and final passage, emergency clause carried, 401.

Returned to House, 449, 514.

Returned to Senate, signed by Speaker, 458.

Signed by President, 478.

House Bill No. 666—

House Bill No. 666. A Bill for an Act providing for a fire prevention code for the construction and remodeling of school buildings.

Received from House, 412.

First reading and referred to Committee on Education, 463.

Reported back, amended, 737.

Amendments adopted, 767.

Second reading and final passage, 815.

Returned to House, amended, 849, 1015.

House concurs, 880.

Returned to Senate, signed by Speaker, 993.

Signed by President, 1014.

House Bill No. 667—

House Bill No. 667. A Bill for an Act to amend and reenact section 61-12-30 of the North Dakota Century Code authorizing a board of flood irrigation to purchase water and relating to assessments in flood irrigation districts.

Received from House, 285.

First reading and referred to Committee on Political Subdivisions, 310.

Reported back, do pass, 700.

Second reading and final passage, 778.

Returned to House, 849, 987.

Returned to Senate, signed by Speaker, 948.

Signed by President, 974.

House Bill No. 668—

House Bill No. 668. A Bill for an Act to amend and reenact section 11-15-07 of the North Dakota Century Code, relating to fees charged by the county sheriff.

Received from House, 412.

First reading and referred to Committee on Political Subdivisions, 463.

Reported back, indefinitely postponed, 700.

Returned to House, indefinitely postponed, 754.

House Bill No. 669—

House Bill No. 669. A Bill for an Act authorizing the board of administration to sell and convey to the board of education of the city of Devils Lake a tract of land located in section 27 in township 154 north of range 64, west of the fifth principal meridian.

Received from House, 412.
First reading and referred to Committee on State and Federal Government, 463.
Reported back, do pass, 585.
Second reading and final passage, 616.
Returned to House, 638, 719.
Returned to Senate, signed by Speaker, 675.
Signed by President, 691.

House Bill No. 671—

House Bill No. 671. A Bill for an Act to amend and reenact sections 39-04-22 and 39-04-26 relating to the registration of motor vehicles or combinations thereof which are used for the transportation of property; providing for a minimum gross weight registration and to exempt certain farm vehicles.

Received from House, 307.
First reading and referred to Committee on Transportation, 323.
Reported back, do pass, 573.
Second reading and final passage, 607, 608.
Returned to House, 638, 719.
Returned to Senate, signed by Speaker, 675.
Signed by President, 691.

House Bill No. 675—

House Bill No. 675. A Bill for an Act to repeal section 20-11-05 of the North Dakota Century Code relating to the islands in the waters of Devils Lake and the Missouri River being set aside as state game refuges.

Received from House, 307.
First reading and referred to Committee on Natural Resources, 323.
Reported back, do pass, 667.
Second reading and final passage, 713, 714.
Returned to House, 750, 851.
Returned to Senate, signed by Speaker, 798.
Signed by President, 821.

House Bill No. 677—

House Bill No. 677. A Bill for an Act to repeal Chapter 61-18, embodying sections 61-18-01 to 61-18-20, both inclusive, of the North Dakota Century Code, relating to erection and maintenance of dams.

Received from House, 371.
First reading and referred to Committee on State and Federal Government, 463.

Reported back, do pass, 585.
 Second reading and final passage, 616.
 Returned to House, 638, 719.
 Returned to Senate, signed by Speaker, 675.
 Signed by President, 691.

House Bill No. 680—

House Bill No. 680. A Bill for an Act to amend and re-enact section 57-39-02 of the North Dakota Century Code relating to the imposition of a sales tax.

Received from House, 412.
 First reading and referred to Committee on Finance and Taxation, 463.
 Reported back, indefinitely postponed, 585.
 Returned to House, indefinitely postponed, 611.

House Bill No. 684—

House Bill No. 684. A Bill for an Act to amend and re-enact subsection 9 of section 10-15-03 of the North Dakota Century Code relating to donations by cooperatives for educational scholarships; and to repeal subdivision a of subsection 2 of section 10-15-33 of the North Dakota Century Code relating to educational funds of cooperatives.

Received from House, 562.
 First reading and referred to Committee on Industry, Business and Labor, 579.
 Reported back, do pass, 824.
 Motion to substitute minority report for that of majority, lost, 825.
 Placed at head of calendar, 902.
 Second reading and final passage, 902.
 To House, 941, 1016.
 Returned to Senate, signed by Speaker, 1012.
 Signed by President, 1015.
 Vetoed by Governor.

House Bill No. 685—

House Bill No. 685. A Bill for an Act to amend and re-enact section 15-52-09 of the North Dakota Century Code relating to the expenditure of the proceeds of the medical center one mill levy.

Received from House, 264.
 First reading and referred to Committee on State and Federal Government, 280.
 Reported back, indefinitely postponed, 601.
 Motion to place on calendar, lost, 602.
 Returned to House, indefinitely postponed, 638.

House Bill No. 687—

House Bill No. 687. A Bill for an Act to repeal subsection 10 of section 57-38-22 of the North Dakota Century Code, relating to the income tax deductibility of dividends paid by cooperatives.

Received from House, 562.
 First reading and referred to Committee on Finance and Taxation, 579.
 Reported back, do pass, 758.
 Motion to substitute minority report for that of majority, lost, 758.
 Placed at foot of calendar, 815, 835.
 Second reading, 906.
 Motion to indefinitely postpone, carried, 906, 907.
 Clincher, 907.
 To House, indefinitely postponed, 941.

House Bill No. 690—

House Bill No. 690. A Bill for an Act to amend and reenact section 15-34-24 of the North Dakota Century Code, relating to aid for transportation of school children.

Received from House, 562.
 First reading and referred to Committee on Education, 579.
 Reported back, amended, 758.
 Amendments adopted, 812, 813.
 Amendments divided, 812.
 Placed at head of calendar, 835.
 Second reading and final passage, 839, 840, 933.
 To House, amended, 867.
 House does not concur, 887.
 Conference Committee, House, 887.
 Conference Committee, Senate, 893.
 Conference Committee report, 932.
 Senate adopts report, 933.
 Rules suspended, placed on second reading and final passage as amended in Conference Committee, 933.
 Clincher, 933.
 House adopts report, and indefinitely postponed, 947.

House Bill No. 692—

House Bill No. 692. A Bill for an Act authorizing the state board of higher education to lease certain state-owned land to the federal government, for the purpose of permitting the erection of a forestry research laboratory-office building on the campus of the school of forestry.

Received from House, 432.
 First reading and referred to Committee on Education, 468.
 Reported back, amended, 758.
 Amendments adopted, 813.
 Second reading and final passage, 886.
 Returned to House, amended, 905, 1024.
 House concurs, 956.
 Returned to Senate, signed by Speaker, 1023.
 Signed by President, 1023.

House Bill No. 693—

House Bill No. 693. A Bill for an Act to amend and reenact subsection 3 of section 41-18-13 of the North Dakota Century Code, relating to filing fee and retention of trust receipt statements.

Received from House, 307.
First reading and referred to Committee on
Judiciary, 323.
Reported back, do pass, 668.
Second reading and final passage, 714.
Returned to House, 750, 850.
Returned to Senate, signed by Speaker, 802.
Signed by President, 821.

House Bill No. 694—

House Bill No. 694. A Bill for an Act to provide that police magistrates and county justices give bond schedules to peace officers in their jurisdiction for purposes of authorizing peace officers to permit a person arrested for certain traffic violations to mail the bond to such police magistrate or county justice under certain circumstances.

Received from House, 285.
First reading and referred to Committee on Political
Subdivisions, 310.
Reported back, do pass, 668.
Second reading and final passage, lost, 714, 715.
Returned to House, indefinitely postponed, 754.

House Bill No. 697—

House Bill No. 697. A Bill for an Act to amend and reenact section 36-08-05 of the North Dakota Century Code, relating to election of directors of co-operative grazing associations.

Received from House, 307.
First reading and referred to Committee on
Agriculture, 324.
Reported back, do pass, 573.
Second reading and final passage, 608.
Returned to House, 638, 719.
Returned to Senate, signed by Speaker, 675.
Signed by President, 691.

House Bill No. 698—

House Bill No. 698. A Bill for an Act to provide for a quorum of members at meetings of co-operative grazing associations.

Received from House, 307.
First reading and referred to Committee on
Agriculture, 324.
Reported back, do pass, 573.
Second reading and final passage, 608.
Re-referred to Committee on Agriculture, 608.
Reported back, indefinitely postponed, 700.
Returned to House, indefinitely postponed, 754.

Reported back, indefinitely postponed, 700.
Returned to House, indefinitely postponed, 754.

House Bill No. 699—

House Bill No. 699. A Bill for an Act to amend and reenact section 36-11-07 of the North Dakota Century Code, relating to liability of owners of livestock inflicting damage to persons or property of another.

Received from House, 502.
First reading and referred to Committee on Agriculture, 575.
Reported back, do pass, 645.
Second reading and final passage, 692, 693.
To House, 750, 850.
Returned to Senate, signed by Speaker, 802.
Signed by President, 821.

House Bill No. 700—

House Bill No. 700. A Bill for an Act to amend and reenact Section 57-52-11 of the North Dakota Century Code relating to the distribution of money collected under the provisions of Chapter 57-52 of the North Dakota Century Code.

Received from House, 412.
First reading and referred to Committee on Political Subdivisions, 463.
Reported back, do pass, 668.
Second reading and final passage, 715, 716.
Returned to House, 750, 851.
Returned to Senate, signed by Speaker, 798.
Signed by President, 821.

House Bill No. 701—

House Bill No. 701. A Bill for an Act to amend and reenact section 15-40-19 of the North Dakota Century Code relating to the time when payments shall be made from the state equalization fund to the county equalization fund for elementary school education.

Received from House, 342.
First reading and referred to Committee on State and Federal Government, 356.
Reported back, do pass, 737.
Second reading and final passage, 793, 794.
Returned to House, 849, 987.
Returned to Senate, signed by Speaker, 897.
Signed by President, 974.

House Bill No. 703—

House Bill No. 703. A Bill for an Act to amend and reenact section 20-08-03 of the North Dakota Century Code relating to contents of the governor's proclamation relating to the taking of game birds, fish, and game animals.

Received from House, 354.
 First reading and referred to Committee on Natural Resources, 367.
 Reported back, amended, 585.
 Amendments adopted, 606.
 Second reading and final passage, 632.
 Returned to House, amended, 651, 817.
 House concurs, 675.
 Returned to Senate, signed by Speaker, 752.
 Signed by President, 774.

House Bill No. 704—

House Bill No. 704. A Bill for an Act to amend and reenact Section 40-23-13 of the North Dakota Century Code relating to the publication of notice of confirmation of assessment list and meeting for action upon assessments.

Received from House, 371.
 First reading and referred to Committee on Political Subdivisions, 463.
 Reported back, amended, 700.
 Amendments adopted, 742.
 Second reading and final passage, 799, 800.
 Returned to House, amended, 849, 987.
 House concurs, 880.
 Returned to Senate, signed by Speaker, 948.
 Signed by President, 974.

House Bill No. 705—

House Bill No. 705. A Bill for an Act validating, ratifying, approving and confirming bonds and other instruments or obligations, heretofore issued by public bodies of this state, and all proceedings heretofore taken by such public bodies, to authorize and issue such bonds, instruments and other obligations, however described, and to provide funds for their payment; providing that this Act may be cited as "The 1961 Bond Validating Act", and declaring an emergency.

Received from House, 413.
 First reading and referred to Committee on Political Subdivisions, 464.
 Reported back, do pass, 668.
 Second reading and final passage, emergency clause carried, 716.
 Returned to House, 750, 850.
 Returned to Senate, signed by Speaker, 802.
 Signed by President, 821.

House Bill No. 708—

House Bill No. 708. A Bill for an Act transferring any moneys in the penitentiary coffin manufacture fund to the general fund.

Received from House, 342.
 First reading and referred to Committee on State and Federal Government, 357.
 Reported back, do pass, 513.

Second reading and final passage, 592.
Returned to House, 612, 688.
Returned to Senate, signed by Speaker, 642.
Signed by President, 664.

House Bill No. 709—

House Bill No. 709. A Bill for an Act to provide for suspension of minor's driver's license upon violation or conviction of certain state laws or city or village ordinances and to provide for the sending of records of violations or convictions to the highway commissioner.

Received from House, 354.
First reading and referred to Committee on
Judiciary, 367.
Reported back, indefinitely postponed, 625.
Returned to House, indefinitely postponed, 651.

