

STATE OF NORTH DAKOTA

---

**Journal of the Senate**

of the

**Fortieth Session**

of the

**Legislative Assembly**

---

Begun and held at the Capitol Building at Bismarck,  
January 3, to March 3, 1967, inclusive

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CHARLES TIGHE  
Bismarck, N. Dak.  
President of the Senate

LEO LEIDHOLM  
Underwood, N. Dak.  
Secretary of the Senate

## MEMBERS OF THE SENATE, 1967

Dist.	County	Name	Address	Business or Occupation	Marital Status	Member During Session of
1	Pt. Williams	Frank A. Wenstrom	Williston	Savings and Loan General Manager	Married	1957-57-67
2	Pt. Williams and Divide	George Rait	Noonan	Farmer	Married	1965-67
3	Pt. Renville and Pt. Ward	L. D. Christenson	Kenmare	Farmer	Married	1967
4	Mountrail and Pt. Ward	Herb Geving	Parshall	Farmer	Single	1967
5	Pt. Ward	John D. Coughlin	Minot	Petroleum Marketing and Refining Business, Farmer and Rancher	Married	1967
	Pt. Ward	John D. Decker	Minot	Oil Equipment	Married	1967
	Pt. Ward	Herber L. Meschke	Minot	Lawyer	Married	1967
6	Bottineau and Pt. McHenry	Edwin C. Becker	Willow City	Farmer	Single	1959-61-63-65-67
7	Pt. McHenry and Pt. Ward	Ernest M. Sands	Velva	Department Store Manager	Married	1967
8	McLean	Dave M. Robinson	Coleharbor	Farmer-Rancher	Married	1963-65-67
9	Rolette and Pt. Towner	Philip Berube	Rolla	Farmer	Married	1953-55-57-59-61-63-65-67
10	Cavalier and Pt. Towner	Richard E. Forkner	Langdon	Co-Publisher	Married	1963-65-67
11	Pembina	Grant Trenbeath	Neché	Farmer	Married	1957-59-61-63-65-67
12	Pierce and Pt. Benson	Harold R. Hofstrand	Leeds	Farmer	Married	1967
13	Eddy-Foster and Pt. Benson	H. O. Beck	Carrington	Businessman	Married	1963-65-67
14	Sheridan-Wells	Clarence G. Schultz	Harvey	Merchant	Married	1967
15	Ramsey	Milton G. Kelly	Devils Lake	Retired	Married	1959-61-63-65-67
16	Pt. Walsh	Elton W. Ringsak	Grafton	Lt. Col., Retired Lawyer	Married	1965-67
17	Pt. Walsh and Nelson	Lester Larson	Brocket	Farmer	Married	1965-67
18	Pt. Grand Forks	George Longmire	Grand Forks	Attorney	Married	1956-57-59-61-63-65-67
	Pt. Grand Forks	Kenneth C. Lowe	Grand Forks	Motion Picture Projectionist	Married	1967
	Pt. Grand Forks	Richard Larsen	Grand Forks	Economics Professor, Businessman	Married	1967

## MEMBERS OF THE SENATE, 1967 — (Continued)

Dist.	County	Name	Address	Business or Occupation	Marital Status	Member During Session of
19	Pt. Grand Forks	Duane Mutch	Larimore	Oil Distributor, L.P. Gas Distributor	Married	1959-61-63-65-67
20	Trail and Pt. Cass	Oscar J. Sorlie	Buxton	Farmer	Married	1963-65-67
21	Pt. Cass	Francis J. Butler	Fargo	Executive, Retail Merchandising	Married	1967
	Pt. Cass	Richard W. Goldberg	Fargo	Grain and Feed Business	Married	1967
	Pt. Cass	C. Warner Litten	Fargo	Clinic — Business Manager	Married	1967
	Pt. Cass	Dr. William A. Stafne	Fargo	Physician	Married	1967
22	Pt. Cass	Ernest G. Pyle	Casselton	Farmer	Married	1967
23	Griggs-Steele, Pt. Barnes	Carrol Torgerson	Cooperstown	Auctioneer — Real Estate Broker	Married	1963-65-67
24	Pt. Barnes	Earl M. Kelly	Valley City	Businessman	Married	1963-65-67
25	Pt. Richland	A. W. Luick	Fairmont	Retired Farmer	Married	1951-53-55-57-59-61-63- 65-67
26	Pt. Richland and Sargent	Kenneth L. Morgan	Walcott	Farmer	Married	1957-59-61-63-65-67
27	Ransom and Pt. LaMoure	Donald C. Holand	Lisbon	Attorney	Married	1955-57-59-61-63-65-67
28	Dickey and Pt. LaMoure	Earl H. Redlin	Ellendale	Farmer	Married	1965-67
29	Stutsman	Robert B. Melland	Jamestown	Implement-Auto Trucks-Appliances	Married	1967
	Stutsman	David E. Nething	Jamestown	Lawyer	Married	1967
30	Logan-McIntosh	Gail H. Hernett	Ashley	Banker	Married	1955-57-59-61-63-65-67
31	Kidder-Emmons	Robert Chesrown	Linton	Attorney	Married	1963-65-67
32	Burleigh	Guy Larson	Bismarck	Businessman	Married	1953-55-57-59-1967
	Burleigh	Evan E. Lips	Bismarck	Insurance	Married	1961-63-65-67
	Burleigh	L. J. Wilhite	Bismarck	Oil Producer	Married	1967
33	Mercer-Oliver, Pt. Morton	Robert L. Stroup	Hazen	Retail Lumberman	Married	1967
34	Pt. Morton	Emil E. Kautzmann	Mandan	Banker	Married	1963-65-67

## MEMBERS OF THE SENATE, 1967 — (Continued)

Dist.	County	Name	Address	Business or Occupation	Marital Status	Member During Sesseion of
35	Grant-Sioux, Pt. Morton	Frank J. Ruenmele	Carson	Retired Abstractor	Married	1965-67
36	McKenzie-Dunn	J. Garvin Jacobson	Alexander	Farmer-Rancher	Married	1967
37	Pt. Stark	Howard A. Freed	Dickinson	Attorney	Married	1967
38	Hettinger-Pt. Stark, Pt. Adams	Robert M. Nasset	Regent	Farmer	Married	1967
39	Golden Valley-Billings- Slope-Bowman and Pt. Adams	Leland Roen	Bowman	Farmer-Rancher	Married	1957-59-61-63-65-67

## ERRATA

On page 1073, line 8 from bottom, delete the word "carried" and and insert in lieu thereof the word "lost."

On page 1077, lines 2, 9, and 12 from bottom, delete the word "Senate" and insert in lieu thereof the word "House."

On page 1078, line 3, delete the word "Senate" and insert in lieu thereof the word "House."

On page 1099, after line 25, insert the words "House Bill No. 508."

On page 1102, after line 8, insert: "The Secretary announced that the President was about to sign over the Governor's veto:

House Bill No. 615, 714, 782 and 941.

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

On page 1105, after line 15, insert the following:

"Senate Concurrent Resolution "AAA," "EEE," "FFF," "HHH,"  
"JJJ," "LLL," "PPP," "RRR," "SSS," Senate Memorial  
Resolution No. 3 and Senate Resolution No. 4."

On page 112, before line 23 from bottom, insert the words "Which the President has signed."

On page 1111, after line 17, insert:

"House Concurrent Resolution "G-2" and House Concurrent  
Resolution "H-2."

On page 1113, after line 15 insert:

Senate Bills 63, 99, 144, 193, 222, 228, 298, 302, 310, 316, 324, 327,  
380, and 405.

Were: Signed by President  
Messaged to House  
Messaged from House

# OFFICERS AND EMPLOYEES

of the

## SENATE OF NORTH DAKOTA

of the

### FORTIETH LEGISLATIVE ASSEMBLY

Name	Position	Address
Leo Leidholm.....	Secretary of Senate.....	Underwood
Dagny Olson.....	Desk Reporter.....	Devils Lake
A. E. Bradley.....	Sergeant-at-Arms.....	Rock Lake
Arthur Herk.....	Assistant Secretary of Senate.....	Fingal
William Brown.....	Bill Clerk.....	Cavalier
Cora Essington.....	Chief Stenographer and Payroll Clerk.....	Bismarck
Lois Scherr.....	Chief Committee Clerk.....	Bismarck
Lyness Lloyd.....	Calendar Clerk.....	Bismarck
Vonny Mushik.....	Enr. and Eng. Clerk.....	Bismarck
John Leier.....	Superintendent of Employees.....	Esmond
Irene Moore.....	Secretary to the President.....	Bismarck
Donna Heisler.....	Secretary to Majority Floor Leader.....	Mandan
Karen Fraser.....	Secretary to Minority Floor Leader.....	Omeme
Robert Ellsworth.....	Deputy Sgt.-at-Arms.....	Maxbass
Richard H. Jagd.....	Assistant Sgt.-at-Arms.....	Grand Forks
R. J. Thompson.....	Assistant Sgt.-at-Arms.....	Bismarck
Ardell Johnson.....	Assistant Sgt.-at-Arms.....	Milnor
Nick Frank.....	Assistant Sgt.-at-Arms.....	Dickinson
Wilhelm Urlacher.....	Bill Room Clerk.....	Dickinson
Richard Wittmayer.....	Bill Room Clerk.....	Stanton
Shirley Shaw.....	Stenographer.....	Bismarck
Eleanor Oeder.....	Stenographer.....	Bismarck
Inez Schneider.....	Stenographer.....	Bismarck
Darlyne Clausnitzer.....	Typist.....	Bismarck
Angeline Stein.....	Appropriations Com. Clk.....	Bismarck
Della Erickson.....	Committee Clerk.....	Bismarck
Pearl Engen.....	Committee Clerk.....	Bismarck
Dormilee A. Diede.....	Committee Clerk- Stenographer.....	Bismarck
Eunice Anderson.....	Assistant Enrolling and Engrossing Clerk.....	Bismarck
Ronald Anderson.....	Page.....	Charlson
Nolan Fjeldahl.....	Page.....	Plaza
Mary K. Blandin.....	Page.....	Mandan
Susan Rivinius.....	Pages (Student).....	Bismarck
Donnette Schramm.....	Pages (Student).....	Bismarck
Linda Larson.....	Pages (Student).....	Bismarck
Larry Watson.....	Pages (Student).....	Bismarck
David Soma.....	Pages (Student).....	Bismarck

## OFFICERS AND EMPLOYEES (Continued)

Name	Position	Address
Marc Homme.....	Pages (Student) .....	Bismarck
Vi DeForest.....	Postmistress .....	Bismarck
Frieda Schlaht.....	Telephone Attendant .....	Mercer
Ceila Fowler.....	Telephone Attendant .....	Bismarck
Bernice Sailer.....	Chartroom Attendant .....	Bismarck
Emil Albrecht.....	Bill Room Clerk .....	Steele
Curtis Kranz.....	Bill Room Clerk .....	Underwood
Wanda Froehlich.....	Bill Room Clerk .....	Mandan
Sam Labrenz.....	Bill Room Clerk .....	Jamestown
Marion Arenstein.....	Information Desk Attendant.....	Bismarck
Fred Krause, Jr.....	Journal Room Clerk .....	Carson
Alta Harens.....	Journal Room Clerk .....	Bismarck
Hazel Ludemann.....	Journal Room Attendant .....	Bismarck
Iver Kval.....	Parking Lot Attendant .....	Lisbon
Marie Skjod.....	Proofreader .....	Mandan
Elma Schrammen.....	Proofreader .....	Elgin
David Bilden.....	Supply Room Attendant.....	Northwood

# SENATE MEMBERS

District	County	Name	Address
1.	Pt. Williams.....	Frank Wenstrom.....	Williston
2.	Pt. Williams & Divide.....	George Rait.....	Noonan
3.	Burke-Renville & Pt. Ward.....	L. D. Christensen.....	Kenmare
4.	Mountrail & Pt. Ward.....	Herb Geving.....	Parshall
5.	Pt. Ward.....	John D. Coughlin.....	Minot
		John D. Decker.....	Minot
		Herbert L. Meschke.....	Minot
6.	Bottineau & Pt. McHenry.....	Edwin C. Becker.....	Willow City
7.	Pt. McHenry & Pt. Ward.....	Ernest M. Sands.....	Velva
8.	McLean.....	Dave M. Robinson.....	Coleharbor
9.	Rolette & Pt. Towner.....	Philip Berube.....	Belcourt
10.	Cavalier & Pt. Towner.....	Richard E. Forkner.....	Langdon
11.	Pembina.....	Grant Trenbeath.....	Neché
12.	Pierce & Pt. Benson.....	Harold R. Hofstrand.....	Leeds
13.	Eddy-Foster & Pt. Benson.....	H. O. Beck.....	Carrington
14.	Sheridan-Wells.....	Clarence G. Schultz.....	Harvey
15.	Ramsey.....	Milton G. Kelly.....	Devils Lake
16.	Pt. Walsh.....	Elton W. Ringsak.....	Grafton
17.	Pt. Walsh & Nelson.....	Lester Larson.....	Brockton
18.	Pt. Grand Forks.....	George Longmire.....	Grand Forks
		Kenneth C. Lowe.....	Grand Forks
		Richard Larsen.....	Grand Forks
19.	Pt. Grand Forks.....	Duane Mutch.....	Larimore
20.	Trail & Pt. Cass.....	Oscar J. Sorlie.....	Buxton
21.	Pt. Cass.....	Francis J. Butler.....	Fargo
		Richard W. Goldberg.....	Fargo
		C. Warner Litten.....	Fargo
		Dr. William A. Stafne.....	Fargo
22.	Pt. Cass.....	Ernest G. Pyle.....	Casselton
23.	Griggs-Steele, Pt. Barnes.....	Carrol Torgerson.....	Cooperstown
24.	Pt. Barnes.....	Earl M. Kelly.....	Valley City
25.	Pt. Richland.....	A. W. Luick.....	Fairmount
26.	Pt. Richland & Sargent.....	Kenneth L. Morgan.....	Walcott
27.	Ransom & Pt. LaMoure.....	Donald C. Holand.....	Lisbon
28.	Dickey & Pt. LaMoure.....	Earl H. Redlin.....	Ellendale
29.	Stutsman.....	Robert Melland.....	Jamestown
		David E. Nething.....	Jamestown
30.	Logan-McIntosh.....	Gail H. Hernett.....	Ashley
31.	Kidder-Emmons.....	Robert Chesrown.....	Linton
32.	Burleigh.....	Guy Larson.....	Bismarck
		Evan E. Lips.....	Bismarck
		I. J. Wilhite.....	Bismarck
33.	Mercer-Oliver, Pt. Morton.....	Robert L. Stroup.....	Hazen
34.	Pt. Morton.....	Emil E. Kautzmann.....	Mandan
35.	Grant-Sioux, Pt. Morton.....	Frank J. Ruemmele.....	Carson
36.	McKenzie-Dunn.....	J. Garvin Jacobson.....	Alexander
37.	Pt. Stark.....	Howard A. Freed.....	Dickinson
38.	Hettinger-Pt. Stark- Pt. Adams.....	Robert M. Nasset.....	Regent
39.	Golden Valley-Billings- Slope-Bowman & Pt. Adams.....	Leland Roen.....	Bowman



# HOUSE MEMBERS

District	Name	Address
1. Pt. Williams.....	Ardean Aafedt.....	Williston
	Robert Peterson.....	Williston
2. Pt. Williams & Divide.....	Olaf Opedahl.....	Tioga
	Iver Solberg.....	Ray
3. Burke-Renville & Pt. Ward.....	Richard J. Backes.....	Glenburn
	M. E. Glaspey.....	Lignite
4. Mountrail & Pt. Ward.....	William A. Erickson.....	Stanley
	Harold G. Skaar.....	New Town
5. Pt. Ward.....	Lynn W. Aas.....	Minot
	Warren G. Allen.....	Minot
	Brynhild Haugland.....	Minot
	James A. Peterson.....	Minot
	Wayne G. Sanstead.....	Minot
	Gary M. Williamson.....	Minot
6. Bottineau & Pt. McHenry.....	Carl J. Freeman.....	Bottineau
	Chester Fossum.....	Maxbass
7. Pt. McHenry & Pt. Ward.....	Fern E. Lee.....	Towner
	Stanley Saugstad.....	Minot
8. McLean.....	Otto Bauer.....	Butte
	Donald Giffey.....	Roseglen
9. Rolette & Pt. Towner.....	Gerhart Wilkie.....	Rolla
	Oscar Solberg.....	Mylo
10. Cavalier & Pt. Towner.....	Glen Goodman.....	Milton
	Robert Wells.....	Langdon
11. Pembina.....	Clifford Moquist.....	Crystal
	Don Halcrow.....	Drayton
12. Pierce & Pt. Benson.....	Joe B. Leibhan.....	Esmond
	Helen Claire Ferguson.....	Rugby
13. Eddy-Foster & Pt. Benson.....	Arne Boyum.....	Carrington
	Marvin Tollefson.....	New Rockford
14. Sheridan-Wells.....	Albert Seibel.....	Martin
	Bryce Streibel.....	Fessenden
15. Ramsey.....	Fred Hoghaug.....	Devils Lake
	H. Kent Jones.....	Webster
16. Pt. Walsh.....	Harley R. Kingsbury.....	Nash
	Norman Larson.....	Park River
17. Pt. Walsh & Nelson.....	C. Arnold Lillehaugen.....	Brockett
	Helmer Dahlen.....	Michigan
18. Pt. Grand Forks.....	Kenneth Tweten.....	Reynolds
	George M. Unruh.....	Grand Forks
	I. O. Hensrud.....	Grand Forks
	Stuart J. McDonald.....	Grand Forks
	Mrs. J. Lloyd Stone.....	Grand Forks
	Earl S. Strinden.....	Grand Forks
19. Pt. Grand Forks.....	Arthur G. Bilden.....	Northwood
	James N. Kent.....	Hatton
20. Traill & Pt. Cass.....	Ralph Diehl.....	Hillsboro
	Eldred N. Dornacker.....	Mayville

## MEMBERS OF THE HOUSE (Continued)

District	Name	Address
21. Pt. Cass.....	Gordon S. Aamoth.....	Fargo
	A. G. (Art) Bunker.....	Fargo
	Russell Duncan.....	Fargo
	Peter S. Hilleboe.....	Fargo
	Clark J. Jenkins.....	Fargo
	Omer S. Mathiason.....	Fargo
22. Pt. Cass.....	Thomas J. McDonald....	West Fargo
	Aloha Eagles.....	Fargo
23. Griggs-Steele, Pt. Barnes.....	Wesley Belter.....	Leonard
	Francis E. Weber.....	Wheatland
24. Pt. Barnes.....	Ernest N. Johnson.....	Dazey
	Simon A. Simonson.....	Hope
25. Pt. Richland.....	Leslie C. Powers.....	Valley City
	Ralph M. Winge.....	Litchville
26. Pt. Richland & Sargent.....	Harold O. Bullis.....	Wahpeton
	Earl Stoltenow.....	Wahpeton
27. Ransom & Pt. LaMoure.....	Eugene R. Dahl.....	Gwinner
	LeRoy Erickson.....	DeLamere
28. Dickey & Pt. LaMoure.....	Lawrence Dick.....	Englevale
	Claire A. Sandness.....	LaMoure
29. Stutsman.....	L. C. Mueller.....	Oakes
	William Gackle.....	Kulm
30. Logan-McIntosh.....	Jack Bernabucci.....	Jamestown
	Henry Ganser.....	Cleveland
	Gordon Larson.....	Sydney
31. Kidder-Emmons.....	Robert Reimers.....	Melville
	Joe Welder.....	Napoleon
32. Burleigh.....	E. E. Schaffer.....	Gackle
	William DeKrey.....	Pettibone
33. Mercer-Oliver, Pt. Morton.....	Howard F. Bier.....	Hazelton
	Carl H. Boustead.....	Bismarck
	R. Fay Brown.....	Bismarck
	Edward Metzger.....	Bismarck
	Vernon E. Wagner.....	Bismarck
	Monty Burke.....	McKenzie
34. Pt. Morton.....	Theodore A. Lang.....	Sterling
	James L. Connolly.....	Golden Valley
35. Grant-Sioux, Pt. Morton.....	Ralph Hickie.....	Center
	William C. Kelsch.....	Mandan
36. McKenzie-Dunn.....	Duane A. Kuehn.....	Mandan
	Lyle L. Dawson, Jr.....	Ft. Rice
37. Pt. Stark.....	Albert L. Rivinius.....	Elgin
	Leonard J. Davis.....	Killdeer
38. Hettinger-Pt. Stark- Pt. Adams.....	Arthur A. Link.....	Alexander
	Donald A. Froelich.....	Dickinson
39. Golden Valley-Billings- Slope-Bowman & Pt. Adams	Mike Olienyk.....	Belfield
	Milon Austin.....	Mott
	Kenneth Knudson.....	Taylor
	Karnes Johnson.....	Sentinel Butte
	Earl C. Rundle.....	New England

"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### FIRST DAY

Bismarck, January 3, 1967

At the hour of twelve o'clock noon of the third day of January, 1967, according to the Constitution of the State of North Dakota, the Legislative Assembly of the State of North Dakota, the members elected to the Senate of the Fortieth Legislative Assembly, assembled in the North Dakota State Capitol Building at Bismarck, North Dakota, and were called to order by Gerald L. Stair, Secretary of the Thirty-ninth Legislative Assembly of the State of North Dakota.

The following communication was received from the Secretary of State:

#### STATE OF NORTH DAKOTA

Department of State  
Bismarck

January 3, 1967

Secretary of the Senate  
Fortieth 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 Fortieth Legislative Assembly of the State of North Dakota:

District	County	Name	Address
1.	Pt. Williams.....	Frank Wenstrom.....	Williston
2.	Pt. Williams & Divide.....	George Rait.....	Noonan
3.	Burke-Renville & Pt. Ward.....	L. D. Christensen.....	Kenmare
4.	Mountrail & Pt. Ward.....	Herb Geving.....	Parshall
5.	Pt. Ward.....	John D. Coughlin.....	Minot
		John D. Decker.....	Minot
		Herbert L. Meschke.....	Minot
6.	Bottineau & Pt. McHenry.....	Edwin C. Becker.....	Willow City
7.	Pt. McHenry & Pt. Ward.....	Ernest M. Sands.....	Velva
8.	McLean.....	Dave M. Robinson.....	Coleharbor
9.	Rolette & Pt. Towner.....	Philip Berube.....	Belcourt
10.	Cavalier & Pt. Towner.....	Richard E. Forkner.....	Langdon
11.	Pembina.....	Grant Trenbeath.....	Neche
12.	Pierce & Pt. Benson.....	Harold R. Hofstrand.....	Leeds
13.	Eddy-Foster & Pt. Benson.....	H. O. Beck.....	Carrington
14.	Sheridan-Wells.....	Clarence G. Schultz.....	Harvey
15.	Ramsey.....	Milton G. Kelly.....	Devils Lake
16.	Pt. Walsh.....	Elton W. Ringsak.....	Grafton
17.	Pt. Walsh & Nelson.....	Lester Larson.....	Brocket
18.	Pt. Grand Forks.....	George Longmire.....	Grand Forks

	Kenneth C. Lowe.....	Grand Forks
	Richard Larsen.....	Grand Forks
19.	Pt. Grand Forks.....	Duane Mutch..... Larimore
20.	Traill & Pt. Cass.....	Oscar J. Sorlie..... Buxton
21.	Pt. Cass.....	Francis J. Butler..... Fargo
	Richard W. Goldberg.....	Fargo
	C. Warner Litten.....	Fargo
	Dr. William A. Stafne.....	Fargo
22.	Pt. Cass.....	Ernest G. Pyle..... Casselton
23.	Griggs-Steele, Pt. Barnes.....	Carrol Torgerson..... Cooperstown
24.	Pt. Barnes.....	Earl M. Kelly..... Valley City
25.	Pt. Richland.....	A. W. Luick..... Fairmount
26.	Pt. Richland & Sargent.....	Kenneth L. Morgan..... Walcott
27.	Ransom & Pt. LaMoure.....	Donald C. Holand..... Lisbon
28.	Dickey & Pt. LaMoure.....	Earl H. Redlin..... Ellendale
29.	Stutsman.....	Robert Melland..... Jamestown
	David E. Nething.....	Jamestown
30.	Logan-McIntosh.....	Gail H. Hernet..... Ashley
31.	Kidder-Emmons.....	Robert Chesrown..... Linton
32.	Burleigh.....	Guy Larson..... Bismarck
	Evan E. Lips.....	Bismarck
	I. J. Wilhite.....	Bismarck
33.	Mercer-Oliver, Pt. Morton.....	Robert L. Stroup..... Hazen
34.	Pt Morton.....	Emil E. Kautzmann..... Mandan
35.	Grant-Sioux, Pt. Morton.....	Frank J. Ruemmele..... Carson
36.	McKenzie-Dunn.....	J. Garvin Jacobson..... Alexander
37.	Pt. Stark.....	Howard A. Freed..... Dickinson
38.	Hettinger-Pt. Stark Pt. Adams.....	Robert M. Nasset..... Regent
39.	Golden Valley-Billings Slope-Bowman & Pt. Adams.....	Leland Roen..... Bowman

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. 1967.

BEN MEIER  
Secretary of State  
State of North Dakota

Senator Lips moved that a committee of two be appointed to escort the Lieutenant Governor to the rostrum as President of the Senate, which motion prevailed.

The Secretary appointed as such committee Senators Holand and Berube, and the Lieutenant Governor was escorted to the rostrum.

Senator Lips moved that a committee of two be appointed by the President to escort Chief Justice Obert C. Teigen of the Supreme Court to the rostrum for the purpose of administering the oath of office to the members of the Senate, which motion prevailed.

The President appointed as such committee Senators Lips and Meschke.

Chief Justice Teigen then administered the oath of office to the members of the Senate.

Prayer by Chaplain Rev. M. P. Lutness, Trinity Lutheran, Bismarck.

Eternal Father, Hear us as we turn to Thee in prayer. Grant us

a clear and concise understanding of the needs of our day, and the best use of our talents and abilities to meet these needs. Make us keenly aware of the rights and liberties we possess in this land, and grant us wisdom and courage in the protection and perpetuation of these rights. Instill within us a love for freedom and justice, and grant us the capacity for honest respect and true concern for our fellowmen. Bless these men in their important and challenging task. This we ask in Thy name.

## ROLL CALL

The roll was called and there was present, 49; absent, 0.

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nething	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

A quorum was declared by the President.

Senator Morgan moved that the name of Leo Leidholm of McLean County be placed in nomination for the office of Secretary of the Senate.

Senator Robinson moved that nominations cease, which motion prevailed.

## ROLL CALL

The question being on the selection of Leo Leidholm as Secretary of the Senate, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nething	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

Leo Leidholm was declared elected as Secretary of the Senate.

Senator Robinson moved that a committee be appointed to escort the Secretary-elect of the Senate to the rostrum, which motion prevailed.

The President appointed as such committee Senators Robinson and Christensen, and Leo Leidholm was escorted to the rostrum.

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

Senator Kelly of Ramsey moved that the name of Dagny Olson of Ramsey County be placed in nomination for the position of Desk Reporter.

Senator Lips moved that nominations cease, which motion prevailed.

## ROLL CALL

The question being on the selection of Dagny Olson as Desk Reporter, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nething	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

Dagny Olson was declared elected as Desk Reporter.

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

Senator Forkner moved that the name of A. E. Bradley of Towner County, be placed in nomination for the position of Sergeant-at-arms.

Senator Lips moved that nominations cease, which motion prevailed.

## ROLL CALL

The question being on the selection of A. E. Bradley as Sergeant-at-Arms, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nething	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

A. E. Bradley was declared elected Sergeant-at-Arms of the Senate.

The President appointed Senators Forkner and Larson of Walsh-Nelson as a committee to escort A. E. Bradley to the rostrum.

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

## MOTIONS

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

The President appointed as such committee Senators Luick, Hernett and Rait.

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

The President appointed as such committee Senators Sorlie, Wenstrom and Berube.

The Senate was then at ease until the above committees returned.

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

Senator Sorlie announced that the committee appointed to notify the Governor that the Senate is organized and ready to transact business, had performed its duty and requested that it be discharged, which request was granted.

Senator Lips moved that the Rules of the Thirty-ninth Legislative Assembly be adopted as the temporary rules of the Fortieth Legislative Assembly with the following amendments:

**39. STANDING COMMITTEES (Page 17 Senate Rules)**

In line 7 delete the word "ten" and insert in lieu thereof "eleven"

In line 13 delete the word "ten" and insert in lieu thereof "eleven"

In line 16 delete the word "twelve" and insert in lieu thereof "eleven"

In line 20 delete the word "ten" and insert in lieu thereof "eleven"

In line 26 delete the word "ten" and insert in lieu thereof "eleven"

In line 33 delete the word "thirteen" and insert in lieu thereof "twelve"

In line 36 delete the word "ten" and insert in lieu thereof "twelve"

In line 39 delete the word "eleven" and insert in lieu thereof "twelve"

**9. DUTIES OF THE SERGEANT-AT-ARMS**

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

**40. LIMITATIONS ON COMMITTEE MEMBERSHIP**

Each member shall serve on not more than three standing committees except the Majority floor leader, who shall not serve on any standing committee, and all members of the Appropriations Committee, who shall serve on only one other standing committee in addition to the Appropriations Committee. The Majority floor leader and Minority floor leader shall be permitted to participate in all standing committees but shall not be permitted to vote therein except that the minority floor leader may vote on the committees to which he has been appointed.

**79. OFFICERS AND EMPLOYEE POSITIONS OF THE SENATE**

The following offices and employee positions shall be established and the number, title, salary, and manner of selection for each position shall be as hereinafter indicated or stated:

TITLE OF POSITION	NUMBER OF POSITIONS	SALARY PER DAY
<b>GROUP A</b>		
Secretary of the Senate .....	1	\$25.00
Desk Reporter .....	1	25.00
Sergeant-at-Arms .....	1	15.00

Persons holding Group A positions shall be elected thereto by a majority of the members-elect and the vote shall be recorded in the Journal.

#### GROUP B

Assistant Secretary of the Senate.....	1	\$20.00
Assistant Desk Reporter .....	1	19.00
Bill Clerk .....	1	17.00
Chief Stenographer and Payroll Clerk.....	1	20.00
Chief Committee Clerk .....	1	15.00
Calendar Clerk .....	1	17.00
Enrolling and Engrossing Clerk .....	1	14.00
Superintendent of Personnel .....	1	22.00

Persons holding Group B positions shall be appointed thereto by the party having a majority of the members-elect, acting by and through the committee on employment.

#### GROUP C

Secretary to the President.....	1	\$16.00
Secretary to Majority Floor Leader .....	1	16.00
Secretary to Minority Floor Leader .....	1	16.00

The President and the Majority and Minority Floor Leaders shall appoint their respective secretaries to such positions, acting by and through the committee on employment.

#### GROUP D

Deputy Sergeant-at-Arms .....	1	\$13.00
Assistant Sergeants-at-Arms .....	4	12.00
Bill Room Clerks .....	2	12.00
Stenographers .....	5	16.00
Typists .....	2	14.00
Appropriations Committee Clerk .....	1	16.00
Committee Clerks .....	3	14.00
Assistant Enrolling and Engrossing Clerk.....	1	14.00
Pages .....	4	12.00
Postmaster .....	1	12.00
Telephone Attendants .....	2	12.00
Bill Book Clerks .....	4	12.00
Information Desk Attendant .....	1	12.00
Journal Room Clerks .....	2	12.00
Parking Lot Attendant .....	1	14.00
Chief in Charge of Journal Room and Bill Room Clerks .....	1	14.00
Journal Proofreader .....	1	13.00

The employee positions of Group D shall be allocated to the Majority and Minority parties in proportion to each party's percentage of the total number of the members-elect and each party shall appoint the persons to the positions allocated to them, acting by and through the committee on employment except, however, that in allocating the positions of stenographers and typists the minority party shall be allocated not less than one each of these positions. The Majority party shall have the first right to select those positions of this Group until their allocation is filled. The Chief in charge of Journal and Bill Room Clerks shall be appointed alternately by the Senate and House of Representatives.

The powers, duties, and qualifications for each officer or employee shall be as specifically provided in these rules and as provided in the Legislative Employees' Handbook for such positions.

Joint Rule No. 15 is hereby created to read as follows:

#### 15. JOINT APPROPRIATION COMMITTEE HEARINGS —

For greater utilization of members' time, for the convenience of representatives of institutions and agencies, and for the information of members, appropriation committees may meet upon mutual



agreement of the chairmen of the appropriation committees in the House and Senate, for joint session budget hearings. The chairman shall be the chairman of the committee of the house before which the bill under consideration is pending. A report shall be made by the committee of the house before which the bill is pending.

Which motion prevailed.

Senator Lips moved that the President appoint a Committee on Committees consisting of the President of the Senate and seven members, which motion prevailed.

The President appointed as such committee Senators Hernett, Trenbeath, Chesrown, Lips, Mutch, Longmire and Berube.

Senator Lips moved that the President appoint a committee of five to act as a Committee on Delayed Bills, which motion prevailed.

The President appointed as such committee Senators Kautzmann, Kelly of Barnes, Melland, Wenstrom and Rait.

Senator Lips moved that the President appoint a committee of three to act as a Committee on Arrangements for Senate Committee Rooms, which motion prevailed.

The President appointed as such committee Senators Longmire, Litten and Chesrown.

Senator Lips moved that the President appoint a committee of seven to act as a Committee on Employment, which motion prevailed. The President appointed as such committee Senators Robinson, Kautzmann, Wilhite, Morgan, Forkner, Ruemmele and Berube.

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

The President appointed as such committee Senators Lowe, Nething and Rait.

Senator Lips moved that the President appoint a committee of three to make arrangements for necessary stationery, supplies and printing, which motion prevailed.

The President appointed as such committee, Senators Forkner, Decker and Larson of Nelson-Walsh.

Senator Lips moved that the President appoint a committee of two to act as a Committee on Arrangements for Chaplains, which motion prevailed.

The President appointed as such committee, Senators Larson of Burleigh and Stroup.

Senator Lips moved that the President appoint a committee of three to act as a Committee for Telephone Service to the Senate, which motion prevailed.

The President appointed as such committee Senators Ringsak, Trenbeath and Berube.

Senator Lips moved that the President appoint a committee of nine to act as a Committee on Senate and Joint Rules, which motion prevailed.

The President appointed as such committee Senators Holand, Lips, Torgerson, Ringsak, Longmire, Hernett, Becker, Trenbeath and Meschke.

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

The President appointed as such committee Senators Mutch, Redlin and Christensen.

Senator Lips moved that a committee of three be appointed to act as a Committee on Photography, which motion prevailed.

The President appointed as such Committee, Senators Morgan, Schultz and Nasset.

#### ELECTION OF PRESIDENT PRO TEM

Senator Holand: Mr. President, Members of the Senate. It gives me a great deal of pleasure as outgoing President Pro Tem of the North Dakota Senate, to place in nomination the name of a man who has distinguished himself for outstanding service in the North Dakota Senate, the North Dakota Legislature, and generally in service to the people of North Dakota. The gentleman I nominate has been a member of this body since 1957. While serving in the North Dakota Senate he has been distinguished by being appointed to the Legislative Research Committee, of which he has served as Chairman during the past six years. During the past legislative session—the Thirty-ninth Legislative session—he served very ably as assistant floor leader of this body, and during his service in the North Dakota Senate he has distinguished himself as an active member of the various committees upon which he has served and of which he has served as chairman.

Mr. President, as I say, it gives me a great deal of pleasure to place in nomination the name of Senator George Longmire of Grand Forks for President Pro Tem for the Senate.

Senator Meschke: Mr. President, Members of the Senate. It is my pleasure on behalf of the DEM-NPL minority, to nominate the dean of DEM-NPL Senators in this assembly for the post of President Pro Tem—Senator Philip Berube.

Senator Lips moved that nominations cease, which motion prevailed.

#### ROLL CALL

The question being on the election of President Pro Tem, the roll was called and there were: voting for Longmire, 44; for Berube, 5; absent and not voting, 0.

Those voting for Longmire were:

Beck	Hernett	Lowe	Roen
Becker	Hofstrand	Luick	Ruemmele
Berube	Holand	Melland	Sands
Butler	Jacobson	Morgan	Schultz
Chesrown	Kautzmann	Mutch	Sorlie
Coughlin	Kelly, E.	Nasset	Stafne
Decker	Kelly, M.	Nething	Stroup
Forkner	Larsen, R.	Pyle	Torgerson
Freed	Larsen, G.	Redlin	Trenbeath
Geving	Lips	Ringsak	Wenstrom
Goldberg	Litten	Robinson	Wilhite

Those voting for Berube were:

Christensen	Longmire	Meschke	Rait
Larson, L.			

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

Senator Lips moved that a committee be appointed to escort Senator Longmire to the rostrum, which motion prevailed.

The President appointed as such committee, Senators Lips and Meschke, and Senator Longmire was escorted to the rostrum.

The President then administered the oath of office to Senator Longmire as President Pro Tem of the Senate, and Mr. Longmire was invited to address the Senate.

Senator Longmire: Mr. President, Members of the Senate. I am very unaccustomed to making speeches, particularly speeches of this kind in accepting the honor that has been bestowed upon me by the Senate. I want you to know that I deeply appreciate it. I know that it will be a difficult job if our President does have to leave on some occasion for me to fill his shoes, but I will do the

best I can if that occasion should arise. I thank you very much for the honor and will be looking forward to serving as President Pro Tem during the Session.

Senator Berube: Mr. President. I feel somewhat like Senator Longmire. I am not accustomed to making speeches. I certainly want to thank Senator Meschke for nominating me and the other Senators for voting for me. For you, Senator Longmire, I wish you success.

Senator Trenbeath moved that the remarks of Senator Holand, Senator Meschke, Senator Longmire and Senator Berube be printed in the Journal, which motion prevailed.

#### REPORT OF SELECT COMMITTEES

Mr. President: Your Select Committee appointed to act as a Committee on Committees recommends that the following committees be appointed to serve in the Fortieth Legislative Assembly:

##### COMMITTEE ON AGRICULTURE

Sen. Morgan, Chairman  
 Sen. Hofstrand, Vice Chairman  
 Sen. Becker  
 Sen. Schultz  
 Sen. Jacobson  
 Sen. Nasset  
 Sen. Pyle  
 Sen. Redlin  
 Sen. Trenbeath  
 Sen. Roen  
 Sen. Berube

##### COMMITTEE ON APPROPRIATIONS

Sen. Luick, Chairman  
 Sen. Sorlie, Vice Chairman  
 Sen. Beck  
 Sen. Kelly (Earl M.)  
 Sen. Kautzmann  
 Sen. Robinson  
 Sen. Wenstrom  
 Sen. Coughlin  
 Sen. Kelly (Milton G.)  
 Sen. Litten  
 Sen. Larsen (Richard)  
 Sen. Melland  
 Sen. Geving  
 Sen. Christensen  
 Sen. Larson (Lester)

##### COMMITTEE ON EDUCATION

Sen. Roen, Chairman  
 Sen. Larson (Guy), Vice Chairman  
 Sen. Pyle  
 Sen. Redlin  
 Sen. Ruemmele  
 Sen. Schultz  
 Sen. Stafne  
 Sen. Trenbeath  
 Sen. Nasset  
 Sen. Longmire  
 Sen. Berube

##### COMMITTEE ON FINANCE AND TAXATION

Sen. Becker, Chairman  
 Sen. Torgerson, Vice Chairman  
 Sen. Butler  
 Sen. Chesrown

Sen. Decker  
 Sen. Hernet  
 Sen. Hofstrand  
 Sen. Nething  
 Sen. Wilhite  
 Sen. Lowe  
 Sen. Rait

#### COMMITTEE ON INDUSTRY, BUSINESS AND LABOR

Sen. Hernet, Chairman  
 Sen. Forkner, Vice Chairman  
 Sen. Decker  
 Sen. Goldberg  
 Sen. Larson, (Guy)  
 Sen. Mutch  
 Sen. Nething  
 Sen. Butler  
 Sen. Stroup  
 Sen. Lowe  
 Sen. Rait

#### COMMITTEE ON JUDICIARY

Sen. Chesrown, Chairman  
 Sen. Longmire, Vice Chairman  
 Sen. Freed  
 Sen. Holand  
 Sen. Ringsak  
 Sen. Ruemmele  
 Sen. Sands  
 Sen. Stafne  
 Sen. Torgerson  
 Sen. Wilhite  
 Sen. Meschke

#### COMMITTEE ON NATURAL RESOURCES

Sen. Trenbeath, Chairman  
 Sen. Robinson, Vice Chairman  
 Sen. Beck  
 Sen. Becker  
 Sen. Decker  
 Sen. Geving  
 Sen. Pyle  
 Sen. Sorlie  
 Sen. Wenstrom  
 Sen. Wilhite  
 Sen. Meschke  
 Sen. Christensen

#### COMMITTEE ON POLITICAL SUBDIVISIONS

Sen. Redlin, Chairman  
 Sen. Ruemmele, Vice Chairman  
 Sen. Chesrown  
 Sen. Freed  
 Sen. Hernet  
 Sen. Jacobson  
 Sen. Litten  
 Sen. Lowe  
 Sen. Sands  
 Sen. Larson (Guy)  
 Sen. Mutch  
 Sen. Berube

#### COMMITTEE ON SOCIAL WELFARE AND VETERANS AFFAIRS

Sen. Longmire, Chairman  
 Sen. Kautzmann, Vice Chairman  
 Sen. Hofstrand

Sen. Larsen (Richard)  
 Sen. Nething  
 Sen. Ringsak  
 Sen. Schultz  
 Sen. Stafne  
 Sen. Torgerson  
 Sen. Kelly (Earl M.)  
 Sen. Stroup  
 Sen. Rait

#### COMMITTEE ON STATE AND FEDERAL GOVERNMENT

Sen. Ringsak, Chairman  
 Sen. Holand, Vice Chairman  
 Sen. Forkner  
 Sen. Freed  
 Sen. Goldberg  
 Sen. Morgan  
 Sen. Sands  
 Sen. Mutch  
 Sen. Jacobson  
 Sen. Stroup  
 Sen. Meschke

#### COMMITTEE ON TRANSPORTATION

Sen. Holand, Chairman  
 Sen. Forkner, Vice Chairman  
 Sen. Butler  
 Sen. Coughlin  
 Sen. Goldberg  
 Sen. Kelly (Milton)  
 Sen. Luick  
 Sen. Melland  
 Sen. Morgan  
 Sen. Roen  
 Sen. Nasset  
 Sen. Larson (Lester)

Senator Hernettt moved that the report be adopted.

Senator Luick moved that the report of the Committee on Committees be amended to show Senator Sorlie as Chairman of the Committee on Appropriations and himself as vice-chairman, which motion prevailed.

The question being on the adoption of the report of the Committee on Committees, as amended, which motion prevailed.

#### FIRST READING OF SENATE BILLS

The Committee on Appropriations introduced:

**Senate Bill No. 1.** For an Act to appropriate money for the expenses of the executive department of the state government, and for all subdivisions thereof, and for public schools, specifying the amount and time for which such appropriations shall be available, and repealing all Acts, or parts of Acts, insofar as the same shall relate to appropriations conflicting herewith or to appropriations for the same matters or purposes provided for herein and declaring an emergency.

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

The Committee on Appropriations introduced:

**Senate Bill No. 2.** For an Act to appropriate money for the expenses of the Judicial branch of government, specifying the amount and time for which such appropriation 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.

The Committee on Appropriations introduced:

**Senate Bill No. 3.** For an Act to appropriate money for the expenses of the legislative branch of government, specifying the amount and time for which such appropriation 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.

The Committee on Appropriations introduced:

**Senate Bill No. 4.** 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.

The Committee on Appropriations introduced:

**Senate Bill No. 5.** For an Act making an appropriation for the general maintenance, improvements and repairs, and equipment of the School for the Deaf at Devils Lake, North Dakota.

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

The Committee on Appropriations introduced:

**Senate Bill No. 6.** For an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous items, new buildings, and special projects for the Grafton State School at Grafton, North Dakota.

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

The Committee on Appropriations introduced:

**Senate Bill No. 7.** 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.

The Committee on Appropriations introduced:

**Senate Bill No. 8.** 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.

The Committee on Appropriations introduced:

**Senate Bill No. 9.** For an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous, and special projects for the State Industrial School at Mandan, North Dakota.

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

The Committee on Appropriations introduced:

**Senate Bill No. 10.** For an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous, and special projects, of the State Penitentiary and State Farm.

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

The Committee on Appropriations introduced:

**Senate Bill No. 11.** 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.

The Committee on Appropriations introduced:

**Senate Bill No. 12.** For an Act making an appropriation for the general maintenance, improvements and repairs, equipment and miscellaneous expenses of the North Dakota Twine and Cordage Plant at the State Penitentiary.

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

The Committee on Appropriations introduced:

**Senate Bill No. 13.** For an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Gasoline Tax Division in the office of the State Auditor.

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

The Committee on Appropriations introduced:

**Senate Bill No. 14.** For an Act making an appropriation for the operation and maintenance of the State Hail Insurance Department.

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

The Committee on Appropriations introduced:

**Senate Bill No. 15.** For an Act making an appropriation for the purpose of operating and maintaining the State Fire and Tornado Fund.

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

The Committee on Appropriations introduced:

**Senate Bill No. 16.** For an Act making an appropriation for the purpose of operating and maintaining the State Bonding Fund.

The Committee on Appropriations introduced:

**Senate Bill No. 17.** For an Act making an appropriation for Vocational Education Administration, Distributive Education, Office Education, Vocational Home Economics, Trade and Industrial Education, and Manpower Development and Training.

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

The Committee on Appropriations introduced:

**Senate Bill No. 18.** For an Act making an appropriation for salaries, and expenses of the Division of Vocational Rehabilitation for rehabilitating disabled persons.

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

The Committee on Appropriations introduced:

**Senate Bill No. 19.** 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.

The Committee on Appropriations introduced:

**Senate Bill No. 20.** For an Act making an appropriation for the salaries and miscellaneous expenses of the division of supervised correspondence study.

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

The Committee on Appropriations introduced:

**Senate Bill No. 21.** 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.

The Committee on Appropriations introduced:

**Senate Bill No. 22.** 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.

The Committee on Appropriations introduced:

**Senate Bill No. 23.** For an Act making an appropriation for salaries and expenses for the State Seed Department.

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

The Committee on Appropriations introduced:

**Senate Bill No. 24.** For an Act making an appropriation for the maintenance of the North Dakota National Guard as provided for by Title 37 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. 25.** For an Act making an appropriation for salaries and expenses of the State Library Commission.

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

The Committee on Appropriations introduced:

**Senate Bill No. 26.** For an Act to make an appropriation to pay expenses and costs of legal research and education and supervision and improvement of the judicial system of the state of North Dakota activities of the state bar association.

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

The Committee on Appropriations introduced:

**Senate Bill No. 27.** For an Act making an appropriation for salaries and other expenses for administering the provisions of Chapter 39-17 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.** For an Act making an appropriation for salaries and expenses for Predatory Animal Control to the Commissioner of Agriculture.

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

The Committee on Appropriations introduced:

**Senate Bill No. 29.** For an Act making an appropriation to the North Dakota National Guard for the construction of a radio communications and emergency center to be established at Fraine Barracks.

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



Senators Christensen, Lips introduced:

**Senate Bill No. 30.** For an Act to provide for the authorization of contingency funds to institutions under the board of higher education.

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

Senators Christensen, Lips introduced:

**Senate Bill No. 31.** For an Act to amend and reenact section 54-44.1-12 of the 1965 Supplement to the North Dakota Century Code, relating to the control over rate of expenditures.

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

Senators Christensen, Lips introduced:

**Senate Bill No. 32.** For an Act to create and enact section 54-06-09.1 which provides the penalty for certification of a false claim, and to amend and reenact section 54-06-09 of the North Dakota Century Code, relating to travel expense of state officers and employees.

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

Senators Morgan, Ringsak introduced:

**Senate Bill No. 33.** For an Act to create and enact chapter 54-23 of the North Dakota Century Code, establishing a department of natural resources and conservation through the integration of the state water conservation commission, state game and fish department, state outdoor recreation agency, North Dakota park service, state forester, and soil conservation committee, providing for the department's operation, personnel, powers, and duties, and establishing divisions of such department with existing agencies, and to create section 61-02-01.1 of the North Dakota Century Code, limiting the authority of the state water conservation commission, and to amend and reenact sections 4-22-03, 4-22-05, 4-22-06, 20-02-01, 20-02-04, 20-02-05, 20-02-23, 53-07-01, 53-07-03, 55-08-01, 55-08-03, 61-02-05, 61-02-13, 61-02-14, 61-02-23, 61-02-28, 61-02-30, 61-02-64.1, 61-03-01, and 61-03-13 of the North Dakota Century Code, relating to the personnel, powers, and duties of the soil conservation committee, game and fish department, outdoor recreation agency, North Dakota park service, and water conservation commission, and placing these agencies in the department of natural resources and conservation, and repealing section 61-03-14 of the North Dakota Century Code, relating to modification of rules by the state water conservation commission.

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

Senators Christensen, Ringsak introduced:

**Senate Bill No. 34.** For an Act to provide an appropriation for the capitol grounds planning commission and to amend and reenact section 1 of chapter 314 of the 1965 session laws, relating to the capitol grounds planning commission.

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

Senators Christensen, Ringsak introduced:

**Senate Bill No. 35.** For an Act to make an appropriation for the construction of a public health laboratory and to provide for the construction and maintenance of the public health laboratory.

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

Senators Christensen, Morgan, Ringsak introduced:

**Senate Bill No. 36.** 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, sections 23-04-07, 23-09-02, subsection 9 of section 23-09-09, sections 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, 23-10-05, 23-10-06, 23-10-07, 23-10-08, 23-10-09, 23-10-10, 23-10-11, and 23-10-12 of the North Dakota Century Code, relating to licensing and regulation of restaurants, hotels, boarding-houses, lodgingshouses, motor courts, and trailer courts, and the enforcement of laws relating thereto, declaring a penalty, and providing an effective date.

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

The Legislative Research Committee introduced:

**Senate Bill No. 37.** For an Act to amend and reenact sections 19-05-05, 19-05-06, 19-05-07, subsection 2 of section 19-06-01, sections 19-07-04, 19-07-05, 19-08-03, 19-08-04, 19-14-02, and 19-17-02 of the North Dakota Century Code, relating to the licensing of oleomargarine dealers, imitation ice cream, the licensing and bonding of egg dealers, the labeling and licensing of beverages, the registration of livestock medicines, and flour standards, and to repeal section 19-01-05 of the North Dakota Century Code, relating to sheriffs as local inspectors for the state laboratories department.

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

Senators Christensen, Morgan, Ringsak:

**Senate Bill No. 38.** For an Act to regulate the distribution of commercial feeds and customer-formula feeds, and to repeal chapter 19-13 of the North Dakota Century Code, relating to commercial feeding stuffs, and providing a penalty.

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

Senators Morgan, Ringsak introduced:

**Senate Bill No. 39.** For an Act to regulate the sale and distribution of commercial fertilizers and soil conditioners, and to repeal chapter 19-20 of the North Dakota Century Code, relating to commercial fertilizers, and providing a penalty.

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

Senators Christensen, Morgan, Ringsak introduced:

**Senate Bill No. 40.** For an Act to create a method of regulating foods, drugs, and cosmetics, and to repeal sections 19-02-01, 19-02-02, 19-02-03, 19-02-04, 19-02-05, 19-02-06, 19-02-07, 19-02-08, 19-02-11, 19-02-12, 19-02-14.1, 19-02-25, 19-02-26, 19-02-27, 10-02-28, and 19-02-29 and chapter 19-09 of the North Dakota Century Code, relating to foods, drugs, and cosmetics, and providing a penalty.

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

Senators Christensen, Ringsak introduced:

**Senate Bill No. 41.** For an Act to amend and reenact sections 4-29-04, 4-30-47, and 23-01-16 of the North Dakota Century Code, relating to the powers and duties of the dairy commissioner, disputes over butterfat contained in milk and cream, and to joint standards for dairy products, and to create a method for the transfer of the laboratory equipment of the dairy department of the department of agriculture and labor to the state laboratory.

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

Senators Forkner, Holand, Luick introduced:

**Senate Bill No. 42.** For an Act to provide a method for the es-

establishment of minimum speed limits and to provide for the adoption of a manual and specifications for a uniform system of traffic control devices and requiring the highway department to place and maintain signs and devices in accordance therewith, and to amend and reenact section 39-13-02 of the North Dakota Century Code, relating to local traffic signs.

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

Senators Forkner, Holand, Luick introduced:

**Senate Bill No. 43.** For an Act to create and enact subsection 12 of section 39-03-09 and to amend and reenact sections 29-06-15, 39-03-02, 39-03-03, 39-03-04, 39-03-07, subsection 2 of section 39-03-13, and section 39-03A-18 of the North Dakota Century Code, relating to the powers of the Highway Patrol, arrests without warrants, the appointment, removal, and duties of the superintendent, assistant superintendent, and patrolmen, the qualifications of patrolmen, the powers and salary of the superintendent, and to the compulsory termination of employment of patrolmen, and to repeal section 29-06-16 of the North Dakota Century Code, relating to arrests at night.

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

Senators Forkner, Holand, Luick introduced:

**Senate Bill No. 44.** For an Act to create and enact sections 39-01-01.1 and 39-06-33.1 of the North Dakota Century Code, providing for a declaration of legislative intent and the authority to suspend licenses for convictions of traffic violations resulting in the death or personal injury of another or serious property damage, and to provide the commissioner with the authority to suspend the licenses of juveniles, the courts with the authority to recognize out-of-state revocations and cancellations, the state toxicologist with the authority to perform blood tests on traffic fatalities and providing an appropriation therefor, and to require escorts for impoundments of husbandry extending beyond their normal lanes of travel, and to amend and reenact subsections 2 and 9 of section 39-06-03, sections 39-06-04, 39-06-14, 39-06-19, 39-06-23, 39-06-24, 39-06-29, 39-06-30, 39-06-31, 39-06-32, 39-06-37, 39-06-38, 39-06-39, and subsection 7 of section 39-06-40 of the North Dakota Century Code, relating to the issuance, suspension, expiration, renewal, and revocation of operator licenses and instructional permits and judicial proceedings relating thereto, and to repeal section 39-06-15 of the North Dakota Century Code, relating to appointments by the commissioner of agents to issue driver licenses.

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

Senators Forkner, Holand, Luick introduced:

**Senate Bill No. 45.** For an Act to amend and reenact section 39-06-14 of the North Dakota Century Code, relating to the issuance of licenses to operate motor vehicles.

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

Senators Hernet, Longmire introduced:

**Senate Bill No. 46.** For an Act to provide for the transition of villages to cities and to amend and reenact sections 1-08-04, 2-02-01, 2-02-02, 2-02-03, 2-02-04, 2-02-06, 2-02-08, subsection 4 of section 2-04-01, section 2-05-06.1, subsection 1 of section 2-06-01, sections 2-06-20, 5-01-13, 5-01-17, 5-02-07, 5-02-08, 5-03-03, 5-03-04, 5-03-20, 5-05-02, 5-05-03, 12-19-25, subsection 2 of section 12-21-15, subsection 5 of section 12-41-11, sections 15-27-01, 15-35-13, 16-09-02, 16-09-03, 18-01-06, 18-01-08, 18-04-01, 18-04-02, 18-04-03, 18-04-04, 18-04-05, 18-04-07, 19-01-05, subsection 1 of section 21-01-01, sec-

tions 21-01-06, 21-02-02, 21-02-06, subsections 1 and 2 of section 21-03-01, subsection 1 of section 21-03-02, subsection 2 of section 21-03-07, subsection 2 of section 21-03-10, sections 21-03-12, 21-03-17, 21-03-24, 21-03-25, 21-03-26, 21-03-27, 21-03-29, 21-03-31, 21-03-34, subsections 1, 2, and 3 of section 21-04-01, sections 21-04-06, 21-06-05, 21-06-06, 21-06-07, 21-06-09, subdivision b of subsections 1 and subdivision c of subsection 2 of section 23-02-13, subdivision b of subsection 1 and subdivision c of subsection 2 of section 23-02-30, subsections 2, 3, and 4 of section 23-03-07, sections 23-03-11, 23-05-01, 23-05-04, 23-05-05, subsection 1 of section 23-05-07, sections 23-05-08, 23-05-10, 23-07-04, 23-14-01, 23-14-07, 23-15-03, 23-24-02, 23-24-05, 23-24-06, subsection 26 of section 24-01-01.1, sections 24-01-14, 24-06-10, 24-07-04, 24-08-01, 26-23-05, 26-23-10, 26-23-22, subsection 3 of section 26-24-01, sections 26-24-06, 26-24-08, 27-09-06, 27-09-07, 27-09-08, 27-09-09, 27-09-10, 27-09-24, 29-02-23, 32-14-07, 32-28-01, 32-28-03, 38-09-02, 40-01-01, 40-01-02, 40-01-10, 40-01-11, 40-01-16, 40-01-18, 40-01-20, 40-02-01, subsection 4 of section 40-02-05, sections 40-02-09, 40-02-10, 40-02-10, 40-02-11, 40-02-12, 40-04-01, 40-04-03, 40-04-04, 40-04-07, subsections 1 and 71 of section 40-05-01, sections 40-05-02.2, 40-05-05, 40-05-09.1, 40-11-01, 40-11-04, 40-11-08, 40-11-12, 40-13-02, 40-13-03, 40-18-01, 40-18-05, 40-18-07, 40-18-12, 40-18-15, 40-18-16, 40-18-17, 40-18-19, 40-19-01, 40-19-03, 40-21-06, 40-21-07, 40-21-08, 40-21-10, 40-21-12, 40-21-14, 40-22-14, 40-22-17, subsection 1 of section 40-22-19, sections 40-22-24, 40-22-25, 40-22-26, 40-22-30, subsection 1 of section 40-22-31, sections 40-22-35, 40-22-36, 40-22-40, 40-23-02, 40-23-05, 40-23-07, 40-23-12, 40-23-13, 40-23-14, 40-23-16, 40-24-09, 40-24-11, 40-24-12, 40-24-15, 40-24-16, 40-24-20, 40-27-05, 40-28-02, 40-28-03, 40-28-04, 40-28-05, 40-28-06, 40-28-07, 40-28-08, 40-28-09, 40-29-04, 40-29-05, 40-29-07, 40-29-09, 40-29-10, 40-29-12, 40-29-15, 40-29-17, 40-29-18, 40-29-19, 40-29-20, 40-33-03, 40-33-14, 40-33-16, subsection 5 of section 40-34-02, sections 40-38-03, 40-38-10, 40-39-01, 40-39-02, 40-39-03, 40-39-06, 40-39-08, 40-40-02, subdivision A of subsection 2 of section 40-40-05, sections 40-40-06, 40-40-10, 40-40-13, 40-40-14, 40-40-17, 40-41-02, 40-41-03, 40-41-07, 40-42-01, 40-42-02, 40-42-03, 40-43-03, 40-47-01, 40-48-28, 40-48-31, 40-48-35, 40-49-02, 40-49-04, 40-49-07, 40-49-08, subsection 1 of section 40-49-12, sections 40-49-13, 40-49-17, 40-50-16, 40-50-19, 40-50-22, 40-55-01, subsections 2, 3, and 4 of section 40-58-19, sections 40-59-02, 40-59-03, 47-19-14, 48-04-01, 48-04-02, 48-04-03, 50-16-01, 53-02-08, subsection 3 of section 53-03-01, sections 53-06-06, 57-12-01, 57-12-01.1, 57-12-02, subdivisions a and b of subsection 2 of section 57-12-06, subsections 1 and 3 of section 57-13-04, sections 57-15-01, 57-15-07, 57-15-10, 57-15-10.1, 57-15-27, 57-15-27.1, 57-15-30, 57-15-31, 57-15-32, 57-15-37, 57-15-38, 57-15-39, 57-15-40, 57-15-41, 57-15-42, 57-15-43, 58-02-10, 58-03-04, 58-04-01, subsections 4 and 18 of section 58-06-01, sections 58-10-04, 58-15-01, 58-15-02, 58-15-03, 58-15-04, 58-15-07, 58-16-01, 58-16-02, 61-01-18, 61-21-62, 62-01-06, 63-02-01, 63-02-03, 63-02-05, 63-02-06, 63-02-07, subsection 4 of section 63-02-08, subsection 3 of section 63-02-12, sections 63-02-14, 63-02-16, and 63-03-01 of the North Dakota Century Code, relating to forms of municipal government, eliminating villages as a form of municipal government, and deleting provisions relating to villages and officers thereof, and to repeal section 16-10-05, subsection 3 of section 21-03-06, subsection 3 of section 21-03-21, chapter 40-03, sections 40-05-04, 40-05-07, chapter 40-07, sections 40-19-04, 40-21-04, 40-29-06, 40-49-06, 40-49-19, 40-51-13, 40-51-14, 40-51-15, 40-51-16, chapters 40-53, and 57-10, and section 57-15-09 of the North Dakota Century Code, relating to villages and their powers, duties, officers, and organization.

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

- Senators Hernet, Longmire introduced:

**Senate Bill No. 47.** For an Act to provide for an affidavit of

prejudice and a change of venue in municipal courts and to amend and reenact sections 40-18-03 and 40-18-07 of the 1965 Supplement to the North Dakota Century Code, relating to the vacancy in office and temporary absence of municipal judges, and relating to the issuance of warrants by municipal judges, and to repeal section 40-18-10 of the 1965 Supplement to the North Dakota Century Code, relating to the procedure governing trials for misdemeanors before municipal judges.

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

Senators Hernett, Longmire introduced:

**Senate Bill No. 48.** For an Act to amend and reenact subsection 4 of section 21-03-07, sections 21-04-13, 21-04-18, 40-01-08, 40-01-12, subsection 59 of section 40-05-01, sections 40-08-12, 40-22-09, 40-22-15, 40-22-18, 40-25-01, 40-38-01, and 48-09-03 of the North Dakota Century Code, relating to the issuing of bonds by municipalities, interest rates on public funds, the removal of buildings when taxes or special assessments are due, claims and accounts against municipalities, public works projects, the publication of proceedings of municipalities, special assessments and improvement districts, the sale of property to enforce collections of delinquent special assessments, public libraries and reading rooms, and relating to the bond required of a successful bidder on a concession.

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

Senators Hernett, Longmire introduced:

**Senate Bill No. 49.** For an Act to create and enact chapter 40-23.1 of the North Dakota Century Code, creating an alternative method of determining and allocating the costs of special assessments and to amend and reenact section 40-23-07 of the North Dakota Century Code, relating to the special assessment commission.

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

Senators Becker, Hernett, Holand introduced:

**Senate Bill No. 50.** For an Act imposing a real estate transfer tax, providing for a method of collection, a statement specifying the value of the real estate, disposition of proceeds, duties of the tax department, exemptions, and providing a penalty.

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

Senators Longmire, Ruemmele introduced:

**Senate Bill No. 51.** For an Act to amend and reenact sections 25-09-09 and 25-09-10 of the North Dakota Century Code, relating to the manner of billing patients of state institutions and their responsible relatives, and the disposition of nonresident patients at the Grafton state school.

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

Senators Longmire, Ruemmele introduced:

**Senate Bill No. 52.** For an Act to provide for the testing and treatment of the disease phenylketonuria and other metabolic diseases causing mental retardation, providing for an educational program concerning such diseases under the direction of the department of health, and requiring physicians attending newborn infants to subject such infants to tests for phenylketonuria and other metabolic diseases.

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

Senators Christensen, Lips introduced:

**Senate Bill No. 53.** For an Act to create and enact section 26-23-

02.1, and to amend and reenact sections 26-23-01, 26-23-02, 26-23-05, and 26-23-06 of the North Dakota Century Code, relating to the definition of "fund", provision for blanket bond coverage, state bonding fund under management of commissioner of insurance, report of election or appointment of public employee, and premiums.

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

The Committee on Appropriations introduced:

**Senate Bill No. 54.** For an Act making an appropriation to the state Outdoor Recreation Agency for funding the planning, acquisition and development of outdoor recreation agencies and activities.

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

The Committee on Appropriations introduced:

**Senate Bill No. 55.** For an Act making an appropriation to the North Dakota Trade Commission in accordance with North Dakota Century Code 51-10.

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

Senators Forkner, Holand, and Luick introduced:

**Senate Concurrent Resolution "A"** A concurrent resolution directing the legislative research committee to carry out a comprehensive study of vehicle inspection and other related highway safety problems.

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

#### MESSAGES FROM THE HOUSE

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

#### MOTION

Senator Lips moves that the Secretary be authorized to arrange for a loud speaker system for the Senate.

#### ROLL CALL

The question being on the motion of Senators Lips for a loud-speaker system for the Senate, the roll was called and there were ayes, 48; nays, 0; absent, 1.

Beck	Hernett	Lowe	Robinson
Becker	Hofstrand	Luick	Roen
Berube	Holand	Melland	Ruemmele
Butler	Jacobson	Meschke	Sands
Chesrown	Kautzmann	Morgan	Schultz
Christensen	Kelly, E.	Mutch	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larson, L.	Nething	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite

Absent and not voting:

Larsen, R.

The motion prevailed.

Senator Lips moved that the Senate recess until 1:30 January 4, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary

"Buy North Dakota Products"

# Journal of the Senate

## Fortieth Legislative Assembly



### FIRST DAY AFTER RECESS AND SECOND DAY

Bismarck, January 4, 1967

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

#### MOTIONS

Senator Lips moved that a committee of five be appointed to act as a Committee on Enrolled and Engrossed Bills, which motion prevailed.

The President appointed as such Committee, Senators Wenstrom, Larsen, Goldberg, Schultz and Christensen.

Senator Lips moved that a committee of five be appointed to act as the Legislative Research Resolutions Committee, which motion prevailed.

The President appointed as such Committee, Senators Holand, Butler, Roen, Becker and Berube.

#### REPORT OF SELECT COMMITTEES

Mr. President: Your Select Committee appointed to act as a Committee on Employment recommends the following employees:

Arthur Herk, Fingal.....	Assistant Secretary
William Brown, Pembina.....	Bill Clerk
Cora Essington, Bismarck.....	Chief Stenographer and Payroll Clerk
Lois Scherr, Bismarck.....	Chief Committee Clerk
Lyness Lloyd, Bismarck.....	Calendar Clerk
Yvonne Mushik, Bismarck.....	Enrolling and Engrossing Clerk
John Leier, Esmond.....	Superintendent of Employees
Belle Irene Moore, Bismarck.....	Secretary to the President
Donna Heisler, Mandan.....	Secretary—Majority Floor Leader
Robert Ellsworth, Maxbass.....	Deputy Sergeant-at-Arms
R. H. Jagd, Grand Forks.....	Assistant Sergeant-at-Arms
Richard Thompson, Bismarck.....	Assistant Sergeant-at-Arms
Ardell Johnson, Milnor.....	Assistant Sergeant-at-Arms
Nick Frank, Dickinson.....	Assistant Sergeant-at-Arms
Marion Arenstein, Bismarck.....	Information Desk Attendant
Fred Krause, Jr., Carson.....	Journal Room Clerk
Alta Harens, Bismarck.....	Journal Room Clerk
Iver Kval, Lisbon.....	Parking Lot Attendant
William Urlacher, Dickinson.....	Bill Room Clerk
Richard Wittmayer, Stanton.....	Bill Room Clerk
Shirley Shaw, Bismarck.....	Stenographer
Eleanor Oeder, Bismarck.....	Stenographer
Darlene Clausnitzer, Bismarck.....	Typist
David Bilden, Northwood.....	Typist — Supply Room Attendant
Angeline Stein, Bismarck.....	Appropriations Committee Clerk
Della Erickson, Bismarck.....	Committee Clerk
Pearl Engen, Bismarck.....	Committee Clerk
Darmile Diede, Bismarck.....	Committee Clerk
Eunice Anderson, Bismarck.....	Assistant Enrolling and Engrossing Clerk

Ronald Anderson, Charlson.....	Page
Nolan Fjeldahl, Plaza.....	Page
Mary K. Blandon, Mandan.....	Page
Bernice Sailer, Bismarck.....	Telephone Attendant
Frieda Schlaht, Mercer.....	Telephone Attendant
Emil Albrecht, Steele.....	Bill Book Clerk
Curtis Kranz, Underwood.....	Bill Book Clerk
Wanda Froelich, Mandan.....	Bill Book Clerk
Sam Labrenz, Jamestown.....	Bill Book Clerk

DAVE M. ROBINSON, Chairman

Senator Robinson moved that the report be adopted.

#### ROLL CALL

The question being on the motion of Senator Robinson 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:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

So the report was declared adopted.

The Lt. Governor then administered the oath of office to the above mentioned employees.

#### FIRST READING OF THE SENATE BILLS

Senators Torgerson and Chesrown introduced:

**Senate Bill No. 56.** For an Act to amend and reenact section 21-06-07 of the North Dakota Century Code, relating to investments of surpluses by political subdivisions.

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

Senators Lips and Trenbeath introduced:

**Senate Bill No. 57.** For an Act to create and enact sections 15-29-14 and 40-17-09.1 of the North Dakota Century Code, relating to the cancellation of outstanding warrants.

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

#### FIRST READING OF A SENATE CONCURRENT RESOLUTION

Senators Lips, Torgerson, Morgan and Meschke introduced:

**Senate Concurrent Resolution "B".** A concurrent resolution extending an invitation to the Honorable John E. Davis, National Commander of the American Legion, to address a joint session of the Fortieth Legislative Assembly of the state of North Dakota.

Was the first time.

#### MOTION

Senator Lips moved that the rules be suspended, that Senate Concurrent Resolution "B" be noted printed as a bill but printed in the Journal and placed on second reading and final passage, which motion prevailed.



## SENATE CONCURRENT RESOLUTION "B"

Introduced by Senators Lips, Torgerson, Morgan and Meschke.

A concurrent resolution extending an invitation to the Honorable John E. Davis, National Commander of the American Legion, to address a joint session of the Fortieth Legislative Assembly of the state of North Dakota.

1 WHEREAS, the state of North Dakota is honored to have a  
1a citizen  
2 of this state chosen as the National Commander of the American  
3 Legion; and

4 WHEREAS, the Honorable John E. Davis has also served this  
4a state  
5 with distinction as its Governor and as a member of the North  
5a Dakota  
6 Senate; and

7 WHEREAS, Commander Davis has just returned from  
7a extensive travels  
8 in Southeast Asia and particularly South Vietnam;

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

12 That John E. Davis, National Commander of the American  
12a Legion

13 and former Governor and State Senator of this great state, is  
13a hereby

14 extended an invitation to appear before and address a joint  
14a session

15 of the Fortieth Legislative Assembly of the state of North  
15a Dakota

16 at 3:00 p.m. on Tuesday, January 10, 1967.

## SECOND READING OF A SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution "B".** A concurrent resolution extending an invitation to the Honorable John E. Davis, National Commander of the American Legion, to address a joint session of the Fortieth Legislative Assembly of the state of North Dakota.

Was read the second time.

Senator Lips moved that Senate Concurrent Resolution "B" be adopted, which motion prevailed.

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

LEO LEIDHOLM, Secretary

## SECOND DAY

Bismarck, January 4, 1967

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

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

Almighty, eternal God, in whose hand are all authority and the rights of all people, look with favor upon the members of this legislature, that their deliberations may be conducted in righteousness and be for the best good of all the people for whom they act. Let the light of your wisdom direct their decisions and shine forth in all the proceedings and laws framed for our rule and government, so that they may tend to the promotion of peace and happiness and may perpetuate to us the blessings of equal liberty. May they always act in truth and so be deserving of the rewards you promised for deeds well done.

Roll call: All Senators present.

A quorum was declared by the President.

## CORRECTION AND REVISION

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 1, line 27, correct spelling of the word "State".

An when so corrected recommends that the same be approved.

KENNETH C. LOWE, Chairman

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

## MESSAGE FROM THE HOUSE

A committee from the House was received which committee informed the Senate that the House was ready to receive the Senate in joint session.

## MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 4, 1967

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "B"

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

LEO LEIDHOLM, Secretary

## MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 4, 1967

Mr. President: I have the honor to return:

Senate Concurrent Resolution "B"

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

Senator Lips moved that the Senate recess until 1:30 p.m., January 5, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary

"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### SECOND DAY AFTER RECESS AND THIRD DAY

Bismarck, January 5, 1967

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

#### MOTIONS

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House to arrange for a joint Memorial Session on February 22 commemorating Washington's birthday, which motion prevailed.

The President appointed as such committee, Senators Redlin, Stroup and Lester Larson.

Senator Lips moved that the matter of policy in regard to distribution of material on Senate desks be referred to the Committee on Rules, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 5, 1967

Mr. Speaker: I have the honor to inform you that the President has appointed a committee of three to act with a like committee from the House to arrange for a joint Memorial Session on February 22, commemorating Washington's birthday.

Senators: Redlin, Stroup and Lester Larson.

Very respectfully,

LEO LEIDHOLM, Secretary

#### REPORT OF SELECT COMMITTEES

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

Agriculture .....	Senate Conference Room
Appropriations .....	Former Legislative Research Committee Offices
Education .....	G-1
Finance and Taxation .....	G-2
Industry, Business and Labor .....	G-2
Judiciary .....	G-1
Natural Resources .....	G-2
Political Subdivisions .....	204
Social Welfare and Veterans Affairs.....	Senate Conference Room
State and Federal Government.....	Senate Conference Room
Transportation .....	G-1

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

#### REPORT OF SELECT COMMITTEES

Mr. President: Your Select Committee appointed to arrange for Chaplaincy of the Senate during the Fortieth 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	PHONE
<b>January</b>	
3	M. P. Lutness, Trinity Lutheran..... (223-3560)
4	Arnold Spain, St. Anne's Roman Catholic..... (223-1549)
5	David Figg, Church of the Nazarene..... (223-8995)
6	W. F. Garvin, Cathedral of the Holy Spirit..... (223-1033)
7	John Nicolai, Trinity Lutheran..... (223-3560)
9	E. O. Grunstead, Bismarck..... (255-1604)
10	Glenn Bradford, First Baptist..... (223-2921)
11	Willard Stone, Wesleyan Methodist..... (223-7238)
12	R. A. Feehan, St. Mary's Roman Catholic..... (223-5562)
13	Thomas Chambers, St. Joseph's Roman Catholic — Mandan..... (663-9562)
14	Stephen Knudsen, First Lutheran — Mandan (663-3594)
16	Allen Schoonover, Faith Lutheran..... (223-2236)
17	Allen Boeve, Bismarck Reformed..... (223-0364)
18	John MacMullen, First Methodist — Mandan (663-3350)
19	Frank Rumer, Methodist — Mandan..... (663-6114)
20	Ben Dove, First Presbyterian — Mandan..... (663-5329)
21	Clarence Stomp, House of Prayer..... (223-9754)
23	Lynn Gaylor, Charles Hall Home..... (223-0751)
24	A. Reimnitz, Zion Lutheran..... (223-9065)
25	A. W. Weisser, Baptist Home..... (223-3040)
26	Lloyd Jorgenson, Assembly of God..... (223-1852)
27	Hensel Hendrickson, Trinity Lutheran..... (223-3560)
28	John Holten, Lutheran Church of the Cross..... (223-1001)
30	F. J. Dolan, Corpus Christi Roman Catholic..... (255-4600)
31	David Sahr, McCabe Methodist..... (255-1160)
<b>February</b>	
1	Walter Erdmann, First E.U.B..... (223-4401)
2	H. A. Galowitch, Christ the King Roman Catholic — Mandan..... (663-8842)
3	Ira Herzberg, Calvary E.U.B..... (255-0598)
4	Robert Lynne, Good Shepherd Lutheran..... (255-1001)
6	David Knecht, McCabe Methodist..... (255-1160)
7	Dale Coleman, Salvation Army..... (223-1885)
8	Allan Strohschein, Bismarck Baptist..... (223-8361)
9	Robert Richardson, Capitol Heights Baptist..... (223-5479)
10	Walter Schott, Good Shepherd E.U.B..... (663-3421)
11	Lester Myer, Church of the Nazarene — Mandan..... (663-8975)
13	Warren Johnson, First Lutheran..... (223-4340)
14	Charles Hill, United Church..... (223-7266)
15	Austin Engel, United Church..... (255-0479)
16	E. C. Schumacher, Evangelical Free..... (223-3330)
17	E. R. Gienger, Seventh Day Adventist..... (255-1947)
18	Arnold Spain, St. Anne's Roman Catholic..... (223-1549)
20	David Figg, Church of the Nazarene..... (223-8995)
21	W. F. Garvin, Cathedral of the Holy Spirit..... (223-1033)
22	John Nicolai, Trinity Lutheran..... (223-3560)
23	E. O. Grunstead, Bismarck..... (255-1604)
24	Glenn Bradford, First Baptist..... (223-2921)
25	Willard Stone, Wesleyan Methodist..... (223-7238)
27	R. A. Feehan, St. Mary's Roman Catholic..... (223-5562)
28	Thomas Chambers, St. Joseph's Roman Catholic — Mandan..... (663-9562)
<b>March</b>	
1	Stephen Knudsen, First Lutheran — Mandan (663-3594)
2	Allen Schoonover, Faith Lutheran..... (223-2236)
3	Allen Boeve, Bismarck Reformed..... (223-0364)
4	John MacMullen, First Methodist — Mandan (663-3350)
6	Frank Rumer, Methodist — Mandan..... (663-6114)
7	Ben Dove, First Presbyterian, Mandan..... (663-5329)
8	Clarence Stomp, House of Prayer..... (223-9754)

9	Lynn Gaylor, Charles Hall Home.....	(223-0751)
10	A. Reimnitz, Zion Lutheran.....	(223-9065)
11	A. W. Weisser, Baptist Home.....	(223-3040)
13	Lloyd Jorgenson, Assembly of God.....	(223-1852)
14	Hensel Hendrickson, Trinity Lutheran.....	(223-3560)
15	John Holten, Lutheran Church of the Cross....	(223-1001)

GUY LARSON, Chairman

#### MOTION

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

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 47 has had the same under consideration and recommend that the same be amended as follows:

In line 2 of the Title delete the word "sections" and insert in lieu thereof "section"

In line 3 of the Title delete "and 40-18-07"

In line 5 of the Title delete the words "and relating to the"

In line 6 of the Title delete the words "issuance of warrants by municipal judges,"

In line 33 after the word city insert the words "or village"

In line 35 after the word city insert the words "or village"

In line 37 after the comma insert "or temporary vacancy in the office of municipal judge,"

Delete lines 48 through 61

Re-number the sections and lines accordingly

And when so amended recommend the same do pass.

ROBERT CHESROWN, Chairman

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

#### FIRST READING OF SENATE BILLS

Senators Goldberg, Wenstrom, Sorlie, Coughlin, Decker and Longmire introduced:

**Senate Bill No. 58.** For an Act to provide for the appointment of additional district judges and location of chambers and to amend Section 27-05-01 of the North Dakota Century Code relating to judicial districts, the number, composition and number of judges therein.

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

Senators Longmire, Roen and Ringsak introduced:

**Senate Bill No. 59.** For an Act to amend and reenact section 21-03-04 and subsections 1, 5, and 6 of section 21-03-06 of the North Dakota Century Code to provide that debt limitations of certain political subdivisions shall not exceed the limitations established by section 183 of the state Constitution.

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

Senators Morgan, Trenbeath, Ringsak, Kautzmann, Freed and Redlin introduced:

**Senate Bill No. 60.** For an Act to allow an amputee to hunt game with a crossbow.

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

Senators Longmire, Lowe and Larsen introduced:

**Senate Bill No. 61.** For an Act to amend and reenact subdivision j and to create and enact subdivision k of subsection 1 of section 15-39-01 of the North Dakota Century Code, relating to the extension of the coverage of the teachers' insurance and retirement fund.

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

Senator Longmire introduced:

**Senate Bill No. 62.** For an Act to amend and reenact sections 43-20-02, 43-20-03, 43-20-04, 43-20-06, and 43-20-07 of the North Dakota Century Code, relating to the qualifications, examinations, registration, employment, recording and display of licenses, and practice of dental hygienists, and the licensing of dental hygienists licensed to practice in another state.

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

Senator Nething introduced:

**Senate Bill No. 63.** For an Act relating to the observance of Sunday as a day of rest, to provide exceptions thereto, to provide for injunctive relief and penalties for violations thereof, and to amend and reenact section 40-05-03 of the North Dakota Century Code, relating to the regulation and inspection of food markets in cities having a population over fifteen thousand, and to repeal sections 12-21-14, 12-21-15, 12-21-16, 12-21-17, 12-21-20, 12-21-21, and 12-21-22 of the North Dakota Century Code, relating to Sunday closing laws.

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

Senators Trenbeath and Christensen introduced:

**Senate Bill No. 64.** For an Act to amend and reenact subsection 8 of section 20-01-01 of the North Dakota Century Code and to amend and reenact section 20-05-02 of the 1965 Supplement to the North Dakota Century Code, relating to the definition of "big game".

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

Senator Trenbeath introduced:

**Senate Bill No. 65.** For an Act to repeal sections 20-01-07 and 20-01-08 of the North Dakota Century Code, relating to hunting from aircraft.