House Bill No. 711—

House Bill No. 711. A Bill for an Act to amend and reenact section 40-26-08 of the North Dakota Century Code, relating to the contingent obligation of municipalities to levy general taxes for the payment of deficiencies in special improvement funds.

Received from House, 413.
First reading and referred to Committee on Political
Subdivisions, 464.
Reported back, do pass, 700.
Second reading and final passage, lost, 781.
Clincher, out of order, 782.
Motion to reconsider, 830.
Rules suspended, placed at head of calendar for second
reading and final passage, 830.
Second reading and final passage, 831.
Returned to House, 867, 1015.
Returned to Senate, signed by Speaker, 993.
Signed by President, 1014.

House Bill No. 712—

House Bill No. 712. A Bill for an Act to amend and reenact sections 40-24-18, 40-24-19, 40-24-21, 40-24-22, and 40-24-23 of the North Dakota Century Code, relating to municipal special improvement district funds and the issuance of warrants thereon, providing for the issuance of temporary and definitive warrants on such funds, validating obligations issued and proceedings taken as provided in said sections as so amended, and declaring an emergency.

Received from House, 413.
First reading and referred to Committee on Political
Subdivisions, 464.
Reported back, do pass, 668.
Second reading and final passage, emergency clause
carried, 716.
Returned to House, 750, 850.
Returned to Senate, signed by Speaker, 802.
Signed by President, 821.

House Bill No. 714—

House Bill No. 714. A Bill for an Act to amend and reenact section 52-02-06 of the North Dakota Century Code relating to Bureau to appoint and make rules and regulations governing personnel; and section 52-08-04 relating to Director and employees of employment service - appointment - agreements for free employment service.

Received from House, 371.
First reading and referred to Committee on State and Federal Government, 464.
Reported back, do pass, 585.
Second reading and final passage, 617, 649.
Laid over one legislative day, 617.
Returned to House, 689, 755.
Returned to Senate, signed by Speaker, 741.
Signed by President, 752.

House Bill No. 716—

House Bill No. 716. A Bill for an Act to require the construction of approaches across any ditch located at the end of any dead end public highway except when such approach is impractical.

Received from House, 342.
First reading and referred to Committee on Transportation, 357.
Reported back, indefinitely postponed, 668.
Returned to House, indefinitely postponed, 718.

House Bill No. 717—

House Bill No. 717. A Bill for an Act authorizing the board of administration to sell certain described lands belonging to the state of North Dakota.

Received from House, 342.
First reading and referred to Committee on State and Federal Government, 357.
Reported back, amended, 585.
Amendments adopted, 606.
Second reading and final passage, 632, 633.
Returned to House, amended, 651, 851.
House concurs, 675.
Returned to Senate, signed by Senate, 798.
Signed by President, 821.

House Bill No. 718—

House Bill No. 718. A Bill for an Act to amend and reenact section 40-40-10 of the North Dakota Century Code relating to the time when municipal tax levies must be certified to the county auditor.

Received from House, 413.
First reading and referred to Committee on State and Federal Government, 464.
Reported back, amended, 602.
Amendments adopted, 626.

Second reading and final passage, 659.
 Returned to House, amended, 690, 850.
 House does not concur, 719.
 Conference Committee, House, 719.
 Conference Committee, Senate, 742.
 Conference Committee report, 767.
 Senate adopts report, 767.
 Returned to Senate, signed by Speaker, 802.
 Signed by President, 821.
 House adopts report, 859.

House Bill No. 721—

House Bill No. 721. A Bill for an Act to amend and re-enact sections 51-07-01, 51-07-02 and 51-07-03 of the North Dakota Century Code, relating to retail implement or car dealer, prices of implements, machinery, and automobiles, and failure to pay sum specified on cancellation of contract.

Received from House, 458.
 First reading and referred to Committee on Industry, Business and Labor, 479.
 Reported back, amended, 700, 701.
 Amendments adopted, 743.
 Motion to have copies mimeographed, 743.
 Placed at foot of calendar, 786.
 Second reading and final passage, clincher, 841.
 Returned to House, amended, 867, 1019.
 House concurs, 888.
 Returned to Senate, signed by Speaker, 1018.
 Signed by President, 1019.

House Bill No. 722—

House Bill No. 722. A Bill for an Act providing for a tax on the wholesale price of cigars and providing for the manner of collection and the disposition of the proceeds thereof and providing a penalty.

Received from House, 322.
 First reading and referred to Committee on Industry, Business and Labor, 344.
 Reported back, indefinitely postponed, 645, 646.
 Motion to re-refer to Committee on Finance and Taxation, lost, 646.
 Motion to reconsider, lost, 675.
 Returned to House, indefinitely postponed, 689.

House Bill No. 723—

House Bill No. 723. A Bill for an Act to provide for tuition payments for children residing in a home maintained by any nonprofit corporation pursuant to a court order.

Received from House, 562.
 First reading and referred to Committee on Education, 579.
 Reported back, amended, 759.
 Amendments adopted, 813.

Second reading and final passage, 886, 887.
Returned to House, amended, 905, 1016.
House concurs, 956.
Returned to Senate, signed by Speaker, 1013.
Signed by President, 1016.

House Bill No. 724—

House Bill No. 724. A Bill for an Act to amend and reenact subsection 4 of section 39-04-02 of the North Dakota Century Code, relating to application for the registration of a motor vehicle.

Received from House, 307.
First reading and referred to Committee on Transportation, 324.
Reported back, do pass, 365.
Second reading and final passage, 429, 430.
Returned to House, 475, 555.
Returned to Senate, signed by Speaker, 522.
Signed by President, 553.

House Bill No. 726—

House Bill No. 726. A Bill for an Act to amend and reenact section 52-09-13 of the North Dakota Century Code relating to Employer tax payments.

Received from House, 562.
First reading and referred to Committee on State and Federal Government, 579.
Reported back, do pass, 737.
Second reading and final passage, 800.
Returned to House, 849, 987.
Returned to Senate, signed by Speaker, 897.
Signed by President, 974.

House Bill No. 728—

House Bill No. 728. A Bill for an Act to provide a measure of damages for injury to property caused by the breach of an obligation not arising from contract.

Received from House, 285.
First reading and referred to Committee on Judiciary, 310.
Reported back, do pass, 625.
Second reading and final passage, 660, 662.
Motion to reconsider, carried, 661.
Returned to House, 718, 817.
Returned to Senate, signed by Speaker, 752.
Signed by President, 774.

House Bill No. 729—

House Bill No. 729. A Bill for an Act to amend and reenact sections 16-04-15 and 16-04-20 of the North Dakota Century Code, relating to establishment of the upside down consolidated primary election ballot and the political parties entitled to space thereon.

Received from House, 502.
First reading and referred to Committee on
Judiciary, 576.
Reported back, do pass, 825.
Motion to substitute minority report for that of majority,
carried, 825.
Motion to indefinitely postpone, 825.
Clincher, 826.
Returned to House, indefinitely postponed, 867.

House Bill No. 735—

House Bill No. 735. A Bill for an Act to amend and reenact sections 26-22-11, 26-22-30, 26-22-46, and 26-22-54 of the North Dakota Century Code, relating to the state hail insurance department coverage of fire losses and declaring an emergency.

Received from House, 521.
First reading and referred to Committee on
Agriculture, 576.
Reported back, do pass, 810.
Second reading and final passage, emergency clause
carried, 887, 888.
Returned to House, 905, 1016.
Returned to Senate, signed by Speaker, 1013.
Signed by President, 1016.

House Bill No. 736—

House Bill No. 736. A Bill for an Act to repeal chapter 27-18 of the North Dakota Century Code relating to county justices, and providing for fees to be charged by county justices.

Received from House, 562.
First reading and referred to Committee on Political
Subdivisions, 579.
Reported back, indefinitely postponed, 701.
Returned to House, indefinitely postponed, 755.

House Bill No. 737—

House Bill No. 737. A Bill for an Act providing for the continuation of the North Dakota National Statuary Hall Commission and for an appropriation for the procurement of a statue of the Honorable John Burke for placement in National Statuary Hall and to pay the expenses of the commission.

Received from House, 285.
First reading and referred to Committee on
Appropriations, 310.
Reported back, do pass, 457.
Placed at foot of calendar, 537.
Second reading and final passage, 593.
Returned to House, 612, 688.
Returned to Senate, signed by Speaker, 642.
Signed by President, 664.

House Bill No. 738—

House Bill No. 738. A Bill for an Act to amend and reenact section 64-02-10 of the North Dakota Century Code and to repeal sections 64-02-16, 64-02-17 and section 64-02-18 of the North Dakota Century Code, relating to licensing and inspecting coin-weighing machines, scales and public gasoline pumps.

Received from House, 307.
First reading and referred to Committee on Industry, Business and Labor, 324.
Reported back, do pass, 668.
Second reading and final passage, 717.
Returned to House, 750, 851.
Returned to Senate, signed by Speaker, 798.
Signed by President, 821.

House Bill No. 740—

House Bill No. 740. A Bill for an Act to amend and reenact section 39-04-43 of the North Dakota Century Code relating to licenses on antique automobiles.

Received from House, 285.
First reading and referred to Committee on Finance and Taxation, 310.
Reported back, indefinitely postponed, 602.
Returned to House, indefinitely postponed, 638.

House Bill No. 741—

House Bill No. 741. A Bill for an Act to amend and reenact sections 61-02-20, 61-02-29, 61-02-30, 61-02-31, 61-02-32 and 61-02-33 of the North Dakota Century Code relating to powers and duties of the state water conservation commission.

Received from House, 342.
First reading and referred to Committee on Natural Resources, 357.
Reported back, indefinitely postponed, 701.
Returned to House, indefinitely postponed, 755.

House Bill No. 742—

House Bill No. 742. A Bill for an Act to repeal subsection 11 of section 11-28-05 of the North Dakota Century Code, relating to the exercise of the power of eminent domain by the Board of Park Commissioners.

Received from House, 342.
First reading and referred to Committee on Political Subdivisions, 357.
Reported back, do pass, 668.
Second reading and final passage, 717, 718.
Motion to reconsider, lost on division request, 730.
Returned to House, 750, 851.
Returned to Senate, signed by Speaker, 798.
Signed by President, 821.
Vetoed by Governor.

House Bill No. 743—

House Bill No. 743. A Bill for an Act to amend and reenact subsection 2 of section 5-05-03 of the North Dakota Century Code, relating to qualifications required for license.

Received from House, 285.

First reading and referred to Committee on
Judiciary, 310.

Reported back, indefinitely postponed, 646.

Returned to House, indefinitely postponed, 690.

House Bill No. 744—

House Bill No. 744. A Bill for an Act to repeal section 36-14-08 of the North Dakota Century Code, relating to the immunization of all swine to be exhibited at any state or county fairs.

Received from House, 432.

First reading and referred to Committee on
Agriculture, 468.

Reported back, do pass, 625.

Second reading and final passage, 660, 661.

Returned to House, 689, 755.

Returned to Senate, signed by Speaker, 741.

Signed by President, 752.

House Bill No. 747—

House Bill No. 747. A Bill for an Act creating a new Title 66 of the North Dakota Century Code to be known as the Uniform Commercial Code, relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning them, including sales, commercial paper, bank deposits and collections, letters of credit, bulk transfers, warehouse receipts, bills of lading, other documents of title, investment securities, and secured transactions, including certain sales of accounts, chattel paper, and contract rights; providing for public notice to third parties in certain circumstances; regulating procedure, evidence, and damages in certain court actions involving such transactions, contracts or documents; to make uniform the law with respect thereto; amending and reenacting sections 3-02-06, 9-03-21, 9-03-22, 11-18-01, 11-18-05, 11-18-13, 28-01-16, 28-26-04, 28-26-05, 28-29-07, 32-20-08, 35-01-01, 35-01-04, 35-01-05, 35-01-09, 35-01-26, 35-01-28, 35-01-29, 35-01-30, 35-05-01, 35-05-04, 35-05-05, 35-05-06, 35-06-01, 49-09-12, 60-07-08, and chapter 35-03 of the North Dakota Century Code; creating sections 35-01-05.1, 57-22-13.1, 57-22-13.2; repealing sections 6-03-68, 6-03-73, 6-03-74, 6-08-07, 9-06-05, 28-29-07.1, 35-05-02, 35-05-07, 35-06-12, 35-06-13, 35-06-14, 35-06-15, 35-06-16, 35-06-17, 35-06-18, 35-06-19, 35-06-20, 35-06-21, 35-06-22, 35-06-23, 35-06-24, 49-09-13, 51-07-10, chapter 04 of Title 8, chapter 18 of Title 10, chapter 04 of Title 22, chapters 02, 04, 23 and 25 of Title 35, and chapters 01 and 02 of Title 51, chapter 08 of Title 60, and Title 41 and inconsistent provisions of the North Dakota Century Code; and prescribing an effective date.