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

Senators Treanbeath and Christensen introduced:

**Senate Bill No. 66.** For an Act to amend and reenact section 61-27-02 and subsections 1, 2, 3, 5, 7, 8, 9, 10 and 11 of section 61-27-03 of the North Dakota Century Code, relating to the identification number and license of motorboats.

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

#### FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Stafne, Longmire, Ringsak, Litten, Larson (Burleigh) and Lowe introduced:

**Senate Concurrent Resolution "C".** A concurrent resolution directing the legislative research committee to study and determine those powers and rights to be granted to home rule cities as presently authorized under section 130 of the state Constitution.

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

Senators Lips and Meschke introduced:

**Senate Concurrent Resolution "D".** A concurrent resolution extending an invitation to Vincent T. Wasilewski, president of the National Association of Broadcasters, to address a joint session of the Fortieth Legislative Assembly of the state of North Dakota.

Was read the first time.

#### MOTION

Senator Lips moved that the rules be suspended, that Senate Concurrent Resolution "D" be not printed as a bill but printed in the journal and placed on second reading and final passage, which motion prevailed.

#### SENATE CONCURRENT RESOLUTION "D"

Introduced by Senators Lips and Meschke.

A concurrent resolution extending an invitation to Vincent T. Wasilewski, president of the National Association of Broadcasters, to address a joint session of the Fortieth Legislative Assembly of the state of North Dakota.

1 WHEREAS, the Honorable Vincent T. Wasilewski, president  
1a of the

2 National Association of Broadcasters, has distinguished himself  
3 through service in the armed forces, in the profession of law,  
3a and

4 as an officer of the National Association of Broadcasters; and  
5 WHEREAS, through the courtesy of the North Dakota

5a Association of

6 Broadcasters, arrangements have been made for the presence  
6a of Mr.

7 Wasilewski for the purpose of addressing the North Dakota  
7a Legislative

8 Assembly;

9 NOW, THEREFORE, BE IT RESOLVED BY THE

10 SENATE OF THE STATE OF NORTH DAKOTA, THE

11 HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

12 That Wednesday, January 11, 1967, is hereby designated

12a "Broadcast-

13 ers' Day", and that Mr. Vincent T. Wasilewski, president of the  
14 National Association of Broadcasters, is hereby extended an

14a invita-

15 tion to appear before and address a joint session of the Fortieth  
16 Legislative Assembly of the state of North Dakota at 1:45 p.m.

16a on

17 such day.

#### SECOND READING OF A

#### SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution "D".** A concurrent resolution extending an invitation to Vincent T. Wasilewski, president of the National Association of Broadcasters, to address a joint session of the Fortieth Legislative Assembly of the state of North Dakota.

Was read the second time.

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

#### MOTION

Senator Ringsak moved that the Senate accept the free medical services offered by the State Medical Association, and the such be set up and kept in the office of the Lieutenant Governor, which motion prevailed.

#### REPORT OF A STANDING COMMITTEE

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

Senate Concurrent Resolution "B"

And find the same correctly Enrolled.

SENATOR FRANK WENSTROM, Chairman

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

#### ANNOUNCEMENT

Deadline for Introducing Bills.....	JANUARY 23
	(20th-21st Legislative Day)
	(Before 2:00 p.m., January 23)
Deadline for Introducing Resolutions.....	FEBRUARY 7
	— before 2:00 p.m.
	(35th-36th Legislative Day)
Deadline for Committee Reports to be OUT of Committee.....	FEBRUARY 13
	— before 2:00 p.m.
	(the 41st-42nd Legislative Day)
Deadline for Senate Bills messaged to House.....	FEBRUARY 15
	— before 2:00 p.m.
	(the 43rd-44th Legislative Day)
Deadline for House Bills to be reported out of SENATE COMMITTEES.....	MARCH 1
	— before 2:00 p.m.
	(the 57th-58th Legislative Day)
	EVAN E. LIPS, Senator
	Majority Floor Leader

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

LEO LEIDHOLM, Secretary

#### THIRD DAY

Bismarck, January 5, 1967

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

Prayer by Chaplain David Figg, Church of the Nazarene, Bismarck.

Our Father, it is with grateful hearts that we come to Thee in prayer, for we know Thou art God, Creator of this world and of us. Thou hast given us life, health, and strength. Thou hast given us this great state with its towns and cities, its resources, and its people. For all of these blessings, we thank Thee. We come now to ask for Thy continued blessing. We ask for understanding as we face the tasks of this legislative session. Give, we pray, insight concerning the conditions, the situations, and the problems that demand the attention of these legislators. Help us to lay aside all pre-conceptions, prejudices, and petty politics and enable us to face our problems honestly and fairly that the greatest good may be done. Overshadow this legislative session with divine guidance and blessing. And for all Thou shalt do, we give Thee Praise, in Jesus Name, 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 first day after recess and second day and recommends that the same be corrected as follows:

On Page 22, sixth line from bottom, after the word "Was" insert the word "read".

On Page 22, third line from the bottom, delete the word "noted" and insert in lieu thereof the word "not".



And when so corrected recommends that the same be approved.

KENNETH C. LOWE, Chairman

Senator Lowe 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 presence of the Senate.

**MESSAGES TO THE HOUSE**

Senate Chamber

Bismarck, January 5, 1967

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "B"

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

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, January 5, 1967

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "D"

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

LEO LEIDHOLM, Secretary

Senator Lips moved that the Senate recess until 1:30 p. m., January 6, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary



"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### THIRD DAY AFTER RECESS AND FOURTH DAY

Bismarck, January 6, 1967

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

#### REPORT OF SELECT COMMITTEES

Mr. President: Your Select Committee appointed to act as a Committee on Employment recommends the following:

Bernice Sailer, Bismarck,	changed from Telephone Attendant to.....	Chartroom Attendant
Celia Fowler, Bismarck.....	Telephone Attendant	
Vi DeForest, Bismarck.....	Postmistress	
Hazel Ludemann, Bismarck.....	Journal Room Attendant	
Karen Fraser, Omeme.....	Secretary — Minority Floor Leader	
Susan Rivinius, Bismarck.....	Page	
Donnette Schramm, Bismarck.....	Page	
Linda Larson, Bismarck.....	Page	
Larry Watson, Bismarck.....	Page	
David Soma, Bismarck.....	Page	
Marc Homme, Bismarck.....	Page	

SENATOR ROBINSON, Chairman

Senator Robinson moved that the report be adopted.

#### ROLL CALL

The question being on the motion of Senator Robinson that the report of the Committee on Employment be adopted the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Melland	Roen
Berube	Jacobson	Meschke	Ruemmele
Butler	Kautzmann	Morgan	Schultz
Chesrown	Kelly, E.	Mutch	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larsen, R.	Nothing	Stroup
Decker	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Hernett	Longmire		

Absent and not voting:

Forkner Luick Sands

So the report was declared adopted.

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 6, 1967

Mr. President: I have the honor to inform you that the Speaker has appointed a committee of three to act with a like committee

from the Senate to arrange for a joint memorial session on February 22, commemorating Washington's birthday,

Representatives: Tweten  
Kingsbury  
Dahlen

and a committee of three to meet with a like committee from the Senate to arrange for the mailing of the Journals,

Representatives: Bunker  
Ganser  
Wilkie

Very respectfully,  
ROY GILBREATH, Chief Clerk

#### REPORT OF SELECT COMMITTEES

Mr. President: Your Select Committee appointed to arrange for telephone installations has had the same under consideration and report that "Wide Area Telephone Service (WATS)" has been installed, and your committee recommends that all Senators use the following procedure in placing calls:

WATS is a two-point out-going station to station service only. You may not call collect, receive incoming, or place person to person calls, or conference and credit card calls over the WATS line.

Area covered by our WATS is for the state of North Dakota only. A flat monthly charge is paid for our WATS line, and an unlimited number of calls within the state of North Dakota may be placed over this line. It is available for use on a 24-hour basis. All long distance calls, out-going within the state, are to be placed over the WATS access line.

All out of state long distance calls must be made with the use of a "Q" billing number. These numbers will be issued to each Senator.

All three booths are available for WATS usage. Directories for all North Dakota towns are located at the telephone attendant's desk.

After each daily session is over, a WATS line will be available for use at the Legislative Research Committee offices.

Instructions on how to place a call have been placed on each Senator's desk.

SENATOR RINGSAK, Chairman

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

#### FIRST READING OF A SENATE CONCURRENT RESOLUTION

Senator Becker introduced:

**Senate Concurrent Resolution "E".** A concurrent resolution commending Gerald L. Stair for his service to the Legislative Assembly of the State of North Dakota.

#### MOTION

Senator Becker moved that the rules be suspended, that Senate Concurrent Resolution "E" be not printed as a Bill but printed in the Journal and placed on second reading and final passage, which motion prevailed.

#### SENATE CONCURRENT RESOLUTION "E"

Introduced by Senator Becker.

A concurrent resolution commending Gerald L. Stair for his service to the Legislative Assembly of the State of North Dakota.

1 WHEREAS, in 1943, a young man from Bottineau County  
1a journeyed

2 to Bismarck, North Dakota, to the Twenty-eighth Legislative  
3 Assembly with his father the Honorable Arlen Stair,  
3a Representative

4 from Bottineau County; and,

5 WHEREAS, at this session Gerald L. Stair, was employed as  
6 "telephone girl" for the Senate, and performed such duty with  
7 the utmost speed and efficiency; and,

8 WHEREAS, thereafter the said Gerald L. Stair served as  
8a page

9 in the Senate for four sessions; in 1955 as Assistant Chief Clerk  
10 of the House; in 1957 was elected Chief Clerk of the House and  
11 served in such position until 1965 when he was elected Secretary  
12 of the North Dakota Senate; and,

13 WHEREAS, the said Gerald L. Stair has served in all of the  
14 above positions with distinction and honor and has demonstrated  
15 his ability as an outstanding parliamentarian and student of the  
16 legislative process;

17 NOW, THEREFORE, BE IT RESOLVED BY THE  
18 SENATE OF THE STATE OF NORTH DAKOTA, THE  
19 HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

20 Commend the said Gerald L. Stair for his diligence and  
20a express

21 its sincere appreciation for the many years of efficient and  
22 outstanding service to the Legislature and the citizens of this  
23 State.

#### SECOND READING OF A SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution "E".** A concurrent resolution commending Gerald L. Stair for his service to the Legislative Assembly of the State of North Dakota.

Was read the second time.

Senator Becker moved that Senate Concurrent Resolution "E" be adopted, which motion prevailed.

#### MOTION

Senator Lips moved that the President appoint a committee of one to escort Gerald L. Stair to the rostrum, which motion prevailed.

The President appointed as such committee Senator Ringsak and Gerald L. Stair was escorted to the rostrum.

Senator Becker then presented a plaque to Mr. Stair in appreciation of his service to the Legislature and to the State of North Dakota.

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

#### FOURTH DAY

Bismarck, January 6, 1967

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

Prayer by Chaplain Father Henry Bosch, Cathedral of the Holy Spirit, Bismarck.

O Almighty and Eternal God, You made heaven and earth and rule them with the greatest wisdom. Through creation You willed that mankind not only be privileged to live on this earth, but also that he should possess power and authority to preserve the order of nature which You established. We petition You to send forth Your heavenly light and inspiration as we now begin to share in the government and authority over Your land and people which You have placed in our care. Grant that the love which Your Son, Jesus Christ, had for mankind, may inspire us to seek legislation that will benefit our country and our state. Amen.

Roll Call: All Senators present except Senators Forkner, Mutch and Sands.

A quorum was declared by the President.

#### CORRECTION AND REVISION

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

On Page 30, line 28, correct the spelling of the word "Senate" And when so corrected recommends that the same be approved.

SENATOR LOWE, Chairman

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

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 6, 1967

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "E"

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

LEO LEIDHOLM, Secretary

#### 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 SORLIE, Chairman

Senator Beck 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. 51 has had the same under consideration and recommend that 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. 52 has had the same under consideration and recommend that the same do pass.

SENATOR LONGMIRE, Chairman

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

#### CONSIDERATION OF AMENDMENTS

Senator Chesrown moved that the amendments to Senate Bill No. 47 as recommended by the Committee on Judiciary, and printed on page 27 of the Senate Journal, be adopted, which motion prevailed.

#### FIRST READING OF SENATE BILLS

Senators Ringsak, Holand and Longmire introduced:

**Senate Bill No. 67.** For an Act to amend and reenact sections 30-13-22 and 30-14-19 of the North Dakota Century Code, relating to the investment of funds by executors, administrators, and guardians.

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

Senators Forkner, Roen, Chesrown, and Larsen introduced:

**Senate Bill No. 68.** For an Act to amend and reenact section 39-04-36 of the 1965 Supplement to the North Dakota Century Code

relating to the transfer of registration and number plates of motor vehicles.

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

Senators Longmire, Coughlin, Larsen, Freed, Litten, Stafne, Sorlie, Luick, Decker, Butler and Larson (Burleigh) introduced:

**Senate Bill No. 69.** For an Act to authorize the state board of higher education to sell tax-exempt bonds and provide for the use of the proceeds of such bonds for the purpose of constructing or purchasing revenue producing buildings and other campus improvements at institutions of higher learning in this state under the jurisdiction of the board, at such maximum amounts, at such locations, and for such purposes as is hereinafter provided.

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

Senators Becker, Chesrown and Nething introduced:

**Senate Bill No. 70.** For an Act to amend and reenact section 12-01-14 of the North Dakota Century Code, relating to the issuance of receipts by public officials.

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

Senators Becker and Torgerson introduced:

**Senate Bill No. 71.** For an Act to empower the state auditor to enter into reciprocal agreements with other states for the purpose of entering into motor fuel taxation agreements.

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

Senator Longmire introduced:

**Senate Bill No. 72.** For an Act to create and enact section 1-01-35.1 of the North Dakota Century Code, relating to the tense of words, to create and enact subsections 13, 14, and 15 of section 1-01-49 of the North Dakota Century Code, relating to the definitions of "executor and administrator", "preceding and following", and "rules and regulations", to create section 1-02-09.1 of the North Dakota Century Code, relating to multiple amendments to the same provision, and providing for aids in statutory construction, and to amend and reenact sections 1-01-33, 1-01-34, and 1-02-15 of the North Dakota Century Code, relating to the definition of "year", "month", and "masculine", and to the computation of time.

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

Senators Longmire and Lowe introduced:

**Senate Bill No. 73.** For an Act to amend and reenact sections 43-04-23, 43-04-28, 43-04-32, and 43-04-38 of the North Dakota Century Code, relating to ages of apprentice barbers and requiring a high school education.

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

Senators Kautzmann, Longmire and Stafne introduced:

**Senate Bill No. 74.** For an Act to amend and reenact section 25-09-07 of the 1965 Supplement to the North Dakota Century Code relating to the collection of expenses of care and treatment of patients at the state hospital and state school.

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

Senators Becker, Geving, Robinson, Rait, Stroup and Kautzmann introduced:

**Senate Bill No. 75.** For an Act to amend and reenact section 38-09-01 of the North Dakota Century Code, relating to the reser-

vation of mineral rights when transferring state lands.

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

FIRST READING OF A  
SENATE CONCURRENT RESOLUTION

Senator Longmire introduced:

**Senate Concurrent Resolution "F".** A concurrent resolution for the purpose of designating February 3, 1967, as Newspapermen's Day at the state legislative assembly, and inviting Mr. Stanley M. Swinton to address the joint meeting of newspapermen and legislators.

Was read the first time.

MOTION

Senator Longmire moved that the rules be suspended, that Senate Concurrent Resolution "F" be not printed as a bill but printed in the Journal and placed on second reading and final passage, which motion prevailed.

SENATE CONCURRENT RESOLUTION "F"

Introduced by Senator Longmire.

A concurrent resolution for the purpose of designating February 3, 1967, as Newspapermen's Day at the state legislative assembly, and inviting Mr. Stanley M. Swinton to address the joint meeting of newspapermen and legislators.

- 1 WHEREAS, the editors and reporters of North Dakota daily
- 1a and
- 2 weekly newspapers are in active partnership with the senators
- 2a and
- 3 representatives of this state in the task of keeping citizens
- 4 informed about their government; and
- 5 WHEREAS, Mr. Stanley M. Swinton, Assistant General
- 5a Manager
- 6 and Director of World Services for the Associated Press, and
- 7 widely known for his extensive world travels, will be able to
- 8 attend a joint meeting of newspapermen and legislators on
- 9 February 3, 1967;
- 10 NOW, THEREFORE, BE IT RESOLVED BY THE
- 11 SENATE OF THE STATE OF NORTH DAKOTA, THE
- 12 HOUSE OF REPRESENTATIVES CONCURRING THEREIN:
- 13 That the senate and house of representatives of the state
- 14 of North Dakota, individually and collectively, invite the news-
- 15 papermen of their respective districts to spend the day of
- 16 February 3, 1967, at the state capitol as our guests, to witness
- 17 at firsthand, the legislative process; and
- 18 BE IT FURTHER RESOLVED, that the senate and the
- 19 house of representatives of the state of North Dakota join in the
- 20 invitation to Mr. Stanley M. Swinton, Assistant General
- 20a Manager
- 21 and Director of World Services for the Associated Press, to
- 21a address
- 22 the joint meeting of newspapermen and legislators.

SECOND READING OF A  
SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution "F".** A concurrent resolution for the purpose of designating February 3, 1967, as Newspapermen's Day at the state legislative assembly, and inviting Mr. Stanley M. Swinton to address the joint meeting of newspapermen and legislators.

Was read the second time.

Senator Longmire moved that Senate Concurrent Resolution "F" be adopted, which motion prevailed.



## REPORT OF SELECT COMMITTEE

Senator Larson moved that the report of the Committee on Chaplaincy printed on pages 26 and 27 of the Senate Journal be adopted.

## ROLL CALL

The question being on the motion of Senator Larson that the report of the Committee on Chaplaincy be adopted, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beck	Hofstrand	Longmire	Robinson
Becker	Holand	Lowe	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Schultz
Chesrown	Kelly, E.	Morgan	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larsen, R.	Netting	Stroup
Decker	Larsen, G.	Pyle	Torgerson
Freed	Larsen, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Hernett			

Absent and not voting:

Forkner	Luick	Mutch	Sands
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So the report was declared adopted.

## MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 6, 1967

Mr. President: I have the honor to return:

Senate Concurrent Resolution "E"

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

## REPORT OF STANDING COMMITTEE

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

Senate Concurrent Resolution "E"

And find the same correctly enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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 "E"

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

## MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 6, 1967

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "E"

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

LEO LEIDHOLM, Secretary

## JOURNAL OF THE SENATE

## MESSAGES FROM THE HOUSE

House Chamber  
Bismarck, January 6, 1967

Mr. President: I have the honor to return:  
Senate Concurrent Resolution "E"  
Which the Speaker has signed.

ROY GILBREATH, Chief Clerk  
House Chamber  
Bismarck, January 6, 1967

Mr. President: I have the honor to return:  
Senate Concurrent Resolution "B"  
Which the Speaker has signed.

ROY GILBREATH, Chief Clerk  
House Chamber  
Bismarck, January 6, 1967

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

ROY GILBREATH, Chief Clerk  
House Chamber  
Bismarck, January 6, 1967

Mr. President: I have the honor to transmit:  
House Concurrent Resolution "D"  
Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE GOVERNOR  
STATE OF NORTH DAKOTA  
Executive Office  
Bismarck

The Honorable Charles Tighe  
Lieutenant Governor  
North Dakota State Senate  
State Capitol  
Bismarck, North Dakota

Dear Lieutenant Governor Tighe:

Section 12-55-32, as amended, of the North Dakota Century Code provides that the Governor communicate to each regular session of the Legislature certain actions taken by the State Board of Pardons subsequent to the last meeting of the Legislative Assembly.

Enclosed are the pertinent actions taken by the State Board of Pardons from the regular meeting of March 25, 1965 through the regular meeting of December 5, 1966.

Sincerely yours,  
WILLIAM L. GUY  
Governor

Senator Lips moved that the Senate recess until 1:45 p.m., January 7, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary

"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### FOURTH DAY AFTER RECESS AND FIFTH DAY

Bismarck, January 7, 1967

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

#### FIRST READING OF SENATE BILLS

Senator Wenstrom introduced:

**Senate Bill No. 76.** For an Act to repeal sections 54-16-06 and 54-16-07 of the North Dakota Century Code, relating to reports to governor.

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

Senators Luick and Wenstrom introduced:

**Senate Bill No. 77.** For an Act reappropriating the unexpended balance of that appropriation contained in section 3 of chapter 50 of the 1965 Session Laws for the construction of armories and improvements to military property.

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

Senator Wenstrom introduced:

**Senate Bill No. 78.** For an Act to amend and reenact section 15-55-18 of the 1965 Supplement to the North Dakota Century Code, relating to dormitory bond issues for junior colleges and educational centers.

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

Senator Kelly (Milton), Longmire and Becker introduced:

**Senate Bill No. 79.** For an Act to amend and reenact sections 43-13-07, 43-13-08, 43-13-17, 43-13-19, 43-13-20, of the North Dakota Century Code, relating to compensation for services and reimbursements of expenses of members of the optometric board, and collection, custody and disbursement of funds of the board, and reimbursement of clerical expenses and other services by the secretary of the Board of Optometry, and an examination for a certificate of registration to practice optometry, the contents thereof and the fees for such examination, and certificate of registration and fees paid therefore, and provisions for failure to pass examination and reexamination and fees therefore, and certificates of registration to practice optometry, and renewal, revocation, and reinstatement thereof and annual license fees therefor.

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

#### REPORT OF STANDING COMMITTEE

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

Senate Bill No. 47

And find the same correctly Engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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 "D"

And find the same correctly Enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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 "D"

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

#### MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, January 7, 1967

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "D"

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

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, January 7, 1967

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "F"

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

LEO LEIDHOLM, Secretary

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

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

LEO LEIDHOLM, Secretary

#### FIFTH DAY

Bismarck, January 7, 1967

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

Prayer by Chaplain Rev. J. H. Nicolai, Trinity Lutheran, Bismarck.

Roll call:

Senators present: Becker, Christensen, Kautzmann, Milton Kelly, Lester Larson, Luick, Meschke, Rait, Roen, Sorlie, Wenstrom and Wilhite.

Senators absent: Beck, Berube, Butler, Chesrown, Coughlin, Decker, Forkner, Freed, Geving, Goldberg, Hernet, Hofstrand, Holand, Jacobson, Earl Kelly, Larsen, Guy Larson, Lips, Litten, Longmire, Lowe, Melland, Morgan, Mutch, Nasset, Nething, Pyle, Redlin, Ringsak, Robinson, Ruemmele, Sands, Schultz, Stafne, Stroup, Torgerson, Trenbeath.

So the President declared the Senate lacked a quorum.

Senator Becker moved that the Senate recess until 1:30 p.m., January 9, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary

"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### FIFTH DAY AFTER RECESS AND SEVENTH DAY

Bismarck, January 9, 1967

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

Roll call: All Senators present except Senators Beck and Butler. A quorum was declared by the President.

### CORRECTION AND REVISION

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

SENATOR LOWE, Chairman

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

### MOTION

Senator Morgan moved that Gerald L. Stair be allowed seven days pay and mileage in connection with the opening of Senate of the Fortieth Legislative Assembly.

### ROLL CALL

The question being on the motion of Senator Morgan that Gerald L. Stair be allowed seven days pay and mileage, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite
Hofstrand	Lowe	Robinson	

Absent and not voting:

Beck                      Butler

So the motion was declared carried.

### MOTION

Senator Lips moved that a committee of three be appointed to act with a like committee from the House on the mailing of Journals, which motion prevailed.

The President appointed as such committee, Senators Forkner, Decker and Lester Larson.

### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Education to whom was

referred Senate Bill No. 30, has had the same under consideration and recommend that the same do pass.

SENATOR ROEN, Chairman

Senator Roen 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. 32, has had the same under consideration and recommend that the same do pass.

SENATOR RINGSACK, Chairman

Senator Ringsack 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. 34, has had the same under consideration and recommend that the same do pass.

SENATOR RINGSACK, Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 57, has had the same under consideration and recommend that the same be amended as follows:

In line 5 delete the word "shall" and insert in lieu thereof the word "may"

In line 7 delete the words "uncalled for and"

In line 17 after the word "be" insert the words "cancelled and"

In line 22 delete the "period" and insert in lieu thereof a "comma" and insert the following language "except for the expiration of the statute of limitations."

In line 28 delete the word "shall" and insert in lieu thereof the word "may"

In line 29 delete the words "uncalled for"

In line 30 delete the word "and"

In line 40 after the word "be" insert the words "cancelled and"

In line 45 delete the "period" and insert in lieu thereof a "comma" and insert the following language "except for the expiration of the statute of limitations."

And renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR ROEN, Chairman

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

#### FIRST READING OF SENATE BILLS

Senator Longmire introduced:

**Senate Bill No. 80.** For an Act to amend and reenact subsection 2 of section 57-37-07 of the 1965 Supplement to the North Dakota Century Code, relating to the definition of powers of appointment for estate tax purposes.

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

Senator Kautzmann introduced:

**Senate Bill No. 81.** For an Act authorizing the board of administration to lease certain property now owned by the state and under the control of the state industrial school.

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

Senators Robinson, Jacobson, Ruemmele, Stroup, Trenbeath, Geving and Wenstrom introduced:

**Senate Bill No. 82.** For an Act to amend and reenact sections 57-02.1-01 and 57-02.1-02, and subsection 1 of section 57-02.1-05 of the North Dakota Century Code, relating to payments to be made to counties in lieu of real property taxes which would otherwise be due if such property were not owned by a governmental entity and controlled by the state game and fish department.

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

Senator Robinson introduced:

**Senate Bill No. 83.** For an Act to amend and reenact section 55-08-07 of the North Dakota Century Code, relating to permit and admission fees for state parks, and to repeal section 55-08-06 of the North Dakota Century Code, relating to permits for motor vehicles entering state parks.

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

#### FIRST READING OF HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution "D".** A concurrent resolution inviting Mr. Louis W. Menk to address members of the Fortieth Legislative Assembly.

Was read the first time.

#### MOTION

Senator Lips moved that the rules be suspended, that House Concurrent Resolution "D" be not referred to committee, but placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution "D".** A concurrent resolution inviting Mr. Louis W. Menk to address members of the Fortieth Legislative Assembly.

Was read the second time.

Senator Lips moved that House Concurrent Resolution "D" be adopted, which motion prevailed.

#### REPORT OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment respectfully reports that:

Concurrent Resolution "B"

Concurrent Resolution "E"

were delivered to the Secretary of State at the hour of 11:15 o'clock a.m., January 9, 1967.

SEN. WENSTROM, Chairman

#### RECOGNITION

Senator Longmire requested that the Senate recognize former Senator George Saumur of Grand Forks County, which request was granted and former Senator George Saumur was recognized by the Senate.

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 9, 1967

Mr. President: I have the honor to transmit:

House Bill No. 543

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

ROY GILBREATH, Chief Clerk

#### REPORT OF SELECT COMMITTEES

Mr. President: Your Select Committee appointed to act as a Committee on Employment recommends the following employees:

Marie Skjod, Mandan.....Proof Reader  
 Elma Schrammen, Elgin.....Proof Reader

Senator Robinson moved that the report be adopted.

The question being on the motion of Senator Robinson that the report of the Committee on Employment be adopted.

#### ROLL CALL

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

Those voting in the affirmative were:

Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Chesrown	Kantzmman	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite
Hofstrand	Lowe	Robinson	

Absent and not voting:

Beck                   Butler

So the report was declared adopted.

The Lieutenant Governor then administered the oath of office to said employees.

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

#### MESSAGE TO THE SENATE

House Chamber

Bismarck, January 9, 1967

Mr. President: I have the honor to inform you that the Speaker has appointed a committee of three to act with a like committee from the Senate to arrange for a doctor of the day:

Representatives Davis, Saugstad and Giffey

Very Respectfully,

ROY GILBREATH, Chief Clerk

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

#### SEVENTH DAY

Bismarck, January 9, 1967

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

Prayer by Chaplain Rev. E. O. Grunstead, Bismarck.

O Lord, our Lord how excellent is Thy name in all the earth. We look to You with hearts full of thanksgiving today. We realize that You are the father of all mercies, the source of all goodness. We are especially grateful to You for the great promises given us that You are, and will be with us always even till the end of time. It helps us to realize that we are not our own. We are Yours. We do bless Thee for our creation and all the rich blessings of life. We thank You for our state and nation, and above all for Your inestimable love revealed to us through Jesus Christ our Saviour. Give us, we pray, a keen sense of Thy presence and of Thy tender mercies always.

Let Thy wisdom and understanding find it's way into the hearts and minds of each one of us and especially do we pray for this body of good citizens in this their great time of responsibility. We do



pray that all the good work which they accomplish here may become one of the avenues leading towards peace in the world once more.

We do ask these blessings and give thanks in the name of the Christ who came to bring peace to all mankind.

Amen.

Roll Call: All Senators present except Senators Beck and Butler. A quorum was declared by the President.

**CORRECTION AND REVISION**

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 find the same correct.

SENATOR LOWE, Chairman

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

**FIRST READING OF HOUSE BILL**

**House Bill No. 543.** For an Act to amend and reenact subsection 3 of section 54-04-02 of the North Dakota Century Code, relating to the form of enrolled bills.

Was read the first time.

**MOTION**

Senator Ringsak moved that the rules be suspended and that House Bill No. 543 be not referred to committee but placed on second reading and final passage, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**House Bill No. 543.** For an Act to amend and reenact subsection 3 of section 54-04-02 of the North Dakota Century Code, relating to the form of enrolled bills.

Was 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:

Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite
Hofstrand	Lowe	Robinson	

Absent and not voting:

Beck                      Butler

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

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 22.** 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 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:

Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite
Hofstrand	Lowe	Robinson	

Absent and not voting:

Beck                    Butler

So the bill passed and the title was agreed to.

**Senate Bill No. 47.** For an Act to provide for an affidavit of prejudice and a change of venue in municipal courts and to amend and reenact sections 40-18-03 and 40-18-07 of the 1965 Supplement to the North Dakota Century Code, relating to the vacancy in office and temporary absence of municipal judges, and relating to the issuance of warrants by municipal judges, and to repeal section 40-18-10 of the 1965 Supplement to the North Dakota Century Code, relating to the procedure governing trials for misdemeanors before municipal judges.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended on page 27 of Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite
Hofstrand	Lowe	Robinson	

Absent and not voting:

Beck                    Butler

So the bill passed and the title was agreed to.

**Senate Bill No. 51.** For an Act to amend and reenact sections 25-09-09 and 25-09-10 of the North Dakota Century Code, relating to the manner of billing patients of state institutions and their responsible relatives, and the disposition of nonresident patients at the Grafton state school.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Morgan	Sands
Christensen	Kelly, E.	Mutch	Schultz
Coughlin	Kelly, M.	Nasset	Sorlie
Decker	Larsen, R.	Nothing	Stafne
Forkner	Larson, G.	Pyle	Stroup
Freed	Larson, L.	Rait	Torgerson
Geving	Lips	Redlin	Trenbeath
Goldberg	Litten	Ringsak	Wenstrom
Hernett	Longmire	Robinson	Wilhite
Hofstrand	Lowe		

Those voting in the negative were:  
Meschke

Absent and not voting:  
Beck                      Butler

So the bill passed and the title was agreed to.

**Senate Bill No. 52.** For an Act to provide for the testing and treatment of the disease phenylketonuria and other metabolic diseases causing mental retardation, providing for an educational program concerning such diseases under the direction of the department of health, and requiring physicians attending newborn infants to subject such infants to tests for phenylketonuria and other metabolic diseases.

Was 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:

Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite
Hofstrand	Lowe	Robinson	

Absent and not voting:  
Beck                      Butler

So the bill passed and the title was agreed to.

**MESSAGES FROM THE HOUSE**

House Chamber

Bismarck, January 9, 1967

Mr. President: I have the honor to return:

Senate Concurrent Resolution "D"

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, January 9, 1967

Mr. President: I have the honor to return:

Senate Concurrent Resolution "F"

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

## FIRST READING OF SENATE BILLS

Senators Morgan, Ringsak, Mutch, Lips, Nething, Sands, Stafne, Holand and Meschke introduced:

**Senate Bill No. 84.** For an Act to amend and reenact sections 19-19-02, 19-19-03, 19-19-04, 19-19-05, 19-19-06, and 19-19-07 of the North Dakota Century Code, relating to sale and dispensing of barbiturates.

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

Senator Holand introduced:

**Senate Bill No. 85.** For an Act to amend and reenact section 16-13-11 of the North Dakota Century Code, relating to the keeping of ballots by the county judge.

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

Senators Holand, Freed, Nething, Ringsak, Longmire, Chesrown, Goldberg and Meschke introduced:

**Senate Bill No. 86.** For an Act to amend and reenact sections 30-21-01 and 30-21-03 of the 1965 Supplement to the North Dakota Century Code, relating to a petition for a legacy or share by an heir, devisee, or legatee of an estate and the requirement of a bond and payment of costs.

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

Senator Lips moved that the Senate recess until 1:30 p.m., January 10, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary

"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### SEVENTH DAY AFTER RECESS AND EIGHTH DAY

Bismarck, January 10, 1967

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

#### REPORT OF STANDING COMMITTEE

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 Enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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"

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"

Was delivered to the Secretary of State at the hour of 3:30 o'clock p.m., January 9, 1967.

SENATOR WENSTROM, Chairman

#### FIRST READING OF SENATE BILLS

Senators Mutch, Forkner, Ringsak, Morgan, Decker, Roen and Coughlin introduced:

**Senate Bill No. 87.** A Bill for an Act to amend and reenact subsection 21 of section 54-44-04 of the North Dakota Century Code, providing for the operation of a centralized purchasing service and to provide for credit card purchases of motor vehicle fuel by the department of accounts and purchases.

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

Senators Mutch, Forkner, Robinson, Roen, Sorlie, Torgerson, Goldberg, and Melland introduced:

**Senate Bill No. 88.** A Bill for an Act to repeal subsections 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 of section 51-10-06 and sections 51-10-09, 51-10-10, 51-10-11, 51-10-12, 51-10-13, 51-10-14, and 51-10-15 of the 1965 Supplement to the North Dakota Century Code, relating to the North Dakota Trade Commission.

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

Senators Holand and Litten introduced:

**Senate Bill No. 89.** A Bill for an Act relating to a study by the legislative research committee for the development of a plan for an integrated data processing and data retrieval system for the state of North Dakota, temporarily limiting the acquisition of new data processing equipment, and providing for an appropriation.

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

Senator Wenstrom introduced:

**Senate Bill No. 90.** A Bill for an Act to amend and reenact sections 54-16-03 and 54-16-04 of the North Dakota Century Code, relating to authority of emergency commission.

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

Senator Morgan introduced:

**Senate Bill No. 91.** A Bill for an Act to amend and reenact section 40-01-20 of the North Dakota Century Code, relating to the prohibition of daylight saving time.

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

Senators Longmire and Stafne introduced:

**Senate Bill No. 92.** A Bill for an Act to amend and reenact subsection 7 of section 57-38-18 of the North Dakota Century Code, relating to items not included in gross income under the North Dakota income tax statute.

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

Senators Holand, Wenstrom and Berube introduced:

**Senate Bill No. 93.** A Bill for an Act directing the legislative research committee to appoint a special subcommittee on intrastate cooperation consisting of members of the legislative assembly and representatives of political subdivisions and special advisory members from state government.

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

#### REPORT OF SELECT COMMITTEES

Mr. President: Your Select Committee appointed to act as a 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, that 250 additional Daily Journals be printed and held by the Journal printer to be bound as copies of the permanent Journal; 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 of 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. 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. 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 Calendar be printed and punched; that 500 copies of the Daily Journal be 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 by the 1965 Session.

SENATOR FORKNER, Chairman

#### MOTION

Senator Forkner moved that the reading of the report of the Committee on Printing be dispensed with, that the report be printed in the Journal and laid over one legislative day, which motion prevailed.

#### CONSIDERATION OF AMEDNMENTS

Senator Roen moved that the amendments to Senate Bill No. 57 as recommended by the Committee on Education, and printed on page 44 of the Senate Journal, be adopted, which motion prevailed.

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 30.** For an Act to provide for the authorization of contingency funds to institutions under the board of higher education.

Was read the second time.

Senator Roen moved that Senate Bill No. 30 be re-referred to the Committee on Education, which motion prevailed.

**Senate Bill No. 32.** For an Act to create and enact section 54-06-09.1 which provides the penalty for certification of a false claim, and to amend and reenact section 54-06-09 of the North Dakota Century Code, relating to travel expense of state officers and employees.

Was read the second time.

#### ROLL CALL

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

Those voting in the affirmative were:

Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, M.	Morgan	Schultz
Coughlin	Larsen, R.	Mutch	Sorlie
Decker	Larson, G.	Nasset	Stafne
Forkner	Larson, L.	Nething	Stroup
Freed	Lips	Rait	Torgerson
Geving	Litten	Redlin	Trenbeath
Goldberg	Longmire	Ringsak	Wenstrom
Hernett	Lowe	Robinson	Wilhite

Those voting in the negative were:

Beck	Hofstrand	Kelly, E.	Pyle
Butler			

So the bill passed and the title was agreed to.

**Senate Bill No. 34.** For an Act to provide an appropriation for the capitol grounds planning commission and to amend and reenact section 1 of chapter 314 of the 1965 session laws, relating to the capitol grounds planning commission.

Was read the second time.

Senator Ringsak moved that Senate Bill 34 be re-referred to the Committee on Appropriations, which motion prevailed.

#### MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, January 10, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 543

House Concurrent Resolution "D"

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, January 10, 1967

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "F"

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

LEO LEIDHOLM, Secretary

#### DETERMINATION OF TWO AND FOUR YEAR TERMS

Lt. Gov.: According to the decision of Paulson v. Meier, 246 Federal Supplement, page 36, which decision was handed down August 10, 1965, the pertinent part applicable to us here today, is as follows:

The Senate shall be divided into two parts, those elected in legislative districts designated by even numbers shall constitute one class, and those elected in legislative districts designated by odd numbers shall constitute the other class. The Senators of one class elected in the first election held under the provisions of this legislative apportionment law shall hold their offices for two years, those of the other class shall hold their office four years, and the determination of the two classes shall be by lot, so that one-half of the Senators, as nearly as practical, may be elected biannually. The President of the Senate shall perform the lot in the presence of the majority and minority floor leaders of the Senate within ten days after the commencement of the first session of the legislative assembly of this state which is comprised of Senators elected hereunder, and shall certify in writing the results of such lot to the Secretary of State within five days after his performance.

The procedure in casting this lot will be by tossing a coin. The even numbered districts will be heads and the odd numbered districts will be tails. The winners of the toss shall receive four year terms. Let the record show that Senator Lips and Senator Meschke came to the rostrum and that the coin, a fifty cent piece, was displayed to them by the Lt. Gov., and that the Lt. Gov. tossed the coin.

The result of the toss shows tails and therefore the odd numbered districts will have four year terms and the even numbered districts will have two year terms.

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

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary



## EIGHTH DAY

Bismarck, January 10, 1967

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

Prayer by Chaplain Glen H. Bradford, First Baptist.

Eternal and merciful Heavenly Father, we come to Thee through Thy Grace in Jesus, and at Thy bidding, confessing our need of Thee, and of Thy wisdom.

Receive us as Thy ministers for the common good of all our people, and look upon us with favor as we serve Thee as representatives of our various regions.

Heavenly Father, Thou are the giver of every good and perfect gift, and we seek Thy blessing for each who serves; with physical strength equal to the task; for mental alertness; for depth of insight beyond our own, and for personal courage to stand for and to do that which is right as it is revealed to us.

Grant us the greatness to diminish selfishness and increase our concern for that which best serves all who share in North Dakota.

We thank Thee for Thy mercy, and for Thy grace, Make us worthy to name Thy name, through Jesus the Christ. Amen.

Roll call: All Senators present except Senators Beck, Butler, Hofstrand, Earl Kelly and Pyle.

A quorum was declared by the President.

## CORRECTION AND REVISION

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

On page 47, in line 29, after the word "bills" insert the following: "and declaring an emergency".

On page 33, of the Journal of January 6, 1967, after line 45 insert the following: The Lt. Gov. then administered the oath of office to said employees."

And when so corrected recommends that the same be approved.

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

SENATOR LOWE, Chairman

## MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, January 10, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 22

Senate Bill No. 47

Senate Bill No. 51

Senate Bill No. 52

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

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, January 10, 1967

Mr. Speaker: I have the honor to inform you that the President has appointed a committee of three to act with a like committee from the House on the mailing of Journals.

Senator Forkner

Senator Decker

Senator Lester Larson

LEO LEIDHOLM, Secretary

## RECOGNITION

Senator Christensen announced that former Senator Dahlund of Kenmare was a guest in the chambers and requested that he be recognized by the Senate, which request was granted and former Senator Dahlund was recognized by the Senate.

Senator Lips moved that the Senate recess until 12:45 p.m. January 11, 1967, which motion prevailed.

LEO LETDHOLM, Secretary

"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### EIGHTH DAY AFTER RECESS AND NINTH DAY

Bismarck, January 11, 1967

The Senate convened at 12:45 p.m., pursuant to recess taken, the President presiding.

#### FIRST READING OF SENATE MEMORIAL RESOLUTION

Senator Lips introduced:

**Senate Memorial Resolution No. 1.** A memorial resolution extending sympathy and condolence to Senator Frank Wenstrom upon the death of his mother.

Was read the first time.

#### MOTION

Senator Lips moved that the rules be suspended, that Senate Memorial Resolution No. 1 be not printed as a bill but printed in the Journal and placed on second reading and final passage, which motion prevailed.

#### SENATE MEMORIAL RESOLUTION No. 1

Introduced by Senator Lips.

A memorial resolution extending sympathy and condolence to Senator Frank Wenstrom upon the death of his mother.

- 1 WHEREAS, God in His infinite wisdom has seen fit to
- 2 summon from our midst Mrs. Anna Wenstrom, the mother of
- 3 our colleague, Senator Frank Wenstrom; and
- 4 WHEREAS, Senator Frank Wenstrom is held in the highest
- 5 esteem by all members of the legislative assembly, who
- 6 share with him his great sorrow;
- 7 NOW, THEREFORE, BE IT RESOLVED BY THE
- 8 SENATE OF THE STATE OF NORTH DAKOTA:
- 9 That we express our deep sorrow and extend to
- 10 Senator Frank Wenstrom and all members of his family
- 11 our sincere sympathy and condolence in this their time of
- 12 sorrow; and
- 13 BE IT FURTHER RESOLVED, that duly enrolled copies
- 14 of this resolution be forwarded by the Secretary of State
- 15 to Senator Frank Wenstrom and members of his family.

#### SECOND READING OF SENATE MEMORIAL RESOLUTION

**Senate Memorial Resolution No. 1.** A memorial resolution extending sympathy and condolence to Senator Frank Wenstrom upon the death of his mother.

Was read the second time.

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

#### REPORT OF STANDING COMMITTEE

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

Senate Bill No. 57

And find the same correctly Engrossed.

SENATOR WENSTROM, Chairman

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

#### FIRST READING OF SENATE BILLS

Senators Trenbeath, Roen, Holand and Larson (Burleigh) introduced:

**Senate Bill No. 94.** For an Act relating to a statement of legislative intent in regard to the employment of teachers, and providing for conferences when requested for the purpose of explaining reasons for discharge or failure to renew teaching contracts.

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

Senators Sands, Redlin and Ruemmele introduced:

**Senate Bill No. 95.** For an Act to amend and reenact section 61-01-14 of the 1965 Supplement to the North Dakota Century Code, relating to the fouling of public water.

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

Senators Forkner, Decker, Coughlin, Trenbeath, Jacobson and Mutch introduced:

**Senate Bill No. 96.** For an Act to amend and enact sections 19-10-02, 19-10-07, 19-10-08, 19-10-19, 19-10-20, 10-10-21, and 19-10-22 of the North Dakota Century Code, relating to the powers and duties of the state laboratories department; and to repeal sections 19-10-10, 19-10-16 and 19-10-18 of the North Dakota Century Code, relating to the powers and duties of the state laboratories department.

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

Senators Forkner, Coughlin, Trenbeath, Jacobson, Mutch and Decker introduced:

**Senate Bill No. 97.** For an Act to amend and enact section 26-23-06 of the North Dakota Century Code, relating to the state bonding fund; and to create and enact Section 26-23-24 of the North Dakota Century Code, relating to the state bonding fund.

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

Senators Longmire, Ringsak and Meschke introduced:

**Senate Bill No. 98.** For an Act to amend and reenact sections 47-24-01, 47-24-02, 47-24-03, 47-24-04, 47-24-06, and 47-24-07 of the North Dakota Century Code, relating to the North Dakota Uniform Gifts to Minors Act.

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

Senator Longmire introduced:

**Senate Bill No. 99.** For an Act to amend and reenact section 57-37-29 of the 1965 Supplement to the North Dakota Century Code, relating to the retention and condition for transfer of assets in a decedent's estate.

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

#### REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 58, has had the same under consideration and recommend that the same do pass.

SENATOR CHESROWN, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 72, has had the same under consideration and recommend that the same do pass.

SENATOR CHESROWN, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 76, has had the same under consideration and recommend that the same do pass.

SENATOR CHESROWN, Chairman

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

SECOND READING OF A SENATE BILL

**Senate Bill No. 57.** For an Act to create and enact sections 15-29-14 and 40-17-09.1 of the North Dakota Century Code, relating to the cancellation of outstanding warrants.

Was read the second time.

Senator Longmire moved that Senate Bill No. 57 be amended as follows:

In line 22, delete the words "the expiration of".

In line 46, delete the words "the expiration of".

Which motion prevailed.

Senator Longmire moved that the rules be suspended, that Senate Bill No. 57 be deemed properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

ROLL CALL

The question being on the final passage of Senate Bill No. 57 as amended, on page 44 of the Senate Journal and from the floor, the roll was called and there were ayes, 46; nays, 0; absent and not voting 3.

Those voting in the affirmative were:

Becker	Hofstrand	Melland	Roen
Berube	Holand	Meschke	Ruemmele
Butler	Jacobson	Morgan	Sands
Chesrown	Kautzmann	Mutch	Schultz
Christensen	Kelly, E.	Nasset	Sorlie
Coughlin	Kelly, M.	Nothing	Stafne
Decker	Larsen, R.	Pyle	Stroup
Forkner	Larson, G.	Rait	Torgerson
Freed	Larson, L.	Redlin	Trenbeath
Geving	Lips	Ringsak	Wenstrom
Goldberg	Longmire	Robinson	Wilhite
Hernett	Lowe		

Absent and not voting:

Beck	Litten	Luick
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So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, January 11, 1967

Mr. President: I have the honor to return:

Senate Concurrent Resolution "F"

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, January 11, 1967

Mr. President: I have the honor to transmit:

House Concurrent Resolution "F"

House Concurrent Resolution "G"

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

ROY GILBREATH, Chief Clerk

## MESSAGE TO SECRETARY OF STATE

January 10, 1967

Honorable Ben Meier  
 Secretary of State  
 State Capitol  
 Bismarck, North Dakota

Dear Mr. Meier:

I hereby certify that the attached determination, which is incorporated in this letter by reference, is the result of which Senators of the Fortieth Legislative Assembly have been determined to be elected for two year terms and four year terms.

The results of the determination show that the odd numbered district Senators are elected for four year terms and the even numbered district Senators are elected for two year terms.

Very sincerely yours,

CHARLES TIGHE

Lieutenant Governor

Enclosure:

## MOTION

Senator Lips moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the chair, pursuant to recess taken, the President presiding.

## REPORT OF SELECT COMMITTEE

Mr. President: Your Select Committee appointed to act as a Committee on Employment recommends the following employee:  
 Inez Schneider, Bismarck..... Stenographer

Senator Robinson moved that the report be adopted.

## ROLL CALL

The question being on the motion of Senator Robinson that the report of the Committee on Employment be adopted, the roll was called and there were ayes, 45; nays, 0; absent and not voting 4.

Those voting in the affirmative were:

Becker	Jacobson	Luick	Robinson
Berube	Kautzmann	Melland	Roen
Butler	Kelly, E.	Meschke	Ruemmele
Chesrown	Kelly, M.	Morgan	Sands
Christensen	Larsen, R.	Mutch	Schultz
Coughlin	Larson, G.	Nasset	Sorlie
Decker	Larson, L.	Nothing	Stafne
Forkner	Lips	Pyle	Stroup
Freed	Litten	Rait	Torgerson
Geving	Longmire	Redlin	Trenbeath
Goldberg	Low	Ringsak	Wilhite
Hernett			

Absent and not voting:

Beck	Hofstrand	Holand	Wenstrom
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So the report was declared adopted.

The Lieutenant Governor then administered the oath of office of said employee.

## MOTION

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House on a doctor for the day, which motion prevailed.

The President appointed as such committee, Senators Ringsak, Stafne and Berube.

## MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 11, 1967

Mr. Speaker: I have the honor to inform you that the President has appointed Senators: Ringsak, Stafne and Berube to act with a like committee from the House to arrange for a doctor of the day.

## FIRST READING OF SENATE BILLS

Senators Redlin and Longmire introduced:

**Senate Bill No. 100.** For an Act to allow certain school districts, upon approval of the electorate of such districts and the superintendent of public instruction, to enter into agreements with school districts of adjoining states for the joint operation and maintenance of school facilities and activities and to levy and collect taxes for such purpose.

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

Senator Luick introduced:

**Senate Bill No. 101.** A Bill for an Act to amend and reenact section 57-52-04 of the North Dakota Century Code, relating to excise tax levy on special fuels.

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

Senators Luick, Coughlin, Freed, Geving, Hofstrand, Morgan, Nasset, Robinson, Roen and Sorlie introduced:

**Senate Bill No. 102.** A Bill for an Act transferring the field enforcement functions of the weight control division of the state highway department, together with all field equipment and facilities used by the weight control division, to the state highway patrol, and to amend and reenact sections 24-01-13, 24-03-02, 39-03A-09, 39-04-40, and 39-12-07 of the North Dakota Century Code, relating to the authority of the state highway commissioner in regulating and controlling the weight of vehicles traveling upon the state highway system.

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

Senators Kautzmann, Kelly (Barnes), Becker, Nething, Kelly, (Ramsey) and Ringsak introduced:

**Senate Bill No. 103.** A Bill for an Act to amend and reenact section 43-13-29 of the North Dakota Century Code, relating to prohibiting the solicitation of the sale of optical appliances and visual services.

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

FIRST READING OF  
SENATE CONCURRENT RESOLUTIONS

Senators Beck, Becker, Butler, Chesrown, Coughlin, Decker, Forkner, Freed, Geving, Goldberg, Hernet, Hofstrand, Holand, Jacobson, Kautzmann, Earl Kelly, Milton Kelly, Richard Larsen, Guy Larson, Lips, Litten, Longmire, Lowe, Luick, Melland, Morgan, Mutch, Nasset, Nething, Pyle, Redlin, Ringsak, Robinson, Roen, Ruemmele, Sands, Schultz, Sorlie, Stafne, Stroup, Torgerson, Trenbeath, Wenstrom and Wilhite, introduced:

**Senate Concurrent Resolution "G".** A Concurrent Resolution directing the legislative research committee to conduct a study for the purpose of determining the size of a bond issue necessary to compensate North Dakota veterans of the Vietnam conflict and for the purpose of determining the period of time during which service in the armed forces of the United States or any of its allies might qualify Vietnam veterans for bonus compensation.

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

Senators Beck, Becker, Berube, Butler, Chesrown, Christensen, Coughlin, Decker, Forkner, Freed, Geving, Goldberg, Hernet, Hofstrand, Holand, Jacobson, Kautzmann, Earl Kelly, Milton Kelly, Richard Larsen, Guy Larson, Lester Larson, Lips, Litten, Longmire, Lowe, Luick, Meschke, Melland, Morgan, Mutch, Nasset, Nothing, Pyle, Rait, Redlin, Ringsak, Robinson, Roen, Ruemmele, Sands, Schultz, Sorlie, Stafne, Stroup, Torgerson, Trenbeth, Westrom and Wilhite, introduced:

**Senate Concurrent Resolution "H".** A Concurrent Resolution recognizing North Dakota's favorite son, Mr. Lawrence Welk.

Was read the first time.

#### MOTION

Senator Hernet moved that the rules be suspended, that Senate Concurrent Resolution "H" be not printed as a bill but printed in the Journal and placed on second reading and final passage, which motion prevailed.

#### SENATE CONCURRENT RESOLUTION "H"

Introduced by Senators Hernet, Chesrown, Lips and Roen.

A concurrent resolution recognizing North Dakota's favorite son, Mr. Lawrence Welk.

- 1 WHEREAS, on January 7, 1967, the State of North Dakota
- 1a was
- 2 once again honored on the ever-popular and famous Lawrence
- 2a Welk
- 3 television program; and
- 4 WHEREAS, Lawrence Welk is not only a native son of this
- 4a great
- 5 state but has become its favorite son; and
- 6 WHEREAS, Lawrence Welk reflects credit upon the state of
- 6a North
- 7 Dakota in bringing fame to himself; and
- 8 WHEREAS, Lawrence Welk has continually during his
- 8a illustrious
- 9 career paid tribute to the state of North Dakota;
- 10 NOW, THEREFORE, BE IT RESOLVED BY THE
- 11 SENATE OF THE STATE OF NORTH DAKOTA, THE
- 12 HOUSE OF REPRESENTATIVES CONCURRING THEREIN:
- 13 That the Fortieth Legislative Assembly of the state of North
- 14 Dakota, representing the people of North Dakota, does hereby
- 15 congratulate and thank Lawrence Welk for the sincere love
- 15a that he
- 16 has shown for his native State, and it is the desire of this body
- 17 that he accept this resolution as a token of admiration and
- 17a warm
- 18 affection which the people of North Dakota have for him; and
- 19 BE IT FURTHER RESOLVED, that a duly enrolled copy of
- 19a this
- 20 resolution be forwarded by the Secretary of State to Lawrence
- 20a Welk,
- 21 North Dakota's favorite son.



SECOND READING OF A  
SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution "H".** A Concurrent Resolution recognizing North Dakota's favorite son, Mr. Lawrence Welk.

Was read the second time.

Senator Hernettt moved that Senate Concurrent Resolution "H" be adopted, which motion prevailed.

FIRST READING OF A SENATE CONCURRENT RESOLUTION

Senators Morgan and Ringsak introduced:

**Senate Concurrent Resolution "I".** A Concurrent Resolution urging the Bureau of Public Roads to adopt standards allowing the use of yellow centerlines in the northern states.

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

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

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

NINTH DAY

Bismarck, January 11, 1967

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

Prayer by Chaplain Willard Stone, Wesleyan Methodist.

Our Father, we pause before You at the beginning of this session to give unto You thanks for the past blessings which You have bestowed upon us as a country, as a state and as individuals. We ask from Thee wisdom for the decisions that are before us today. Guide us that we may be pleasing to Thee and our fellow man. We also wish to remember the one who has lost a loved one, and the one who is in the hospital. May Thy presence be with them. Amen.

Roll call: All Senators present except Senator Beck.

A quorum was declared by the President.

CORRECTION AND REVISION

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 52, in line 4, correct the spelling of the word "research".

On page 53, in line 25, correct the spelling of the word "amendments", and delete line 56 and insert in lieu thereof "Absent and not voting."

And when so corrected recommends that the same be approved.

SENATOR LOWE, Chairman

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

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 11, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 32

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

LEO LEIDHOLM, Secretary

## MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 11, 1967

Mr. President: I have the honor to transmit:

House Bill No. 535

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

ROY GILBREATH, Chief Clerk

## REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution "F"

Was delivered to the Secretary of State at the hour of 2:32 o'clock p.m., January 11, 1967.

SENATOR WENSTROM, Chairman

## EXECUTIVE SESSION

Senator Lips moved that the Senate resolve itself into an Executive Session and receive a message from the Governor, which motion prevailed.

One message from the Governor was read by the Secretary requesting confirmation of the following appointments:

1. Higher Education Facilities Commission — Chapter 124, Article I, 1965 session laws.
  1. Dr. Kenneth Galloway, Devils Lake, July 18, 1966 - July 1, 1969
  2. R. E. Meidinger, Jamestown, July 1, 1965 - July 1, 1967
  3. Richard Rausch, Bismarck, July 1, 1965 - July 1, 1968
2. Herbert Thorndahl, Jr., Columbus, State Examiner, July 1, 1966 - July 1, 1969 (6-01-08)
3. State Historical Board — (55-01-01)
  1. Edward A. Milligan, Bottineau; July 1, 1965 - July 1, 1968
  2. Murray A. Baldwin, Fargo; July 1, 1965 - July 1, 1968
  3. Lawrence Summers, Grand Forks; July 1, 1965 - July 1, 1968
4. Ben H. Innis, Jr., Williston; July 18, 1966 - July 1, 1969
5. Robert Cory, Minot; July 15, 1966 - July 1, 1969
6. Dr. Elwyn B. Robinson, Grand Forks; July 15, 1966 - July 1, 1969
7. Rev. H. W. Case, Bismarck; July 1, 1964 - July 1, 1967
8. T. E. Kopseng, Bismarck; July 1, 1964 - July 1, 1967
9. LaVern Neff, Williston; July 1, 1964 - July 1, 1967
4. Soldiers Home Trustees — (37-15-03)
  1. Arthur E. Ulness, Fargo; July 1, 1965 - July 1, 1970
5. Board of Higher Education — (15-10-02)
  1. Allen H. Hausauer, Wahpeton; July 1, 1966 - July 1, 1973
6. Public School Education — (15-21-17) as amended
  1. Eldon Orth, Lidgerwood; July 18, 1966 - July 1, 1972
  2. Lyle C. Sorum, Williston; July 19, 1966 - July 1, 1968

The Senate in Executive Session thereupon advised and consented to the above appointments and confirmed the same.

The Executive Session was thereupon dissolved and the Senate resumed its regular session.

## MOTION

Senator Lips moved that the Senate recess until 1:30 p.m., January 12, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary

"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### NINTH DAY AFTER RECESS AND TENTH DAY

Bismarck, January 12, 1967

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

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 38 has had the same under consideration and recommend that the same do pass.

SENATOR MORGAN, Chairman

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

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 39 has had the same under consideration and recommend that the same be amended as follows:

In line 177 after the word "container" insert the words "if the label is printed thereon"

In line 210 delete the word "quarter" and insert in lieu thereof the word "period"

And renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan 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. 67 has had the same under consideration and recommend that the same be amended as follows:

In line 5 delete the triple parenthesis before the word "ONLY" and after the word "COURT"

In line 10 after the second comma insert the following: "commercial banks to the extent that certificates of deposit or savings accounts may be used which are fully insured and guaranteed by the United States or an instrumentality or agency thereof"

In line 21 after the comma insert the following: "commercial banks to the extent that certificates of deposit or savings accounts may be used which are fully insured and guaranteed by the United States or an instrumentality or agency thereof"

Renumber the lines accordingly.

And when so amended recommend 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. 73 has had the same under consideration and recommend that the same be amended as follows:

In line 26 delete the triple parentheses before the word "or" and after the word "equivalent"

In line 27 delete the triple parentheses

In line 28 delete the triple parentheses

In line 53 after the word "school" insert the following: "or an equivalent education as determined by an examination conducted by the board"

Renumber the lines accordingly.

And when so amended recommend 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. 79 has had the same under consideration and recommend 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. 80 has had the same under consideration and recommend the same do pass.

SENATOR CHESROWN, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 85 has had the same under consideration and recommend that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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 recommend that the same do pass.

SENATOR CHESROWN, Chairman

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

#### FIRST READING OF SENATE BILLS

Senators Forkner, Butler, Nething, Pyle, Lowe, Goldberg, Kelly (Ramsey) and Ringsak introduced:

**Senate Bill No. 104.** For an Act to require the registration of snowmobiles, to require operators of snowmobiles to be licensed motor vehicle operators, and to restrict the operation of snowmobiles to the right-of-way portion of the highways in the state of North Dakota.

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

Senators Longmire, Larson (Burleigh) Lowe and Larsen introduced:

**Senate Bill No. 105.** For an Act to amend and reenact sections 15-55-01, 15-55-02, 15-55-02.1, 15-55-03, 15-55-04, 15-55-05, 15-55-06, 15-55-07, 15-55-09, 15-55-10 and 15-55-14 of the North Dakota Century Code relating to the issuance of revenue bonds for the construction of buildings and other campus improvements at the state institutions of higher learning.

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

Senator Ringsak introduced:

**Senate Bill No. 106.** For an Act to invalidate certain indemnity requirements in the construction industry.

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

Senators Sorlie, Litten and Robinson introduced:

**Senate Bill No. 107.** For an Act to provide for transferring balances from Korean bonus sinking fund to the general fund.

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

Senator Litten and Pyle introduced:

**Senate Bill No. 108.** For an Act to amend and reenact sections 23-15-01, 23-15-02, and 62-04-05 of the North Dakota Century Code, relating to fireworks.

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

Senators Redlin, Pyle and Stafne introduced:

**Senate Bill No. 109.** For an Act to create and enact subsection 6 of section 15-10-30 of the 1965 Supplement to the North Dakota Century Code, relating to the powers and duties of the higher education facilities commission.

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

Senator Richard Larsen introduced:

**Senate Bill No. 110.** For an Act to amend and reenact section 54-24-03 of the North Dakota Century Code, relating to rural library services.

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

#### FIRST READING OF A HOUSE BILL AND HOUSE CONCURRENT RESOLUTIONS

**House Bill No. 535.** For an Act to make an appropriation to the board of administration for the purpose of making minor remodeling changes and hiring additional attendants at the San Haven institution to permit the immediate transfer of mentally deficient residents from the Grafton state school to San Haven, and declaring an emergency.

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

**House Concurrent Resolution "B".** A concurrent resolution urging the Bureau of Outdoor Recreation and the North Dakota congressional delegation to advocate for the inclusion of provisions within the Land, Water, and Conservation Fund Act which would make possible the construction of weather-protective buildings specifically equipped to provide year-around indoor recreation activities free from uncertain weather conditions.

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

**House Concurrent Resolution "F".** A Concurrent Resolution inviting the Honorable Floyd E. Dominy, National Commissioner, Bureau of Reclamation, Department of Interior, to address the Legislative Assembly of the State of North Dakota meeting in joint session.

Was read the first time.

#### MOTIONS

Senator Lips moved that the rules be suspended and that House Concurrent Resolution "F" be placed on second reading and final passage, which motion prevailed.

SECOND READING OF A  
HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution "F".** A Concurrent Resolution inviting the Honorable Floyd E. Dominy, National Commissioner, Bureau of Reclamation, Department of Interior, to address the Legislative Assembly of the State of North Dakota meeting in joint session.

Was read the second time.

Senator Lips moved that House Concurrent Resolution "F" be adopted, which motion prevailed.

FIRST READING OF A  
HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution "G".** A Concurrent Resolution commending Milton R. Young, Senior Senator from North Dakota, on the twenty-second anniversary of his dedicated, devoted and loyal service for the state of North Dakota and our Nation.

Was read the first time.

MOTION

Senator Lips moved that the rules be suspended and that House Concurrent Resolution "G" be placed on second reading and final passage, which motion prevailed.

SECOND READING OF A  
HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution "G".** A Concurrent Resolution commending Milton R. Young, Senior Senator from North Dakota, on the twenty-second anniversary of his dedicated, devoted and loyal service for the state of North Dakota and our Nation.

Was read the second time.

Senator Meschke: Mr. President. Gentlemen of the Senate.

It is fitting for this assembly to honor high placed servants of our state. Therefore, our Democratic - N.P.L. Senator's will not vote against this resolution.

And, it may be particularly appropriate that this Assembly honor Senator Young. The heavy Republican majorities in this Session are substantially due to Senator Young's influence in the recent election.

But, it is also appropriate that we recognize effectiveness, as well as tenure, that we mark accomplishments, as well as age and that we note results, as well as service, of our entire Senate delegation for North Dakota.

These last six years, our other United States Senator for North Dakota, the Honorable Quentin N. Burdick has joined with an effective Democratic National Administration to bring North Dakota and our nation these results, among others:

1. Farm prosperity, through a four year farm program, Food for Peace, and increased wheat acreages, while eliminating surpluses, for a billion dollar economy in North Dakota the last two years;
2. Authorization of Garrison Diversion Unit, with construction appropriations, through a Democratic Congress, after approvals by two Democratic Presidents, Kennedy and Johnson;
3. Medicare, which has lifted the fears and burdens of old age from the hearts of the elderly and the shoulders of their children in our State;
4. Lignite coal electric power for the entire midwest, with its footings in North Dakota coal fields;
5. Peace Corps, which has lifted the hopes and standards of the more unfortunate peoples of the world, while widening the vision and horizons of our own generation;

6. Containment of Communism in the World, preserving Freedom and Liberty by expanding our defense capabilities and holding the line in Viet Nam.

We will join you in resolving recognition of Senator Young's long service. We hope you will also recognize Senator Burdick's role in these results.

Mr. President, I request that these remarks be printed in the Journal.

#### REQUEST FOR RECORDED VOTE

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

#### ROLL CALL

The question being on the final passage of House Concurrent Resolution "G", the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Nasset	Sorlie
Decker	Larsen, R.	Nothing	Stafne
Forkner	Larson, G.	Pyle	Stroup
Freed	Larson, L.	Rait	Torgerson
Geving	Lips	Redlin	Trenbeath
Goldberg	Litten	Ringsak	Wilhite
Hernett	Longmire		

Those voting in the negative were:

Mutch

Absent and not voting:

Beck                      Wenstrom

So the resolution was declared adopted.

#### REPORT OF A STANDING COMMITTEE

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

Senate Bill No. 57

And find the same correctly Re-Engrossed.

SENATOR GOLDBERG, Vice Chairman

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

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 12, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 57

Senate Concurrent Resolution "H"

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

LEO LEIDHOLM, Secretary

#### SECOND READING OF A SENATE BILL

**Senate Bill No. 58.** For an Act to provide for the appointment of additional district judges and location of chambers and to amend Section 27-05-01 of the North Dakota Century Code relating to judicial districts, the number, composition and number of judges therein.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 4; absent and not voting, 2.

Those voting in the affirmative were:

Becker	Hofstrand	Longmire	Robinson
Berube	Holand	Lowe	Ruemmele
Butler	Jacobson	Luick	Sands
Chesrown	Kautzmann	Melland	Schultz
Christensen	Kelly, E.	Meschke	Sorlie
Coughlin	Kelly, M.	Morgan	Stafne
Decker	Larsen, R.	Nasset	Stroup
Freed	Larson, G.	Nothing	Torgerson
Geving	Larson, L.	Pyle	Trenbeath
Goldberg	Lips	Rait	Wilhite
Hernett	Litten	Ringsak	

Those voting in the negative were:

Forkner	Mutch	Redlin	Roen
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Absent and not voting:

Beck	Wenstrom
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So the bill passed and the title was agreed to.

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

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

## TENTH DAY

Bismarck, January 12, 1967

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

Prayer by Chaplain Father Casimir Paluck, St. Mary's Roman Catholic.

Lord, we pray for the members of this Assembly, for its officers and attendants who are appointed to guard our political welfare, that they may be enabled by Your powerful protection, to discharge the duties of their respective positions with honesty and ability. Guide their minds by the light of Your Wisdom and inflame their hearts with the fire of Your Love, that justice and charity might rein in our midst. Through Christ Our Lord. Amen.

Roll call: All Senators present except Senators Beck and Wenstrom.

A quorum was declared by the President.

## CORRECTION AND REVISION

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 61, after line 13, insert the following: "Leo Leidholm, Secretary"

On page 62, delete all of line 28.

And when so corrected recommends that the same be approved.

SENATOR LOWE, Chairman

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

## FIRST READING OF A SENATE BILL

Senators Morgan, Nasset and Redlin introduced:

**Senate Bill No. 111.** For an Act to amend and reenact sections 20-03-06 and 20-03-12 of the North Dakota Century Code, relating to hunting by nonresidents and nonresident hunting licenses and fees.



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

### MESSAGES FROM THE HOUSE

House Chamber

Bismarck, January 12, 1967

Mr. President: I have the honor to transmit:

House Concurrent Resolution "B"

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

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, January 12, 1967

Mr. President: I have the honor to transmit:

House Concurrent Resolution "D"

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

ROY GILBREATH, Chief Clerk

### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Concurrent Resolution "D"

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

### SECOND READING OF SENATE BILLS

**Senate Bill No. 72.** For an Act to create and enact section 1-01-35.1 of the North Dakota Century Code, relating to the tense of words, to create and enact subsections 13, 14, and 15 of section 1-01-49 of the North Dakota Century Code, relating to the definitions of "executor and administrator", "preceding and following", and "rules and regulations", to create section 1-02-09.1 of the North Dakota Century Code, relating to multiple amendments to the same provision, and providing for aids in statutory construction, and to amend and reenact sections 1-01-33, 1-01-34, and 1-02-15 of the North Dakota Century Code, relating to the definition of "year", "month", and "masculine", and to the computation of time.

Was read the second time.

### ROLL CALL

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

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rajt	Trenbeath
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	

Absent and not voting:

Beck                      Wenstrom

So the bill passed and the title was agreed to.

**Senate Bill No. 76.** For an Act to repeal sections 54-16-06 and 54-16-07 of the North Dakota Century Code, relating to reports to governor.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting 3.

Those voting in the affirmative were:

Becker	Holand	Luick	Robinson
Berube	Jacobson	Melland	Roen
Chesrown	Kautzmann	Meschke	Ruemmele
Christensen	Kelly, E.	Morgan	Sands
Coughlin	Kelly, M.	Mutch	Schultz
Decker	Larsen, R.	Nasset	Sorlie
Forkner	Larson, G.	Nothing	Stafne
Freed	Larson, L.	Pyle	Stroup
Geving	Lips	Rait	Torgerson
Goldberg	Liften	Redlin	Trenbeath
Hernett	Longmire	Ringsak	Wilhite
Hofstrand	Lowe		

Absent and not voting:

Beck	Butler	Wenstrom
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So the bill passed and the title was agreed to.

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, January 12, 1967

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "D"

Which the President has signed.

LEO LEIDHOLM, Secretary

## RECOGNITION

Senator Freed introduced his father, former Senator Amos Freed, and requested that the Senate recognize former Senator Freed.

Senator Lips moved that a committee be appointed to escort former Senator Freed to the rostrum, which motion prevailed.

The President appointed as such committee Senators: Freed and Nothing, and former Senator Freed was escorted to the rostrum and invited to address the Senate.

Former Senator Amos Freed: Mr. President. Members of the Senate. This is indeed a big day for me to be back here in the Senate chambers where I served six sessions, and to meet and to shake hands with my former associates that served with me. It is indeed a pleasure. I also am pleased to meet the new Senators and I must not forget Dagny Olson. I am also very happy that my son, Howard, is occupying one of the Senate chairs. I think you are going to get along all right with Howard. He has had a pretty good bringing up and I don't think he is going to cause you too much trouble.

Your problems today are a good deal the same as they were when I served here in the session. It is a matter of money — only today it is a lot more money — a lot more money so your problems are greater and your responsibilities are much greater, but I feel that our legislature is in good hands. A speaker at a noon luncheon turned to the presiding officer and whispered "How long can I talk?" "All afternoon" was the answer, "but remember the rest of us got to go back to work at one-thirty," so with that I will let you go back to work. Thank you very much.

## MOTIONS

Senator Holand moved that the remarks of Senator Freed be printed in the Journal, which motion prevailed.

Senator Lips moved that the Senate recess until 1:30 p.m., January 13, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary

"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### TENTH DAY AFTER RECESS AND ELEVENTH DAY

Bismarck, January 13, 1967

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

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 48, has had the same under consideration and recommend that the same be amended as follows:

In line 193 delete "ELECTORATE TO DECIDE BIENNIALLY"

In lines 193 and 195 delete the triple parentheses

In line 194 delete the word "shall" and insert the word "may" in lieu thereof

Delete all new material in lines 195 through 206

In line 306 after the word "election" delete the word "shall" and insert in lieu thereof "may"

In line 321 after the word "bodies" insert the following: "or petitions containing signatures of not less than ten percent of the voters of such municipality, county, or political subdivision, as determined by the total number of votes cast at the last general election, are filed with the governing body, the governing body shall cause to be placed on the primary or general election ballot, whichever occurs first, the question of whether to continue or discontinue such library service. If the majority of electors shall vote to discontinue the library service, the governing body shall forthwith discontinue such service"

Renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR REDLIN, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 49, has had the same under consideration and recommend that the same do pass.

SENATOR REDLIN, Chairman

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 60, has had the same under consideration and recommend that the same be amended as follows:

In line 2 after the word "arms" delete the words "or legs"

In line 4 delete the comma and insert in lieu thereof a period

Delete all of lines 5 and 6

Renumber the lines accordingly.

And when so amended recommend 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 Veteran's Affairs to whom was referred Senate Bill No. 62, has had the same under consideration and recommend that the same do pass.

SENATOR LONGMIRE, Chairman

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 64, has had the same under consideration and recommend 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 Bill No. 65, has had the same under consideration and recommend that the same be amended as follows:

Delete everything after the words "A BILL" and insert in lieu thereof the following:

"For an Act to amend and reenact section 20-01-07 of the North Dakota Century Code, relating to hunting game from aircraft, and to repeal section 20-01-08 of the North Dakota Century Code, pertaining to hunting from aircraft.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 20-01-07 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

20-01-07. HUNTING GAME FROM AIRCRAFT PROHIBITED ((,EXCEPTION))). No person, while in flight in this state in any aircraft, shall intentionally kill or attempt to kill any game bird or game animal ((except as provided in section 20-01-08))).

SECTION 2. REPEAL.) Section 20-01-08 of the North Dakota Century Code is hereby repealed.

Renumber the lines and sections accordingly.

And when so amended recommend 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 Veteran's Affairs to whom was referred Senate Bill No. 66 has had the same under consideration and recommend that 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 Veteran's Affairs to whom was referred Senate Concurrent Resolution "G" has had the same under consideration and recommend that the same do pass.

SENATOR LONGMIRE, Chairman

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

#### FIRST READING OF SENATE BILLS

Senators Mutch, Ringsak, Roen, and Robinson introduced:

**Senate Bill No. 112.** For an Act to amend and reenact section 15-39-40 of the North Dakota Century Code, relating to teachers' insurance retirement fund.

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

Senators Longmire and Stafne introduced:

**Senate Bill No. 113.** For an Act to amend and reenact section 25-03-08 of the North Dakota Century Code, relating to emergency procedure for admission of mentally ill to a private hospital or to the state hospital.

Was read the first time and referred to the Committee on Social Welfare and Veteran's Affairs.

Senators Longmire and Stafne introduced:

**Senate Bill No. 114.** For an Act to repeal section 12-33-02 of the North Dakota Century Code, relating to attempting suicide — punishment.

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

Senators Robinson and Roen introduced:

**Senate Bill No. 115.** For an Act to establish a claim fund to indemnify owners of real property, livestock, and agricultural products for certain damages thereto caused by hunters, and making an appropriation.

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

Senators Larson (Pt. Walsh-Nelson) and Longmire introduced:

**Senate Bill No. 116.** For an Act to amend and reenact subsection 3 of section 24-02-11 of the North Dakota Century Code, relating to the records required to be maintained by the highway department.

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

Senator Trenbeath introduced:

**Senate Bill No. 117.** For an Act to amend and reenact subsection 21 of section 57-02-08 of the 1965 Supplement to the North Dakota Century Code and subsection 22 of section 57-02-08 of the North Dakota Century Code, relating to the exemption from taxation of property of blind persons and of permanently and totally disabled persons.

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

Senators Longmire, Sands, Ringsak, Becker, and Kelly (Ramsey) introduced:

**Senate Bill No. 118.** For an Act providing an appropriation for the construction of a child and adolescent treatment center building for the treatment of mentally ill adolescents.

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

Senators Willhite, Freed, Longmire and Melland introduced:

**Senate Bill No. 119.** For an Act to permit an alternative procedure for foreclosure of a real estate mortgage when so permitted by the terms of said mortgage.

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

Senator Nething, Kautzmann and Butler introduced:

**Senate Bill No. 120.** For an Act to amend and reenact section 31-01-09 of the North Dakota Century Code, relating to the privilege against self-incrimination.

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

## CONSIDERATION OF AMENDMENTS

Senator Morgan moved that the amendments to Senate Bill No. 39 as recommended by the Committee on Agriculture, and printed on page 65 of the Senate Journal, be adopted, which motion prevailed.

Senator Hernettt moved that the amendments to Senate Bill No. 67 as recommended by the Committee on Industry, Business and Labor, and printed on page 65 of the Senate Journal, be adopted, which motion prevailed.

Senator Hernettt moved that the amendments to Senate Bill No. 73 as recommended by the Committee on Industry, Business and Labor, and printed on page 66 of the Senate Journal, be adopted, which motion prevailed.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 38.** For an Act to regulate the distribution of commercial feeds and customer-formula feeds, and to repeal chapter 19-13 of the North Dakota Century Code, relating to commercial feeding stuffs, and providing a penalty.

Was read the second time.

## ROLL CALL

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

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wilhite
Hernettt	Longmire	Ringsak	

Absent and not voting:

Beck                      Wenstrom

So the bill passed and the title was agreed to.

**Senate Bill No. 79.** For an Act to amend and reenact sections 43-13-07, 43-13-08, 43-13-17, 43-13-19, 43-13-20, of the North Dakota Century Code, relating to compensation for services and reimbursements of expenses of members of the optometric board, and collection, custody and disbursement of funds of the board, and reimbursement of clerical expenses and other services by the secretary of the Board of Optometry, and an examination for a certificate of registration to practice optometry, the contents thereof and the fees for such examination, and certificate of registration and fees paid therefore, and provisions for failure to pass examination and reexamination and fees therefore, and certificates of registration to practice optometry, and renewal, revocation, and reinstatement thereof and annual license fees therefor.

Was read the second time.

## ROLL CALL

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

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele

Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	

Absent and not voting:

Beck                      Wenstrom

So the bill passed and the title was agreed to.

**Senate Bill No. 80.** For an Act to amend and reenact subsection 2 of section 57-37-07 of the 1965 Supplement to the North Dakota Century Code, relating to the definition of powers of appointment for estate tax purposes.

Was 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:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	

Absent and not voting:

Beck                      Wenstrom

So the bill passed and the title was agreed to.

**Senate Bill No. 85.** For an Act to amend and reenact section 16-13-11 of the North Dakota Century Code, relating to the keeping of ballots by the county judge.

Was 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:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	

Absent and not voting:

Beck                      Wenstrom

So the bill passed and the title was agreed to.

**Senate Bill No. 86.** For an Act to amend and reenact sections

30-21-01 and 30-21-03 of the 1965 Supplement to the North Dakota Century Code, relating to a petition for a legacy or share by an heir, devisee, or legatee of an estate and the requirement of a bond and payment of costs.

Was 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:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	

Absent and not voting:

Beck                      Wenstrom

So the bill passed and the title was agreed to.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign: Senate Memorial Resolution 1

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

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

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

#### ELEVENTH DAY

Bismarck, January 13, 1967

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

Prayer by Chaplain John Holten, Lutheran Church of the Holy Cross, Bismarck.

O Father of the just, we ask You in Your infinite goodness to direct the hearts of all who bear authority and these who are the lawmakers of our State. Help them with the power of Thy Holy Spirit to make laws in accordance with Thy will, and for the advancement of righteousness. Protect them from the snares of the enemy and the deceits of the world; let no pride of power betray them into rejection of Thy commandments, and grant that all our executives and officials and our whole people may with one mind serve Thee, our God and King; through Jesus Christ, our Lord. Amen.

Roll call: All Senators present except Senators Beck and Wenstrom.

A quorum was declared by the President.

#### CORRECTION AND REVISION

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 finds the same correct.