Received from House, 458.
 First reading and referred to Committee on
 Judiciary, 479, 480.
 Reported back, amended, 669.
 Amendments laid on table, 704.
 Motion to take amendments off table, lost, 727.
 Returned to House, indefinitely postponed, 755.

House Bill No. 748—

House Bill No. 748. A Bill for an Act to amend and reenact sections 15-19-06 and 15-19-07 of the North Dakota Century Code, relating to receipts and expenditures of the high school correspondence study division.

Received from House, 413.
 First reading and referred to Committee on
 Education, 464.
 Reported back, amended, 759.
 Amendments adopted, 813.
 Second reading and final passage, 888.
 Returned to House, amended, 905, 1016.
 House concurs, 956.
 Returned to Senate, signed by Speaker, 1013.
 Signed by President, 1016.

House Bill No. 749—

House Bill No. 749. A Bill for an Act to amend and reenact section 57-40-17 of the North Dakota Century Code, relating to contractor's performance bonds for payment of use tax, in order to clarify said section.

Received from House, 307.
 First reading and referred to Committee on Industry,
 Business and Labor, 324.
 Reported back, do pass, 646.
 Second reading and final passage, 693.
 Returned to House, 750, 850.
 Returned to Senate, signed by Speaker, 802.
 Signed by President, 821.

House Bill No. 751—

House Bill No. 751. A Bill for an Act requiring the state tax commissioner to provide all boards of county commissioners with instructions on methods and procedures of assessment of all radio and television equipment, including towers.

Received from House, 371.
 First reading and referred to Committee on Finance and
 Taxation, 464.
 Reported back, do pass, 586.
 Second reading and final passage, lost, 617.
 Returned to House, indefinitely postponed, 638.

House Bill No. 753—

House Bill No. 753. A Bill for an Act to amend and reenact sections 61-06-10, 61-06-12, 61-06-21, 61-06-22 and 61-08-31 of the North Dakota Century Code relating to irrigation districts.

Received from House, 342.
 First reading and referred to Committee on Natural Resources, 357.
 Reported back, indefinitely postponed, 701.
 Returned to House, indefinitely postponed, 755.

House Bill No. 754—

House Bill No. 754. A Bill for an Act to amend and reenact section 15-22-21 of the North Dakota Century Code, relating to the dissolution of school districts.

Received from House, 521.
 First reading and referred to Committee on Political Subdivisions, 576.
 Reported back, amended, 737.
 Amendments adopted, 767.
 Motion to indefinitely postpone, lost, 767.
 Placed at foot of calendar, 815.
 Amended from the floor, 843.
 Rules suspended, placed on second reading and final passage, as amended from the floor, 843.
 Second reading and final passage, 843.
 Returned to House, amended, 867, 1016.
 House concurs, 888.
 Returned to Senate, signed by Speaker, 1013.
 Signed by President, 1016.

House Bill No. 755—

House Bill No. 755. A Bill for an Act to repeal section 51-05-08 of the North Dakota Century Code, relating to the sale of damaged goods by auctioneers.

Received from House, 342.
 First reading and referred to Committee on Industry, Business and Labor, 357.
 Reported back, indefinitely postponed, 646, 647.
 Returned to House, indefinitely postponed, 690.

House Bill No. 757—

House Bill No. 757. A Bill for an Act to amend and reenact Section 6-09-03 of the North Dakota Century Code relating to property of The Bank of North Dakota.

Received from House, 432.
 First reading and referred to Committee on State and Federal Government, 468.
 Reported back, do pass, 737.
 Second reading and final passage, 802, 803.
 Returned to House, 849, 987.
 Returned to Senate, signed by Speaker, 948.
 Signed by President, 974.

House Bill No. 760—

House Bill No. 760. A Bill for an Act to amend and reenact subsection 3 of section 11-10-10 of the North Dakota Century Code relating to salary and expenses of county commissioners.

Received from House, 413.
 First reading and referred to Committee on State and
 Federal Government, 464.
 Reported back, indefinitely postponed, 759.
 Returned to House, indefinitely postponed, 850.

House Bill No. 761—

House Bill No. 761. A Bill for an Act to amend and re-enact section 51-05-13 of the North Dakota Century Code, relating to the licensing and bonding of auctioneers, and providing a penalty.

Received from House, 307.
 First reading and referred to Committee on Industry,
 Business and Labor, 324.
 Reported back, do pass, 647.
 Second reading and final passage, 693, 694.
 Returned to House, 750, 851.
 Returned to Senate, signed by Speaker, 798.
 Signed by President, 821.

House Bill No. 762—

House Bill No. 762. A Bill for an Act to amend and re-enact sections 15-62-02 and 15-62-05 of the North Dakota Century Code, relating to scholarship loans and to make an appropriation.

Received from House, 562.
 First reading and referred to Committee on
 Education, 579.
 Reported back, do pass, 760.
 Re-referred to Committee on Appropriations, 760.
 Reported back, indefinitely postponed, 827.
 Returned to House, indefinitely postponed, 867.

House Bill No. 766—

House Bill No. 766. A Bill for an Act to amend and re-enact subsection 5 of section 20-02-05 of the North Dakota Century Code relating to the powers of the state game and fish commissioner.

Received from House, 342.
 First reading and referred to Committee on Natural
 Resources, 357.
 Reported back, indefinitely postponed, 701.
 Returned to House, indefinitely postponed, 755.

House Bill No. 767—

House Bill No. 767. A Bill for an Act to amend and re-enact section 20-05-07 of the North Dakota Century Code relating to the attaching of seals to the carcasses of big game animals.

Received from House, 307.
 First reading and referred to Committee on Natural
 Resources, 324.
 Reported back, do pass, 702.

Second reading and final passage, 782.
 Returned to House, 849, 987.
 Returned to Senate, signed by Speaker, 897.
 Signed by President, 974.

House Bill No. 768—

House Bill No. 768. A Bill for an Act authorizing the state historical society to exchange certain lands owned by the state of North Dakota in connection with the Fort Union historic site.

Received from House, 432.
 First reading and referred to Committee on State and Federal Government, 468.
 Reported back, do pass, 602.
 Second reading and final passage, 633, 894, 895.
 Returned to House, 650, 749.
 Returned to Senate, signed by Speaker, 705, 1018.
 Signed by President, 721, 1019.
 Senate requests return of bill, 831.
 House returns bill to Senate, 835.
 Rules suspended, placed at head of calendar for second reading and final passage, 894.
 Senate reconsiders, 894.
 Amended from the floor, 894.
 Rules suspended, placed on second reading and final passage as amended from floor, 894.
 Returned to House, amended, 905, 1019.
 House concurs, 956.

House Bill No. 769—

House Bill No. 769. A Bill for an Act to amend and reenact section 57-23-05, relating to applications for abatement or refund of property taxes, and section 57-23-07, relating to abatement and compromise of property taxes, of the North Dakota Century Code.

Received from House, 413.
 First reading and referred to Committee on Finance and Taxation, 465.
 Reported back, do pass, 586.
 Laid over one legislative day, 618.
 Second reading and final passage, 618, 652.
 Returned to House, 689, 851.
 Returned to Senate, signed by Speaker, 798.
 Signed by President, 821.

House Bill No. 770—

House Bill No. 770. A Bill for an Act authorizing the state historical society to exchange certain lands owned by the state of North Dakota in connection with the Walhalla historic site.

Received from House, 432.
 First reading and referred to Committee on State and Federal Government, 468.
 Reported back, do pass, 602.
 Second reading and final passage, 633, 634.
 Returned to House, 650, 749.

Returned to Senate, signed by Speaker, 705.
Signed by President, 721.

House Bill No. 771—

House Bill No. 771. A Bill for an Act to amend and reenact section 47-19-07 of the North Dakota Century Code to require that the state tax commissioner be notified of the recording of certain deeds, and providing for a penalty.

Received from House, 307.
First reading and referred to Committee on
Judiciary, 324.
Reported back, do pass, 625.
Second reading and final passage, 661.
Returned to House, 689, 817.
Returned to Senate, signed by Speaker, 752.
Signed by President, 774.

House Bill No. 775—

House Bill No. 775. A Bill for an Act to amend and reenact Section 15-47-24 of the North Dakota Century Code relating to teaching conservation of natural resources.

Received from House, 522.
First reading and referred to Committee on
Education, 576.
Reported back, do pass, 737.
Second reading and final passage, 803.
To House, 849, 987.
Returned to Senate, signed by Speaker, 897.
Signed by President, 974.

House Bill No. 777—

House Bill No. 777. A Bill for an Act to amend and reenact Section 19-10-19 of the North Dakota Century Code, relating to oil inspection fees.

Received from House, 322.
First reading and referred to Committee on Industry,
Business and Labor, 344.
Reported back, do pass, 669.
Second reading and final passage, 722, 723.
Returned to House, 772, 850.
Returned to Senate, signed by Speaker, 802.
Signed by President, 821.
Vetoed by Governor.

House Bill No. 779—

House Bill No. 779. 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.

Received from House, 458.
First reading and referred to Committee on
Judiciary, 480.
Reported back, do pass, 669.
Second reading and final passage, 723.
Returned to House, 772, 850.
Returned to Senate, signed by Speaker, 802.
Signed by President, 821.

House Bill No. 780—

House Bill No. 780. A Bill for an Act to authorize county auditors to designate any official of any state or national bank as agent for such county auditor in the distribution of absent voters' ballots and providing for the delivery of such ballots to persons who will act as inspectors of elections.

Received from House, 522.

First reading and referred to Committee on State and Federal Government, 576.

Reported back, indefinitely postponed, 738.

Returned to House, indefinitely postponed, 772.

House Bill No. 782—

House Bill No. 782. A Bill for an Act to amend and reenact section 57-15-10.1 of the North Dakota Century Code, relating to the authority of counties and cities to levy a tax for advertising purposes.

Received from House, 522.

First reading and referred to Committee on Finance and Taxation, 576.

Reported back, indefinitely postponed, 602.

Returned to House, indefinitely postponed, 638.

House Bill No. 784—

House Bill No. 784. A Bill for an Act to amend and reenact section 20-05-05 of the North Dakota Century Code, relating to required clothing for hunters.

Received from House, 458.

First reading and referred to Committee on Natural Resources, 480.

Reported back, do pass, 586.

Second reading and final passage, lost, 618.

Returned to House, indefinitely postponed, 638.

House Bill No. 787—

House Bill No. 787. A Bill for an Act to amend and reenact subsection 21 of section 57-02-08 of the North Dakota Century Code, relating to property exempt from taxation for blind persons or permanently and totally disabled persons.

Received from House, 413.

First reading and referred to Committee on Finance and Taxation, 465.

Reported back, do pass, 602.

Second reading and final passage, 634.

Returned to House, 650, 749.

Returned to Senate, signed by Speaker, 705.

Signed by President, 721.

House Bill No. 789—

House Bill No. 789. A Bill for an Act to amend and reenact section 15-39-40 of the North Dakota Century Code relating to the teachers' insurance and retirement fund membership.

Received from House, 522.
First reading and referred to Committee on
Education, 576.
Reported back, indefinitely postponed, 810.
Returned to House, indefinitely postponed, 850.

House Bill No. 792—

House Bill No. 792. A Bill for an Act to authorize the Bismarck school district to sell tax exempt bonds for the purpose of constructing revenue producing dormitories.

Received from House, 413.
First reading and referred to Committee on Political
Subdivisions, 465.
Reported back, do pass, 669.
Second reading and final passage, 723, 724.
Returned to House, 772, 850.
Returned to Senate, signed by Speaker, 802.
Signed by President, 821.

House Bill No. 793—

House Bill No. 793. A Bill for an Act to amend and reenact sections 40-04-08, 40-04-09, and 40-04-10 of the North Dakota Century Code relating to a change from the commission system of government, providing the petition required therefor, the determination of the sufficiency of said petition by the city auditor, the procedure to be followed when said petition is filed, and for a special election and ballot thereon.

Received from House, 371.
First reading and referred to Committee on Political
Subdivisions, 465.
Reported back, do pass, 669.
Second reading and final passage, 724.
Returned to House, 772, 850.
Returned to Senate, signed by Speaker, 802.
Signed by President, 821.

House Bill No. 796—

House Bill No. 796. A Bill for an Act to amend and reenact subsection 1 of section 4-09-10 of the North Dakota Century Code relating to labeling requirements for agricultural seed.

Received from House, 502.
First reading and referred to Committee on
Agriculture, 576.
Reported back, do pass, 647.
Second reading and final passage, 694.
Returned to House, 750, 850.
Returned to Senate, signed by Speaker, 802.
Signed by President, 821.

House Bill No. 797—

House Bill No. 797. A Bill for an Act to amend and reenact subsection 11 of section 57-02-08 of the North Dakota Century Code, relating to exclusions and exemptions from taxation of non-profit fraternal organizations and associations, and providing for taxation of that portion not used exclusively for places of meeting and conduct of fraternal business, providing for taxation of that portion of such premises where food or alcoholic beverages are consumed or sold at a profit.

Received from House, 522.

First reading and referred to Committee on Finance and Taxation, 577.

Reported back, do pass, 602.

Second reading and final passage, 634, 635.

Returned to House, 650, 749.

Returned to Senate, signed by Speaker, 705.

Signed by President, 721.

House Bill No. 801—

House Bill No. 801. A Bill for an Act to amend and reenact section 32-09-28 of the North Dakota Century Code, relating to liability of a garnishee.

Received from House, 413.

First reading and referred to Committee on Industry, Business and Labor, 465.

Reported back, do pass, 669.

Second reading and final passage, 724, 725.

Returned to House, 772, 850.

Returned to Senate, signed by Speaker, 802.

Signed by President, 821.

House Bill No. 802—

House Bill No. 802. A Bill for an Act to create and enact section 6-08-24.1 of the North Dakota Century Code, relating to the disposition of certain unclaimed checking accounts.

Received from House, 562.

First reading and referred to Committee on Industry, Business and Labor, 579, 580.

Reported back, do pass, 827.

Second reading and final passage, 919.

Returned to House, 953, 1024.

Returned to Senate, signed by Speaker, 1023.

Signed by President, 1023.

House Bill No. 807—

House Bill No. 807. A Bill for an Act to amend and reenact section 39-06-16 of the North Dakota Century Code relating to the carrying of one's operator's license or permit in his possession at all times.

Received from House, 413.

First reading and referred to Committee on State and Federal Government, 465.

Reported back, amended, 603.

Amendments adopted, 627.
Second reading and final passage, 683.
Returned to House, amended, 718, 850.
House concurs, 754.
Returned to Senate, signed by Speaker, 802.
Signed by President, 821.

House Bill No. 808—

House Bill No. 808. A Bill for an Act to require minors under the age of sixteen to have successfully completed at least four hours of the national rifle association gun safety course prior to receiving any license authorizing the taking of game with firearms.

Received from House, 343.
First reading and referred to Committee on Natural Resources, 357.
Reported back, indefinitely postponed, 702.
Returned to House, indefinitely postponed, 755.

House Bill No. 809—

House Bill No. 809. A Bill for an Act to amend and reenact section 27-16-35 of the North Dakota Century Code relating to hearing and service of notice thereon in juvenile court.

Received from House, 432.
First reading and referred to Committee on Judiciary, 468.
Reported back, do pass, 625.
Second reading and final passage, 684.
Returned to House, 718, 817.
Returned to Senate, signed by Speaker, 752.
Signed by President, 774.

House Bill No. 810—

House Bill No. 810. A Bill for an Act to amend and reenact section 16-12-05 of the North Dakota Century Code relating to the preparation of a ballot by an elector.

Received from House, 458.
First reading and referred to Committee on Judiciary, 480.
Reported back, amended, 647.
Amendments adopted, 673.
Second reading and final passage, 725.
Returned to House, amended, 772, 987.
House concurs, 795.
Returned to Senate, signed by Speaker, 869.
Signed by President, 974.

House Bill No. 811—

House Bill No. 811. A Bill for an Act to amend and reenact Section 40-22-06.1 of the North Dakota Century Code relating to agreements by cities with a population of over ten thousand with the state highway department or county for certain improvements.

Received from House, 413.
First reading and referred to Committee on Political Subdivisions, 465.
Reported back, do pass, 702.
Second reading and final passage, 782, 783.
Returned to House, 849, 987.
Returned to Senate, signed by Speaker, 897.
Signed by President, 974.

House Bill No. 812—

House Bill No. 812. A Bill for an Act providing for a notice of intention to adopt to be given to the division of child welfare and providing exceptions.

Received from House, 432.
First reading and referred to Committee on Judiciary, 468.
Reported back, indefinitely postponed, 625.
Returned to House, indefinitely postponed, 651.

House Bill No. 813—

House Bill No. 813. A Bill for an Act to amend and reenact section 14-11-10 of the North Dakota Century Code relating to hearings in adoption proceedings and service of notice thereof.

Received from House, 432.
First reading and referred to Committee on Judiciary, 468.
Reported back, do pass, 626.
Second reading and final passage, 684, 685.
Returned to House, 718, 851.
Returned to Senate, signed by Speaker, 798.
Signed by President, 821.

House Bill No. 814—

House Bill No. 814. A Bill for an Act to amend and reenact section 27-16-22 of the North Dakota Century Code relating to the placement of children in a family or institution of the same religious faith as that of the parents of said child.

Received from House, 343.
First reading and referred to Committee on Social Welfare and Veterans Affairs, 358.
Reported back, do pass, 573.
Second reading and final passage, 608, 609.
Returned to House, 638, 719.
Returned to Senate, signed by Speaker, 675.
Signed by President, 691.

House Bill No. 815—

House Bill No. 815. A Bill for an Act to amend and reenact section 27-16-36 of the North Dakota Century Code relating to the termination of parental rights upon petition of parent and notice of hearing such petition.

Received from House, 432.
First reading and referred to Committee on
Judiciary, 469.
Reported back, do pass, 626.
Second reading and final passage, 685.
Returned to House, 718, 817.
Returned to Senate, signed by Speaker, 752.
Signed by President, 774.

House Bill No. 817—

House Bill No. 817. A Bill for an Act to repeal section 47-03-07 of the North Dakota Century Code, relating to accumulations of income.

Received from House, 307.
First reading and referred to Committee on
Judiciary, 324.
Reported back, do pass, 669.
Second reading and final passage, 725, 726.
Returned to House, 772, 987.
Returned to Senate, signed by Speaker, 869.
Signed by President, 974.

House Bill No. 818—

House Bill No. 818. A Bill for an Act to amend and reenact section 41-10-04 of the North Dakota Century Code, relating to the definition of inland and foreign bills of exchange.

Received from House, 413.
First reading and referred to Committee on State and
Federal Government, 465.
Reported back, do pass, 738.
Second reading and final passage, 803, 804.
Returned to House, 849, 987.
Returned to Senate, signed by Speaker, 897.
Signed by President, 974.

House Bill No. 819—

House Bill No. 819. A Bill for an Act to amend and reenact subsection 4 of section 21-03-07 of the North Dakota Century Code, relating to the issuance of general obligation bonds of certain municipalities by authority of the governing bodies thereof for the purpose of street improvements on federal aid highways and arterial streets and at railway intersections, and declaring an emergency.

Received from House, 413.
First reading and referred to Committee on Political
Subdivisions, 466.
Reported back, indefinitely postponed, 702.
Motion to reconsider, lost, 730.
Returned to House, indefinitely postponed, 755.

House Bill No. 821—

House Bill No. 821. A Bill for an Act to create and enact chapter 10-18.1 and to amend and reenact section 10-18-02.3 of the North Dakota Century Code, relating to the transfer of shares of stock by a fiduciary, and to repeal sections 10-18-02.1 and 10-18-02.2 of the North Dakota Century Code, relating to the transfer of shares of stock by a fiduciary.

Received from House, 458.
 First reading and referred to Committee on
 Judiciary, 480.
 Reported back, do pass, 670.
 Second reading and final passage, 726.
 Returned to House, 772, 987.
 Returned to Senate, signed by Speaker, 869.
 Signed by President, 974.

House Bill No. 822—

House Bill No. 822. A Bill for an Act to amend and reenact section 43-07-11 of the North Dakota Century Code relating to non-resident contractors — bond requirements; and to create and enact section 52-04-18 of the North Dakota Century Code relating to reporting of all public contracts — provision relating to contributions required in contractors bond.

Received from House, 458.
 First reading and referred to Committee on Industry,
 Business and Labor, 480.
 Reported back, do pass, 670.
 Second reading and final passage, 728.
 Returned to House, 772, 850.
 Returned to Senate, signed by Speaker, 802.
 Signed by President, 821.

House Bill No. 824—

House Bill No. 824. A Bill for an Act to amend and reenact subsection 7 of section 39-01-01, relating to the definition of trailer; section 39-04-48, relating to driveway transporters; subsection 1 of section 39-04A-01, relating to the definition of trailer section 39-05-01, relating to the definition of motor vehicle; section 39-05-12, relating to carrying of registration cards for vehicles; section 39-18-01, relating to the definition of mobile home; section 39-18-02, relating to bond required from mobile home dealers; section 39-18-03, relating to titling and licensing of mobile homes; section 57-40-12, relating to use tax on motor vehicles and house trailers or mobile homes; section 39-18-05, relating to restrictions on the operation of mobile homes; and to repeal section 39-05-29; all of the North Dakota Century Code, and providing a penalty.

Received from House, 432.
 First reading and referred to Committee on
 Transportation, 469.
 Reported back, amended, 573, 574, 619.
 Motion to dispense with reading amendments, 586.

Amendments adopted, 586, 619.
 Second reading and final passage, 618, 619, 678.
 Returned to House, amended, 638, 987.
 House does not concur, 662.
 Conference Committee, House, 662.
 Conference Committee, Senate, 663.
 Conference Committee report, 678.
 Senate adopts report, 678.
 Rules suspended, deemed re-engrossed, placed on second reading and final passage as amended in Conference Committee, 678.
 House adopts report, 754.
 Returned to Senate, signed by Speaker, 869.
 Signed by President, 974.

House Bill No. 826—

House Bill No. 826. A Bill for an Act to amend and reenact subsection 20 of section 57-02-08 of the North Dakota Century Code, providing for an exemption of net assessed valuation of property of disabled veterans.

Received from House, 413.
 First reading and referred to Committee on Finance and Taxation, 466.
 Reported back, do pass, 603.
 Second reading and final passage, 635.
 Returned to House, 651, 749.
 Returned to Senate, signed by Speaker, 705.
 Signed by President, 721.

House Bill No. 827—

House Bill No. 827. A Bill for an Act to amend and reenact section 61-21-45 of the North Dakota Century Code relating to contracts for work of cleaning and repairing drains.

Received from House, 413.
 First reading and referred to Committee on Political Subdivisions, 466.
 Reported back, indefinitely postponed, 702.
 Returned to House, indefinitely postponed, 755.

House Bill No. 828—

House Bill No. 828. A Bill for an Act to amend and reenact section 61-21-16 of the North Dakota Century Code relating to the voting right or power of landowners.

Received from House, 343.
 First reading and referred to Committee on Natural Resources, 358.
 Reported back, do pass, 702.
 Second reading and final passage, 783.
 Returned to House, 849, 987.
 Returned to Senate, signed by Speaker, 897.
 Signed by President, 974.

House Bill No. 829—

House Bill No. 829. A Bill for an Act to amend and reenact section 61-21-46 of the North Dakota Century Code relating to the maximum levy and accumulation of drainage district fund.

Received from House, 343.
 First reading and referred to Committee on Natural Resources, 358.
 Reported back, amended, 702.
 Amendments adopted, 743.
 Second reading and final passage, 804.
 Returned to House, amended, 849, 1019.
 House concurs, 880.
 Returned to Senate, signed by Speaker, 1018.
 Signed by President, 1019.

House Bill No. 830—

House Bill No. 830. A Bill for an Act to provide for quasi-contractual recovery by employees for the value of services properly rendered.

Received from House, 432.
 First reading and referred to Committee on Industry, Business and Labor, 469.
 Reported back, indefinitely postponed, 810.
 Returned to House, indefinitely postponed, 850.

House Bill No. 831—

House Bill No. 831. A Bill for an Act to regulate relationships between management and labor in North Dakota, and to repeal section 34-10-05 of the North Dakota Century Code as in conflict therewith.