SENATOR LOWE, Chairman



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

## MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 13, 1967

Mr. President: I have the honor to transmit:

House Bill No. 543

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

ROY GILBREATH, Chief Clerk

## REPORT OF STANDING COMMITTEES

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 recommends the following:

DISTRICT No.	SENATOR	MILEAGE
1. Pt. Williams.....	Frank Wenstrom .....	500
2. Pt. Williams and Divide.....	George Rait .....	480
3. Burke, Renville and Pt. Ward.....	L. D. Christensen.....	340
4. Mountrail and Pt. Ward.....	Herb Geving .....	280
5. Pt. Ward.....	John D. Coughlin .....	228
	John D. Decker .....	228
	Herbert L. Meschke.....	228
6. Bottineau and Pt. McHenry.....	Edwin C. Becker .....	384
7. Pt. McHenry and Pt. Ward.....	Ernest M. Sands .....	200
8. McLean.....	Dave M. Robinson .....	144
9. Rolette and Pt. Towner.....	Philip Berube .....	440
10. Cavalier and Pt. Towner.....	Richard E. Forkner .....	520
11. Pembina.....	Grant Trenbeath .....	630
12. Pierce and Pt. Benson.....	Harold R. Hofstrand .....	330
13. Eddy, Foster, and Pt. Benson.....	H. O. Beck .....	254
14. Sheridan and Wells.....	Clarence G. Schultz .....	238
15. Ramsey.....	Milton G. Kelly .....	370
16. Pt. Walsh.....	Elton W. Ringsak .....	588
17. Pt. Walsh and Nelson.....	Lester Larson .....	480
18. Pt. Grand Forks.....	George Longmire .....	510
	Kenneth C. Lowe.....	510
	Richard Larsen .....	550
19. Pt. Grand Forks.....	Duane Mutch .....	500
20. Traill and Pt. Cass.....	Oscar J. Sorlie .....	480
21. Pt. Cass.....	Francis J. Butler .....	400
	Richard W. Goldberg....	400
	C. Warner Litten .....	400
	Dr. William A. Stafne..	400
22. Pt. Cass.....	Ernest G. Pyle .....	350
23. Griggs, Steele, Pt. Barnes.....	Carroll Torgerson .....	332
24. Pt. Barnes.....	Earl M. Kelly .....	270
25. Pt. Richland.....	A. W. Luick .....	530
26. Pt. Richland and Sargent.....	Kenneth L. Morgan .....	430
27. Ransom and Pt. LaMoure.....	Donald C. Holand .....	370
28. Dickey and Pt. LaMoure.....	Earl H. Redlin .....	334
29. Stutsman.....	Robert Melland .....	200
	David E. Nething .....	200
30. Logan and McIntosh.....	Gail H. Hernettt .....	240
31. Kidder and Emmons.....	Robert Chesrown .....	130

32. Burleigh.....	Guy Larson .....	None
	Evan E. Lips .....	None
	I. J. Wilhite .....	None
33. Mercer, Oliver, Pt. Morton.....	Robert L. Stroup .....	150
34. Pt. Morton.....	Emil E. Kautzmann .....	None
35. Grant, Sioux, Pt. Morton.....	Frank J. Ruettemele .....	132
36. McKenzie and Dunn.....	J. Garvin Jacobson .....	404
37. Pt. Stark.....	Howard A. Freed .....	200
38. Hettinger, Pt. Stark and Pt. Adams.....	Robert M. Nasset .....	250
39. Golden Valley, Billings, Slope, Bowman and Pt. Adams.....	Leland Roen .....	372

SENATOR MUTCH, Chairman

#### MOTION

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

#### FIRST READING OF SENATE BILLS

Senators Kautzmann, Lowe, Meschke, and Butler introduced:

**Senate Bill No. 121.** For an Act to create and enact section 43-09-13.1, relating to apprentice electricians, and to amend and reenact sections 43-09-01, 43-09-02, 43-09-04, 43-09-06, 43-09-11, 43-09-13, and 43-09-15 of the North Dakota Century Code, relating to state electrical board members, compensation, meeting place and notice, license fees, and revocation of licenses of electricians.

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

Senator Richard Larsen introduced:

**Senate Bill No. 122.** A Bill for an Act to create and enact section 12-46-24 of the North Dakota Century Code, relating to the transfer of inmates of the North Dakota industrial school to other state institutions, to amend and reenact sections 12-46-03, 12-46-04, 12-46-06, 12-46-09, 12-46-10, 12-46-10.1, 12-46-17, 12-46-18, 12-52-01, 12-52-02, 12-52-03, 12-52-04, 12-52-05, 12-52-07, 25-01.1-01, 54-23-01, and 54-23-29 of the North Dakota Century Code, transferring the control and administration of the North Dakota industrial school from the board of administration to the public welfare board of North Dakota, and to repeal sections 12-46-07 and 54-23-22 of the North Dakota Century Code, relating to the North Dakota industrial school.

Was read the first time and referred to the Committee on Social Welfare and Veteran's Affairs.

Senators Ringsak, Meschke, and Nething introduced:

**Senate Bill No. 123.** A Bill for an Act to amend and reenact section 27-06-02 of the 1965 Supplement to the North Dakota Century Code, relating to salary and expenses of court reporter.

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

Senators Nething, Hofstrand and Morgan introduced:

**Senate Bill No. 124.** A Bill for an Act to amend and reenact section 29-29-08 of the North Dakota Century Code, relating to the use of force in the execution of a search warrant.

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

Senators Ringsak, Mutch, Jacobson, Forkner, Butler, Nasset, Morgan, Kelly (Pt. Barnes), Melland and Kautzmann introduced:

**Senate Bill No. 125.** A Bill for an Act to provide for a discount of sales and use taxes to be paid for retailers to compensate for

costs of records, collection, reports, and remittance.

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

Senators Ringsak, Mutch, Chesrown, Kautzmann and Morgan introduced:

**Senate Bill No. 126.** A Bill for an Act to require insurance adjusters, attorneys, and any other person who has taken a statement of any individual for the purpose of possible use in a lawsuit arising out of a tortious act to provide a copy of the statement to the person from whom said statement was taken, and providing a penalty.

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

#### MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, January 13, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 58

Senate Bill No. 72

Senate Bill No. 76

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

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, January 13, 1967

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "F"

House Concurrent Resolution "G"

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, January 13, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 543

Which the President has signed.

LEO LEIDHOLM, Secretary

#### MESSAGE

Senator Lips read a telegram received from Senator Milt Young and moved that the same be printed in the Journal, which motion prevailed.

Senator Evan E. Lips

Senate Majority Leader

North Dakota State Legislature

State Capitol

Bismarck, N. Dak.

Am deeply appreciative of the adoption of House Concurrent Resolution "G" by the Senate commending me for my years of public service. During all the years I have been in public office nothing nicer ever happened to me. Even though it has been a long time since I served in the Senate, somehow I still feel that I am one of you.

I will always have fond memories of the pleasant years I spent in the North Dakota Legislature and the close friendships that have always prevailed in this body, regardless of political affiliation. Please extend my deepest appreciation to all of the members of the Senate. Regards.

MILT YOUNG, U. S. Senator

## REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Memorial Resolution No. 1

Was delivered to the Secretary of State at the hour of 2:50 o'clock p.m., January 13, 1967.

SENATOR WENSTROM, Chairman

Senator Lips moved that the Senate recess until 1:30 p.m., January 14, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary

"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### ELEVENTH DAY AFTER RECESS AND TWELFTH DAY

Bismarck, January 14, 1967

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

#### REPORT OF STANDING COMMITTEES

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

Senate Bill No. 39

Senate Bill No. 67

Senate Bill No. 73

And find the same correctly Engrossed.

SENATOR GOLDBERG, Chairman

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

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 14, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 38

Senate Bill No. 79

Senate Bill No. 80

Senate Bill No. 85

Senate Bill No. 86

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

LEO LEIDHOLM, Secretary

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 14, 1967

Mr. President: I have the honor to transmit:

House Concurrent Resolution "F"

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

ROY GILBREATH, Chief Clerk

#### FIRST READING OF SENATE BILLS

Senators Chesrown and Longmire introduced:

**Senate Bill No. 127.** A Bill for an Act to amend and reenact section 12-40-19 of the North Dakota Century Code, relating to the buying or receiving of stolen property.

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

Senators Chesrown and Longmire introduced:

**Senate Bill No. 128.** A Bill for an Act to create and enact section 8-10-07.1 of the North Dakota Century Code, relating to harassing telephone calls.

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

Senators Chesrown and Longmire introduced:

**Senate Bill No. 129.** A Bill for an Act to create and enact section 12-42-10 of the North Dakota Century Code, relating to making false reports to the police.

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

Senators Chesrown and Longmire introduced:

**Senate Bill No. 130.** A Bill for an Act to amend and reenact section 16-10-17 of the North Dakota Century Code, relating to state's attorney meetings with election inspectors.

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

Senators Chesrown and Longmire introduced:

**Senate Bill No. 131.** A Bill for an Act to create and enact section 29-06-13.1 of the North Dakota Century Code, relating to resistance to a peace officer in the performance of his duty.

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

Senators Chesrown and Longmire introduced:

**Senate Bill No. 132.** A Bill for an Act to repeal section 35-01-26 of the North Dakota Century Code, relating to the sale or disposition of mortgaged property.

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

Senators Nething, Forkner and Geving introduced:

**Senate Bill No. 133.** A Bill for an Act to amend and reenact section 12-41-10 of the North Dakota Century Code, relating to the definition of "malicious mischief."

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

Senators Torgerson and Becker introduced:

**Senate Bill No. 134.** A Bill for an Act to create and enact section 39-16-03.1 of the North Dakota Century Code, precluding the public dissemination of driver abstracts containing entries more than five years old except by a court order.

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

Senator Lips introduced:

**Senate Bill No. 135.** A Bill for an Act amending and reenacting section 57-38-21 of the 1963 Supplement to the North Dakota Century Code relating to the definition of and computation of net income.

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

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign: House Concurrent Resolution "F"

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

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, January 14, 1967

Mr. Speaker: I have the honor to return:  
House Concurrent Resolution "F"  
Which the President has signed.

LEO LEIDHOLM, Secretary

## MESSAGE FROM THE HOUSE

House Chamber  
Bismarck, January 14, 1967

Mr. President: I have the honor to transmit:  
House Concurrent Resolution "H"  
Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

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

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

## TWELFTH DAY

Bismarck, January 14, 1967

The Senate convened at 2:00 p.m., the President presiding.  
Prayer by Chaplain Rev. Stephen Knudsen, First Lutheran Church, Mandan.

Our heavenly Father, we recognize with awe and humility Your confidence in us to conduct our own affairs. We recognize that You could have used angels to superintend the affairs of men with far less risk, with more perfect justice, and with singleness of purpose.

We dare to thank You for this responsibility because we believe that You give us no tasks without also giving us the strength and guidance to carry them out. Give to us the graciousness and good sense to commit our lives and our affairs into Your hands each day, to listen for Your Voice of direction, and to follow Your leading with firm resolve. Keep us perpetually reminded that we are not well enough endowed to be the center of the universe, but that being human is no tragedy when we have Your strength to lean upon.

Lift the eyes of these Senators occasionally that they may note the beauty of this world in which they live and not feel that life has been circumscribed by an endless stack of words. Put light in their eyes and a song in their hearts, and I'm sure their work will seem easier.

In our Lord's Name we pray. Amen.

Roll call: Senators present: Senators Becker, Christensen, Geving, Hernet, Kautzmann, Milton Kelly, Lester Larson, Lips, and Trenbeath.

Senators absent: Senators Beck, Berube, Butler, Chesrown, Coughlin, Decker, Forkner, Freed, Goldberg, Hofstrand, Holand, Jacobson, Earl Kelly, Richard Larsen, Guy Larson, Litten, Longmire, Lowe, Luick, Meschke, Melland, Morgan, Mutch, Nasset, Nething, Pyle, Rait, Redlin, Ringsak, Robinson, Roen, Ruummele, Sands, Schultz, Sorlie, Stafne, Stroup, Torgerson, Wenstrom and Wilhite.

So the President declared the Senate lacked a quorum.

Senator Lips moved that the Senate recess until 1:30 p.m., January 16, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary





"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### TWELFTH DAY AFTER RECESS AND FOURTEENTH DAY

Bismarck, January 16, 1967

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

Roll call: All Senators present except Senator Beck.

A quorum was declared by the President.

#### CORRECTION AND REVISION

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 recommends that the same be corrected as follows:

On page 79, line 21, correct spelling of name "Francis"

On page 81, after line 14, insert the following:

#### "SIGNING OF BILLS

The Secretary announced that the President was about to sign House Bill No. 543

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

LEO LEIDHOLM, Secretary"

And when so corrected recommends that the same be approved.

SENATOR LOWE, Chairman

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

#### REPORTS OF SENATE APPROPRIATION COMMITTEE

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 be amended as follows:

In line 3 delete the figure \$1,579,143.00 and insert in lieu thereof \$1,559,143.00.

Delete all lines of 12, 13 and 14.

In line 16 delete the figure \$1,579,143.00 and insert in lieu thereof \$1,559,143.00.

In line 18 delete the figure \$1,529,143.00 and insert in lieu thereof \$1,509,143.00.

In line 22 delete the figure \$1,579,143.00 and insert in lieu thereof \$1,559,143.00.

Renumber the lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee eliminated the \$20,000.00 fund to enlarge the State Farm kitchen because it appeared not necessary at this time.

SENATOR SORLIE, Chairman

Senator Wenstrom 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 SORLIE, Chairman

Senator Melland 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 be amended as follows:

After line 23 add the following:

(SECTION 3. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

Renumber the sections and lines accordingly.

And when so amended recommends that the same do pass.

Statement of the Purpose of the Amendment:

To emphasize that the moneys be expended for the specific purpose for which they were appropriated.

SENATOR SORLIE, Chairman

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

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 SORLIE, Chairman

Senator Melland 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. 31 has had the same under consideration and recommend that the same be amended as follows:

In line 18 after the word "moneys" insert the words "and estimated revenues"

Renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak 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. 40 has had the same under consideration and recommend that the same do pass.

SENATOR RINGSAK, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 50 has had the same under consideration and recommend that the same be indefinitely postponed.

SENATOR BECKER, Chairman

Senator Becker 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 recommend that the same do pass.

SENATOR ROEN, Chairman

Senator Roen 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. 70 has had the same under consideration and recommend that the same be amended as follows:

In line 6 after the second comma insert the word "bond"

In line 9 after the second comma insert the word "bond"

Renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR RINGSAK, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 71 has had the same under consideration and recommend that the same do pass.

SENATOR BECKER, Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 78 has had the same under consideration and recommend that the same do pass.

SENATOR ROEN, Chairman

Senator Roen 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. 81 has had the same under consideration and recommend that the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak 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 recommend that the same be indefinitely postponed.

SENATOR BECKER, Chairman

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

#### FIRST READING OF SENATE BILLS

Senators Schultz and Redlin introduced:

**Senate Bill No. 136.** For an Act to amend and reenact subsection 1 of section 47-18-01 of the North Dakota Century Code, relating to homestead exemptions.

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

Senator Meschke introduced:

**Senate Bill No. 137.** For an Act to amend and reenact section 12-40-19 of the North Dakota Century Code, relating to buying or receiving stolen property and the punishment therefor.

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

Senator Lips introduced:

**Senate Bill No. 138.** For an Act to amend and reenact section 24-02-20 of the 1965 Supplement to the North Dakota Century Code relating to proposal guarantees for bidders at highway lettings to eliminate the requirement that certified or cashier's checks be drawn only on North Dakota banks.

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

Senators Becker and Torgerson introduced:

**Senate Bill No. 139.** For an Act to amend and reenact subsection 21 of section 57-38-01 of the 1965 Supplement to the North Dakota Century Code, relating to income tax definitions, and declaring an emergency.

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

Senator Ringsak introduced:

**Senate Bill No. 140.** A Bill for an Act to amend and reenact section 27-06-08 of the 1965 Supplement to the North Dakota Century Code, relating to fees for transcripts.

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

Senators Ringsak and Chesrown introduced:

**Senate Bill No. 141.** A Bill for an Act to provide for the imposition of a three percent sales tax, use tax, and motor vehicle excise and use tax, exemptions thereto, manner of collection and administration, appeals, penalties, refunds, and allocation of revenues; to amend section 57-39.1-02, relating to sales of motor vehicles and the taxation thereof; and to repeal chapters 57-39, 57-40, and 57-40.1 of the North Dakota Century Code, and declaring an emergency.

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

Senators Butler and Goldberg introduced:

**Senate Bill No. 142.** A Bill for an Act to authorize the state board of higher education to convey its interest in certain lands to the state highway department for use as highway rights-of-way.

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

Senators Butler and Goldberg introduced:

**Senate Bill No. 143.** A Bill for an Act to amend and reenact section 40-22-06 of the 1965 Supplement to the North Dakota Century Code relating to the certification of municipalities obtaining authority to enter into agreements with the state highway department.

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

Senators Holand and Chesrown introduced:

**Senate Bill No. 144.** A Bill for an Act to create and enact sections 10-15-52.1, 10-15-52.2, 10-15-52.3, 10-15-52.4, 10-15-52.5, and 41-09-46.1 of the North Dakota Century Code, relating to mergers, amendments to articles of association, certificates of authority, and withdrawal of foreign cooperatives; and exempting the secretary of state and his employees from liability for filing errors made in carrying out the provisions of the Uniform Commercial Code; and to amend and reenact sections 6-06-04, 10-15-04, 10-15-07, 10-15-09, 10-15-10, 10-15-12, subsections 3, 4, and 5 of section 10-15-36, sections 10-15-38, 10-15-40, subsection 1 of section 10-15-42, subsection 3 of section 10-15-43, section 10-15-44, subsection 4 of section 10-15-45, subsection 4 of section 10-15-47, subsection 1 of section 10-15-48, sections 10-15-50, 10-15-51, 10-15-53, 10-15-54, 10-23-01, subsection

1 of section 10-23-05, subsection 1 of section 10-28-02, subsection 5 of section 41-09-42, sections 41-09-44, 41-09-45, subsection 2 of section 41-09-46, sections 43-03-16, 49-09-14, 54-09-04, 61-05-19, and 61-16-06 of the North Dakota Century Code, relating to recording and filing certain forms in the office of the secretary of state, charges for making such filings, and failure of cooperatives to file annual reports as legally required.

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

Senator Goldberg introduced:

**Senate Bill No. 145.** A Bill for an Act to require the motor vehicle registrar to issue special parking privilege permits to handicapped people and to repeal section 40-05-02.1 of the North Dakota Century Code, relating to parking privileges for the handicapped, and providing a penalty.

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

Senators Roen and Forkner introduced:

**Senate Bill No. 146.** A Bill for an Act to create and enact sections 51-07-14 and 51-07-15 of the North Dakota Century Code, relating to deposits and the refunding of deposits on glass and metal containers used in the transportation, sale, and distribution of beer and carbonated and noncarbonated soft-drink type of beverages, and providing a penalty.

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

Senators Chesrown, Ringsak and Holand introduced:

**Senate Bill No. 147.** A Bill for an Act to create and enact sections 12-05-01.1 and 12-05-06 of the North Dakota Century Code, relating to the defense of chronic alcoholism and commitment of persons found to be chronic alcoholics.

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

Senators Geving, Larson (Burleigh), Larsen, Meschke and Westrom introduced:

**Senate Bill No. 148.** A Bill for an Act providing for the regulation of collection agencies; providing definitions of certain terms; requiring license for such agencies; prescribing qualifications for licenses; providing for fees and bonds therefore; prescribing manner of applying for collection agency license; fees; providing for renewal of said licenses; establishing property rights of agency in account assigned for collection; providing for other remedies; and prescribing penalties.

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

Senators Litten, Coughlin, Larson (Burleigh), Kelly (Ramsey), and Lowe introduced:

**Senate Bill No. 149.** A Bill for an Act to amend and reenact sections 11-07-02, 11-07-03, and 11-07-04 of the North Dakota Century Code, relating to redistricting county commissioner districts.

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

Senator Meschke introduced:

**Senate Bill No. 150.** A Bill for an Act to amend and reenact section 40-46-20 of the 1965 Supplement to the North Dakota Century Code, relating to refund or partial retirement upon termination of employment with city.

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

Senators Rait, Lowe, Larson (Burleigh), Coughlin and Decker introduced:

**Senate Bill No. 151.** A Bill for an Act to amend and reenact sections 26-27-01, 26-27-02, 26-27-03, 26-27-08, and 26-27-10 of the North Dakota Century Code, relating to the participation of chiropodists in nonprofit medical service corporations.

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

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

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

#### FOURTEENTH DAY

Bismarck, January 16, 1967

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

Prayer by Chaplain Rev. Allen Schoonover, Faith Lutheran, Bismarck.

Jesus teach us the path, show us the way. They say that everyone has his own cross to bear, Lord. And You once said, "Take up your cross and follow Me." What do these things mean? I think they mean that every person ultimately has to face up to reality — face his own destiny, his own calling, his own nature and responsibilities.

In Your own life, Jesus, You face reality directly. You rejected the status quo in favor of obedience to the Kingdom of God. And when it came to taking the consequences, You didn't shy away.

The way of the cross was Your understanding of Your mission and Your faithfulness to it.

The way of the cross seems to be, for every individual Christian the reality which dictates his style of life, defines his own mission, and brings him into communion and fellowship with You, Jesus.

Help me bear my cross, help me see my own responsibilities, Jesus give me the strength and courage to face my task and bear my cross. Amen.

Roll call: All Senators present except Senator Beck.

A quorum was declared by the President.

#### CORRECTION AND REVISION

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 finds the same correct.

#### SENATOR LOWE

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

#### MESSAGES FROM THE HOUSE

House Chamber

Bismarck, January 16, 1967

Mr. President: I have the honor to return:

Senate Concurrent Resolution "H"

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, January 16, 1967

Mr. President: I have the honor to transmit:

House Bill No. 510

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

ROY GILBREATH, Chief Clerk

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution "H".** A Concurrent Resolution providing and designating House and Senate employees and naming and fixing their salaries.

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

CONSIDERATION OF AMENDMENTS

Senator Redlin moved that the amendments to Senate Bill No. 48 as recommended by the Committee on Political Subdivisions, and printed on page 73 of the Senate Journal, be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to Senate Bill No. 60 as recommended by the Committee on Natural Resources, and printed on page 73 of the Senate Journal, be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to Senate Bill No. 65 as recommended by the Committee on Natural Resources, and printed on page 74 of the Senate Journal, be adopted, which motion prevailed.

REPORT OF STANDING COMMITTEE

Senator Mutch moved that the report of the Committee on Mileage and Per Diem be amended as follows:

In line 27 of the report delete the figure "550" after the name Richard Larsen and insert in lieu thereof the figure "510".

Which motion prevailed.

Senator Mutch moved that the Report of Mileage and Per Diem be placed at the foot of the calendar for further consideration, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 16, 1967

Mr. President: I have the honor to transmit:

House Bill No. 519

House Bill No. 545

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

ROY GILBREATH, Chief Clerk

SECOND READING OF A SENATE BILL

**Senate Bill No. 39.** For an Act to regulate the sale and distribution of commercial fertilizers and soil conditioners, and to repeal chapter 19-20 of the North Dakota Century Code, relating to commercial fertilizers, and providing a penalty.

Was read for the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 65 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting 1.

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz

Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

**Absent and not voting:**

Beck

So the bill passed and the title was agreed to.

Senator Lips moved that the Senate recess until 1:30 p.m. January 17, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary



"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### FOURTEENTH DAY AFTER RECESS AND FIFTEENTH DAY

Bismarck, January 17, 1967

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

#### REPORTS OF STANDING COMMITTEES

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 SORLIE, Chairman

Senator Robinson 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 be amended as follows:

In line 26 after the parenthesis delete the following "There is hereby reappropriated to the"

Delete all of lines 27 through 35 and insert in lieu thereof the following "The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee made the deletion because that section is contained in a bill of its own, SB 77.

The committee made the addition to emphasize that the moneys be expended for the purpose for which they were appropriated.

SENATOR SORLIE, Chairman

Senator Kautzmann 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 do pass.

SENATOR SORLIE, Chairman

Senator Kautzmann 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 do pass.

SENATOR SORLIE, Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 30 has had the same under consideration and recommends that the same be amended as follows:

In line 6 after the word "fund" insert the following language "from funds appropriated by the legislature"

In line 6 after the word "amount" insert the following language "and method"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

Senator Roen 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. 37 has had the same under consideration and recommends that the same be amended as follows:

Delete lines 105 through 109 inclusive and insert in lieu thereof the following language:

"SECTION 4. AMENDMENT.) Section 19-06-01 of the 1965 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

19-06-01. DEFINITIONS.) In this chapter unless the context or subject matter otherwise requires:

1. "Ice milk and ice milk mix" shall mean and include any frozen, or unfrozen substance, mixture, or compound which is not ice cream, milk sherbet, ice, or frozen or frosted malted milk as the same are defined by the department, regardless of the name under which it is sold or offered for sale:
  - a. If the freezing of such substance, mixture or compound is accompanied by agitation of the ingredients thereof;
  - b. If such substance, mixture or compound is made in imitation or semblance of ice cream;
  - c. If such substance, mixture, or compound is prepared or frozen in the same manner as ice cream is customarily prepared or frozen; or
  - d. Standards for the composition of ice milk shall be issued by the state ((dairy commissioner)) laboratories department;
2. "Department" shall mean the state laboratories department ((of agriculture and labor));
3. "Manufacturer" shall mean and include any person, firm or corporation who makes, produces or processes any ice milk for sale to retailers or consumers.

SECTION 5. AMENDMENT.) Section 19-06-02 of the 1965 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

19-06-02. UNLAWFUL TO SELL ICE MILK AT WHOLESALE OR RETAIL WITHOUT LICENSE.) No manufacturer shall sell, exchange or offer for sale at wholesale or retail or have in his possession with intent to sell, offer for sale or for exchange at wholesale or retail in this state, any ice milk without first having obtained a license therefor from the state Laboratories department."

And renumber the sections and lines accordingly.

And when so amended recommends the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak 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. 41 has had the same under consideration and recommends that the same be amended as follows:

In line 7 of the title, after the word "agriculture" delete the words "and labor" and after the word "state" delete the word "laboratory" and insert in lieu thereof the words "laboratories department"

Delete all of line 22 and insert in lieu thereof the following: "((an approved laboratory)) the state laboratories department.

In line 73 after the word "agriculture" delete the words "and labor"

In line 90 after the word "AGRICULTURE" delete the words "AND LABOR"

In line 91 delete the word "LABORATORY" and insert in lieu thereof the following words: "LABORATORIES DEPARTMENT."

In line 92 after the word "agriculture" delete the words "and labor"

In line 93 after the word "state" delete the word "laboratory" and insert in lieu thereof the following words: "laboratories department except that equipment necessary for field testing"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak 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. 84 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak 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. 89 has had the same under consideration and recommends that the same do pass

And recommends that the same be re-referred to the Committee on Appropriations.

SENATOR RINGSAK, Chairman

Senator Ringsak 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. 90 has had the same under consideration and recommends that the same be amended as follows:

In line 14 after the word "commission" delete the word "which"

Delete all of lines 15 and 16

In line 17 delete the words "the request, issue"

In line 18 after the word "fund" insert the following: "the emergency commission shall receive information and recommendations from the department of accounts and purchases with respect to all emergency requests"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR RINGSAK, Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 94 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 101 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted.

Senator Luick made the substitute motion that Senate Bill No. 101 be placed on the calendar, which motion was declared lost.

The question being on the motion of Senator Becker that the copy report on Senate Bill No. 101 be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 109 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 110 has had the same under consideration and recommends that the same be amended as follows:

In line 2 of the title of the bill delete the word "rural"

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

Senator Roen 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.

And that the same be re-referred to the Committee on Social Welfare and Veterans' Affairs.

SENATOR SORLIE, Chairman

Senator Larsen (Richard) moved that the report be adopted, which motion prevailed.

#### FIRST READING OF SENATE BILLS AND SENATE CONCURRENT RESOLUTIONS

Senator Holand introduced:

**Senate Bill No. 152.** A Bill for an Act to amend and reenact section 23-13-09 of the 1965 Supplement to the North Dakota Century Code relating to membership of state safety committee.

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

Senator Becker introduced:

**Senate Bill No. 153.** A Bill for an Act to provide for a native woodland tax, prescribing the land that may be subject to such tax, prescribing the duties of the state forester and local assessor, providing for the rate and manner of collection of said tax, the conditions for eligibility under the native woodland tax, declassifi-

cation orders, and hearings and appeals from orders of the state forester.

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

Senators Torgerson, Kelly (Pt. Barnes), Wilhite, Becker and Longmire introduced:

**Senate Bill No. 154.** A Bill for an Act to amend and reenact Section 23-15-04 of the North Dakota Century Code relating to fireworks; and providing for licensing of distributors and retailers.

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

Senators Coughlin and Litten introduced:

**Senate Bill No. 155.** A Bill for an Act to repeal subsection 10 of section 57-38-22 of the North Dakota Century Code, relating to deductions from net income by cooperative companies for the purpose of computing state income taxes owed.

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

Senators Chesrown and Høland introduced:

**Senate Bill No. 156.** For an Act to amend and reenact sections 39-17-01 and 39-17-03 of the North Dakota Century Code, relating to additional registration fees for the unsatisfied judgment fund and recoveries from the unsatisfied judgment fund.

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

Senators Trenbeath, and Christensen introduced:

**Senate Bill No. 157.** For an Act to maintain or obtain reasonable levels of air quality consistent with the protection of health, and the prevention of injury to plant, animal life and property; to promote the economic and social development of the state; to provide for the comfortable enjoyment of the natural attractions of the state to the greatest extent practical; to establish a statewide program of air pollution prevention, abatement and control; and to coordinate the activities of local and regional air pollution control programs within the state; and creating an Air Pollution Control Advisory Council.

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

Senators Litten, Longmire, and Larson (Burleigh) introduced:

**Senate Bill No. 158.** A Bill for an Act providing for regional planning and zoning commissions for areas adjacent to cities and repealing Chapter 11-34, and sections 58-03-11, 58-03-12, 58-03-13, 58-03-14, and 58-03-15 of the North Dakota Century Code and amending and reenacting section 11-33-20 of the North Dakota Century Code.

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

Senators Sands and Torgerson introduced:

**Senate Bill No. 159.** A Bill for an Act to amend and reenact Section 57-14-01 of the North Dakota Century Code relating to the duty of a County Auditor to make corrections in the assessment books and tax lists when the assessor has made a clerical error in valuing real or personal property.

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

Senator Lips introduced:

**Senate Bill No. 160.** A Bill for an Act authorizing the commissioner of insurance to waive subrogation rights of the state fire and

tornado fund arising out of damage by fire or explosion caused by a contractor during construction of an alteration or addition to a public building insured in said fund.

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

Senator Ringsak introduced:

**Senate Bill No. 161.** A Bill for an Act to create and enact Section 43-15-10.1 of the North Dakota Century Code, relating to the duties and powers of the inspector appointed by the board of pharmacy.

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

Senator Torgerson introduced:

**Senate Bill No. 162.** A Bill for an Act to amend and reenact subsection 1 of section 16-11-04 of the North Dakota Century Code to provide that ballots for no-party candidates, partisan candidates, and on which measures are submitted, shall be of different colors.

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

Senators Larson (Burleigh), Stroup, Nasset, Melland, Lowe, Larsen, Luick, Hofstrand, Ruemmele, Redlin, Sands, Roen, Wenstrom, Hernet and Berube introduced:

**Senate Concurrent Resolution "J".** A Concurrent Resolution for the amendment of section 148 of the Constitution of the state of North Dakota, relating to a uniform system of free public schools.

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

Senators Lips and Meschke introduced:

**Senate Concurrent Resolution "K".** A Concurrent Resolution commending Secretary of State Ben Meier upon his election as president of the National Association of Secretaries of State.

Was read the first time.

#### MOTION

Senator Lips moved that the rules be suspended, that Senate Concurrent Resolution "K" be not printed as a bill, but printed in the Journal, and placed on second reading and final passage, which motion prevailed.

#### SENATE CONCURRENT RESOLUTION "K"

Introduced by Senators Lips, Meschke.

A concurrent resolution commending Secretary of State Ben Meier upon his election as president of the National Association of Secretaries of State.

- 1 WHEREAS, Secretary of State Ben Meier has been elected
- 1a president
- 2 of the National Association of Secretaries of State; and
- 3 WHEREAS, the selection of North Dakota's Secretary of
- 3a State by
- 4 his national colleagues to head their national organization
- 4a reflects
- 5 substantial credit upon him, and is a matter in which the
- 5a citizens
- 6 of the state take great pride;
- 7 NOW, THEREFORE, BE IT RESOLVED BY THE
- 8 SENATE OF THE STATE OF NORTH DAKOTA, THE
- 9 HOUSE OF REPRESENTATIVES CONCURRING THEREIN:
- 10 That the Fortieth Legislative Assembly takes great pleasure
- 10a in
- 11 commending Secretary of State Meier upon his election as
- 11a president

12 of his national organization; and  
 13 BE IT FURTHER RESOLVED, that copies of this resolution  
 13a be  
 14 forwarded by the Secretary of the Senate to Secretary of State  
 15 Ben Meier.

SECOND READING OF A  
 SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution "K".** A Concurrent Resolution commending Secretary of State Ben Meier upon his election as president of the National Association of Secretaries of State.

Was read the second time.

Senator Lips moved that Senate Concurrent Resolution "K" be  
 FIRST READING OF A SENATE CONCURRENT RESOLUTION

Senators Lips and Meschke introduced:

**Senate Concurrent Resolution "L".** A Concurrent Resolution commending Governor William L. Guy upon his election as chairman of the National Governor's Conference.

Was read the first time.

MOTION

Senator Meschke moved that the rules be suspended, that Senate Concurrent Resolution "L" be not printed as a bill but printed in the Journal, and placed on second reading and final passage, which motion prevailed.

SENATE CONCURRENT RESOLUTION "L"

Introduced by Senators Lips, Meschke.

A concurrent resolution commending Governor William L. Guy upon his election as chairman of the National Governor's Conference.

1 WHEREAS, Governor William L. Guy has been elected  
 1a chairman of  
 2 the National Governor's Conference; and  
 3 WHEREAS, the selection of North Dakota's Governor by his  
 4 national colleagues to head their national organization reflects  
 5 substantial credit upon him, and is a matter in which the  
 5a citizens  
 6 of the state take great pride;  
 7 NOW, THEREFORE, BE IT RESOLVED BY THE  
 8 SENATE OF THE STATE OF NORTH DAKOTA, THE  
 9 HOUSE OF REPRESENTATIVES CONCURRING THEREIN:  
 10 That the Fortieth Legislative Assembly takes great pleasure  
 10a in  
 11 commending Governor Guy upon his election as chairman of his  
 12 national organization; and  
 13 BE IT FURTHER RESOLVED, that copies of this resolution  
 13a be  
 14 forwarded by the Secretary of the Senate to Governor William  
 14a L. Guy.

SECOND READING OF A  
 SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution "L".** A Concurrent Resolution commending Governor William L. Guy upon his election as chairman of the National Governor's Conference.

Was read the second time.

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

MOTION

Senator Geving moved that Senate Bill No. 148 be returned to

the Senate from the Committee on Judiciary, which motion prevailed.

Senator Geving moved that Senate Bill No. 148 be re-referred to the Committee on Industry, Business and Labor, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

**House Bill No. 510.** For an Act making an appropriation for the general maintenance, improvements and special projects for the North Dakota Soldiers' Home at Lisbon, North Dakota.

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

**House Bill No. 519.** 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. 545.** For an Act to provide a state reimbursement program for state-supported high schools that provide a driver education program approved by the department of public instruction.

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

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 17, 1967

Mr. President: I have the honor to return:

House Concurrent Resolution "G"

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

ROY GILBREATH, Chief Clerk

#### REPORT OF STANDING COMMITTEE

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

Senate Bill No. 48

Senate Bill No. 60

Senate Bill No. 65

And find the same correctly Engrossed.

SENATOR WENSTROM, Chairman

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

#### CONSIDERATION OF AMENDMENTS

Senator Sorlie moved that Senate Bill No. 10 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 12 as recommended by the Committee on Appropriations, and printed on page 88 of the Senate Journal, be adopted, which motion prevailed.

Senator Ringsak moved that the amendments to Senate Bill No. 31 as recommended by the Committee on State and Federal Government, and printed on page 88 of the Senate Journal, be adopted, which motion prevailed.

Senator Ringsak moved that the amendments to Senate Bill No. 70 as recommended by the Committee on State and Federal Government, and printed on page 89 of the Senate Journal, be adopted, which motion prevailed.



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

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

#### FIFTEENTH DAY

Bismarck, January 17, 1967

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

Prayer by Chaplain Rev. Allen Boeve, Bismarck Reformed.

Great and Eternal God, Thou Who art the Father of our Lord Jesus Christ, and through faith in Him our Father too, we come unto Thee in prayer. We acknowledge Thee to be the Sovereign Ruler of all. We acknowledge Thee to be present and active in this world, governing in the affairs of men.

In this moment of quiet we turn our thoughts and our hearts to Thee. We ask that Thou who art the God of all wisdom wilt give wisdom and understanding to this body. Wilt Thou who art a God of love and mercy help them to have love in their attitudes and mercy in their judgments. Wilt Thou grant an awareness of Thy presence. Wilt Thou help us to realize our dependence upon Thee the rest of this day. Wilt Thou help us to strive to do all things with an eye single to Thy examined glory.

In Jesus' Name we pray.

Amen.

Roll call: All Senators present except Senators Beck and Melland.

A quorum was declared by the President.

#### CORRECTION AND REVISION

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 finds the same correct.

SENATOR LOWE, Chairman

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

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 17, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 39

Senate Concurrent Resolution "K"

Senate Concurrent Resolution "L"

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

LEO LEIDHOLM, Secretary

#### 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.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 17, 1967

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "G"

Which the President has signed.

LEO LEIDHOLM, Secretary

SECOND READING OF SENATE BILLS

**Senate Bill No. 49.** For an Act to create and enact chapter 40-23.1 of the North Dakota Century Code, creating an alternative method of determining and allocating the costs of special assessments and to amend and reenact section 40-23-07 of the North Dakota Century Code, relating to the special assessment commission.

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Becker	Holand	Lowe	Roen
Berube	Jacobson	Luick	Ruemmele
Butler	Kautzmann	Morgan	Sands
Chesrown	Kelly, E.	Mutch	Schultz
Christensen	Kelly, M.	Nasset	Sorlie
Coughlin	Larsen, R.	Nothing	Stafne
Decker	Larson, G.	Pyle	Stroup
Forkner	Larson, L.	Rait	Torgerson
Geving	Lips	Redlin	Trenbeath
Goldberg	Litten	Ringsak	Wenstrom
Hernett	Longmire	Robinson	Wilhite
Hofstrand			

Those voting in the negative were:

Freed Meschke

Absent and not voting:

Beck Melland

So the bill passed and the title was agreed to.

**Senate Bill No. 62.** For an Act to amend and reenact sections 43-20-02, 43-20-03, 43-20-04, 43-20-06, and 43-20-07 of the North Dakota Century Code, relating to the qualifications, examinations, registration, employment, recording and display of licenses, and practice of dental hygienists, and the licensing of dental hygienists licensed to practice in another state.

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Meschke	Sands
Chesrown	Kautzmann	Morgan	Schultz
Christensen	Kelly, E.	Mutch	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nothing	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Hernett	Longmire	Robinson	

Absent and not voting:

Beck Melland

So the bill passed and the title was agreed to.

**Senate Bill No. 64.** For an Act to amend and reenact subsection 8 of section 20-01-01 of the North Dakota Century Code and to

amend and reenact section 20-05-02 of the 1965 Supplement to the North Dakota Century Code, relating to the definition of "big game".

\*Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting 3.

Those voting in the affirmative were:

Becker	Hofstrand	Luick	Roen
Berube	Jacobson	Meschke	Ruemmele
Butler	Kautzmann	Morgan	Sands
Chesrown	Kelly, E.	Mutch	Schultz
Christensen	Kelly, M.	Nasset	Sorlie
Coughlin	Larsen, R.	Nothing	Stafne
Decker	Larson, G.	Pyle	Stroup
Forkner	Larson, L.	Rait	Torgerson
Freed	Lips	Redlin	Trenbeath
Geving	Litten	Ringsak	Wenstrom
Goldberg	Longmire	Robinson	Wilhite
Hernett	Low		

Absent and not voting:

Beck	Holand	Melland
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So the bill passed and the title was agreed to.

**Senate Bill No. 66.** For an Act to amend and reenact section 61-27-02 and subsections 1, 2, 3, 5, 7, 8, 9, 10 and 11 of section 61-27-03 of the North Dakota Century Code, relating to the identification number and license of motorboats.

Was 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:

Becker	Hofstrand	Low	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Meschke	Sands
Chesrown	Kautzmann	Morgan	Schultz
Christensen	Kelly, E.	Mutch	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nothing	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Hernett	Longmire	Robinson	

Absent and not voting:

Beck	Melland
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So the bill passed and the title was agreed to.

**Senate Bill No. 67.** For an Act to amend and reenact sections 30-13-22 and 30-14-19 of the North Dakota Century Code, relating to the investment of funds by executors, administrators, and guardians.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 65 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting 2.

Those voting in the affirmative were:			
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Meschke	Sands
Chesrown	Kautzmann	Morgan	Schultz
Christensen	Kelly, E.	Mutch	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nothing	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Hernett	Longmire	Robinson	

Absent and not voting:  
Beck Melland

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 17, 1967

Mr. President: I have the honor to transmit:

House Bill No. 560

House Bill No. 562

House Concurrent Resolution "I"

House Concurrent Resolution "J"

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

ROY GILBREATH, Chief Clerk

#### RECOGNITION

Senator Holand announced that former Senator Meidinger was his guest in the Senate and asked that former Senator Meidinger be recognized by the Senate, which motion prevailed.

Senator Lips moved that a committee of one be appointed to escort former Senator Meidinger to the rostrum, which motion prevailed.

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

Former Senator Meidinger: Mr. President. Members of the Senate. Members of the Staff and visitors. It is nice to be back with you again. An ex-senator has certain privileges you don't enjoy. I think this the first time that I have ever been escorted to the rostrum. Perhaps what happened in '64 is a good thing — it gives you the good sense to quit.

I don't have to tell those of you who served while I was here that I enjoyed my experience as a Senator. I don't know of any area where one can be more frustrated — make as many friends — be a part of history — and there are many satisfying things that happen to you. Some men who are no longer here but who stand out in my memory — I would like to reminisce a little bit if I may — I think of Clyde Duffy who is a past master of the English language and deliberate debate. — I think of two outstanding parliamentarians, Reinhold Streibel and C. P. Dahl — I think of the colorful speech of Clark Van Horn, and Orris Nordhaugen — I think of the late Senator Day, who was probably the most outstanding politician who has ever served here in this branch of the legislature, and certainly I would not want to forget my good friend Senator Lee Brooks, who was perhaps one of the most effective persons we ever had down here — I think of the great ladies who have graced

these halls — think of Rosamund O'Brien, and her many contributions to better schools in North Dakota, and while I hesitate to mention anyone who is still here, I look at your good reporter, Dagny Olson, who was a great help to me in the years I was here, and to everyone who served at that time, and I would say to you freshmen, if you haven't met her, you better get acquainted with her, because certainly she can keep you out of a lot of trouble.

You are now two-thirds into this Twentieth Century and in many ways we still do things exactly as they were done in 1900. You are beset by many problems — we are not gaining in population — the majority of the people in North Dakota are over 64 years of age or under 22 years — we are part of the great semi-arid desert of North Dakota — your geography book will bear that out. I think it is time that we take a look ahead in the last period of this Century and try to bring the machinery of government up to date. Short of constitutional revision I would suggest something like a Hoover Commission, which would have a broad participation of many citizens throughout the State who are not members of the legislature. If you are to remain an autonomous part of this great system of ours and not a branch of Washington, D. C., you have to put your house in order — our per capita tax rate for the people of North Dakota is high — which makes for a very serious problem — because shifting the burden to someone else doesn't really solve the problem.

I would like to tell you a true story that I have always enjoyed telling about the legislature — many of the things that happen here cannot be repeated publicly — but I remember when we had the state oil tax — 4½ percent, 6½ percent, 27½ percent depletion — group I was aligned with was thinking that in order to establish new industry we ought to keep tax as high as other states who had 4½ and 27½ depletion — I remember one day the late Judge Burke was coming down the corridor, met some of his old friends from Williams County — they said: "Judge, what do you think about this 4½ percent and 27½ percent depletion?" The Judge, very soberly said: "Tell you what, I am for 54-40 or fight. So I felt should do nothing that will break the oil companies.

Gentlemen, I am not going to take any longer here. Appreciate very much that I had a chance to visit with you a little bit. After we cast our lot with you on November 8th, our hopes are with you and knowing the kind of people that serve here I know you are doing a good job. This is not exactly a brotherhood but there is a great fraternal spirit that develops after having been around here, so I would wish you well in your deliberations. God Bless you, and thank you for the opportunity of visiting with you.

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

Senator Lips moved that the Senate recess until 1:00 p.m., January 18, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary



"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### FIFTEENTH DAY AFTER RECESS AND SIXTEENTH DAY

Bismarck, January 18, 1967

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

#### REPORTS OF STANDING COMMITTEE

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

Senate Bill No. 12  
Senate Bill No. 31  
Senate Bill No. 70

And find the same correctly engrossed.

#### SENATOR WENSTROM

Senator Wenstrom 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 "H"

And find the same correctly enrolled.

#### SENATOR WENSTROM

Senator Wenstrom 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 "H"

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

#### SECOND READING OF SENATE BILLS AND A SENATE CONCURRENT RESOLUTION

**Senate Bill No. 73.** For an Act to amend and reenact sections 43-04-23, 43-04-28, 43-04-32, and 43-04-38 of the North Dakota Century Code, relating to ages of apprentice barbers and requiring a high school education.

Was read the second time.

Senator Ringsak moved that Senate Bill No. 73 be amended as follows:

In line 28 after the word "board" insert the following: "provided, however, that two years armed services should be termed equivalent education"

In line 54 after the word "board" insert the following: "provided, however, that two years armed services should be termed equivalent education"

Renumber the lines accordingly.

Senator Longmire made the substitute motion that Senate Bill

No. 73 be placed at the foot of the calendar, which motion prevailed.

**Senate Concurrent Resolution "G".** A Concurrent Resolution directing the legislative research committee to conduct a study for the purpose of determining the size of a bond issue necessary to compensate North Dakota veterans of the Vietnam conflict and for the purpose of determining the period of time during which service in the armed forces of the United States or any of its allies might qualify Vietnam veterans for bonus compensation.

Was read the second time.

Senator Christensen requested a recorded vote, which request was granted.

Senator Torgerson moved that Senate Concurrent Resolution "G" be re-referred to the Legislative Research Resolutions Committee, which motion prevailed.

**Senate Bill No. 11.** 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 second time.

#### ROLL CALL

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

Those voting in the affirmative were:

Berube	Holand	Lowe	Robinson
Butler	Jacobson	Luick	Roen
Chesrown	Kautzmann	Melland	Ruemmele
Christensen	Kelly, E.	Meschke	Sands
Coughlin	Kelly, M.	Morgan	Schultz
Decker	Larsen, R.	Nasset	Sorlie
Forkner	Larson, G.	Nothing	Stafne
Geving	Larson, L.	Pyle	Stroup
Goldberg	Lips	Rait	Torgerson
Hernett	Litten	Redlin	Trenbeath
Hofstrand	Longmire	Ringsak	Wilhite
Absent and not voting:			
Beck	Freed	Mutch	Wenstrom
Becker			

So the bill passed and the title was agreed to.

**Senate Bill No. 15.** For an Act making an appropriation for the purpose of operating and maintaining the State Fire and Tornado Fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting 3.

Those voting in the affirmative were:

Berube	Holand	Luick	Robinson
Butler	Jacobson	Melland	Roen
Chesrown	Kautzmann	Meschke	Ruemmele
Christensen	Kelly, E.	Morgan	Sands
Coughlin	Kelly, M.	Mutch	Schultz
Decker	Larsen, R.	Nasset	Sorlie
Forkner	Larson, G.	Nothing	Stafne
Freed	Larson, L.	Pyle	Stroup
Geving	Lips	Rait	Torgerson
Goldberg	Litten	Redlin	Trenbeath
Hernett	Longmire	Ringsak	Wilhite
Hofstrand	Lowe		
Absent and not voting:			
Beck	Becker	Wenstrom	

So the bill passed and the title was agreed to.



**Senate Bill No. 40.** For an Act to create a method of regulating foods, drugs, and cosmetics, and to repeal sections 19-02-01, 19-02-02, 19-02-03, 19-02-04, 19-02-05, 19-02-06, 19-02-07, 19-02-08, 19-02-11, 19-02-12, 19-02-14.1, 19-02-25, 19-02-26, 19-02-27, 10-02-28, and 19-02-29 and chapter 19-09 of the North Dakota Century Code, relating to foods, drugs, and cosmetics, and providing a penalty.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46, nays, 0; absent and not voting 3.

Those voting in the affirmative were:

Berube	Holand	Luick	Robinson
Butler	Jacobson	Melland	Roen
Chesrown	Kautzmann	Meschke	Ruemmele
Christensen	Kelly, E.	Morgan	Sands
Coughlin	Kelly, M.	Mutch	Schultz
Decker	Larsen, R.	Nasset	Sorlie
Forkner	Larson, G.	Nothing	Stafne
Freed	Larson, L.	Pyle	Stroup
Geving	Lips	Rait	Torgerson
Goldberg	Litten	Redlin	Trenbeath
Hernett	Longmire	Ringsak	Wilhite
Hofstrand	Lowe		

Absent and not voting:

Beck	Becker	Wenstrom
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So the bill passed and the title was agreed to.

**Senate Bill No. 69.** For an Act to authorize the state board of higher education to sell tax-exempt bonds and provide for the use of the proceeds of such bonds for the purpose of constructing or purchasing revenue producing buildings and other campus improvements at institutions of higher learning in this state under the jurisdiction of the board, at such maximum amounts, at such locations, and for such purposes as is hereinafter provided.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting 3.

Those voting in the affirmative were:

Berube	Holand	Luick	Robinson
Butler	Jacobson	Melland	Roen
Chesrown	Kautzmann	Meschke	Ruemmele
Christensen	Kelly, E.	Morgan	Sands
Coughlin	Kelly, M.	Mutch	Schultz
Decker	Larsen, R.	Nasset	Sorlie
Forkner	Larson, G.	Nothing	Stafne
Freed	Larson, L.	Pyle	Stroup
Geving	Lips	Rait	Torgerson
Goldberg	Litten	Redlin	Trenbeath
Hernett	Longmire	Ringsak	Wilhite
Hofstrand	Lowe		

Absent and not voting:

Beck	Becker	Wenstrom
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So the bill passed and the title was agreed to.

**Senate Bill No. 71.** For an Act to empower the state auditor to enter into reciprocal agreements with other states for the purpose of entering into motor fuel taxation agreements.

Was 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:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	

Absent and not voting:

Beck                      Wenstrom

So the bill passed and the title was agreed to.

**Senate Bill No. 78.** For an Act to amend and reenact section 15-55-18 of the 1965 Supplement to the North Dakota Century Code, relating to dormitory bond issues for junior colleges and educational centers.

Was 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:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	

Absent and not voting:

Beck                      Wenstrom

So the bill passed and the title was agreed to.

**Senate Bill No. 81.** For an Act authorizing the board of administration to lease certain property now owned by the state and under the control of the state industrial school.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting 3.

Those voting in the affirmative were:

Becker	Hofstrand	Luick	Robinson
Berube	Jacobson	Melland	Roen
Butler	Kautzmann	Meschke	Ruemmele
Chesrown	Kelly, E.	Morgan	Sands
Christensen	Kelly, M.	Mutch	Schultz
Coughlin	Larsen, R.	Nasset	Sorlie
Decker	Larson, G.	Nothing	Stafne
Forkner	Larson, L.	Pyle	Stroup

Freed	Lips	Rait	Torgerson
Geving	Litten	Redlin	Trenbeath
Goldberg	Longmire	Ringsak	Wilhite
Hernett	Low		

Absent and not voting:

Beck	Holand	Wenstrom
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So the bill passed and the title was agreed to.

**Senate Bill No. 48.** For an Act to amend and reenact subsection 4 of section 21-03-07, sections 21-04-13, 21-04-18, 40-01-08, 40-01-12, subsection 59 of section 40-05-01, sections 40-08-12, 40-22-09, 40-22-15, 40-22-18, 40-25-01, 40-38-01, and 48-09-03 of the North Dakota Century Code, relating to the issuing of bonds by municipalities, interest rates on public funds, the removal of buildings when taxes or special assessments are due, claims and accounts against municipalities, public works projects, the publication of proceedings of municipalities, special assessments and improvement districts, the sale of property to enforce collections of delinquent special assessments, public libraries and reading rooms, and relating to the bond required of a successful bidder on a concession.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 73 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting 2.

Those voting in the affirmative were:

Becker	Hofstrand	Low	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	

Absent and not voting:

Beck	Wenstrom
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So the bill passed and the title was agreed to.

**Senate Bill No. 60.** For an Act to allow an amputee to hunt game with a crossbow.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 73 of Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting 2.

Those voting in the affirmative were:

Becker	Hofstrand	Low	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	

Absent and not voting:

Beck                      Wenstrom

So the bill passed and the title was agreed to.

**Senate Bill No. 65.** For an Act to repeal sections 20-01-07 and 20-01-08 of the North Dakota Century Code, relating to hunting from aircraft.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 74 of the Senate Journal, the roll was called and there were ayes, 39; nays, 8; absent and not voting 2.

Those voting in the affirmative were:

Becker	Goldberg	Longmire	Rait
Berube	Hernett	Lowe	Robinson
Butler	Holand	Luick	Sands
Chesrown	Jacobson	Melland	Sorlie
Christensen	Kautzmann	Meschke	Stafne
Coughlin	Kelly, M.	Morgan	Stroup
Decker	Larson, G.	Mutch	Torgerson
Forkner	Larson, L.	Nasset	Trenbeath
Freed	Lips	Nothing	Wilhite
Geving	Litten	Pyle	

Those voting in the negative were:

Hofstrand	Larsen, R.	Ringsak	Ruemmele
Kelly, E.	Redlin	Roen	Schultz

Absent and not voting:

Beck                      Wenstrom

So the bill passed and the title was agreed to.

**Senate Bill No. 12** 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 second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 88 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting 2.

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	

Absent and not voting:

Beck                      Wenstrom

So the bill passed and the title was agreed to.

**Senate Bill No. 16.** For an Act making an appropriation for the purpose of operating and maintaining the State Bonding Fund.

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:			
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	

Absent and not voting:  
Beck Wenstrom

So the bill passed and the title was agreed to.

**Senate Bill No. 26.** For an Act to make an appropriation to pay expenses and costs of legal research and education and supervision and improvement of the judicial system of the state of North Dakota activities of the state bar association.

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:			
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	

Absent and not voting:  
Beck Wenstrom

So the bill passed and the title was agreed to.

**Senate Bill No. 28.** For an Act making an appropriation for salaries and expenses for Predatory Animal Control to the Commissioner of Agriculture.

Was read the second time.

ROLL CALL

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

Those voting in the affirmative were:			
Becker	Holand	Lowe	Robinson
Berube	Jacobson	Luick	Roen
Butler	Kautzmann	Melland	Ruemmele
Chesrown	Kelly, E.	Morgan	Sands
Coughlin	Kelly, M.	Mutch	Schultz
Decker	Larsen, R.	Nasset	Sorlie
Forkner	Larson, G.	Nothing	Stafne
Freed	Larson, L.	Pyle	Stroup

Geving	Lips	Rait	Torgerson
Goldberg	Litten	Redlin	Trenbeath
Hernett	Longmire	Ringsak	Wilhite
Hofstrand			

Those voting in the negative were:

Christensen	Meschke
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Absent and not voting:

Beck	Wenstrom
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So the bill passed and the title was agreed to.

**Senate Bill No. 31.** For an Act to amend and reenact section 54-44.1-12 of the 1965 Supplement to the North Dakota Century Code, relating to the control over rate of expenditures.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 88 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting 2.

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	

Absent and not voting:

Beck	Wenstrom
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So the bill passed and the title was agreed to.

**Senate Bill No. 70.** For an Act to amend and reenact section 12-01-14 of the North Dakota Century Code, relating to the issuance of receipts by public officials.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 89 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting 2.

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	

Absent and not voting:

Beck	Wenstrom
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So the bill passed and the title was agreed to.

**Senate Bill No. 84.** For an Act to amend and reenact sections 19-19-02, 19-19-03, 19-19-04, 19-19-05, 19-19-06, and 19-19-07 of the

North Dakota Century Code, relating to sale and dispensing of barbiturates.

Was read the second time.

Senator Ringsak moved that Senate Bill No. 84 be amended as follows:

In line 102 after the word "within" delete "seventy-two hours" and insert in lieu thereof "ten days"

Renumber the lines accordingly.

Which motion prevailed.

Senator Ringsak moved that the rules be suspended, that Senate Bill No. 84 be deemed properly 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 the bill, 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:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	

Absent and not voting:

Beck Wenstrom

So the bill passed and the title was agreed to.

#### CONSIDERATION OF AMENDMENTS

Senator Sorlie moved that the amendments to Senate Bill No. 24 as recommended by the Committee on Appropriations, and printed on page 95 of the Senate Journal, be adopted, which motion prevailed.

Senator Roen moved that the amendments to Senate Bill No. 30 as recommended by the Committee on Education, and printed on page 96 of the Senate Journal, be adopted, which motion prevailed.

Senator Ringsak moved that the amendments to Senate Bill No. 37 as recommended by the Committee on State and Federal Government, and printed on page 96 of the Senate Journal, be adopted, which motion prevailed.

Senator Ringsak moved that the amendments to Senate Bill No. 41 as recommended by the Committee on State and Federal Government, and printed on page 97 of the Senate Journal, be adopted, which motion prevailed.

Senator Ringsak moved that the amendments to Senate Bill No. 90 as recommended by the Committee on State and Federal Government, and printed on page 97 of the Senate Journal, be adopted, which motion prevailed.

Senator Roen moved that the amendments to Senate Bill No. 110 as recommended by the Committee on Education, and printed on page 98 of the Senate Journal, be adopted, which motion prevailed.

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

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

SIXTEENTH DAY

Bismarck, January 18, 1967

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

Prayer by Chaplain Rev. Lester A. Myers, First Church of the Nazarene, Mandan.

Our gracious Heavenly Father, we thank Thee for the privilege of having prayer before this day of legislative business. Realizing the importance of prayer and Divine guidance we pray that Thou wilt bestow upon these legislators the wisdom and good judgment to make laws, that will serve the best interests of this great state of ours. Wilt Thou not then guide in every item of business through out this day.

Through Jesus Christ our Lord — Amen.

Roll Call: All Senators present except Senators Beck and Wenstrom.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: 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 98, in line 19, delete the word "copy" and insert in lieu thereof the word "committee."

On page 101, after line 14, insert the following "adopted, which motion prevailed."

And when so corrected recommends that the same be approved.

SENATOR LOWE, Chairman

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

REPORTS 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 be amended as follows:

In line 3 delete the figure \$1,579,143.00 and insert in lieu thereof \$1,559,143.00.

Delete all of lines 12, 13 and 14.

In line 16 delete the figure \$1,579,143.00 and insert in lieu thereof \$1,559,143.00.

In line 18 delete the figure \$1,529,143.00 and insert in lieu thereof \$1,509,143.00.

In line 22 delete the figure \$1,579,143.00 and insert in lieu thereof \$1,559,143.00.

After line 24 add the following: SECTION 3. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

Remember the sections and lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee eliminated the \$20,000.00 fund to enlarge the



State Farm kitchen because it appeared not necessary at this time.

The committee added Section 3 to emphasize that money be spent for the purpose for which they were appropriated.

**SENATOR SORLIE, Chairman**

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 99 has had the same under consideration and recommends that the same do pass.

**SENATOR CHESROWN, Chairman**

Senator Chesrown 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:

In line 1 of the title delete the words "in the construction".

In line 2 of the title delete the word "industry".

Delete all of line 4.

In line 5 delete the following: "appurtenance, including moving, demolition and excavating,"

In line 7 after the word "the" delete the word "sole".

And renumber the lines accordingly.

And when so amended recommends the same do pass.

**SENATOR CHESROWN, Chairman**

Senator Chesrown 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 do pass.

**SENATOR CHESROWN, Chairman**

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 119 has had the same under consideration and recommends that the same do pass.

**SENATOR CHESROWN, Chairman**

Senator Chesrown 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. 121 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. 124 has had the same under consideration and recommends that the same be amended as follows:

In line 13 after the word "upon" insert the following: "written petition and"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

**SENATOR CHESROWN, Chairman**

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

### FIRST READING OF SENATE BILLS

Senator Trenbeath introduced:

**Senate Bill No. 163.** A Bill for an Act to amend and reenact section 24-02-08 of the North Dakota Century Code, relating to the providing of engineering consulting services by the highway department to governmental units.

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

Senators Larson (Burleigh), Sorlie and Ringsak introduced:

**Senate Bill No. 164.** A Bill for an Act to prohibit state, county, and local officials from printing their names on public documents and publications, except when such is required by law, and providing a penalty.

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

Senators Trenbeath, Sorlie, Decker, Becker, Mutch, Nasset, Freed, Roe, Robinson, Jacobson, Luick, Pyle, Morgan, Larson (Burleigh) Lips and Kautzmann introduced:

**Senate Bill No. 165.** A Bill for an Act to amend and reenact sections 15-40-18 and 15-40-19, subsection 4 of section 57-01-05, and subsection 11 of section 57-01-06 of the North Dakota Century Code, relating to sales ratio studies, manner of certifying per-pupil payments, and the duties of the state supervisor of assessments, and to repeal section 57-01-08, relating to county equalization fund payments and the sales ratio study.

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

Senators Kelly (Barnes), Lowe, Melland, and Larson (Burleigh) introduced:

**Senate Bill No. 166.** A Bill for an Act to amend and reenact subsection 2 of section 40-22-01 of the 1965 Supplement to the North Dakota Century Code, relating to permitting expense of decorative street lighting to be defrayed by special assessments.

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

Senator Longmire introduced:

**Senate Bill No. 167.** A Bill for an Act to amend and reenact section 50-24-12 of the 1965 Supplement of the North Dakota Century Code, relating to specific income exemptions in the determination of the amount of aid.

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

Senator Longmire introduced:

**Senate Bill No. 168.** A Bill for an Act to amend and reenact section 50-09-05 of the North Dakota Century Code and section 50-24-03 of the 1965 Supplement, both sections relating to residence eligibility requirements for public assistance.

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

Senators Freed and Ruummele introduced:

**Senate Bill No. 169.** A Bill for an Act to amend and reenact section 20-03-35 of the North Dakota Century Code, relating to misrepresentations in applications for licenses or permits and the alteration of licenses or permits.

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

Senators Freed and Nething introduced:

**Senate Bill No. 170.** A Bill for an Act to amend and reenact subdivision b of subsection 1 of section 39-08-01 of the 1965 Sup-

plement to the North Dakota Century Code, changing the words intoxicating liquor to alcoholic beverages.

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

Senators Coughlin, Decker, Sands, Meschke, Wilhite, Melland, Robinson, Wenstrom, Nething, Becker, Jacobson, Longmire, Schultz, Christensen, Nasset, Forkner, Hofstrand, Berube, Rait, Roen and Geving, introduced:

**Senate Bill No. 171.** A Bill for an Act providing an appropriation for the operation and related expenses of a state fair.

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

Senators Litten, Longmire, and Larson (Burleigh) introduced:

**Senate Bill No. 172.** A Bill for an Act to create and enact subsection 12 of section 57-02-05 and subsection 23 of section 57-02-08 of the North Dakota Century Code, relating to exempting improvements for public parking facilities, and to amend and reenact subsections 10 and 11 of section 57-02-05 and subsection 22 of section 57-02-08 of the North Dakota Century Code, relating to property classified as personal property and exemptions from taxation respectively.

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

Senators Lips, Longmire and Litten introduced:

**Senate Bill No. 173.** A Bill for an Act relating to the provision of off-street parking facilities by municipal action and by cooperation with public and private persons, firms and corporations; authorizing municipal and cooperative acquisition, construction, improvement, development, extension, financing, operation, maintenance and leasing of such facilities, and of usable commercial space above and below the same and adjacent thereto, and declaring an emergency.

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

Senators Wenstrom, Chesrown, Stroup and Rait introduced:

**Senate Bill No. 174.** A Bill for an Act to amend and reenact sections 26-22-11, 26-22-16 and 26-22-52 of the 1965 supplement to the North Dakota Century Code, relating to expiration dates on state hail insurance, compensation paid to assessors and county auditors for hail listings, and hail loss payments of less than one dollar, and declaring an emergency.

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

#### MESSAGE TO THE HOUSE

SENATE Chamber

Bismarck, January 18, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 49

Senate Bill No. 62

Senate Bill No. 64

Senate Bill No. 66

Senate Bill No. 67

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

LEO LEIDHOLM, Secretary

#### MOTION

The Lt. Gov. requested unanimous consent to re-refer Senate Bill No. 171 to the Committee on Appropriations. Senator Ringsak,

Chairman of the Committee on State and Federal Government, objected.

Senator Lips moved that Senate Bill No. 171 be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Lips moved that Senate Bill No. 171 be re-referred to the Committee on Appropriations, which motion prevailed.

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 94.** For an Act relating to a statement of legislative intent in regard to the employment of teachers, and providing for conferences when requested for the purpose of explaining reasons for discharge or failure to renew teaching contracts.

Was 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:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	

Absent and not voting:

Beck                      Wenstrom

So the bill passed and the title was agreed to.

**Senate Bill No. 109.** For an Act to create and enact subsection 6 of section 15-10-30 of the 1965 Supplement to the North Dakota Century Code, relating to the powers and duties of the higher education facilities commission.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 3; absent and not voting, 3.

Those voting in the affirmative were:

Becker	Hernett	Litten	Robinson
Berube	Hofstrand	Longmire	Roen
Butler	Holand	Lowe	Ruemmele
Chesrown	Jacobson	Luick	Sands
Christensen	Kautzmann	Melland	Schultz
Coughlin	Kelly, E.	Meschke	Sorlie
Decker	Kelly, M.	Nasset	Stafne
Forkner	Larsen, R.	Nothing	Torgerson
Freed	Larson, G.	Pyle	Trenbeath
Geving	Larson, L.	Rait	Wilhite
Goldberg	Lips	Redlin	

Those voting in the negative were:

Morgan                      Mutch                      Ringsak

Absent and not voting:

Beck                      Stroup                      Wenstrom

So the bill passed and the title was agreed to.

## MOTION

The question being on the motion of Senator Ringsak that the amendments to Senate Bill No. 73 be adopted, which motion prevailed.

Senator Longmire moved that the rules be suspended, that Senate Bill No. 73 be deemed properly reengrossed and placed on second reading and final passage, as amended from the floor, which motion prevailed.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 73.** For an Act to amend and reenact sections 43-04-23, 43-04-28, 43-04-32, and 43-04-38 of the North Dakota Century Code, relating to ages of apprentice barbers and requiring a high school education.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, on page 66 of the Senate Journal and from the floor, the roll was called and there were ayes, 38; nays, 9; absent and not voting 2.

Those voting in the affirmative were:

Becker	Hernett	Longmire	Redlin
Butler	Hofstrand	Lowe	Robinson
Chesrown	Holand	Luick	Sands
Christensen	Kautzmann	Melland	Schultz
Coughlin	Kelly, E.	Meschke	Sorlie
Decker	Kelly, M.	Nasset	Stafne
Forkner	Larsen, R.	Nothing	Stroup
Freed	Larsen, G.	Pyle	Trenbeath
Geving	Lips	Rait	Wilhite
Goldberg	Litten		

Those voting in the negative were:

Berube	Morgan	Ringsak	Ruemmele
Jacobson	Mutch	Roen	Torgerson
Larson, L.			

Absent and not voting:

Beck	Wenstrom
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So the bill passed and the title was agreed to.

## REPORT OF STANDING COMMITTEE

The question being on motion of Senator Mutch that the report of the Committee on Mileage and Per Diem, as amended, be adopted, the roll was called and there were ayes, 46; nays, 0; absent and not voting 3.

## ROLL CALL

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Ringsak
Berube	Holand	Luick	Robinson
Butler	Jacobson	Melland	Roen
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larsen, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire		

Absent and not voting:

Beck	Ruemmele	Wenstrom
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So the report was declared adopted.

## JOURNAL OF THE SENATE

## MESSAGES FROM THE HOUSE

House Chamber

Bismarck, January 18, 1967

Mr. President: I have the honor to return:

Senate Concurrent Resolution "K"

Senate Concurrent Resolution "L"

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, January 18, 1967

Mr. President: I have the honor to transmit:

House Bill No. 532

House Bill No. 575

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

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, January 18, 1967

Mr. President: I have the honor to transmit:

House Bill No. 506

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

ROY GILBREATH, Chief Clerk

Senator Lips moved that the Senate recess until 1:30 p.m., January 19, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary

"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### SIXTEENTH DAY AFTER RECESS AND SEVENTEENTH DAY

Bismarck, January 19, 1967

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

#### REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 24  
Senate Bill No. 30  
Senate Bill No. 41  
Senate Bill No. 84  
Senate Bill No. 90  
Senate Bill No. 110

And find the same correctly engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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. 73

And find the same correctly re-engrossed.

SENATOR WENSTROM, Chairman

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

#### REPORT 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 do pass.

SENATOR SORLIE, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 120 has had the same under consideration and recommends that the same be amended as follows:

In line 10 after the word "and" delete the words "after consultation with" and insert in lieu thereof the following "with approval of"

In line 12 after the word "evidence" delete the word "in" and insert in lieu thereof the following "the"

In line 14 after the word "order" delete the following ", and in" and insert in lieu thereof the following ". In"

And renumber the lines accordingly

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 126 has had the same under consideration and recommends that the same be amended as follows:

In line 4 after the word "individual" insert the following language "in writing or otherwise"

In line 5 after the word "shall" insert the following word "promptly"

In line 13 after the word "imprisonment" insert the following language "; nor shall such statement be used directly or indirectly in connection with any civil or criminal action"

And renumber the lines accordingly

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 127 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 129 has had the same under consideration and recommends that the same be amended as follows:

In line 1 of the title after the word "section" delete the figures "12-42-10" and insert in lieu thereof "12-42-09"

In line 1 of the bill after the word "Section" delete the figures "12-42-10" and insert in lieu thereof "12-42-09"

In line 3 delete the figures "12-42-10" and insert in lieu of "12-42-09"

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 130 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 131 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 132 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 amend and reenact section 35-01-26 of the North Dakota Century Code, relating to the sale or disposition of mortgaged property.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:



SECTION 1. AMENDMENT.) Section 35-01-26 of the 1965 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

35-01-26. DESTROYING, (((REMOVING,))) CONCEALING, SELLING PROPERTY SUBJECT TO LIEN — PENALTY.) Every person having in his possession or under his control any personal property upon which there is known to him to be a subsisting lien or security interest, by contract, or by operation of law, who willfully destroys, (((removes from the county,))) conceals, sells or in any manner disposes of such property or any part thereof otherwise than as prescribed by law, or by the security agreement or materially injures the same without the written consent of the holder of the lien or the secured party, is guilty of a misdemeanor if the value of the property does not exceed one hundred dollars, and shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the county jail for not more than thirty days, or by both such fine and imprisonment, and is guilty of a felony if the value of the property exceeds one hundred dollars."

And renumber the lines accordingly

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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 do pass.

SENATOR CHESROWN, Chairman

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

#### MOTIONS

Senator Meschke moved that Senate Bill No. 137 be returned to the Senate from the Committee on Judiciary, which motion prevailed.

Senator Meschke requested unanimous consent of the Senate to withdraw Senate Bill No. 137, which request was granted.

Senator Ringsak moved that Senate Bill No. 161 be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Ringsak moved that Senate Bill No. 161 be re-referred to the Committee on Judiciary, which motion prevailed.

Senator Litten moved that Senate Bill No. 172 be returned to the Senate from the Committee on Finance and Taxation, which motion prevailed.

Senator Litten moved that Senate Bill No. 172 be re-referred to the Committee on Political Subdivisions.

Senator Wenstrom moved that Senate Bill No. 174 be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Wenstrom moved that Senate Bill No. 174 be re-referred to the Committee on Industry, Business and Labor, which motion prevailed.

#### PERMANENT RULES

Senator Holand moved that the temporary rules of the Senate and temporary joint rules of the Senate and House of the Fortieth Legislative Assembly, be adopted, which motion prevailed.

#### FIRST READING OF SENATE BILLS AND SENATE CONCURRENT RESOLUTIONS

Senator Becker introduced:

**Senate Bill No. 175.** For an Act to amend and reenact section 57-38-30 of the North Dakota Century Code, relating to the rate of tax on corporations.

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

Senator Becker introduced:

**Senate Bill No. 176.** For an Act to amend and reenact subsection 20 of section 57-38-01 of the North Dakota Century Code, relating to definitions for income tax purposes.

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

Senator Becker introduced:

**Senate Bill No. 177.** For an Act to amend and reenact section 57-38-07 of the North Dakota Century Code, relating to income tax on fiduciaries.

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

Senator Becker introduced:

**Senate Bill No. 178.** For an Act to amend and reenact section 57-38-06 of the North Dakota Century Code, relating to application of income tax law to nonresident.

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

Senators Melland, Trenbeath, Roen, Larson (Burleigh), Decker, Ringsak and Holand introduced:

**Senate Bill No. 179.** For an Act to amend and reenact section 15-59-07 of the North Dakota Century Code, relating to the education of physically handicapped.

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

Senator Nething introduced:

**Senate Bill No. 180.** For an Act to provide for a combined law enforcement council and prescribing its duties and making an appropriation therefor and repealing laws creating peace officers commission, crime bureau advisory board and the law providing for district judges to make jail regulations for county jails.

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

Senator Longmire introduced:

**Senate Bill No. 181.** For an Act relating to the regulation of pre-need funeral service contracts, providing penalties, and to amend and reenact section 23-06-03.1 of the North Dakota Century Code, relating to deposit, safekeeping, and withdrawal of payments upon pre-need funeral service contracts.

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

Senator Longmire introduced:

**Senate Bill No. 182.** For an Act to amend and reenact section 54-35-10 of the North Dakota Century Code, relating to compensation of members of the legislative research committee and legislative audit and fiscal review committee.

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

Senators Larson (Burleigh) and Trenbeath introduced:

**Senate Bill No. 183.** For an Act to amend and re-enact Sections 61-16-02, 61-16-03, 61-16-08, 61-16-09, 61-16-13, 61-16-07, 61-16-23, 61-16-42, and to create and enact Section 61-16-49 relating to creation, operation, and dissolution of water management districts.

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

Senator Holand introduced:

**Senate Bill No. 184.** For an Act to amend and reenact section 39-07-07 of the 1965 Supplement to the North Dakota Century Code relating to arresting person for violating traffic regulations and to amend and reenact sections 39-07-08 and 39-07-09 of the North Dakota Century Code relating to hearing upon arrest and release upon promise to appear, and providing a penalty.

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

Senator Holand introduced:

**Senate Bill No. 185.** For an Act to amend and reenact subsection 1 of section 39-04-18 of the 1965 Supplement to the North Dakota Century Code, relating to registration of motor vehicles.

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

Senator Holand introduced:

**Senate Bill No. 186.** For an Act to amend and reenact section 39-10-51 of the North Dakota Century Code, relating to unattended motor vehicle.

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

Senators Longmire, Larsen and Lowe introduced:

**Senate Bill No. 187.** For an Act to amend and reenact section 15-10-28 of the North Dakota Century Code, relating to reciprocal agreements in regard to nonresident tuition fees at institutions of higher education.

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

Senators Larson (Burleigh), Lips and Wilhite introduced:

**Senate Bill No. 188.** For an Act to amend and reenact section 15-18-07 of the 1965 Supplement to the North Dakota Century Code relating to state aid for junior colleges or educational centers.

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

Senators Lips, Trenbeath, Morgan and Schultz introduced:

**Senate Bill No. 189.** For an Act to amend and reenact subsections 3, 6 and 7 of section 54-52-01, section 54-52-02, section 54-52-03, section 54-52-05, section 54-52-11, section 54-52-19, section 54-52-20 and section 54-52-22 of the 1965 Supplement to the North Dakota Century Code, relating to employees retirement plan, and extending the coverage thereof to county employees.

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

Senators Longmire, Lowe and Larsen introduced:

**Senate Bill No. 190.** For an Act relating to the Profession of Psychology, providing for the Licensing and Regulation of Psychologists, and Creating a State Board of Examiners, Prescribing its Powers and Duties, and Providing Penalties for Violations.

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

Senator Larson (Burleigh) introduced:

**Senate Bill No. 191.** For an Act to create and enact section 44-08-01.1 of the North Dakota Century Code, relating to the requiring of political subdivisions to accept only sealed bids whenever bids are required by law or administrative decision.

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

Senators Chesrown, Longmire, Holand and Meschke introduced:

**Senate Bill No. 192.** A Bill for an Act to provide a uniform method of apportioning federal and state estate taxes among persons sharing in the distribution of the estate of a decedent, to amend and reenact section 57-37-14 of the North Dakota Century Code, to amend and reenact subsections 3 and 4 of section 57-37-23 of the 1965 Supplement to the North Dakota Century Code and to amend and reenact subsection 1 of section 57-37-27 of the 1965 Supplement to the North Dakota Century Code, relating to the determination and apportionment of estate taxes among beneficiaries of a decedent's estate.

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

Senators Holand and Meschke introduced:

**Senate Bill No. 193.** A Bill for an Act to amend and reenact subdivision k of subsection 2 of section 57-37-11, sections 57-37-15 and 57-37-17, subdivision c of subsection 3 of section 57-37-21 of the North Dakota Century Code, relating to the administration of the estate tax law.

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

Senators Longmire, Lowe and Larsen introduced:

**Senate Bill No. 194.** A Bill for an Act to amend and reenact subdivision a of subsection 4 and subdivision a of subsection 8 of section 65-01-02 of the North Dakota Century Code, relating to Workmen's Compensation definitions.

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

Senators Becker, Melland, Nasset, Larson (Burleigh), Butler, Geving, Kelly (pt. Barnes), Lowe, Mutch, Freed, Hofstrand, Coughlin, Jacobson, Robinson, Redlin, Morgan, Luick, Lips, Kelly (Ramsey), Trenbeath, Torgerson, Nething, Sorlie, Schultz, Ringsak, Cheshorn, Sands, Hernet, Pyle, Forkner, and Larsen introduced:

**Senate Bill No. 195.** A Bill for an Act to create and enact section 57-02-29.1 of the North Dakota Century Code, providing that any real or personal property taxes levied and payable shall not exceed two percent of the current market value of the property upon which such taxes are levied.

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

Senators Kelly (Ramsey) and Litten introduced:

**Senate Bill No. 196.** A Bill for an Act to create and enact a new subsection 7 of section 57-15-10 of the North Dakota Century Code, relating to exceptions to tax levy limitations in cities and villages, to permit a tax levy for the purpose of establishing, maintaining and operating municipal ambulance service if favorably voted upon by the voters of the municipality.

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

Senators Goldberg and Pyle introduced:

**Senate Bill No. 197.** A Bill for an Act to provide for purchase of motor vehicles by counties for use by county officials and employees in lieu of payment of mileage and to provide restrictions upon such use.

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

Senator Longmire introduced:

**Senate Bill No. 198.** A Bill for an Act to amend and reenact section 65-05-25 of the North Dakota Century Code, relating to decisions of the workmen's compensation bureau in making lump sum settlements from the workmen's compensation fund.

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

Senator Larson (Burleigh) introduced:

**Senate Bill No. 199.** A Bill for an Act to amend and reenact Section 52-04-03 of the North Dakota Century Code, pertaining to rates and wage base for unemployment compensation contributions; and to amend and reenact subsection 1 of section 52-04-06 of the 1963 supplement to the North Dakota Century Code related to the variation in standard rate of unemployment compensation contributions and the schedule of rates.

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

Senators Stroup, Kelly (pt. Barnes) introduced:

**Senate Bill No. 200.** A Bill for an Act to amend and reenact subsection 1 of Section 57-15-12 of the North Dakota Century Code relating to tax levy limitations in park districts.

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

Senators Meschke and Wenstrom introduced:

**Senate Bill No. 201.** A Bill for an Act to amend and reenact section 54-27-04 of the North Dakota Century Code, relating to the duties of the county treasurer in transmitting to the state taxes collected for the state, and relating to the duties of and the procedures to be followed by the state treasurer and the director of accounts and purchases upon receiving the state taxes collected by the county, and to repeal sections 54-27-05 and 54-27-06 of the North Dakota Century Code, relating to the procedures on state taxes collected and transmitted.

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

Senators Lowe and Longmire introduced:

**Senate Bill No. 202.** A Bill for an Act to create and enact section 43-13-30 of the North Dakota Century Code, relating to reports and testimony accepted, non-discrimination and freedom of choice of ocular practitioner.

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

Senators Rait and Geving introduced:

**Senate Bill No. 203.** A Bill for an Act to amend and reenact section 6-06-08 of the North Dakota Century Code, relating to credit union supervision, reports, examination and fees.

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

Senators Rait, Lowe, Wenstrom, Lips, Kautzmann, Meschke, Larson (Pt. Walsh-Nelson) introduced:

**Senate Bill No. 204.** A Bill for an Act relating to motor vehicles used by common carriers by rail to transport workers to and from their places of employment or during the course of their employment and directing the Public Service Commission to prepare rules and regulations regulating such motor vehicles; and providing penalties for violation and the enforcement hereof.