Received from House, 343.
 First reading and referred to Committee on Industry, Business and Labor, 358.
 Reported back, amended, 827.
 Amendments adopted, 865.
 Rules suspended, placed on calendar, 928.
 Placed at head of calendar, 942.
 Second reading and final passage, 942, 972.
 Clincher, 942, 972.
 Returned to House, amended, 953, 1024.
 House does not concur, 965.
 Conference Committee, House, 965.
 Conference Committee, Senate, 966.
 Conference Committee report, 971.
 Senate adopts report, 972.
 Rules suspended, deemed re-engrossed, placed for second reading and final passage as amended by Conference Committee, 972.
 House adopts report, 982.
 Returned to Senate, signed by Speaker, 1023.
 Signed by President, 1023.

House Bill No. 833—

House Bill No. 833. A Bill for an Act to permit the State Fire and Tornado Fund to insure certain risks under vandalism and malicious mischief, and providing rates therefor.

Received from House, 432.

First reading and referred to Committee on Industry, Business and Labor, 469.

Reported back, indefinitely postponed, 670.

Motion to place on calendar, lost, 670.

Returned to House, indefinitely postponed, 718.

House Bill No. 835—

House Bill No. 835. A Bill for an Act to repeal chapter 34-04 of the North Dakota Century Code, relating to the principles of the law of master and servant.

Received from House, 458.

First reading and referred to Committee on Industry, Business and Labor, 480.

Reported back, do pass, 670.

Second reading and final passage, 728, 729.

Returned to House, 772, 850.

Returned to Senate, signed by Speaker, 802.

Signed by President, 821.

House Bill No. 837—

House Bill No. 837. A Bill for an Act to provide for a right of payment to employees who terminate employment for cause and employees who are discharged for cause, and to repeal sections 34-03-07 and 34-03-08 of the North Dakota Century Code.

Received from House, 432.

First reading and referred to Committee on Industry, Business and Labor, 469.

Reported back, do pass, 827.

Second reading and final passage, 920.

Returned to House, 953, 1019.

Returned to Senate, signed by Speaker, 1018.

Signed by President, 1019.

House Bill No. 838—

House Bill No. 838. A Bill for an Act to amend and reenact section 34-08-07 of the North Dakota Century Code, relating to the basis upon which restraining orders or injunctions may be issued in labor disputes.

Received from House, 432.

First reading and referred to Committee on Industry, Business and Labor, 469.

Reported back, do pass, 827.

Second reading and final passage, 920, 921.

Returned to House, 953, 1019.

Returned to Senate, signed by Speaker, 1018.

Signed by President, 1019.

House Bill No. 839—

House Bill No. 839. A Bill for an Act to create and enact sections 11-33-21, 11-34-05, 40-47-14, and 58-03-16 of the North Dakota Century Code relating to penalties for violation of zoning laws.

Received from House, 522.

First reading and referred to Committee on Political Subdivisions, 577.

Reported back, do pass, 670.

Second reading and final passage, lost, 729.

Returned to House, indefinitely postponed, 772.

House Bill No. 840—

House Bill No. 840. A Bill for an Act to amend and reenact sections 58-03-11 and 58-03-13 of the North Dakota Century Code relating to zoning districts and township zoning commissions.

Received from House, 522.

First reading and referred to Committee on Political Subdivisions, 577.

Reported back, do pass, 670.

Second reading and final passage, 730.

Returned to House, 772, 850.

Returned to Senate, signed by Speaker, 802.

Signed by President, 821.

House Bill No. 842—

House Bill No. 842. A Bill for an Act relating to taxation of building and loan associations, repealing subsection 6 of section 57-38-09 and amending subsection 12 of section 57-02-08 of the North Dakota Century Code, and providing penalties.

Received from House, 562.

First reading and referred to Committee on Industry, Business and Labor, 580.

Reported back, do pass, 828.

Second reading and final passage, 921.

Returned to House, 953, 1019.

Returned to Senate, signed by Speaker, 1018.

Signed by President, 1019.

House Bill No. 843—

House Bill No. 843. A Bill for an Act to amend and reenact Section 39-11-20 of the North Dakota Century Code relating to lights on motor vehicles.

Received from House, 413.

First reading and referred to Committee on Education, 466.

Reported back, do pass, 603.

Second reading and final passage, 635, 636.

Returned to House, 651, 749.

Returned to Senate, signed by Speaker, 705.

Signed by President, 721.

House Bill No. 844—

House Bill No. 844. A Bill for an Act amending and reenacting section 7-01-04 of the North Dakota Century Code, relating to capital requirements of building and loan associations or savings and loan associations.

Received from House, 562.

First reading and referred to Committee on Industry, Business and Labor, 580.

Reported back, do pass, 828.

Second reading and final passage, 921, 922.

Returned to House, 953, 1024.

Returned to Senate, signed by Speaker, 1023.

Signed by President, 1023.

House Bill No. 845—

House Bill No. 845. A Bill for an Act to create and enact section 1-01-50 of the North Dakota Century Code, establishing a time limit for the filing of petitions.

Received from House, 413.

First reading and referred to Committee on Political Subdivisions, 466.

Reported back, do pass, 702.

Second reading and final passage, 783, 784.

Returned to House, 849, 987.

Returned to Senate, signed by Speaker, 897.

Signed by President, 974.

House Bill No. 847—

House Bill No. 847. A Bill for an Act to amend and reenact section 40-45-03 of the North Dakota Century Code, relating to the membership of the board of trustees of policemen's pension funds.

Received from House, 522.

First reading and referred to Committee on Political Subdivisions, 577.

Reported back, do pass, 738.

Second reading and final passage, 804, 805.

Returned to House, 849, 987.

Returned to Senate, signed by Speaker, 897.

Signed by President, 974.

House Bill No. 849—

House Bill No. 849. A Bill for an Act to repeal sections 38-02-16, 38-02-17, and 38-02-18 of the North Dakota Century Code, dealing with injunctions against seizure of mining property by threats, force, or stealth, and making it a misdemeanor to form a conspiracy to seize a lode, gulch, or placer claim in the possession of another.

Received from House, 432.

First reading and referred to Committee on Industry, Business and Labor, 469.

Reported back, do pass, 670.

Second reading and final passage, 730, 731.
Returned to House, 772, 850.
Returned to Senate, signed by Speaker, 802.
Signed by President, 821.

House Bill No. 850—

House Bill No. 850. A Bill for an Act to create and enact sections 34-07-05.1 and 34-07-05.2, and to amend and reenact sections 34-07-01, 34-07-03, 34-07-05, 34-07-13, 34-07-15, 34-07-18, 34-07-19, 34-07-20, and 34-07-21, and to repeal sections 34-07-06, 34-07-07, 34-07-08, 34-07-09, 34-07-10, and 34-07-11, relating to child labor.

Received from House, 458.
First reading and referred to Committee on Social Welfare and Veterans Affairs, 480.
Reported back, amended, 703.
Amendments adopted, 743.
Second reading and final passage, 805.
Returned to House, amended, 849, 1024.
House concurs, 880.
Returned to Senate, signed by Speaker, 1023.
Signed by President, 1023.
Vetoed by Governor.

House Bill No. 852—

House Bill No. 852. A Bill for an Act to require the lapse of time before resubmission of certain proposals to the electors of school districts.

Received from House, 413.
First reading and referred to Committee on Political Subdivisions, 466.
Re-referred to Committee on Education, 643.
Reported back, indefinitely postponed, 810.
Returned to House, indefinitely postponed, 850.

House Bill No. 854—

House Bill No. 854. A Bill for an Act to amend and reenact subsection 1 of section 39-12-04 of the North Dakota Century Code relating to width limitations on vehicles and equipment operated on the highways of this state and providing for an exception for haystack moving.

Received from House, 458.
First reading and referred to Committee on Transportation, 480.
Reported back, amended, 670, 671.
Amendments adopted, 704.
Second reading and final passage, 784.
Returned to House, amended, 849, 1024.
House concurs, 880.
Returned to Senate, signed by Speaker, 1023.
Signed by President, 1023.

House Bill No. 856—

House Bill No. 856. A Bill for an Act to create and enact section 36-05-12.1 of the North Dakota Century Code, relating to the sale of bred female livestock through livestock auction markets, and providing a penalty.

Received from House, 432.

First reading and referred to Committee on Agriculture, 470.

Reported back, indefinitely postponed, 626.

Returned to House, indefinitely postponed, 651.

House Bill No. 857—

House Bill No. 857. A Bill for an Act providing for the escheat of certain unclaimed property and providing a procedure for enforcement thereof, providing for a reserve fund in certain instances and providing a penalty.

Received from House, 562.

First reading and referred to Committee on Judiciary, 580.

Reported back, indefinitely postponed, 828.

Returned to House, indefinitely postponed, 867.

House Bill No. 861—

House Bill No. 861. A Bill for an Act to create and enact subsection 8 of section 27-16-02 of the North Dakota Century Code relating to powers of juvenile commissioners.

Received from House, 432.

First reading and referred to Committee on Judiciary, 470.

Reported back, indefinitely postponed, 671.

Returned to House, indefinitely postponed, 718.

House Bill No. 862—

House Bill No. 862. A Bill for an Act to amend and reenact section 20-03-12 of the North Dakota Century Code, relating to hunting license fees.

Received from House, 458.

First reading and referred to Committee on Natural Resources, 481.

Reported back, indefinitely postponed, 671.

Returned to House, indefinitely postponed, 718.

House Bill No. 863—

House Bill No. 863. A Bill for an Act to require persons who claim real property to be exempt from assessment and taxation to file annually with the assessor and county auditor a certificate setting out the basis for claiming the exemption; and providing exceptions.

Received from House, 522.

First reading and referred to Committee on Finance and Taxation, 577.

Reported back, indefinitely postponed, 603.

Returned to House, indefinitely postponed, 638.

House Bill No. 865—

House Bill No. 865. A Bill for an Act making an appropriation to the Yellowstone-Missouri-Fort Union Commission in accordance with chapter 55-06 of the North Dakota Century Code.

Received from House, 307.
 First reading and referred to Committee on Appropriations, 324.
 Reported back, do pass, 671.
 Second reading and final passage, 731.
 Returned to House, 772, 850.
 Returned to Senate, signed by Speaker, 802.
 Signed by President, 821.

House Bill No. 866—

House Bill No. 866. A Bill for an Act to amend and reenact section 57-15-06 of the North Dakota Century Code relating to tax levy limitations on counties.

Received from House, 562.
 First reading and referred to Committee on Finance and Taxation, 580.
 Reported back, do pass, 738.
 Second reading and final passage, clincher, 805, 806.
 Motion that House return bill, 831.
 House refuses to return bill, 835.
 Request for President of Senate not to sign bill, 835.
 Returned to House, 849, 947, 987.
 Returned to Senate, signed by Speaker, 897.
 Returned to Senate, 900.
 Motion to reconsider, lost due to lack of two-thirds majority, 941, 942.
 Signed by President, 974.

House Bill No. 869—

House Bill No. 869. A Bill for an Act to create and enact subsections 24, 25, 26, and 27 of section 4-09-01, and sections 4-09-25, 4-09-27, and 4-09-28, and to amend and reenact section 4-09-21 of the North Dakota Century Code, relating to licensing, bonding, and regulation of seed dealers.

Received from House, 458.
 First reading and referred to Committee on Agriculture, 481.
 Reported back, do pass, 810.
 Second reading and final passage, lost, 888.
 Returned to House, indefinitely postponed, 905.

House Bill No. 872—

House Bill No. 872. A Bill for an Act to amend and reenact section 16-17-15 of the North Dakota Century Code relating to state's central committee meetings.

Received from House, 522.
 First reading and referred to Committee on State and Federal Government, 577.
 Reported back, do pass, 760.

Second reading and final passage, 815, 816.
Returned to House, 850, 987.
Returned to Senate, signed by Speaker, 897.
Signed by President, 974.

House Bill No. 874—

House Bill No. 874. A Bill for an Act to amend and re-enact section 65-04-04 of the North Dakota Century Code, relating to determinations of premiums by the Workmen's Compensation Bureau and declaring an emergency.

Received from House, 458.
First reading and referred to Committee on Industry, Business and Labor, 481.
Reported back, do pass, 828.
Second reading and final passage, emergency clause carried, 922.
Returned to House, 953, 1019.
Returned to Senate, signed by Speaker, 1018.
Signed by President, 1019.

House Bill No. 875—

House Bill No. 875. A Bill for an Act to create and enact chapter 14-10.1 of the North Dakota Century Code, the Uniform Securities Ownership by Minors Act, relating to the ownership and transfer of securities by or in the name of a minor, and prescribing the rights and duties of a person dealing with such securities.

Received from House, 458.
First reading and referred to Committee on Industry, Business and Labor, 481.
Reported back, do pass, 671.
Second reading and final passage, 731, 732.
Returned to House, 772, 987.
Returned to Senate, signed by Speaker, 869.
Signed by President, 974.