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

Senators Trenbeath and Becker introduced:

**Senate Bill No. 205.** A Bill for an Act to create and establish the office of county supervisor of assessments, to prescribe the duties therefor and to provide for a tax levy; to provide for the appointment of city assessors; to provide for equalization of property assessments; to amend and reenact sections 40-07-08, 40-14-04, subsection 4 of section 57-01-05, subsection 11 of section 57-01-06, sections 57-02-11, 57-02-12, 57-02-14, 57-02-17, 57-02-18, 57-02-22,

57-02-31, 57-02-37, 57-03-01, 57-03-02, 57-13-07, 57-13-08, 57-14-01, 57-14-02, 57-14-05, 57-55-01, 57-55-02, 57-55-03, 57-55-04, 57-55-06, 57-55-08, and 57-55-12 of the North Dakota Century Code; to repeal sections 4-01-02, 4-01-03, 4-01-05, 4-01-06, 4-01-07, 4-01-08, 4-01-09, 4-01-10, 4-01-11, 4-01-12, 4-21-04, 11-10-02.2, 57-02-29, 57-02-32, 57-02-33, 57-02-34, 57-09-02, 57-09-04, 57-09-05, 57-09-06, 57-10-02, 57-10-03, 57-11-02, 57-11-03, 57-11-04, 57-11-05, 57-12-02, 57-12-04, 57-12-06, 57-12-09, 57-14-03, 57-31-01, 58-05-18, 61-20-05, and chapters 40-19 and 58-09 of the North Dakota Century Code.

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

Senator Larson (Burleigh) introduced:

**Senate Concurrent Resolution "M".** A Concurrent Resolution urging the Corps of Engineers to construct and maintain at federal expense additional bank stabilization works on the Missouri River, North Dakota.

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

Senators Lips and Meschke introduced:

**Senate Concurrent Resolution "N".** A Concurrent Resolution to amend and reenact section 174 of the Constitution of the state of North Dakota, relating to the four-mill levy for state expenses and to authorize a bond issue.

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

Senator Forkner introduced:

**Senate Concurrent Resolution "O".** A Concurrent Resolution providing for a study by the legislative research committee of means of coordination of law enforcement programs, agencies, improvement of police services, and of levels of law enforcement.

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

Senator Forkner introduced:

**Senate Concurrent Resolution "P".** A Concurrent Resolution authorizing the appointment of a special joint committee to consider relocation of the Legislative portion of the state capitol building from Bismarck to a more suitable location.

Was read the first time.

#### MOTION

Senator Forkner moved that the rules be suspended, that Senate Concurrent Resolution "P" be not printed as a bill, but printed in the Journal, and placed on second reading and final passage, which motion prevailed.

#### SENATE CONCURRENT RESOLUTION "P"

Introduced by Senator Forkner

A concurrent resolution authorizing the appointment of a special joint committee to consider relocation of the Legislative portion of the state capitol building from Bismarck to a more suitable location.

- 1 WHEREAS, the due and careful consideration of legislative
- 2 matters requires the undivided attention of the members of the
- 3 Legislative Assembly, and
- 4 WHEREAS, such undivided attention is impossible when the
- 5 pressing personal problems of the members are augmented,
- 5a heightened,
- 6 aggravated and increased by the undue lack of consideration of
- 7 those responsible for certain arrangements, and
- 8 WHEREAS, the most urgent question of the day is more and
- 8a more

9 frequently not related to legislation but is resolved in the  
 10 question "Shall I put the chains on my car?" which question  
 10a must  
 11 always be answered affirmatively on week-ends, and  
 12 WHEREAS, the Bismarck Chamber of Commerce no longer  
 12a used the  
 13 slogan "Where the sunshine spends the winter" at least on  
 13a week-  
 14 ends, and  
 15 WHEREAS, numerous members of this Assembly would like  
 15a to get  
 16 home at least once on a week-end during the session; a  
 16a situation  
 17 most impossible under recent weather conditions, and  
 18 WHEREAS, the members would like and justly demand  
 18a warmer  
 19 temperatures so they may return their attention to matters at  
 19a hand  
 20 in their work;  
 21 NOW, THEREFORE, BE IT RESOLVED BY THE  
 22 SENATE OF THE STATE OF NORTH DAKOTA, THE  
 23 HOUSE OF REPRESENTATIVES CONCURRING  
 24 THEREIN:  
 25 That a special committee to relocate the legislative wing of  
 26 the capitol building to a warmer, sunnier, less windy location  
 27 is hereby authorized, with special attention to be given to  
 28 another location within the state where high temperatures are  
 29 prevalent; such committee to be known as the Hot Air  
 29a Committee.

#### SECOND READING OF A SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution "P".** A Concurrent Resolution authorizing the appointment of a special joint committee to consider relocation of the Legislative portion of the state capitol building from Bismarck to a more suitable location.

Was read the second time.

Senator Forkner moved that Senate Concurrent Resolution "P" be adopted, which motion was declared lost.

#### FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

**House Bill No. 506.** 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.

**House Bill No. 532.** For an Act to amend and reenact section 57-50-04 of the North Dakota Century Code, relating to motor fuel tax refunds.

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

**House Bill No. 560.** For an Act to amend and reenact section 40-05-09.1 of the 1965 Supplement to the North Dakota Century Code relating to a tax levy for fire department stations.

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

**House Bill No. 562.** For an Act to amend and reenact section 40-57-10 of the 1965 Supplement to the North Dakota Century Code, relating to the sale of revenue bonds.

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

**House Bill No. 575.** A Bill for an Act to amend and reenact sections 4-02-06, 4-02-21, 4-06-01, 4-06-02, 4-06-10, 4-06-11, 4-13-01, 4-13-04, 4-22-03, 4-23-13, 4-27-04, 23-22-02, 53-01-02, 54-16-01,

54-17-02, 54-21-02, 54-36-01, 55-01-01, 57-13-01, and 61-02-04 of the North Dakota Century Code, changing the name of the office of commissioner of agriculture and labor to commissioner of agriculture and removing him from the state historical society board.

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

**House Concurrent Resolution "I".** A Concurrent Resolution relating to the incentive system for the payment of salaries and wages in public and private employment.

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

**House Concurrent Resolution "J".** A Concurrent Resolution expressing approval of the manner in which progress towards the Garrison diversion is being undertaken.

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

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

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

#### SEVENTEENTH DAY

Bismarck, January 19, 1967

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

Prayer by Chaplain Rev. Frank Rumer, Methodist, Mandan.

**LET US PRAY:** Our Heavenly Father, during the busy days of this legislative assembly we need to quiet ourselves before Thee. As we share our time, discussing, contemplating, making decisions, will Thou share with each one, wisdom and understanding.

These are the elected representatives of our people, and each is eager to be heard and, to promote the welfare of the state. Guide these senators as they seek to provide leadership, goals, and, make decisions, so that all who observe will be blessed. Grant to each one a warm personal inner radiant faith in Thee.

As the Psalmist has admonished: (Psalm 37:)

"Trust in the Lord and do good; Delight thyself also in the Lord and He shall give thee the desires of thine heart. Commit thy ways unto the Lord, trust also in Him, and He shall bring it to pass. Rest in the Lord and wait patiently for Him. Cease from anger, and forsake wrath. Fret not thyself in any wise to do evil."

God bless each Senator working at his desk this day. AMEN

Roll call: All Senators present except Senator Beck.

A quorum was declared by the President.

#### CORRECTION AND REVISION

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 finds the same correct.

SENATOR LOWE, Chairman

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

#### REPORT OF STANDING COMMITTEE

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

Senate Bill No. 37

And find the same correctly engrossed.

SENATOR WENSTROM, Chairman

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



## CONSIDERATION OF AMENDMENTS

Senator Sorlie moved that the amendments to Senate Bill No. 10 as recommended by the Committee on Appropriations, and printed on page 118 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill No. 106 as recommended by the Committee on Judiciary, and printed on page 119 of the Senate Journal, be adopted.

Senator Meschke made the substitute motion that Senate Bill No. 106 re-referred to the Committee on Judiciary, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill No. 124 as recommended by the Committee on Judiciary, and printed on page 119 of the Senate Journal, be adopted, which motion prevailed..

## SECOND READING OF SENATE BILLS

**Senate Bill No. 24.** For an Act making an appropriation for the maintenance of the North Dakota National Guard as provided for by Title 37 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, on page 95 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	

Absent and not voting:

Beck Trenbeath

So the bill passed and the title was agreed to.

**Senate Bill No. 30.** For an Act to provide for the authorization of contingency funds to institutions under the board of higher education.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, on page 96 of the Senate Journal, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Becker	Hofstrand	Longmire	Ringsak
Berube	Holand	Lowe	Robinson
Butler	Jacobson	Melland	Roen
Chesrown	Kautzmann	Meschke	Ruemmele
Christensen	Kelly, E.	Morgan	Sands
Coughlin	Kelly, M.	Mutch	Schultz
Decker	Larsen, R.	Nasset	Sorlie
Forkner	Larson, G.	Nething	Stafne
Freed	Larson, L.	Pyle	Stroup
Geving	Lips	Rait	Torgerson
Goldberg	Litten	Redlin	Wenstrom
Hernett			

Those voting in the negative were:

Luick Wilhite

Absent and not voting:

Beck Trenbeath

So the bill passed and the title was agreed to.

**Senate Bill No. 37.** For an Act to amend and reenact sections 19-05-05, 19-05-06, 19-05-07, subsection 2 of section 19-06-01, sections 19-07-04, 19-07-05, 19-08-03, 19-08-04, 19-14-02, and 19-17-02 of the North Dakota Century Code, relating to the licensing of oleomargarine dealers, imitation ice cream, the licensing and bonding of egg dealers, the labeling and licensing of beverages, the registration of livestock medicines, and flour standards, and to repeal section 19-01-05 of the North Dakota Century Code, relating to sheriffs as local inspectors for the state laboratories department.

Was read the second time.

Senator Ringsak moved that Senate Bill No. 37 be amended as follows:

In line 2 of the title delete the following: "subsection 2 of section" and delete the word "sections" and insert in lieu thereof "19-06-02,"

Which motion prevailed.

Senator Ringsak moved that the rules be suspended, that Senate Bill No. 37 be deemed properly re-engrossed and placed on second reading and final passage, as amended from the floor and on page 96 of the Senate Journal, which motion prevailed.

#### ROLL CALL

The question being on the final passage of Senate Bill No. 37, as amended, from the floor and on page 96 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	

Absent and not voting:

Beck Trenbeath

So the bill passed and the title was agreed to.

**Senate Bill No. 41.** For an Act to amend and reenact sections 4-29-04, 4-30-47, and 23-01-16 of the North Dakota Century Code, relating to the powers and duties of the dairy commissioner, disputes over butterfat contained in milk and cream, and to joint standards for dairy products, and to create a method for the transfer of the laboratory equipment of the dairy department of the department of agriculture and labor to the state laboratory.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 97 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen

Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	

Absent and not voting:  
Beck Trenbeath

So the bill passed and the title was agreed to.

**Senate Bill No. 90.** A Bill for an Act to amend and reenact sections 54-16-03 and 54-16-04 of the North Dakota Century Code, relating to authority of emergency commission.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 97 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	

Absent and not voting:  
Beck Trenbeath

So the bill passed and the title was agreed to.

**Senate Bill No. 99.** For an Act to amend and reenact section 57-37-29 of the 1965 Supplement to the North Dakota Century Code, relating to the retention and condition for transfer of assets in a decedent's estate.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Nasset	Sorlie
Decker	Larsen, R.	Nething	Stafne
Forkner	Larson, G.	Pyle	Stroup
Freed	Larson, L.	Rait	Torgerson
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Hernett	Longmire		

Those voting in the negative were:

Mutch

Absent and not voting:

Beck Trenbeath

So the bill passed and the title was agreed to.

**Senate Bill No. 110.** For an Act to amend and reenact section 54-24-08 of the North Dakota Century Code, relating to rural library services.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 98 of the Senate Journal, the roll was called and there were ayes 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	

Absent and not voting:

Beck Trenbeath

So the bill passed and the title was agreed to.

**Senate Bill No. 114.** For an Act to repeal section 12-33-02 of the North Dakota Century Code, relating to attempting suicide — punishment.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 30; nays, 17; absent and not voting, 2.

Those voting in the affirmative were:

Becker	Hernett	Lips	Pyle
Berube	Holand	Litten	Rait
Chesrown	Jacobson	Longmire	Redlin
Christensen	Kautzmann	Lowe	Ruemmele
Coughlin	Kelly, E.	Melland	Sorlie
Decker	Kelly, M.	Meschke	Stafne
Freed	Larsen, R.	Nasset	Wenstrom
Geving	Larson, G.		

Those voting in the negative were:

Butler	Luick	Ringsak	Schultz
Forkner	Morgan	Robinson	Stroup
Goldberg	Mutch	Roen	Torgerson
Hofstrand	Nothing	Sands	Wilhite
Larson, L.			

Absent and not voting:

Beck Trenbeath

So the bill passed and the title was agreed to.

#### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, January 19, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 11  
Senate Bill No. 12  
Senate Bill No. 15

Senate Bill No. 16  
 Senate Bill No. 26  
 Senate Bill No. 28  
 Senate Bill No. 31  
 Senate Bill No. 40  
 Senate Bill No. 48  
 Senate Bill No. 60  
 Senate Bill No. 65  
 Senate Bill No. 69  
 Senate Bill No. 70  
 Senate Bill No. 71  
 Senate Bill No. 73  
 Senate Bill No. 78  
 Senate Bill No. 81  
 Senate Bill No. 84  
 Senate Bill No. 94  
 Senate Bill No. 109

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

LEO LEIDHOLM, Secretary

Senate Chamber  
 Bismarck, January 19, 1967

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "H"

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

LEO LEIDHOLM, Secretary

#### MESSAGES FROM THE HOUSE

House Chamber  
 Bismarck, January 19, 1967

Mr. President: I have the honor to transmit:

House Bill No. 579  
 House Bill No. 583  
 House Bill No. 592  
 House Bill No. 606  
 House Bill No. 544  
 House Bill No. 547  
 House Bill No. 559

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

ROY GILBREATH, Chief Clerk

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Employment to whom was referred House Concurrent Resolution "H" has had the same under consideration and recommends that the same be amended as follows:

In line 59 delete the figure "15.00" and insert in lieu thereof "12.00"

In line 60 delete the figure "12.00" and insert in lieu thereof "14.00"

In line 90 delete the figure "15.00" and insert in lieu thereof "12.00"

In line 99 after the word "Bilden," delete the word "Typist —" and the figure "14.00" and insert in lieu thereof "12.00"

In line 109 after the word "Frieda" delete the word "Schlat" and insert in lieu thereof "Schlaht"

And when so amended recommends the same do pass.

SENATOR ROBINSON, Chairman

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

Senator Robinson moved that the rules be suspended and that the amendment to House Concurrent Resolution "H" be adopted, which motion prevailed.

Senator Robinson moved that the rules be suspended and that House Concurrent Resolution "H" be placed on second reading and final passage as amended, which motion prevailed.

#### SECOND READING OF A HOUSE CONCURRENT RESOLUTION

**Senate Concurrent Resolution "H".** A Concurrent Resolution recognizing North Dakota's favorite son, Mr. Lawrence Welk.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting 5.

Those voting in the affirmative were:

Becker	Holand	Low	Ringsak
Berube	Jacobson	Luick	Robinson
Butler	Kautzmann	Melland	Roen
Chesrown	Kelly, E.	Meschke	Ruemmele
Coughlin	Kelly, M.	Morgan	Sands
Decker	Larsen, R.	Mutch	Schultz
Forkner	Larson, G.	Nasset	Stafne
Freed	Larson, L.	Nething	Stroup
Goldberg	Lips	Pyle	Torgerson
Hernett	Litten	Rait	Wenstrom
Hofstrand	Longmire	Redlin	Wilhite

Absent and not voting:

Beck	Geving	Sorlie	Trenbeath
Christensen			

So the resolution was declared adopted.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 19, 1967

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "H"

Which the Senate has amended.

LEO LEIDHOLM, Secretary

#### RECOGNITION

Senator Christensen announced that former Senator Orville Witteman was a guest in the chambers and requested that former Senator Witteman be recognized by the Senate, which request was granted, and former Senator Witteman was recognized by the Senate.

Senator Roen announced that former Senator Lloyd Erickson was a guest in the chambers and requested that former Senator Erickson be recognized by the Senate, which request was granted, and former Senator Erickson was recognized by the Senate.

Senator Lips moved that the Senate recess until 1:30 p.m., January 20, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary

"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### SEVENTEENTH DAY AFTER RECESS AND EIGHTEENTH DAY

Bismarck, January 20, 1967

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

#### REPORTS OF STANDING COMMITTEE

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

Senate Bill No. 10

Senate Bill No. 124

And find the same correctly Engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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. 37

And find the same correctly Re-Engrossed.

SENATOR WENSTROM, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 46, has had the same under consideration and recommends that the same be amended as follows:

In line 62 of the title after the comma insert the following: "contracts by municipalities, municipal ordinances providing for the sale of property,"

In line 2025 after the triple parentheses following the word "two" delete the words "one hundred" and insert in lieu thereof the word "fifty"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR REDLIN, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 56, has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

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

Mr. President: Your Committee on Political Subdivisions to

whom was referred Senate Bill No. 59, has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 75, 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 Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 95, 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 Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 107, 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 Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 122, has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman

Senator Ringsak moved that the report be adopted.

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

#### ROLL CALL

The question being on the motion of Senator Ringsak that the committee report on Senate Bill No. 22 be adopted, the roll was called and there were ayes, 36; nays, 12; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Morgan	Sands
Coughlin	Kelly, E.	Mutch	Schultz
Forkner	Kelly, M.	Nasset	Sorlie
Freed	Larson, G.	Nething	Stafne
Goldberg	Lips	Pyle	Torgerson
Hernett	Litten	Ringsak	Trenbeath
Hofstrand	Lowe	Robinson	Wilhite

Those voting in the negative were:

Berube	Geving	Longmire	Redlin
Christensen	Larsen, R.	Meschke	Stroup
Decker	Larson, L.	Rait	Wenstrom

Absent and not voting:

Beck

So the motion was declared adopted.

#### REPORTS OF STANDING COMMITTEE

Mr. President: Your Committee on Social Welfare and Veterans' Affairs 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 16 after the word "both" delete the following "arms or" 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 Senate Bill No. 152 has had the same under consideration and recommends that the same be amended as follows:

In line 10 after the word "compensation" insert the word "bureau" and 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.

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 20, 1967

Mr. President: I have the honor to return:

Senate Concurrent Resolution "H"

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

#### CONSIDERATION OF AMENDMENTS

Senator Chesrown moved that the amendments to Senate Bill No. 120 as recommended by the Committee on Judiciary, and printed on page 125 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill No. 126 as recommended by the Committee on Judiciary, and printed on page 126 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill No. 129 as recommended by the Committee on Judiciary, and printed on page 126 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill No. 132 as recommended by the Committee on Judiciary and printed on pages 126 and 127 of the Senate Journal, be adopted, which motion prevailed.

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

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

#### EIGHTEENTH DAY

Bismarck, January 20, 1967

The Senate convened at 2:00 p.m., the President presiding. Prayer by Chaplain Rev. Ben Dove, First Presbyterian, Mandan.

Our Lord and God, source of all wisdom and truth and joy, we give Thee thanks for sharing with us the dignity and responsibility of making up our own minds. Forgive us when pride or stubbornness or greed or fear has been the source of our decisions. Even as we recognize our weakness, give us the grace and courage not to blame or hate others for our failures. Remind us again of Thy love for us — even as we sin. Remind us of Thy continued call to build and nurture in accord with Thy plan for this state.

We give thanks for this vast and fruitful country entrusted to our care. Grant that the comfort and security we enjoy will never insulate us from the sharp chill and hunger, the despair of those denied the opportunities we take for granted.

Especially in these days, guide and encourage the President of the United States, the governor of this state, and these men whom we have elected to rule us. Be with those in service, who each day put their lives on the line between tyranny and our freedom.

As the Senate turns to today's labor, may they in like devotion work together for the common good.

In the name of Jesus Christ — Amen.

Roll call: All Senators present except Senator Beck.

A quorum was declared by the President.

#### CORRECTION AND REVISION

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 recommends that the same be corrected as follows:

On page 140, delete lines 9 and 10 and insert in lieu thereof the following: "House Concurrent Resolution "H". A Concurrent Resolution providing and designating House and Senate employees and naming and fixing their salaries."

And when so corrected recommends that the same be approved.

SENATOR LOWE, Chairman

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

#### MESSAGES FROM THE HOUSE

House Chamber

Bismarck, January 20, 1967

Mr. President: I have the honor to transmit:

House Bill No. 570  
House Bill No. 571  
House Bill No. 572  
House Bill No. 573  
House Bill No. 598  
House Bill No. 601  
House Bill No. 602  
House Bill No. 603  
House Bill No. 616

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

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, January 20, 1967

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

Very respectfully,

ROY GILBREATH, Chief Clerk

#### FIRST READING OF SENATE BILLS AND SENATE CONCURRENT RESOLUTIONS

Senators Becker, Coughlin, Decker and Goldberg introduced:

**Senate Bill No. 206.** A Bill for an Act to create and enact sections 57-38-58, 57-38-59, 57-38-60, and 57-38-61 of the North Dakota Century Code, relating to withholding of income taxes from wages of nonresident employees, and providing an effective date and penalties.

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

Senators Redlin, Sands, Hofstrand, Schultz and Nething introduced:

**Senate Bill No. 207.** A Bill for an Act providing for the allocation of one-sixth of the state motor vehicle fuel tax to the municipalities of the state for the purpose of construction, reconstruction, maintenance and repair of the streets and public ways of said municipalities, to be credited to said municipalities by apportionment according to population, and amending and reenacting section 57-54-14 of the North Dakota Century Code.

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

Senators Wenstrom and Morgan introduced:

**Senate Bill No. 208.** A Bill for an Act to create and enact sections 4-12-03.1 and 4-12-03.2 of the North Dakota Century Code, relating to the establishment, registration, and retention of beehive or colony location rights, and to amend and reenact sections 4-12-01, 4-12-03, 4-12-20, and 4-12-22 of the North Dakota Century Code, relating to definitions concerning bees, beekeepers' licenses, the penalty for unlawful transportation or maintenance of bees, inspection fees paid for bees being brought into the state, and declaring an emergency.

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

Senators Becker, Rait, Pyle, Jacobson, Kautzmann, and Torgerson introduced:

**Senate Bill No. 209.** A Bill for an Act to amend and reenact section 57-15-06 of the North Dakota Century Code, relating to limitations on county tax levies.

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

Senators Goldberg, Nasset, Lowe, Jacobson, and Litten introduced:

**Senate Bill No. 210.** A Bill for an Act to amend and reenact section 39-04-15 of the North Dakota Century Code, relating to motor vehicle registration fees.

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

Senators Lowe, Longmire and Meschke introduced:

**Senate Bill No. 211.** A Bill for an Act to amend and reenact section 34-12-08 of the 1965 Supplement to the North Dakota Century Code relating to labor management relations empowering the commissioner of labor to provide for the reinstatement of employees with or without back pay.

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

Senators Lowe, Longmire and Meschke introduced:

**Senate Bill No. 212.** A Bill for an Act to amend and reenact section 34-12-10 of the 1965 Supplement to the North Dakota Century Code relating to labor-management relations and to apply the provisions of chapter 28-32 thereto.

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

Senators Lowe and Meschke introduced:

**Senate Bill No. 213.** A Bill for an Act to provide for the appointment of mediators to labor disputes and the compensation therefor.

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

Senators Kautzmann and Butler introduced:

**Senate Bill No. 214.** A Bill for an Act to regulate the practice of engineering and land surveying; provide for the registration of qualified persons as engineers and land surveyors, and the certification of engineers-in-training; define the terms "engineer," "professional engineer," "engineer-in-training," "landsurveyor" and "practice of engineering"; create a state board of registration for professional engineers and land surveyors and provide for the appointment and compensation of its members; fix the term of members of the board and define its powers and duties; set forth the minimum qualifications and other requirements for registration as a professional engineer, land surveyor and certification as an engineer-in-training; establish registration fees with expiration and renewal requirements; impose certain duties upon the state and political subdivision thereof in connection with public work, and provide for the enforcement of this Act and penalties for its violation; and to repeal Chapter 43-19 and Chapter 43-24 of the North Dakota Century Code.

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

Senator Holand introduced:

**Senate Bill No. 215.** A Bill for an Act to amend and reenact subsection 4 of section 39-03-09 of the North Dakota Century Code, relating to the powers of the highway patrol, and to repeal section 39-03-10 of the North Dakota Century Code, relating to the inspection of motor vehicles by the highway patrol.

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

Senators Hernet, Meschke and Lips introduced:

**Senate Bill No. 216.** A Bill for an Act to amend and reenact section 21-10-08 of the 1965 Supplement to the North Dakota Century Code, relating to reserves and their percentage limitations and standards therefor in investing state trust funds.

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

Senator Meschke introduced:

**Senate Bill No. 217.** A Bill for an Act to amend and reenact sections 15-27-04, 15-27-05, subsection 2 of section 15-53-02, and sections 15-53-05, 15-53-06, 15-53-06.1, 15-53-07, 15-53-08, 15-53-09, 15-53-10, 15-53-11, 15-53-12, 15-53-13, 15-53-16, 15-53-18, 15-53-20, 15-53-21, 15-53-22, 15-53-23, 15-53-25, 15-53-26, 15-53-29, and 15-53-32 of the North Dakota Century Code, relating to changing the county committee to a regional committee for school district reorganization.

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

Senators Mutch, Ringsak, Becker, Coughlin, Torgerson and Robinson introduced:

**Senate Bill No. 218.** A Bill for an Act to amend subsection 15 of section 52-01-01 of the 1965 Supplement to the North Dakota Century Code by the creation of subdivision k, relating to the definition of employment under the social security laws.

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

Senators Lips and Meschke introduced:

**Senate Bill No. 219.** A Bill for an Act to create and enact sections 54-42-03.1 and 54-42-09 of the North Dakota Century Code, relating to powers and duties of the director of the merit system council, and to salaries, benefits, tenure, and security for all state employees

covered by the complete merit system on or before January 1, 1971; to amend and reenact sections 54-42-01, 54-42-02, 54-42-03, 54-42-06, and 54-42-08 of the North Dakota Century Code, relating to the establishment of a North Dakota merit system council; organization, meetings, compensation, powers, and duties; agencies subject to the merit system; and transfer of employees under the merit system; and to repeal section 54-42-07, relating to the transfer of records and other materials of the merit system council.

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

Senator Lips introduced:

**Senate Bill No. 220.** A Bill for an Act to provide for the reimbursement of extraordinary expenses incurred by the highway commissioner in the discharge of his official duties.

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

Senator Lips introduced:

**Senate Bill No. 221.** A Bill for an Act to sell the North Dakota state highway maintenance building in Medora, and to construct a new maintenance building out of the funds derived therefrom, and declaring an emergency.

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

Senators Litten and Butler introduced:

**Senate Bill No. 222.** A Bill for an Act to amend and reenact section 57-15-08 of the North Dakota Century Code, relating to tax levy limitations in cities.

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

Senator Decker introduced:

**Senate Bill No. 223.** A Bill for an Act to require any entity of this state to pay defendant's expenses in eminent domain proceedings which after having been commenced are withdrawn or dismissed.

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

Senators Pyle and Trenbeath introduced:

**Senate Bill No. 224.** A Bill for an Act to permit restricted changes in school district boundaries with retention of equivalent taxable valuation by the district involved and retention of substantially similar district boundaries.

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

Senators Kelly (Ramsey) and Larson (Pt. Walsh-Nelson) introduced:

**Senate Bill No. 225.** A Bill for an Act to authorize the board of administration to sell and convey certain land owned by the state of North Dakota, which land was formerly used for agricultural purposes at the school for the deaf, and to authorize the board of armory supervisors to release and quit-claim certain land under the control of the board of armory supervisors, which land was formerly intended to be used for armory purposes, and declaring an emergency.

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

Senators Roen and Forkner introduced:

**Senate Bill No. 226.** A Bill for an Act to amend and reenact section 30-19-02 of the North Dakota Century Code, relating to exchanging or selling real or personal property of an estate.

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

Senators Litten and Stafne introduced:

**Senate Bill No. 227.** A Bill for an Act to amend and reenact sections 50-24.1-04 of the 1965 Extra Supplement of the North Dakota Century Code, relating to contract of the public welfare board with private agencies or carriers.

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

Senators Trenbeath, Kelly (Pt. Barnes), Kautzmann, Roen, Ruemmele, Nasset, Geving, Sands, Pyle and Becker introduced:

**Senate Bill No. 228.** A Bill for an Act to amend and reenact section 15-40-12 of the North Dakota Century Code, relating to legislative intent as to elementary and secondary education.

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

Senator Mutch introduced:

**Senate Bill No. 229.** A Bill for an Act to amend and reenact paragraph (2) of subdivision b of subsection 5 of section 65-01-02 of the 1965 Supplement to the North Dakota Century Code and to amend subdivision b of subsection 5 of section 65-01-02 of the 1965 Supplement to the North Dakota Century Code, by the creation of paragraph (4) relating to the exclusion of certain positions from the term employee in the workmen's compensation Act.

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

Senators Redlin, Trenbeath and Melland introduced:

**Senate Bill No. 230.** A Bill for an Act to create and enact a new chapter to the North Dakota Century Code imposing a three percent motor vehicle excise tax, exemptions thereto, manner of collection, penalties, allocation of revenue and to repeal chapters 57-39.1 and 57-40.1 of the North Dakota Century Code.

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

Senators Coughlin, Larson (Burleigh), Butler, Schultz, Pyle, Nething, Becker, Lips, Torgerson, Morgan, Robinson, Nasset, Trenbeath, Wilhite, Kelly (Pt. Barnes), Kelly (Ramsey), Ruemmele, Forkner, Chesrown, Melland, Stafne, Ringsak, Sorlie, Stroup, and Holand introduced:

**Senate Concurrent Resolution "Q".** 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 in programs which the state determines needs additional money.

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

Senators Meschke and Lips introduced:

**Senate Concurrent Resolution "R".** A Concurrent Resolution endorsing the establishment by the President of the Red-Souris-Rainy River Basins Commission, authorizing appointment of the state member thereof and fixing his compensation, and pledging state support thereto.

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

Senators Meschke and Lips introduced:

**Senate Concurrent Resolution "S".** A Concurrent Resolution endorsing the establishment by the President of the Missouri River Basin Commission, authorizing appointment of the state member

thereof and fixing his compensation, and pledging state support thereto.

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

#### FIRST READING OF HOUSE BILLS

**House Bill No. 544.** For an Act to amend and reenact sections 39-08-13, 39-08-14, 39-16-03 of the North Dakota Century Code, relating to accident report forms, public inspection of reports relating to accidents, and abstracts of such forms.

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

**House Bill No. 547.** For an Act to create and enact chapter 39-16.1 and to amend and reenact section 39-16-05 of the North Dakota Century Code, relating to the financial responsibility of owners and operators of motor vehicles and the suspension of licenses, and to repeal subsection 9 of section 39-16-01 and sections 39-16-12, 39-16-13, 39-16-14, 39-16-15, 39-16-16, 39-16-17, 39-16-18, 39-16-19, 39-16-20, 39-16-21, 39-16-22, 39-16-23, 39-16-24, 39-16-25, 39-16-26, 39-16-27, and 39-16-28 of the North Dakota Century Code, relating to proof of financial responsibility.

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

**House Bill No. 559.** For an Act to amend and reenact subsection 4 of section 39-21-32 of the 1965 Supplement to the North Dakota Century Code relating to brake equipment required on motor vehicles.

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

**House Bill No. 579.** For an Act to amend and reenact section 15-52-09 of the North Dakota Century Code, relating to medical center expenditure of proceeds of the medical center one mill levy.

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

**House Bill No. 583.** For an Act to create and enact subsection 3 of section 57-36-11 of the 1965 Supplement to the North Dakota Century Code and to amend and reenact section 57-36-24, subsection 2 of section 57-36-26 and subsection 2 of section 57-36-29 of the 1965 Supplement to the North Dakota Century Code, relating to the administration of the taxation of cigarettes and other tobacco products.

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

**House Bill No. 592.** A Bill for an Act to repeal section 21-04-20 of the North Dakota Century Code, relating to reports of the state treasurer.

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

**House Bill No. 606.** A Bill for an Act to amend and reenact subsection 8 of section 18-10-06 and section 18-10-08 of the North Dakota Century Code, relating to the powers of boards of directors of rural fire protection districts and to the limitation of indebtedness of such districts.

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

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, January 20, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 24  
 Senate Bill No. 30  
 Senate Bill No. 37  
 Senate Bill No. 41  
 Senate Bill No. 90  
 Senate Bill No. 99  
 Senate Bill No. 110  
 Senate Bill No. 114

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

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 20, 1967

Mr. President: I have the honor to transmit:

House Bill No. 599

House Bill No. 604

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

ROY GILBREATH, Chief Clerk

SECOND READING OF SENATE BILLS

**Senate Bill No. 119.** For an Act to permit an alternative procedure for foreclosure of a real estate mortgage when so permitted by the terms of said mortgage.

Was read the second time.

Senator Ringsak moved that Senate Bill No. 119 be amended as follows:

In line 29 delete the figure "66-2/3" and insert in lieu thereof the figure "85".

In line 56 delete the figure "66-2/3" and insert in lieu thereof the figure "85".

Which motion was declared lost.

ROLL CALL

The question being on the final passage of Senate Bill No. 119 the roll was called and there were ayes, 42; nays, 6; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Ruemmele
Berube	Holand	Luick	Sands
Butler	Jacobson	Melland	Schultz
Chesrown	Kautzmann	Meschke	Sorlie
Coughlin	Kelly, E.	Nasset	Stafne
Decker	Kelly, M.	Nothing	Stroup
Forkner	Larsen, R.	Pyle	Torgerson
Freed	Larson, G.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Roen	Wilhite
Hernett	Longmire		

Those voting in the negative were:

Christensen	Morgan	Ringsak	Robinson
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Larson, L. Mutch

Absent and not voting:

Beck

So the bill passed and the title was agreed to.

**Senate Bill No. 121.** For an Act to create and enact section 43-09-13.1, relating to apprentice electricians, and to amend and re-enact sections 43-09-01, 43-09-02, 43-09-04, 43-09-06, 43-09-11, 43-09-13, and 43-09-15 of the North Dakota Century Code, relating



to state electrical board members, compensation, meeting place and notice, license fees, and revocation of licenses of electricians.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 6; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Hernett	Litten	Pyle
Berube	Hofstrand	Longmire	Rait
Butler	Holand	Lowe	Ringsak
Chesrown	Jacobson	Luick	Ruemmele
Christensen	Kautzmann	Melland	Sorlie
Coughlin	Kelly, E.	Meschke	Stafne
Decker	Kelly, M.	Morgan	Stroup
Forkner	Larsen, R.	Mutch	Trenbeath
Freed	Larson, G.	Nasset	Wenstrom
Geving	Larson, L.	Nething	Wilhite
Goldberg	Lips		

Those voting in the negative were:

Redlin	Roen	Schultz	Torgerson
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Robinson Sands

Absent and not voting:

Beck

So the bill passed and the title was agreed to.

**Senate Bill No. 4.** 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 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:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Beck

So the bill passed and the title was agreed to.

**Senate Bill No. 127.** A Bill for an Act to amend and reenact section 12-40-19 of the North Dakota Century Code, relating to the buying or receiving of stolen property.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele

Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Beck

\* So the bill passed and the title was agreed to.

**Senate Bill No. 130.** A Bill for an Act to amend and reenact section 16-10-17 of the North Dakota Century Code, relating to state's attorney meetings with election inspectors.

Was 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:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Beck

So the bill passed and the title was agreed to.

**Senate Bill No. 131.** A Bill for an Act to create and enact section 29-06-13.1 of the North Dakota Century Code, relating to resistance to a peace officer in the performance of his duty.

Was 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:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, L.	Nething	Stroup
Freed	Larson, G.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Beck

So the bill passed and the title was agreed to.

**Senate Bill No. 133.** A Bill for an Act to amend and reenact section 12-41-10 of the North Dakota Century Code, relating to the definition of "malicious mischief."

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on Page 118 of the Senate Journal, the roll was called and there were ayes, 44; nays, 4; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Jacobson	Melland	Roen
Berube	Kautzmann	Meschke	Ruemmele
Chesrown	Kelly, E.	Morgan	Sands
Christensen	Kelly, M.	Mutch	Schultz
Coughlin	Larson, L.	Nasset	Sorlie
Decker	Larson, G.	Nothing	Stafne
Forkner	Lips	Pyle	Stroup
Freed	Litten	Rait	Torgerson
Geving	Longmire	Redlin	Trenbeath
Hernett	Low	Ringsak	Wenstrom
Holand	Luick	Robinson	Wilhite

Those voting in the negative were:

Butler	Goldberg	Hofstrand	Larsen, R.
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Absent and not voting:

Beck

So the bill passed and the title was agreed to.

**Senate Bill No. 10.** For an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous, and special projects, of the State Penitentiary and State Farm.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on Page 118 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Hofstrand	Low	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, L.	Nothing	Stroup
Freed	Larson, G.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Beck

So the bill passed and the title was agreed to.

**Senate Bill No. 124.** A Bill for an Act to amend and reenact section 29-29-08 of the North Dakota Century Code, relating to the use of force in the execution of a search warrant.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on Page 119 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larsen, L.	Nething	Stroup
Freed	Larsen, G.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite
Absent and not voting:			
Beck			

So the bill passed and the title was agreed to.

Senator Lips moved that the Senate recess until 1:30 p.m., January 21, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary

"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### EIGHTEENTH DAY AFTER RECESS AND NINETEENTH DAY

Bismarck, January 21, 1967

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

#### REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution "H"

Was delivered to the Secretary of State at the hour of 11:10 o'clock a.m., January 21, 1967.

SENATOR WENSTROM, Chairman

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

Senate Bill No. 120

Senate Bill No. 126

Senate Bill No. 129

Senate Bill No. 132

And find the same correctly engrossed.

SENATOR WENSTROM, Chairman

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

#### FIRST READING OF SENATE BILLS

Senators Hernet and Kautzmann introduced:

**Senate Bill No. 231.** A Bill for an Act to amend and reenact section 6-01-17 of the North Dakota Century Code, relating to fees for examination of banks.

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

Senators Decker, Melland, Litten, Trenbeath, Chesrown, Sands, Kelly (Ramsey), Luick and Stroup introduced:

**Senate Bill No. 232.** A Bill for an Act to repeal section 54-03-21 of the North Dakota Century Code precluding persons doing business with the State of North Dakota or its political subdivisions from serving in the legislative assembly.

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

Senator Longmire introduced:

**Senate Bill No. 233.** A Bill for an Act to provide for appointment of counsel for indigents and making provision for payment of such expenses.

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

Senators Nething and Meschke introduced:

**Senate Bill No. 234.** A Bill for an Act to transfer the administration and control of the Grafton state school and the North Dakota state tuberculosis sanatorium from the board of administration to the state department of health, and to amend and reenact sections 25-01.1-01, 25-04-02, 25-04-03, 25-04-04, 25-04-06, 25-05-01, 25-05-02, 25-05-03, 25-05-06, 25-05-07, 25-05-11, 25-05-16, subsection 3 of section 25-05-19, and sections 25-05-20, 25-05-22, 25-05-23, 25-05-24, 25-05-25, 25-05-27, 25-05-30, 25-05-33, 25-05-34, and 54-23-01 of the North Dakota Century Code, relating to administration and control of the Grafton state school and North Dakota state tuberculosis sanatorium, and to repeal subsection 14 of section 54-21-13 of the North Dakota Century Code, relating to care of feeble-minded by the board of administration.

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

Senators Hofstrand and Trenbeath introduced:

**Senate Bill No. 235.** A Bill for an Act to amend and reenact subsection 11 of section 61-16-11 of the 1965 Supplement to the North Dakota Century Code, relating to powers and duties of board of commissioners.

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

Senator Holand introduced:

**Senate Bill No. 236.** A Bill for an Act authorizing the governor to contract and to do other things necessary in behalf of this state to secure the full benefits available to this state under the federal highway safety act of 1966, and declaring an emergency.

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

Senators Robinson, Roen and Morgan introduced:

**Senate Bill No. 237.** A Bill for an Act to amend and reenact Section 43-29-17, of the North Dakota Century Code relating to the unlawful practice of veterinary medicine, providing for violations thereof to be a misdemeanor and in addition thereto providing for the civil remedy of injunction to restrain and enjoin violations thereof.

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

Senator Larson (Burleigh) introduced:

**Senate Bill No. 238.** 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 beer and liquor tax.

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

Senators Ringsak and Kelly (Ramsey) introduced:

**Senate Bill No. 239.** A Bill for an Act relating to reports and testimony accepted, nondiscrimination and freedom of choice of ocular practitioner.

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

Senators Trenbeath and Pyle introduced:

**Senate Bill No. 240.** A Bill for an Act to amend and reenact section 20-03-21 of the North Dakota Century Code, relating to the issuance of game licenses.

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

Senator Hofstrand introduced:

**Senate Bill No. 241.** A Bill for an Act to amend and reenact

section 47-14-05 of the North Dakota Century Code, relating to interest rates on legal indebtedness and contracts.