House Bill No. 876—

House Bill No. 876. A Bill for an Act to amend and re-enact section 27-16-13 of the North Dakota Century Code, relating to the waiver of jurisdiction of the juvenile court.

Received from House, 458.
First reading and referred to Committee on Judiciary, 481.
Reported back, indefinitely postponed, 626.
Returned to House, indefinitely postponed, 651.

House Bill No. 878—

House Bill No. 878. A Bill for an Act to amend and re-enact section 10-22-01 of the North Dakota Century Code relating to admission of foreign corporation.

Received from House, 502.
First reading and referred to Committee on Judiciary, 577.
Reported back, do pass, 811.

Second reading and final passage, 896.
Returned to House, 941, 1024.
Returned to Senate, signed by Speaker, 1023.
Signed by President, 1023.

House Bill No. 886—

House Bill No. 886. A Bill for an Act to repeal section 7-04-14 of the North Dakota Century Code, relating to advancement of funds by savings and loan associations to protect liens.

Received from House, 562.
First reading and referred to Committee on Industry, Business and Labor, 580.
Reported back, do pass, 828.
Second reading and final passage, 886, 924.
Returned to House, 953, 1016.
Returned to Senate, signed by Speaker, 1013.
Signed by President, 1016.

House Bill No. 888—

House Bill No. 888. A Bill for an Act to amend section 57-38-21 of the North Dakota Century Code by creating and adding thereto subsection 8 relating to subtraction of certain dividends in computing net income of individuals, estates and trusts; to amend section 57-38-22.1 of the North Dakota Century Code by creating and adding thereto a new subsection relating to deduction of federal income taxes by certain persons who as stockholders in certain corporations have earnings or liquidation dividends of such corporations taxed directly to them for federal income tax purposes; to repeal subdivision c of subsection 2 of section 57-38-22.1 of the North Dakota Century Code; to provide for an effective date; and declaring an emergency.

Received from House, 413.
First reading and referred to Committee on Finance and Taxation, 466.
Reported back, do pass, 586.
Second reading and final passage, emergency clause carried, 619, 652, 653.
Laid over one legislative day, 619.
Returned to House, 689, 817.
Returned to Senate, signed by Speaker, 752.
Signed by President, 774.

House Bill No. 890—

House Bill No. 890. A Bill for an Act to amend and reenact section 57-38-38 and section 57-38-44 of the North Dakota Century Code relating to the period of time within which the tax commissioner may assess income tax, and providing for a longer period of time within which the tax commissioner may assess the tax where a taxpayer has failed to report on his tax return a substantial portion of his income.

Received from House, 458.
First reading and referred to Committee on Finance and Taxation, 481.
Reported back, do pass, 603.

Second reading and final passage, 636.
 Returned to House, 651, 749.
 Returned to Senate, signed by Speaker, 705.
 Signed by President, 722.

House Bill No. 891—

House Bill No. 891. A Bill for an Act to amend and reenact section 51-06-02 of the North Dakota Century Code relating to trading stamps and requiring certain reports and to require retailers electing to furnish trading stamps or similar devices to grant discounts to purchasers who may so elect.

Received from House, 562.
 First reading and referred to Committee on
 Judiciary, 580.
 Reported back, do pass, 828.✓
 Motion to indefinitely postpone, carried on division, 829.
 Clincher, 829.
 Returned to House, indefinitely postponed, 867.

House Bill No. 893—

House Bill No. 893. A Bill for an Act to amend and reenact subsection 3 of section 36-15-01, section 36-15-02, section 36-15-04, section 36-15-09, and subsection 7 of section 36-15-11 of the North Dakota Century Code relating to the condemnation, and the appraisal, by the livestock sanitary board or its agents of diseased animals afflicted with tuberculosis or paratuberculosis (John's disease), providing for maximum indemnity payments to livestock owners, and providing when livestock owners may not be indemnified; and to repeal section 36-15-05 of the North Dakota Century Code relating to maximum valuations of diseased animals.

Received from House, 562.
 First reading and referred to Committee on
 Agriculture, 580.
 Reported back, do pass, 626.
 Second reading and final passage, 685, 686.
 Returned to House, 718, 817.
 Returned to Senate, signed by Speaker, 752.
 Signed by President, 774.

House Bill No. 894—

House Bill No. 894. A Bill for an Act to amend and reenact sections 57-15-22 and 57-15-22.1 of the North Dakota Century Code, relating to tax levy limitations in unorganized townships; to provide for transfer of funds for special roads and bridges; and to repeal section 57-15-19.1 of the North Dakota Century Code relating to levies for surfacing highways in unorganized townships.

Received from House, 522.
 First reading and referred to Committee on Political
 Subdivisions, 577.
 Reported back, do pass, 671.
 Second reading and final passage, 732.
 Returned to House, 772, 987.
 Returned to Senate, signed by Speaker, 869.
 Signed by President, 974.

House Bill No. 896—

House Bill No. 896. A Bill for an Act to provide for the patenting of inventions and discoveries of faculty, officers and employees of state institutions of higher learning in the name of the institution or a foundation authorized by it; to provide for the sharing of income therefrom with the inventor or discoverer; to provide cooperating agencies in cooperative research with an equity in inventions or discoveries resulting from cooperative research; and to repeal sections 15-11-16, 15-11-17, and 15-11-18 of the North Dakota Century Code relating to the patenting of inventions and assignment thereof.

Received from House, 432.

First reading and referred to Committee on State and Federal Government, 470.

Reported back, do pass, 738.

Second reading and final passage, 806.

Returned to House, 850, 987.

Returned to Senate, signed by Speaker, 897.

Signed by President, 974.

House Bill No. 897—

House Bill No. 897. A Bill for an Act to amend and reenact section 57-20-06 of the North Dakota Century Code, relating to delivery of tax lists to county treasurer.

Received from House, 522.

First reading and referred to Committee on State and Federal Government, 577.

Reported back, indefinitely postponed, 603.

Returned to House, indefinitely postponed, 638.

House Bill No. 899—

House Bill No. 899. A Bill for an Act to amend and reenact section 15-52-20 of the North Dakota Century Code relating to repayment for medical scholarship loans.

Received from House, 522.

First reading and referred to Committee on State and Federal Government, 577.

Reported back, indefinitely postponed, 738.

Returned to House, indefinitely postponed, 772.

House Bill No. 901—

House Bill No. 901. A Bill for an Act to provide that all school districts must offer periods of instruction on the United States and state constitutions to all students in the seventh through the twelfth grades.

Received from House, 343.

First reading and referred to Committee on Education, 358.

Reported back, indefinitely postponed, 811.

Motion to place on calendar, carried, 811.

Amended from the floor, 899.

Rules suspended, placed on second reading and final passage as amended from the floor, 899.

Second reading and final passage, 899.
 Returned to House, amended, 941, 1024.
 House concurs, 956.
 Returned to Senate, signed by Speaker, 1023.
 Signed by President, 1023.

House Bill No. 904—

House Bill No. 904. A Bill for an Act to amend and reenact subsections 2 and 6 of section 57-38-04 of the North Dakota Century Code relating to the credit against tax allowed in the case of taxes paid to another state or foreign country, and to amend and reenact section 57-38-22.1 relating to deductions of individuals in computing taxable income and to provide for deduction of income taxes paid to foreign countries.

Received from House, 458.
 First reading and referred to Committee on Finance and Taxation, 481.
 Reported back, amended, 603 to 605.
 Amendments adopted, 627.
 Placed at head of calendar, 646.
 Second reading and final passage, 646.
 Returned to House, amended, 690, 850.
 House concurs, 719.
 Returned to Senate, signed by Speaker, 802.
 Signed by President, 821.

House Bill No. 905—

House Bill No. 905. A Bill for an Act to amend and reenact section 60-02-17 of the North Dakota Century Code relating to warehouse and storage contracts for the storage of grain.

Received from House, 562.
 First reading and referred to Committee on Agriculture, 580, 581.
 Reported back, amended, 647.
 Amendments adopted, 647.
 Re-referred to Committee on Agriculture, 673.
 Reported back, do pass, 811.
 Second reading and final passage, 900.
 Returned to House, 941, 1019.
 Returned to Senate, signed by Speaker, 1018.
 Signed by President, 1019.

House Bill No. 908—

House Bill No. 908. A Bill for an Act to amend and reenact subsection 7 of section 57-38-01 to provide for a definition of "taxable year"; subsection 21 of section 57-38-01 and subdivision c of subsection 8 or section 57-38-18 relating to the definition of "Internal Revenue Code of 1954, as amended"; subsection 2 of section 57-38-31 to provide for the filing of separate returns at any time within three years after the due date of the return by a married couple who have previously filed a joint return; section 57-38-29 relating to rates of tax on income of individuals; section 57-38-36 to provide for the acceleration of the payment of quarterly installments where the taxpayer has failed to pay

an installment in full on or before the date fixed or its payment; section 57-38-40 to provide for an extension of the period of time within which a taxpayer may apply for a revision of the tax assessed, where the revision has been occasioned by the three-year carry-back of a net operating loss; and to repeal section 57-38-23 and subsection 11 of section 57-38-01; all of the North Dakota Century Code.

Received from House, 562.

First reading and referred to Committee on Finance and Taxation, 581.

Reported back, do pass, 760.

Motion that minority report to indefinitely postpone be substituted for that of the majority, carried on division, 760.

Motion to reconsider, 775.

Amended from the floor, 775.

Motion to suspended rules and place on second reading and final passage as amended from the floor, 775.

Second reading and final passage, 775, 776.

Returned to House, amended, 849, 1016.

House concurs, 880.

Returned to Senate, signed by Speaker, 1013.

Signed by President, 1016.

House Bill No. 909—

House Bill No. 909. A Bill for an Act to create and enact subsection 13 of section 35-24-01 of the North Dakota Century Code, relating to definitions of "working interest" for well or pipeline construction liens.

Received from House, 458.

First reading and referred to Committee on Judiciary, 481.

Reported back, do pass, 672.

Second reading and final passage, 733.

Returned to House, 772, 850.

Returned to Senate, signed by Speaker, 802.

Signed by President, 821.

House Bill No. 913—

House Bill No. 913. A Bill for an Act to provide scholarships in North Dakota institutions of higher learning for North Dakota residents of Indian blood and providing qualifications therefor, and making an appropriation.

Received from House, 432.

First reading and referred to Committee on Education, 470.

Reported back, indefinitely postponed, 811.

Returned to House, indefinitely postponed, 850.

House Bill No. 914—

House Bill No. 914. A Bill for an Act to amend and reenact section 63-01-17 of the North Dakota Century Code, relating to the establishment of emergency areas for the control of leafy spurge and perennial peppergrass, and declaring an emergency.

Received from House, 502.
First reading and referred to Committee on
Agriculture, 578.
Reported back, amended, 811.
Amendments adopted, 834.
Second reading and final passage, emergency clause
carried, 924.
Returned to House, amended, 953, 1024.
House concurs, 968.
Returned to Senate, signed by Speaker, 1023.
Signed by President, 1024.

House Bill No. 915—

House Bill No. 915. A Bill for an Act to create and enact chapter 56-07 of the North Dakota Century Code, the Uniform Testamentary Additions to Trusts Act, relating to additions of property by will to existing trusts.

Received from House, 458.
First reading and referred to Committee on
Judiciary, 482.
Reported back, do pass, 672.
Second reading and final passage, 733, 734.
Returned to House, 772, 987.
Returned to Senate, signed by Speaker, 869.
Signed by President, 974.

House Bill No. 920—

House Bill No. 920. A Bill for an Act to amend and re-enact sections 43-22-02; 43-22-03 and 43-22-08 of North Dakota Century Code relating to Oil, Gas, and Mineral Broker.

Received from House, 502.
First reading and referred to Committee on Industry,
Business and Labor, 578.
Reported back, do pass, 829.
Second reading and final passage, 944, 945.
Returned to House, 965, 1019.
Returned to Senate, signed by Speaker, 1018.
Signed by President, 1019.

House Bill No. 921—

House Bill No. 921. A Bill for an Act to amend and re-enact subsection 3 of section 10-04-03, sections 10-04-04, 10-04-05, 10-04-06, subsection 2 of section 10-04-08, sections 10-04-08.2 and 10-04-10, and to create and enact section 10-04-07.1 and subsection 10 of section 10-04-08.1 of the North Dakota Century Code, relating to the administration, registration and exemption of securities and securities laws.

Received from House, 562.
First reading and referred to Committee on Industry,
Business and Labor, 581.
Reported back, amended, 829.
Amendments adopted, 865.
Rules suspended, placed on calendar, 928.
Second reading and final passage, clincher, 950, 985.

Returned to House, amended, 965, 1024.
 House does not concur, 975.
 Conference Committee, House, 975.
 Conference Committee change, House, 982.
 Conference Committee, Senate, 983.
 Conference Committee report, 984.
 Senate adopts report, 984.
 Rules suspended, placed on calendar for second reading
 and final passage as amended in Conference
 Committee, 985.
 House adopts report, 998.
 Returned to Senate, signed by Speaker, 1023.
 Signed by President, 1024.

House Bill No. 922—

House Bill No. 922. A Bill for an Act to amend and re-enact Subsection 1 of section 10-04-03 of the North Dakota Century Code relating to administration and supervision of issue and sale of securities.

Received from House, 522.
 First reading and referred to Committee on State and
 Federal Government, 578.
 Reported back, amended, 738.
 Amendments adopted, 767.
 Motion to amend, 816.
 Laid over one legislative day, 816.
 Second reading and final passage, 816, 917, 918, 990.
 Placed at foot of calendar, 844.
 Amended from the floor, 917.
 Rules suspended, placed on second reading and final
 passage as amended from the floor, 917.
 Returned to House, amended, 953, 1019.
 House does not concur, 965.
 Conference Committee, House, 965.
 Conference Committee, Senate, 966.
 Conference Committee report, 989.
 Senate adopts report, 990.
 Rules suspended, placed on second reading and final
 passage as amended in Conference Committee, 990.
 House adopts report, 998.
 Returned to Senate, signed by Speaker, 1018.
 Signed by President, 1019.

House Bill No. 923—

House Bill No. 923. A Bill for an Act to amend and re-enact section 6-08-16 and to create and enact section 6-08-16.1 of the North Dakota Century Code relating to the issuance of a check or draft without sufficient funds or an account, and providing a penalty.

Received from House, 522.
 First reading and referred to Committee on Industry,
 Business and Labor, 578.
 Reported back, do pass, 829.
 Second reading and final passage, 945.
 Returned to House, 965, 1019.
 Returned to Senate, signed by Speaker, 1018.
 Signed by President, 1019.

House Bill No. 928—

House Bill No. 928. A Bill for an Act repealing subsections 2, 7, 8, 9, 10, 11, 12, 13, 15, 17, and 19 of section 54-21-13 and section 54-21-14 of the North Dakota Century Code relating to the powers and duties of the board of administration in child welfare matters.

Received from House, 522.

First reading and referred to Committee on Social Welfare and Veterans Affairs, 578.

Reported back, do pass, 703.

Second reading and final passage, 784, 785.

Returned to House, 850, 987.

Returned to Senate, signed by Speaker, 897.

Signed by President, 974.

House Bill No. 929—

House Bill No. 929. A Bill for an Act to amend and reenact section 18-06-11 of the North Dakota Century Code, relating to contracts for fire protection in unorganized townships and mill levy, and declaring an emergency.

Received from House, 562.

First reading and referred to Committee on Finance and Taxation, 581.

Reported back, do pass, 605.

Second reading and final passage, emergency clause carried, 636, 637.

Returned to House, 651, 749.

Returned to Senate, signed by Speaker, 705.

Signed by President, 722.

HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution "A"—

House Concurrent Resolution "A". A concurrent resolution for an amendment to the Constitution of the state of North Dakota granting power to the legislative assembly to insure continuity of state and local governmental operations in periods of emergency resulting from disaster caused by enemy attack.

Received from House, 86.

First reading and referred to Committee on State and Federal Government, 95.

Reported back, amended, 140.

Second reading, 171.

Adopted, 172.

Returned to House, amended, 185, 228.

House concurs, 208.

Returned to Senate, signed by Speaker, 208.

Signed by President, 212.

House Concurrent Resolution "B"—

House Concurrent Resolution "B". A concurrent resolution relating to the administration and operation of the state training school.

Received from House, 343.

First reading and referred to Committee on Social Welfare and Veterans Affairs, 358.

Reported back, do pass, 575.

Second reading, 609.

Adopted, 609.

Returned to House, 638, 719.

Returned to Senate, signed by Speaker, 675.

Signed by President, 691.

House Concurrent Resolution "C"—

House Concurrent Resolution "C". A concurrent resolution expressing the appreciation of the legislative assembly to the adjutant general for furnishing miniature flags to the legislative assembly.

Received from House, 46.

First reading, 53.

Rules suspended, declared adopted, 54.

Returned to House, 59, 74.

Returned to Senate, signed by Speaker, 60.

Signed by President, 65.

House Concurrent Resolution "D"—

House Concurrent Resolution "D". A concurrent resolution to extend an invitation to the Executive Committee of the North American Association of Alcoholism Programs urging them to hold their annual meeting in Bismarck, North Dakota, in 1962.

Received from House, 46.
 First reading and referred to Committee on Social Welfare and Veterans Affairs, 54.
 Returned to Senate, 55.
 Rules suspended, placed on calendar, 55.
 Amended from the floor, 55.
 Second reading, 55.
 Adopted, 55.
 Returned to House, amended, 59, 74.
 House concurs, 60.
 Returned to Senate, signed by Speaker, 60.
 Signed by President, 65.

House Concurrent Resolution "E"—

House Concurrent Resolution "E". A concurrent resolution directing the chief clerk of the house of representatives to provide identification tags for all persons registered as lobbyists.

Received from House, 56.
 First reading, 62.
 Rules suspended, not referred to committee, laid over one legislative day, 62.
 Second reading, 68, 77.
 Adopted, 69, 78.
 Reconsidered, 76.
 Amended from floor, 77.
 Clincher, 78.
 Returned to House, amended, 85, 122.
 House concurs, 101.
 Returned to Senate, signed by Speaker, 102.
 Signed by President, 121.

House Concurrent Resolution "G"—

House Concurrent Resolution "G". A concurrent resolution for an amendment to subdivision (d) of subsection 3 of article 54 of the Constitution of the state of North Dakota, relating to budgets and appropriations for institutions of higher education.

Received from House, 196.
 First reading and referred to Committee on Agriculture, 204.
 Reported back, do pass, 235.
 Second reading, 271.
 Adopted, 272.
 Returned to House, 292, 335.
 Returned to Senate, signed by Speaker, 316.
 Signed by President, 333.

House Concurrent Resolution "H"—

House Concurrent Resolution "H". A concurrent resolution authorizing and directing the legislative research committee to study the water conservation laws of the state in order to determine their adequacy in providing for the greatest possible conservation and utilization of the water resources of the state.

Received from House, 936.

First reading, 953.

Rules suspended, not referred to committee, placed on calendar for second reading and final passage, 953.

Second reading, 975.

Adopted, 975.

Returned to House, 986, 1024.

Returned to Senate, signed by Speaker, 1023.

Signed by President, 1024.

House Concurrent Resolution "T"—

House Concurrent Resolution "T". A concurrent resolution authorizing and directing the legislative research committee to study and consider the parole and pardon laws of the state.

Received from House, 936.

First reading, 953.

Rules suspended, not referred to committee, placed on calendar for second reading and final passage, 953.

Second reading, 975.

Adopted, 975.

Returned to House, 986, 1024.

Returned to Senate, signed by Speaker, 1023.

Signed by President, 1024.

House Concurrent Resolution "J"—

House Concurrent Resolution "J". A concurrent resolution directing the legislative research committee to conduct a study of the uniform vehicle code.

Received from House, 936.

First reading, 953.

Rules suspended, not referred to committee, placed on calendar for second reading and final passage, 954.

Second reading, 980, 991, 1001.

Placed at foot of calendar, 980.

Amended from the floor, 991.

Rules suspended, placed on calendar for second reading and final passage as amended from the floor, 992.

Adopted, 992, 1001.

Returned to House, amended, 993, 1024.

House does not concur, 996.

Conference Committee, House, 996.

Conference Committee, Senate, 996.

Conference Committee report, 1000.

Senate adopts report, 1001.

Rules suspended, placed on calendar for second reading and final passage as amended in Conference Committee, 1001.

House adopts report, 1005.

Returned to Senate, signed by Speaker, 1023.

Signed by President, 1024.

House Concurrent Resolution "K"—

House Concurrent Resolution "K". A concurrent resolution providing and designating house and senate employees and naming and fixing their salaries.

Received from House, 89.
 First reading and referred to Committee on
 Employment, 99.
 Reported back, do pass, 105.
 Amended from the floor, 106.
 Amendments adopted, 106.
 Rules suspended, placed on calendar, 106.
 Second reading, 106.
 Adopted, 107.
 Clincher, 107.
 Returned to House, amended, 111, 125.
 House concurs, 117.
 Returned to Senate, signed by Speaker, 125.
 Signed by President, 125.

House Concurrent Resolution "L"—

House Concurrent Resolution "L". A concurrent resolution providing for the amendment of section 1 of Article 60 of the Amendments to the Constitution of the state of North Dakota and of subsection (1) of section 186 of Article XII of the Constitution of the state of North Dakota, and for the repeal of Article 56 of the Amendments to the Constitution of the state of North Dakota.

Received from House, 795.
 First reading and referred to Committee on State and
 Federal Government, 814.
 Reported back, indefinitely postponed, 845.
 Motion to place on calendar, lost, 845.
 Returned to House, indefinitely postponed, 867.

House Concurrent Resolution "M"—

House Concurrent Resolution "M". A concurrent resolution directing the legislative research committee to study the requirements, standards, laws and procedures for school district reorganization.

Received from House, 936.
 First reading, 954.
 Rules suspended, not referred to committee, placed on
 calendar for second reading and final passage, 954.
 Second reading, 980.
 Adopted, 980.
 Returned to House, 986, 1024.
 Returned to Senate, signed by Speaker, 1023.
 Signed by President, 1024.

House Concurrent Resolution "N"—

House Concurrent Resolution "N". A concurrent resolution urging observance of the centennial of the Morrill Land-Grant Act.

Received from House, 196.
 First reading and referred to Committee on
 Agriculture, 204.
 Reported back, do pass, 250.
 Placed at foot of calendar, 352.

Second reading, 403.
 Adopted, 404.
 Returned to House, 449, 514.
 Returned to Senate, signed by Speaker, 458.
 Signed by President, 478.

House Concurrent Resolution "O"—

House Concurrent Resolution "O". A concurrent resolution expressing the best wishes of the Thirty-seventh Legislative Assembly to John F. Kennedy, President of the United States, on his Inauguration Day.

Received from House, 103.
 First reading, 108.
 Rules suspended, placed for final passage, 108.
 Second reading, 108.
 Adopted, 109.
 Returned to House, 116, 137.
 Returned to Senate, signed by Speaker, 127.
 Signed by President, 128.

House Concurrent Resolution "P"—

House Concurrent Resolution "P". A concurrent resolution favoring the early construction of the proposed Bowman Haley dam and reservoir project and urging the corps of engineers to expedite the completion of a favorable report thereon.

Received from House, 140.
 First reading and referred to Committee on Natural Resources, 155.
 Reported back, do pass, 703.
 Second reading, 785.
 Adopted, 785.
 Returned to House, 850, 987.
 Returned to Senate, signed by Speaker, 948.
 Signed by President, 974.

House Concurrent Resolution "Q"—

House Concurrent Resolution "Q". A Concurrent resolution commending the action of the state water conservation commission in withdrawing from appropriation and reserving 2,640,000 acre-feet of water of the Missouri River for use of the Garrison Diversion Unit of the Missouri River basin project; and recommending that the commission reserve additional quantities of water of the Missouri River for future needs for irrigation and other purposes.

Received from House, 413.
 First reading and referred to Committee on Natural Resources, 467.
 Reported back, do pass, 703.
 Second reading, 785.
 Adopted, 786.
 Returned to House, 850, 987.
 Returned to Senate, signed by Speaker, 948.
 Signed by President, 974.

House Concurrent Resolution "R"—

House Concurrent Resolution "R". A concurrent resolution for the amendment of sections 150 and 173 of the Constitution of the state of North Dakota relating to county officers.

- Received from House, 354.
- First reading and referred to Committee on Political Subdivisions, 367.
- Reported back, indefinitely postponed, 703.
- Returned to House, indefinitely postponed, 755.

House Concurrent Resolution "S"—

House Concurrent Resolution "S". A concurrent resolution urging the postmaster general to issue commemorative stamps in honor of the Dakota Territory Centennial Celebration.

- Received from House, 140.
- First reading and referred to Committee on State and Federal Government, 155.
- Reported back, do pass, 202.
- Second reading, 227.
- Adopted, 227.
- Returned to House, 239, 272.
- Returned to Senate, signed by Speaker, 251.
- Signed by President, 259.

House Concurrent Resolution "T"—

House Concurrent Resolution "T". A concurrent resolution memorializing Congress to call a convention for the purpose of considering an amendment to the Constitution of the United States relative to taxes on income, inheritance and gifts.

- Received from House, 834.
- First reading and referred to Committee on State and Federal Government, 834.
- Reported back, indefinitely postponed, 846.
- Motion to substitute minority report for that of majority, lost, 846.
- Clincher, lost, 847.
- Returned to House, indefinitely postponed, 867.
- Motion to request return, 895.
- Senate requests return, 896.
- Returned to Senate, 900.
- Motion to reconsider, 901.
- Second reading, 901.
- Lost, 901.
- Returned to House, indefinitely postponed, 941.

House Concurrent Resolution "U"—

House Concurrent Resolution "U". A concurrent resolution requesting the Congress of the United States to enact legislation permitting depreciation, over a five-year period, of buildings and facilities used in the operation of live-stock feedlots.

Received from House, 307.
 First reading and referred to Committee on
 Agriculture, 325.
 Reported back, do pass, 575.
 Second reading, 609.
 Adopted, 610.
 Returned to House, 638, 749.
 Returned to Senate, signed by Speaker, 705.
 Signed by President, 722.

House Concurrent Resolution "V"—

House Concurrent Resolution "V". Ratification of proposed amendment to the Constitution of the United States relating to granting of representation in the electoral college to the District of Columbia.

Received from House, 739.
 First reading and referred to Committee on
 Judiciary, 769.
 Reported back, do pass, 811.
 Second reading, 905.
 Adopted, 906.
 Returned to House, 941, 1019.
 Returned to Senate, signed by Speaker, 1018.
 Signed by President, 1019.

House Concurrent Resolution "Z"—

House Concurrent Resolution "Z". A concurrent resolution urging that more time be devoted and more emphasis be placed on the teaching of patriotism, good citizenship, and respect for law and order in all elementary and secondary schools and in institutions of higher learning in this state.

Received from House, 413.
 First reading and referred to Committee on
 Education, 467.
 Reported back, do pass, 761.
 Second reading, 816.
 Motion to lay over one legislative day, lost, 816.
 Adopted, 817.
 Returned to House, 850, 987.
 Returned to Senate, signed by Speaker, 948.
 Signed by President, 974.

House Concurrent Resolution "A-1"—

House Concurrent Resolution "A-1". A concurrent resolution requesting the Congress of the United States, acting through the United States Department of Agriculture and the Commodity Credit Corporation, to modify certain provisions of the uniform grain storage agreement now utilized by the Commodity Credit Corporation.

Received from House, 562.
 First reading and referred to Committee on
 Agriculture, 581.
 Reported back, do pass, 647.

Second reading, 694.
 Adopted, 695.
 Returned to House, 750, 987.
 Returned to Senate, signed by Speaker, 869.
 Signed by President, 974.

House Concurrent Resolution "B-1"—

House Concurrent Resolution "B-1". A concurrent resolution requesting the Congress of the United States to enact legislation to establish a program for the encouragement of farm housing construction.

Received from House, 795.
 First reading and referred to Committee on Agriculture, 814.
 Reported back, do pass, 830.
 Second reading, 945.
 Adopted, 945.
 Returned to House, 965, 1024.
 Returned to Senate, signed by Speaker, 1023.
 Signed by President, 1024.

House Concurrent Resolution "C-1"—

House Concurrent Resolution "C-1". A concurrent resolution for amendment of sections 26, 30, and 35 of the Constitution of the state of North Dakota, relating to the establishment of legislative districts and the apportionment of members of the senate and the house of representatives, and to repeal sections 29 and 214 of the Constitution of the state of North Dakota, relating to the establishment of legislative districts and the apportionment of members of the house of representatives.

Received from House, 688.
 First reading and referred to Committee on Judiciary, 705, 706.
 Reported back, indefinitely postponed, 830.
 Clincher, 830.
 Returned to House, indefinitely postponed, 867.

House Concurrent Resolution "E-1"—

House Concurrent Resolution "E-1". A concurrent resolution acknowledging the progress of the state in the modernization of its highway systems and the results of a comparative study on construction costs, maintenance and life expectancy of surface types and commending the North Dakota state highway department for its accomplishments.

Received from House, 432.
 First reading and referred to Committee on Transportation, 470.
 Reported back, amended, 575.
 Amendments adopted, 587.
 Second reading, 620, 627.
 Lost, 620.
 Reconsidered, 627.
 Adopted, 628.

Returned to House, amended, 651, 817.
House concurs, 675.
Returned to Senate, signed by Speaker, 752.
Signed by President, 774.

House Concurrent Resolution "I-1"—

House Concurrent Resolution "I-1". A concurrent resolution expressing congratulations and best wishes to Johnny Kemp of Bismarck, North Dakota.

Received from House, 251.
First reading, 280.
Rules suspended, not referred to committee, placed for second reading and final passage, 280.
Second reading, 280.
Adopted, 280.
Returned to House, 285, 316.
Returned to Senate, signed by Speaker, 308.
Signed by President, 309.

House Concurrent Resolution "J-1"—

House Concurrent Resolution "J-1". A concurrent resolution urging appropriate county officials to make the maximum possible utilization of existing legal procedures for the collection of delinquent personal property taxes.

Received from House, 562.
First reading and referred to Committee on State and Federal Government, 581.
Reported back, do pass, 605.
Second reading, 648.
Adopted, 649.
Returned to House, 689, 817.
Returned to Senate, signed by Speaker, 752.
Signed by President, 774.

House Concurrent Resolution "M-1"—

House Concurrent Resolution "M-1". A concurrent resolution urging the secretary of agriculture and the secretary of the interior to take such action as may be necessary to establish improved policies for the leasing of lands owned by the United States.

Received from House, 936.
First reading, 954.
Rules suspended, not referred to committee, placed on calendar for second reading and final passage, 954.
Second reading, 980.
Adopted, 980.
Returned to House, 986, 1025.
Returned to Senate, signed by Speaker, 1023.
Signed by President, 1024.

House Concurrent Resolution "N-1"—

House Concurrent Resolution "N-1". A concurrent resolution requesting the Congress of the United States to propose to the people an amendment to the Constitution ex-

pressing prohibiting the government of the United States from engaging in enterprise in competition with its citizens, establishing the United States Constitution as the supreme law of the land, and repealing the 16th amendment.

Received from House, 704.
 First reading and referred to Committee on Finance and Taxation, 743.
 Re-referred to Committee on State and Federal Government, 743.
 Motion to return to Senate, 746.
 Indefinitely postponed, 746.
 Clincher, 746.
 Returned to House, indefinitely postponed, 772.

House Concurrent Resolution "O-1"—

House Concurrent Resolution "O-1". A concurrent resolution urging the President to appoint a presidential emergency board under authority of the Railway Labor Act in regard to the strike involving Northwest Airlines.

Received from House, 371.
 First reading, 461.
 Rules suspended, not referred to committee, placed on calendar for second reading and final passage, 461.
 Second reading, 462, 525, 593.
 Laid over one legislative day, 462.
 Motion to place at head of calendar, 523.
 Amended from the floor, 525.
 Lost, 594.
 Returned to House, indefinitely postponed, 611.

House Concurrent Resolution "Q-1"—

House Concurrent Resolution "Q-1". A concurrent resolution directing the legislative research committee to conduct a study of needs and available facilities for higher education in specialized fields and of the possibilities of entering into agreements with other states to supply such facilities on a reciprocal basis.

Received from House, 936.
 First reading, 954.
 Rules suspended, not referred to committee, placed on calendar for second reading and final passage, 954.
 Second reading, 980.
 Lost, 981.
 Returned to House, indefinitely postponed, 986.

House Concurrent Resolution "R-1"—

House Concurrent Resolution "R-1". A concurrent resolution directing the legislative research committee to study the feasibility of imposing an additional tax on income and exempting from the tax rolls certain classes of personal property.

Received from House, 968.
 First reading, 968.
 Rules suspended, not referred to committee, placed for second reading and final passage, 968.

Second reading, 981.
 Adopted, 981.
 Returned to House, 986, 1025.
 Returned to Senate, signed by Speaker, 1023.
 Signed by President, 1024.

House Concurrent Resolution "S-1"—

House Concurrent Resolution "S-1". A concurrent resolution requesting that the Congress of the United States grant favorable consideration to H. R. 2477.

Received from House, 863.
 First reading, 866.
 Rules suspended, not referred to committee, laid over one legislative day, 866.
 Rules suspended, placed on calendar, 928.
 Second reading, 951.
 Adopted, 951.
 Returned to House, 965, 1025.
 Returned to Senate, signed by Speaker, 1023.
 Signed by President, 1024.

House Concurrent Resolution "T-1"—

House Concurrent Resolution "T-1". A concurrent resolution directing the legislative research committee, and other officials to conduct studies and conferences in regard to the possibilities and practicalities of extending services of the state law enforcement officials and agencies, courts and penal institutions toward the improvement of law enforcement in regard to Indian offenders and offenses throughout the state and toward the improvement of law enforcement in the so-called Indian country, directing cooperation with the activities commenced pursuant to Senate Concurrent Resolution "R-R" and requesting cooperation from state and non-state agencies and officials functioning in this field.

Received from House, 968.
 First reading, 969.
 Rules suspended, not referred to committee, placed on second reading and final passage, 969.
 Second reading, 981.
 Adopted, 981.
 Returned to House, 986, 1025.
 Returned to Senate, signed by Speaker, 1023.
 Signed by President, 1024.

House Concurrent Resolution "U-1"—

House Concurrent Resolution "U-1". A concurrent resolution providing for the completion of the legislative journals of the House and Senate.

Received from House, 863.
 First reading, 866.
 Rules suspended, not referred to committee, laid over one legislative day, 866.
 Rules suspended, placed on calendar, 928.
 Second reading, 951.

Adopted, 951.
Returned to House, 965, 1025.
Returned to Senate, signed by Speaker, 1023.
Signed by President, 1024.

House Concurrent Resolution "V-1"—

House Concurrent Resolution "V-1". A Concurrent Resolution providing for the retaining of certain employees of the House of Representatives and Senate after the legislative session for the purpose of completing legislative work.

Received from House, 863.
First reading, 866.
Rules suspended, not referred to committee, laid over one legislative day, 866.
Rules suspended, placed on calendar, 928.
Second reading, 951.
Adopted, 952.
Returned to House, 965, 1025.
Returned to Senate, signed by Speaker, 1023.
Signed by President, 1024.

House Concurrent Resolution "W-1"—

House Concurrent Resolution "W-1". 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.

Received from House, 863.
First reading, 866.
Rules suspended, not referred to committee, laid over one legislative day, 866.
Rules suspended, placed on calendar, 928.
Second reading, 952.
Adopted, 952.
Returned to House, 965, 1025.
Returned to Senate, signed by Speaker, 1023.
Signed by President, 1024.

House Concurrent Resolution "X-1"—

House Concurrent Resolution "X-1". A Concurrent Resolution calling the attention of the Congress to conditions affecting veterans of World War I.

Received from House, 863.
First reading, 866.
Rules suspended, not referred to committee, laid over one legislative day, 866.
Rules suspended, placed on calendar, 928.
Second reading, 953.
Adopted, 953.
Returned to House, 965, 1025.
Returned to Senate, signed by Speaker, 1023.
Signed by President, 1024.

House Concurrent Resolution "Y-1"—

House Concurrent Resolution "Y-1". A concurrent resolution requesting the Congress of the United States to give serious consideration to a plan to aid in disposition of farm surplus and to supply food to hungry people throughout the world.

Received from House, 936.

First reading, 954.

Rules suspended, not referred to committee, placed on calendar for second reading and final passage, 954.

Second reading, 981.

Adopted, 981.

Returned to House, 986, 1025.

Returned to Senate, signed by Speaker, 1023.

Signed by President, 1024.

House Concurrent Resolution "Z-1"—

House Concurrent Resolution "Z-1". A concurrent resolution urging the citizens of North Dakota to make special efforts to publicize the Dakota Territory Centennial.

Received from House, 968.

First reading, 969.

Rules suspended, not referred to committee, placed on second reading and final passage, 969.

Second reading, 981.

Adopted, 981.

Returned to House, 986, 1025.

Returned to Senate, signed by Speaker, 1023.

Signed by President, 1024.