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

Senators Lips, Lowe,, Wenstrom, Kautzmann, Meschke and Rait introduced:

**Senate Bill No. 242.** A Bill for an Act relating to the payment of prevailing rates of wages as minimum rates of wages by contractors and subcontractors in the performance of certain contracts made by state and local governmental bodies, and providing a penalty.

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

Senators Chesrown, Longmire and Holand introduced:

**Senate Bill No. 243.** A Bill for an Act to amend and reenact subsection 3 of section 57-37-02 of the North Dakota Century Code, relating to gross estate of resident decedent.

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

Senator Redlin introduced:

**Senate Bill No. 244.** A Bill for an Act to amend and reenact section 6-01-21.1 of the North Dakota Century Code, relating to county agencies, examinations and fees.

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

Senator Redlin introduced:

**Senate Bill No. 245.** A Bill for an Act to amend and reenact section 6-01-21.2 of the North Dakota Century Code, relating to municipal agencies, park boards, school districts, examinations, fees, and alternative adults.

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

Senators Litten and Goldberg introduced:

**Senate Bill No. 246.** A Bill for an Act to amend and reenact section 40-09-06 of the North Dakota Century Code, relating to the salaries of city commissioners.

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

Senator Stroup introduced:

**Senate Bill No. 247.** A Bill for an Act relating to coal mining; declaring the policy of the state with respect thereto, providing for the reclamation of lands disturbed by coal mining, supervision thereof by the state soil conservation committee, and for a severance tax upon coal in lieu of sales taxes, allocation of revenues, and establishment of a trust fund and a reclamation fund, verification of required information, establishment of tax liens, court appeals, promulgation of rules and regulations and providing civil and criminal penalties.

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

Senators Morgan, Roen and Hofstrand introduced:

**Senate Bill No. 248.** A Bill for an Act to provide for state to reimburse counties for one-half of election expenses in statewide primary, general and special elections.

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

Senators Longmire, Ruemmele, Kelly (Pt. Barnes), Litten and Pyle introduced:

**Senate Bill No. 249.** A Bill for an Act to provide for the purchas-

ing of residential care, custody, training, treatment or education of the mentally retarded by the state from private, nonprofit, charitable organizations.

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

Senators Melland and Nething introduced:

**Senate Bill No. 250.** A Bill for an Act to repeal section 25-02-02 of the North Dakota Century Code, relating to the location of an additional hospital for the mentally ill at Rugby.

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

Senators Melland, Coughlin, Larsen and Wilhite introduced:

**Senate Bill No. 251.** A Bill for an Act to create and enact a new subsection 5 of section 21-03-07 of the North Dakota Century Code, relating to the issuance of general obligation bonds of cities or villages, by resolution of the governing body subject to protest by taxpayers, for the purpose of street improvements on arterial streets including federal and state highways and at intersections with streams, drains, and railways, and improvements incidental to urban renewal projects.

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

Senators Kelly (Pt. Barnes), Forkner and Sands introduced:

**Senate Bill No. 252.** A Bill for an Act permitting nonresidents to fish upon land owned or leased by a resident when the resident obtains a permit and pays a fee to the commissioner, and amending section 20-03-07 of the North Dakota Century Code relating to fishing by nonresidents.

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

Senator Rait introduced:

**Senate Bill No. 253.** A Bill for an Act to provide for voluntary liquidation of credit unions, and repealing sections 6-06-30, 6-06-31, and 6-06-32 of the North Dakota Century Code.

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

Senators Meschke and Rait introduced:

**Senate Bill No. 254.** A Bill for an Act to adopt an interstate compact on the mentally disordered offender.

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

Senators Becker and Lowe introduced:

**Senate Bill No. 255.** A Bill for an Act to create and enact subsection 27 of section 52-01-01 of the 1965 supplement to the North Dakota Century Code related to definitions; and to amend and reenact section 52-05-03 of the North Dakota Century Code related to election of unemployment compensation coverage and rates of contributions.

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

Senator Decker introduced:

**Senate Bill No. 256.** A Bill for an Act to remove governmental immunity of the state and its municipalities and political subdivisions for torts committed by its officers and employees in the performance of duties, and to repeal sections 39-01-08 and 40-43-07 of the North Dakota Century Code, relating to political subdivisions carrying liability insurance and right to claim governmental immunity.



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

Senator Decker introduced:

**Senate Bill No. 257.** A Bill for an Act to amend and reenact sections 54-34-09 and 54-34.1-02 of the 1965 Supplement to the North Dakota Century Code, relating to the office of economic opportunity and the state planning agency.

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

Senators Decker, Rait, Larson (Nelson-Pt. Walsh), Meschke, Mutch and Kautzmann introduced:

**Senate Bill No. 258.** A Bill for an Act prohibiting the use of certain devices on railroad locomotives and equipment and prescribing penalties for violating the provisions thereof.

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

Senators Holand and Chesrown introduced:

**Senate Bill No. 259.** A Bill for an Act relating to the filing by certain transmitting utilities of certain instruments required to be filed under the provisions of the Uniform Commercial Code.

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

Senator Torgerson introduced:

**Senate Bill No. 260.** A Bill for an Act to amend and reenact section 57-38-36 of the 1963 Supplement to the North Dakota Century Code, relating to payment of income tax in quarterly installments.

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

Senators Hofstrand, Luick and Morgan introduced:

**Senate Bill No. 261.** A Bill for an Act to amend and reenact subsection 10 of section 57-02-01 of the 1965 Supplement to the North Dakota Century Code relating to the definition of a farm.

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

Senator Torgerson introduced:

**Senate Bill No. 262.** A Bill for an Act to amend and reenact subsection 5 of section 57-38-45 of the North Dakota Century Code, relating to the waiver of civil penalties.

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

Senator Torgerson introduced:

**Senate Bill No. 263.** A Bill for an Act relating to withholding by employer of delinquent income tax of an employee, penalties, collection of accounts by collection agencies and to provide for effective dates.

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

Senator Torgerson introduced:

**Senate Bill No. 264.** A Bill for an Act relating to jeopardy assessments, and penalties.

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

Senator Trenbeath introduced:

**Senate Bill No. 265.** A Bill for an Act to amend and reenact section 26-15-13 of the North Dakota Century Code, relating to the territorial limits of county mutual insurance companies' operations.

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

Senator Trenbeath introduced:

**Senate Bill No. 266.** A Bill for an Act to amend and reenact section 26-15-01 of the 1965 Supplement to the North Dakota Century Code, relating to the organization of county mutual insurance companies.

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

Senators Melland, Stroup, Robinson and Larson (Nelson-Pt. Walsh) introduced:

**Senate Bill No. 267.** A Bill for an Act to amend and reenact subsection 3 of section 49-18-02 of the North Dakota Century Code, relating to exemptions to farmers and associations of farmers hauling their own goods and providing for a clarification of those exempted.

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

Senators Melland, Stroup, Robinson and Larson (Nelson-Pt. Walsh) introduced:

**Senate Bill No. 268.** A Bill for an Act to create and enact sections 49-18-34.1, 49-18-38.1, 49-18-38.2 and 49-18-38.3 of the North Dakota Century Code, providing for regulation of agricultural carriers by the public service commission, and requiring hearings on applications for agricultural carrier permits, and providing for factors to be considered in issuing agricultural carrier permits, and providing for the suspension, revocation and abandonment of agricultural carrier permits, and to amend and reenact subsection 4 of section 49-18-01, sections 49-18-35, 49-18-36 and 49-18-38 of the North Dakota Century Code relating to the definition of an agricultural carrier, and clarifying those required to have agricultural carrier permits, and relating to the fee for agricultural carrier permits, and relating to the form of application for agricultural carrier permits and providing for temporary agricultural carrier permits.

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

Senator Christensen introduced:

**Senate Bill No. 269.** A Bill for an Act to amend and reenact section 20-08-04 of the North Dakota Century Code, relating to the publication of game and fish orders or proclamations of the governor.

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

Senator Melland introduced:

**Senate Bill No. 270.** A Bill for an Act to provide for the use of a slow-moving vehicle identification emblem, and declaring an effective date.

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

Senators Meschke, Rait, Christensen, Berube and Larson (Nelson Pt. Walsh) introduced:

**Senate Bill No. 271.** A Bill for an Act to amend and reenact section 26-01-11 of the North Dakota Century Code, relating to insurance premium taxes.

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

Senators Meschke, Rait, Christensen, Berube and Larson (Nelson Pt. Walsh) introduced:

**Senate Bill No. 272.** A Bill for an Act to provide for the exemption of personal property from assessment and taxation; to create and enact a new subsection to section 57-02-08 of the North Dakota Century Code, relating to exemption of personal property from assessment and taxation; to create and enact a new section to the North Dakota Century Code, relating to the establishment of a personal property tax replacement fund and the allocation and distribution thereof; to amend and reenact section 57-02-04 of the North Dakota Century Code, relating to the definition of real property for property tax purposes; to amend and reenact section 57-02-28 of the North Dakota Century Code, relating to the basis of computation of property taxes; and to repeal subsections 9, 10, and 11 of section 57-02-05, relating to definitions of personal property for property tax purposes, sections 18-03-09, 37-01-27 and 57-15-23, relating to the per capita school tax and exemptions therefrom, and chapters 57-03 and 57-31 of the North Dakota Century Code, relating to taxation of grain and to taxation of transient stocks of merchandise; and providing effective dates.

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

Senators Rait and Meschke introduced:

**Senate Bill No. 273.** A Bill for an Act to create and enact a new subsection to section 57-38-57 of the North Dakota Century Code, relating to secrecy of income tax returns, and authorizing the state auditor to examine income tax returns and retail sales and use tax returns and retail sales use tax returns under certain conditions.

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

Senator Becker introduced:

**Senate Bill No. 274.** A Bill for an Act to amend and reenact section 57-02-10 of the North Dakota Century Code relating to the tax exempt status of land upon which easements have been given for water, wildlife or highway projects and to create and enact section 61-01-23.1 of the North Dakota Century Code authorizing the board of county commissioners to levy a tax sufficient to remove obstructions from nonnavigable streams.

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

Senator Ringsak introduced:

**Senate Bill No. 275.** A Bill for an Act to repeal chapter 54-52 of the North Dakota Century Code, relating to the state employee's retirement plan.

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

Senator Becker introduced:

**Senate Bill No. 276.** A Bill for an Act to amend and reenact sections 57-38-31 and 57-38-32 of the North Dakota Century Code, relating to the duty of individuals and corporations to make return.

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

Senator Becker introduced:

**Senate Bill No. 277.** A Bill for an Act to amend and reenact subsection 1 of section 4-28-06 of the North Dakota Century Code, relating to the powers, authority and duties of the wheat commission.

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

Senators Ringsak and Beck introduced:

**Senate Bill No. 278.** A Bill for an Act to create section 32-34-01.1 of the North Dakota Century Code, relating to the issuance of a writ of mandamus by the supreme court to judges of inferior courts, and to amend and reenact section 32-34-02 of the North Dakota Century Code, relating to the issuance of such writs.

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

#### FIRST READING OF HOUSE BILLS

**House Bill No. 570.** A Bill for an Act to amend and reenact section 39-04-06 of the North Dakota Century Code relating to the elimination of the term thirty days after notification by regular mail.

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

**House Bill No. 571.** A Bill for an Act to amend and reenact subsection 1 of section 39-21-29 of the North Dakota Century Code relating to . . . motor vehicle equipment.

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

**House Bill No. 572.** A Bill for an Act to amend and reenact subsection 3 of section 39-21-30 of the North Dakota Century Code relating to . . . motor vehicle equipment.

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

**House Bill No. 573.** A Bill for an Act to amend and reenact section 39-02-03 of the North Dakota Century Code, relating to the powers and duties of the motor vehicle registrar.

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

**House Bill No. 598.** A Bill for an Act to amend and reenact subsection 1 of section 36-04-06 of the North Dakota Century Code, relating to the bonds required of livestock dealers and agents.

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

**House Bill No. 599.** A Bill for an Act to amend and reenact section 4-30-46 of the 1965 Supplement to the North Dakota Century Code, relating to the reporting of milk and milk products.

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

**House Bill No. 601.** A Bill for an Act to amend and reenact section 15-47-32 of the 1963 Supplement to the North Dakota Century Code, relating to sharing educational programs.

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

**House Bill No. 602.** A Bill for an Act to amend and reenact section 15-20-04 of the North Dakota Century Code relating to school district contracts and joint programs.

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

**House Bill No. 603.** A Bill for an Act to amend and reenact section 15-20-06 of the North Dakota Century Code relating to cooperation of school boards in vocational education.

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

**House Bill No. 604.** A Bill for an Act to amend and reenact section 15-20-01 of the North Dakota Century Code relating to federal funds for vocational education.

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

**House Bill No. 616.** A Bill for an Act to amend and reenact sections 39-13-03 and 39-10-04 of the North Dakota Century Code relating to parking and traffic signs within municipalities.

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

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

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

#### NINETEENTH DAY

Bismarck, January 21, 1967

The Senate convened at 2:00 p.m., which motion prevailed.

Prayer by Chaplain Rev. Clarence Stomp, House of Prayer Lutheran, Bismarck.

Gracious Heavenly Father: Enable us to understand that all days are holy in Thy sight; and that through such a vision we are able to make use of all tasks and opportunities for Thy glory.

We ask Thy blessing upon the members of this state's senate as they come to the end of another week's deliberations. Refresh them through Thy word and presence that returning again on Monday they may serve Thee and their fellowmen in accordance with Thy will.

In Christ's name we pray. Amen.

Roll call. All Senators present except Senators Beck, Chesrown, Coughlin, Decker, Freed, Geving, Hernet, Hofstrand, Holand, Jacobson, Earl Kelly, Guy Larson, Litten, Longmire, Lowe, Melland, Mutch, Nasset, Nething, Pyle, Redlin, Ruemmele, Sands, Schultz, Stroup, Torgerson and Wilhite.

The President announced that the Senate lacked a quorum.

Senator Lips moved that the Senate recess until 1:00 p.m. on January 23, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary



"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### NINETEENTH DAY AFTER RECESS AND TWENTY-FIRST DAY

Bismarck, January 23, 1967

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

Roll call: All Senators present except Senator Beck.

A quorum was declared by the President.

#### CORRECTION AND REVISION

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 finds the same correct.

SENATOR LOWE, Chairman

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

#### FIRST READING OF SENATE BILLS

Senators Forkner, Morgan, Ringsak, and Kelly (Ramsey) introduced:

**Senate Bill No. 279.** A Bill for an Act to create and enact a new subsection to section 57-01-05 of the 1965 Supplement to the North Dakota Century Code, relating to the rendition of appraisal services to political subdivisions and to provide compensation therefor.

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

Senator Kautzmann introduced:

**Senate Bill No. 280.** A Bill for an Act to amend and reenact Sections 43-11-01, 43-11-06, 43-11-12, 43-11-16, 43-11-19 and 43-11-27 of the North Dakota Century Code, relating to governing the profession of hairdressing and cosmetology.

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

Senator Wenstrom introduced:

**Senate Bill No. 281.** A Bill for an Act to transfer certain historical sites now under the control of the state park service to the state historical board, and making an appropriation.

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

Senator Wenstrom introduced:

**Senate Bill No. 282.** A Bill for an Act to create and enact subsection 11 of section 55-01-02, section 55-02-01.3, subsections 9 and 10 of section 55-08-03, and to amend and reenact section 55-01-01 and subsections 9 and 10 of section 55-01-02, all of the North Dakota Century Code, relating to the state historical society and the superintendent thereof.

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

Senators Kautzman and Kelly (Ramsey) introduced:

**Senate Bill No. 283.** A Bill for an Act to amend and reenact section 51-10-14 of the 1965 Supplement to the North Dakota Century Code relating to unfair trade practices, providing for licensing of retailers, and providing penalties.

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

Senator Wenstrom introduced:

**Senate Bill No. 284.** A Bill for an Act to amend and reenact section 7-05-01 of the North Dakota Century Code, relating to savings and loan associations examination and fees therefor.

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

Senator Wenstrom introduced:

**Senate Bill No. 285.** A Bill for an Act to authorize savings and loan associations to invest in or own jointly a company to provide from a central processing point, the cooperative use of automation equipment for association bookkeeping work.

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

Senator Wenstrom introduced:

**Senate Bill No. 286.** A Bill for an Act to authorize state-chartered savings and loan associations to exercise powers granted to federal-chartered savings and loan associations.

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

Senator Wenstrom introduced:

**Senate Bill No. 287.** A Bill for an Act authorizing the spearing of fish and to amend and reenact section 20-06-08 of the North Dakota Century Code, relating to licensing fish houses.

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

Senator Sorlie introduced:

**Senate Bill No. 288.** A Bill for an Act to appropriate money to the Employment Security Bureau for reimbursement to the United States on account of expenditure of granted federal funds contrary to federal standards.

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

Senators Trenbeath and Forkner introduced:

**Senate Bill No. 289.** A Bill for an Act to provide for the marking of Highway Patrol motor vehicles.

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

Senators Ringsak, Roen, Larson (Nelson - Pt. Walsh) introduced:

**Senate Bill No. 290.** A Bill for an Act to amend and reenact section 50-06-04 of the 1965 Supplement to the North Dakota Century Code, relating to the compensation for members of the public welfare board.

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

Senators Meschke and Rait introduced:

**Senate Bill No. 291.** A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code providing a twelve dollar credit or refund against income taxes for sales taxes paid on food, and providing an effective date.

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



Senators Goldberg, Butler, Roen, Robinson, Sorlie and Kautzmann introduced:

**Senate Bill No. 292.** A Bill for an Act relating to extraterritorial zoning powers for municipalities.

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

Senators Sorlie, Becker, Luick, Robinson, Larson (Nelson - Pt. Walsh) introduced:

**Senate Bill No. 293.** A Bill for an Act making an appropriation for salaries, fees and services, and other expenses for central data processing services to the department of accounts and purchases.

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

Senators Larson (Burleigh) and Berube introduced:

**Senate Bill No. 294.** A Bill for an Act to amend and reenact sections 15-63-03 and 15-63-05 of the North Dakota Century Code, relating to the number and nature of Indian scholarships and the scholarship payments thereunder.

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

Senator Trenbeath introduced:

**Senate Bill No. 295.** A Bill for an Act to create and enact subsection 16 of section 61-16-11 and to amend and reenact subsection 10 of section 61-16-11 and sections 61-16-07 and 61-16-15 of the North Dakota Century Code relating to the authority of the board of commissioners of a water management district to pledge security, the board members appointment, their authority to participate in outdoor recreation projects and the approval of such board prior to the construction of certain water impoundments.

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

Senator Trenbeath introduced:

**Senate Bill No. 296.** A Bill for an Act to create and enact a new section to chapter 57-01 of the North Dakota Century Code, authorizing the tax commissioner to prescribe procedures for disposing of used data processing cards on which is recorded secret or confidential information.

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

Senator Lips introduced:

**Senate Bill No. 297.** A Bill for an Act to amend and reenact section 15-27-04 of the North Dakota Century Code, relating to attachment of adjacent territory to school districts.

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

Senators Wenstrom, Trenbeath, Kautzmann, Larson (Burleigh), Nasset, Longmire, Jacobson, Nething, and Kelly (Pt. Barnes) introduced:

**Senate Bill No. 298.** A Bill for an Act providing for the preservation of historic sites, structures, and antiquities of state and national significance, and authorizing transfers of such property.

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

Senators Ruemmele, Redlin, Roen, Trenbeath and Berube introduced:

**Senate Bill No. 299.** A Bill for an Act to amend and reenact section 15-40-15 of the North Dakota Century Code, relating to recipro-

cal agreements of the superintendent of public instruction with educational agencies of other states.

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

Senator Christensen introduced:

**Senate Bill No. 300.** A Bill for an Act to amend and reenact section 19-01-08 of the North Dakota Century Code, relating to the state laboratories vouchers.

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

Senator Litten introduced:

**Senate Bill No. 301.** A Bill for an Act to amend and reenact section 21-03-11 of the North Dakota Century Code, relative to the manner of calling and holding municipal bond elections.

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

Senator Decker introduced:

**Senate Bill No. 302.** A Bill for an Act to amend and reenact section 57-02-42 of the North Dakota Century Code, relating to the definition of personal property in transit and the exemption of such property from the personal property tax.

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

Senators Holand, and Wilhite introduced:

**Senate Bill No. 303.** A Bill for an Act to provide a period of limitation within which time claims for damages may be brought against persons performing or furnishing the design, planning, supervision or observation of construction of improvements on real property.

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

Senator Freed introduced:

**Senate Bill No. 304.** A Bill for an Act to amend and reenact section 36-15-21 of the North Dakota Century Code, relating to calthood vaccination against brucellosis, providing certain exceptions, and providing a penalty.

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

Senators Sands and Meschke introduced:

**Senate Bill No. 305.** A Bill for an Act to create and enact sections 61-01-27 and 61-02-76 of the North Dakota Century Code defining "right of way" and allowing the state water commission to release easements no longer needed by the state for water related projects and to amend and reenact section 61-04-15, 61-04-24 and 61-10-25 of the North Dakota Century Code relating to the transfer and forfeiture of water permits and the publication of notice of petition for the inclusion of land in an irrigation district.

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

Senator Kautzmann introduced:

**Senate Bill No. 306.** A Bill for an Act to provide for distress signals for handicapped drivers, and providing a penalty.

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

Senator Kelly (Ramsey) introduced:

**Senate Bill No. 307.** A Bill for an Act making an appropriation to the Devils Lake public school district number one of Ramsey and

Benson counties for the construction of vocational shops and facilities at the Lake Region junior college, Devils Lake, North Dakota.

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

Senator Becker introduced:

**Senate Bill No. 308.** A Bill for an Act to amend and reenact section 14-10-16 of the 1965 Supplement to the North Dakota Century Code relating to the exhibition of twenty-first birthday cards as a requirement for the purchase of alcoholic beverages, and prescribing a penalty.

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

Senators Torgerson and Becker introduced:

**Senate Bill No. 309.** A Bill for an Act to amend and reenact section 41-06-08 of the North Dakota Century Code, relating to notices in auction sales and the corresponding provision of the North Dakota Uniform Commercial Code.

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

Senator Rait introduced:

**Senate Bill No. 310.** A Bill for an Act to Amend and reenact section 57-38-42 of the North Dakota Century Code, relating to information and partnership returns.

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

Senator Holand introduced:

**Senate Bill No. 311.** A Bill for an Act to create and enact sections 54-10-13, 54-10-14, 54-10-15, 54-10-16, 54-10-17, 54-10-18, 54-10-19, 54-10-20, 54-10-21, 54-10-22, 54-10-23, and 54-10-24 and to amend and reenact sections 6-01-25, 11-30-03, 15-60-07, 57-50-01, 57-50-02, 57-50-04, 57-50-06, 57-50-07, 57-50-11.1, 57-52-02, subsection 4 of section 57-52-03, and sections 57-52-04, 57-52-05, 57-52-06, 57-52-07, 57-52-08, 57-52-09, 57-52-10, 57-52-11, 57-52-12, 57-52-13, 57-52-14, 57-52-15, 57-52-16, 57-52-17, 57-53-03, 57-53-05, 57-53-10, subsection 6 of section 57-54-03, and sections 57-54-04, 57-54-05, 57-54-06, 57-54-07, 57-54-09, 57-54-11, 57-54-12, 57-54-13, 57-54-15, 57-54-16, 57-54-17, 57-54-20, 57-54-22, subsection 7 of section 57-54.1-03, and sections 57-54.1-07, 57-54.1-08, 57-54.1-09, 57-54.1-10, 57-54.1-11, 57-54.1-13, 57-56-02, and 57-56-03 of the North Dakota Century Code, relating to general governmental reorganization of the departments and offices of state examiner, state auditor, and state tax commissioner relating to their powers and duties relating to auditing of political subdivisions of this state and the collection and refund of special fuels tax and tax levy, motor vehicle fuel tax, importers for use tax, and aviation fuel tax, and to repeal sections 6-01-21.1, 6-01-21.2, 6-01-21.3, 6-01-21.4, 6-01-22, 6-01-23, 6-01-24, 6-01-26, 6-01-27, and 6-01-28 of the North Dakota Century Code, relating to the state examiner's auditing duties with respect to the state's political subdivisions and providing an effective date.

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

Senators Morgan, Meschke, and Nething introduced:

**Senate Bill No. 312.** A Bill for an Act to amend and reenact sections 65-10-01 and 65-10-03 of the North Dakota Century Code, relating to appeals from decision of bureau, and costs of appeal.

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

Senators Decker, Hernet, and Wilhite introduced:

**Senate Bill No. 313.** A Bill for an Act to amend and reenact

section 44-08-01 and 46-02-15 of the North Dakota Century Code relating to public contracts for the purchase of goods, supplies, equipment, and public printing.

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

Senators Hernet, Wilhite and Decker introduced:

**Senate Bill No. 314.** A Bill for an Act to amend and reenact section 6-03-62 of the North Dakota Century Code relating to interest on loans chargeable by state banking associations.

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

Senator Holand introduced:

**Senate Bill No. 315.** A Bill for an Act to amend and reenact subsection 4 of section 38-08-11 of the North Dakota Century Code, relating to publication of notices by the industrial commission.

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

Senators Nething and Melland introduced:

**Senate Bill No. 316.** A Bill authorizing the State Department of Health, Mental Health and Retardation Division, Jamestown State Hospital, of the State of North Dakota, to sell, convey and transfer to the United States of America, certain described real property for the purpose of correcting a description of a certain transmission line easement, provide land for additions to the Jamestown Substation, drainage for the Jamestown Substation, and declaring an emergency.

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

Senators Nething and Melland introduced:

**Senate Bill No. 317.** A Bill for an Act authorizing the state of North Dakota to sell, convey, and transfer certain described real properties held for the use and benefit of the state hospital of the state of North Dakota, and declaring an emergency.

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

Senators Nething and Melland introduced:

**Senate Bill No. 318.** A Bill for an Act authorizing the state of North Dakota to exchange certain state-owned real property adjacent to the state hospital of North Dakota at Jamestown, North Dakota.

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

Senators Holand, Trenbeath, Hofstrand, Robinson, Roen, Goldberg, Decker, Nasset and Meschke introduced:

**Senate Bill No. 319.** A Bill for an Act to establish the Upper Great Plains Transportation Institute and provide for its powers and duties and making an appropriation.

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

Senator Holand introduced:

**Senate Bill No. 320.** A Bill for an Act to amend and reenact section 54-44.1-08 of the North Dakota Century Code, relating to the printing of the budget report.

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

Senator Geving introduced:

**Senate Bill No. 321.** A Bill for an Act to amend and reenact

section 15-34-09.1 of the North Dakota Century Code relating to levy for transportation and maintenance of pupils.

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

Senators Kautzmann and Stroup introduced:

**Senate Bill No. 322.** A Bill for an Act to amend and reenact section 6-02-01 of the 1965 Supplement to the North Dakota Century Code, relating to banking powers and use of the name "bank".

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

Senators Nething, Holand and Freed introduced:

**Senate Bill No. 323.** A Bill for an Act to amend and reenact section 30-17-01, subsection 4 of section 30-17-03 and subsection 2 of section 30-17-05 of the North Dakota Century Code, relating to summary administration of small estates.

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

Senator Ringsak introduced:

**Senate Bill No. 324.** A Bill for an Act to authorize the board of administration to accept donations, gifts, grants, and bequests for the construction of a chapel at Grafton state school, and providing for a special fund in the state treasury for such purpose, and making an appropriation.

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

Senator Ringsak introduced:

**Senate Bill No. 325.** A Bill for an Act to amend and reenact section 57-51-15 of the North Dakota Century Code, relating to the distribution of the oil and gas gross production tax.

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

Senator Holand introduced:

**Senate Bill No. 326.** A Bill for an Act relating to access and use of public accommodations, common carriers, and places in which the public is generally invited, by a totally or partially blind person accompanied by such person's guide dog; public employment of handicapped, and providing a penalty.

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

Senators Nething, Torgerson and Christensen introduced:

**Senate Bill No. 327.** A Bill for an Act directing the board of administration to develop and supervise communication systems for state agencies, state institutions and political subdivisions; creating a communications advisory committee; defining duties; establishing procedures for financing; authorizing cancellation of existing services; setting forth fees to be paid by counties; authorizing transfer of appropriations; acceptance of federal funds and issuance of rules; and making an appropriation.

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

Senator Holand introduced:

**Senate Bill No. 328.** A Bill for an Act to amend and reenact section 44-08-01 of the North Dakota Century Code, relating to preference to North Dakota bidders and sellers.

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

Senator Holand introduced:

**Senate Bill No. 329.** A Bill for an Act to grant to the bureau of reclamation right-of-way necessary for the construction and development of Garrison diversion within the right-of-way of roads in the state upon approval of the state highway commissioner, board of county commissioners, or board of township supervisors, and declaring an emergency.

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

Senators Nething and Decker introduced:

**Senate Bill No. 330.** A Bill for an Act to repeal section 5-03-26 of the 1963 Supplement to the North Dakota Century Code, providing for an excise tax on nonalcoholic commodities suitable for use in mixed drinks.

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

Senator Stroup introduced:

**Senate Bill No. 331.** A Bill for an Act to amend and reenact section 6-03-14 of the North Dakota Century Code, relating to paying and receiving stations, and to create and enact sections 6-03-14.1, 6-03-14.2 and 6-03-14.3, relating to branch banking.

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

Senators Lowe and Freed introduced:

**Senate Bill No. 332.** A Bill for an Act to amend and reenact section 21-03-11 of the North Dakota Century Code relating to when general obligation bond elections are to be held.

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

Senators Nething, Roen, Melland, Litten and Meschke introduced:

**Senate Bill No. 333.** A Bill for an Act to create a state scholarship fund and providing an appropriation.

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

Senator Holand introduced:

**Senate Bill No. 334.** A Bill for an Act to amend and reenact sections 36-08-01, 36-08-02, 36-08-04, and 36-08-05 of the North Dakota Century Code, relating to definitions, powers, membership, and the election of directors of cooperative grazing associations.

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

Senator Geving introduced:

**Senate Bill No. 335.** A Bill for an Act to require municipalities to furnish uniforms to any policemen which they employ.

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

Senators Ringsak, Torgerson and Jacobson introduced:

**Senate Bill No. 336.** A Bill for an Act to amend and reenact section 11-32-01 of the North Dakota Century Code, relating to county memorials for those of a county who rendered service or who lost their lives in the service of their country.

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

Senators Morgan and Melland introduced:

**Senate Bill No. 337.** A Bill for an Act to require vehicles used by common motor carriers, contract carriers, and agricultural carriers to have flaps or aprons on the rear of such vehicles to

minimize the spray or splash of water or mud to the rear of the vehicle.

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

Senators Nasset, Coughlin, Freed, Melland, Pyle, Sands and Decker introduced:

**Senate Bill No. 338.** A Bill for an Act to provide that school districts may levy for a school library fund.

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

Senators Sands and Redlin introduced:

**Senate Bill No. 339.** A Bill for an Act to amend and reenact section 57-28-17 of the North Dakota Century Code, relating to the sale of county tax deed real estate by the county auditor.

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

Senator Longmire introduced:

**Senate Bill No. 340.** A Bill for an Act to create and enact sections 43-03-22, 43-03-23, 43-03-24, 43-03-25, and 43-03-26 of the North Dakota Century Code, relating to the regulation of the practice of architecture within the state, and to amend and reenact sections 43-03-01, 43-03-02, 43-03-04, 43-03-06, 43-03-09, 43-03-10, 43-03-11, 43-03-13, 43-03-14, 43-03-15, 43-03-16, 43-03-18, 43-03-19, 43-03-20, and 43-03-21 of the North Dakota Century Code, relating to the membership, powers and duties of the state board of architecture, the qualifications and examination of applicants for registration and the regulation of the practice of architecture within the state, and providing a penalty.

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

Senators Forkner and Nething introduced:

**Senate Bill No. 341.** A Bill for an Act to amend and reenact section 40-24-04 and 40-24-05 of the North Dakota Century Code, relating to the length of time for which special assessment warrants for sewer and water may extend.

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

Senators Larsen, Coughlin, Decker, Nething, Litten and Meschke introduced:

**Senate Bill No. 342.** A Bill for an Act to authorize voluntary admissions to the North Dakota industrial school.

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

Senators Sands and Ruemmele introduced:

**Senate Bill No. 343.** A Bill for an Act to amend and reenact sections 21-09-01 and 21-09-05 of the North Dakota Century Code, changing the title of "The 1965 Bond Validating Act" to "The 1967 Bond Validating Act", and relating to the application of chapter 21-09 of the North Dakota Century Code to bonds issued and proceedings taken prior to July 1, 1967.

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

Senator Lips introduced:

**Senate Bill No. 344.** A Bill for an Act to amend and reenact subsection 3 of section 57-15-14 of the North Dakota Century Code, relating to school district mill levies.

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

Senators Hernett and Goldberg introduced:

**Senate Bill No. 345.** A Bill for an Act to amend and reenact sections 21-10-02 and 21-10-05 of the North Dakota Century Code, relating to the state investment board powers and duties, and its director powers and duties.

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

The Committee on Judiciary introduced:

**Senate Bill No. 346.** A Bill for an Act to amend and reenact section 33-03-11 of the North Dakota Century Code, relating to a change of venue in justice court.

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

Senators Meschke, Berube, Christensen, Rait and Larson (Pt. Nelson - Walsh) introduced:

**Senate Bill No. 347.** A Bill for an Act to repeal section 57-38-36 of the North Dakota Century Code relating to the payment of income tax in quarterly installments.

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

Senator Meschke introduced:

**Senate Bill No. 348.** A Bill for an Act to permit the state historical society to transfer by deed and title a parcel of land at Medora to Harry V. Johnston.

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

Senators Meschke, Berube, Christensen, Rait and Larson (Nelson and pt. Walsh) introduced:

**Senate Bill No. 349.** A Bill for an Act to provide for the appointment of a qualified county supervisor of assessments, to prescribe the duties thereof, to permit the appointment of full-time city assessors, to abolish the office of local assessor, and to provide a mill levy.

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

Senator Geving introduced:

**Senate Bill No. 350.** A Bill for an Act to provide for the transfer of five hundred thousand dollars per quarter from the sales tax collections to the College Building Fund until the aggregate amount reaches ten million dollars, and to create a College Building Fund.

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

Senator Geving introduced:

**Senate Bill No. 351.** A Bill for an Act to amend and reenact section 54-36-02 of the North Dakota Century Code, relating to offices for the Indian affairs commission.

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

Senator Ringsak introduced:

**Senate Bill No. 352.** A Bill for an Act relating to liability, authorizing the determination thereof in claim involving state highway department owned motor vehicle and upon conditions authorizing payment of judgment with respect thereto.

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

Senators Nething and Torgerson introduced:

**Senate Bill No. 353.** A Bill for an Act to amend and reenact section 5-07-12 of the North Dakota Century Code, relating to auto-



mobile sales finance contracts and providing a penalty and to create and enact sections 51-07-12.1, 51-07-12.2, 51-07-12.3, and 51-07-12.4.

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

Senators Coughlin and Decker introduced:

**Senate Bill No. 354.** A Bill for an Act to create and enact section 20-03-28.1 of the North Dakota Century Code, relating to the shipment of upland game and migratory waterfowl by nonresidents licensed to hunt in this state and to amend and reenact section 20-03-06 of the North Dakota Century Code, relating to non-resident hunting, trapping, and fishing licenses.

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

Senators Wilhite, Decker and Stroup introduced:

**Senate Bill No. 355.** A Bill for an Act to repeal section 35-05-01 of the North Dakota Century Code relating to prohibition against crop mortgages.

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

Senators Melland, Coughlin, Robinson, Meschke, Lips, Nething, Christensen, Ringsak, Holand, Sorlie and Trenbeath introduced:

**Senate Bill No. 356.** A Bill for an Act declaring public policy with regard to the regulation of outdoor advertising and the restoration, preservation and enhancement of scenic beauty; prohibiting outdoor advertising within six hundred and sixty feet of the nearest edge of the right of way for the state highway system and providing for exceptions therefrom; providing for the removal or acquisition of certain outdoor advertising rights and the payment of compensation therefor; establishing a highway corridor board and prescribing other duties and powers; providing for zoning for land use adjacent to the state highway system; authorizing the review of property rights previously acquired for outdoor advertising purposes and the reconveyance of such rights when determined to be inconsistent with the purposes of this Act; authorizing the promulgation of rules and regulations by the highway corridor board consistent with the requirements of section 131 and 319 of title 23, United States Code, and the enforcement thereof; providing for public hearings and appeals to the district court; to amend subsection 37 of section 24-01-01.1 of the North Dakota Century Code and declaring an emergency.

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

Senator Holand introduced:

**Senate Bill No. 357.** A Bill for an Act to amend and reenact section 30-21-05 of the North Dakota Century Code, relating to the judicial distribution of an estate.

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

Senator Mutch introduced:

**Senate Bill No. 358.** A Bill for an Act to create and enact section 65-02-01.1 of the North Dakota Century Code, establishing an executive director of the North Dakota workmen's compensation bureau, and to amend and reenact sections 38-03-01, 65-02-01, 65-02-05, 65-11-01, and 65-12-01 of the North Dakota Century Code, terminating the office of workmen's compensation commissioners of the North Dakota workmen's compensation bureau and establishing the commissioner of labor as the bureau, and to repeal sections 65-02-02, 65-02-03, 65-02-04, and 65-02-12, relating to terms of office, salary, vacancies, and other related powers and duties of the workmen's compensation commissioners.

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

The Committee on Finance and Taxation introduced:

**Senate Bill No. 359.** A Bill for an Act to provide for the requirement of filing a certificate of full consideration with the county auditor prior to the recordation of certain deeds filed with the office of the county register of deeds, and to amend and reenact sections 11-13-12 and 11-18-02 of the North Dakota Century Code, relating to the duties of the county auditor and county register of deeds.

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

Senators Nething and Melland introduced:

**Senate Bill No. 360.** A Bill for an Act to authorize the state health officer of the state department of health to sell and convey certain land owned by the state of North Dakota, which land was formerly used for agricultural purposes, and declaring an emergency.

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

Senator Lips introduced:

**Senate Bill No. 361.** A Bill for an Act to amend and reenact section 57-36-06, subsection 1 of section 57-36-27, and subsection 2 of section 57-36-31 of the North Dakota Century Code, providing for an increase in the cigarette tax and allocating proceeds to cities and villages.

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

Senator Nething introduced:

**Senate Bill No. 362.** A Bill to create and enact section 29-06-28 of the North Dakota Century Code, relating to the liability of a peace officer for false arrest.

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

Senators Rait and Hernet introduced:

**Senate Bill No. 363.** A Bill for an Act to amend and reenact sections 26-24-02, 26-24-04, and 26-24-10 of the North Dakota Century Code and to amend and reenact sections 26-24-08, 26-24-09, and 26-24-13 of the Supplement of the North Dakota Century Code, relating to the coverages afforded by the state fire and tornado fund and the percentage of assessment to Bureau rates.

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

Senator Longmire introduced:

**Senate Bill No. 364.** A Bill for an Act to amend and reenact sections 15-62-01, 15-62-02, 15-62-04, and 15-62-05 of the North Dakota Century Code, to enact sections 15-62-07 and 15-62-08, and to repeal section 15-62-03 of the North Dakota Century Code, relating to student loans and the student loan guarantee fund.

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

Senator Christensen introduced:

**Senate Bill No. 365.** A Bill for an Act to amend and reenact section 54-06-10 of the North Dakota Century Code, relating to governor's consent of travel to other states.

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

Senators Christensen and Wenstrom introduced:

**Senate Bill No. 366.** A Bill for an Act to amend and reenact section 65-04-30 of the North Dakota Century Code, relating to transferring the workmen's compensation bureau checkwriting to the department of accounts and purchases, and providing an effective date.

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

Senators Christensen and Wenstrom introduced:

**Senate Bill No. 367.** A Bill for an Act to provide for transferring balances in funds maintained for the benefit of the soldiers' home to an operating fund, and to amend and reenact sections 37-15-13, 37-15-14, 37-15-15, and 37-15-16 of the North Dakota Century Code, relating to the provisions for an operating fund for the soldiers' home and providing for a transfer.

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

Senators Sorlie, Litten, Larson (Nelson - Pt. Walsh), Luick and Robinson introduced:

**Senate Bill No. 368.** A Bill for an Act to direct the state board of higher education to sell and transfer certain land and improvements thereon owned by the state of North Dakota for the benefit and use of the North Dakota state university of agriculture and applied science, and the proceeds of such sale to be deposited in the general fund.

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

Senators Wilhite, Decker and Trenbeath introduced:

**Senate Bill No. 369.** A Bill for an Act to provide a method for the execution of oil and gas leases and other documents involving mineral, leasehold or royalty interests owned or claimed by absent persons under certain circumstances.

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

Senators Lips, Lowe, Redlin and Decker introduced:

**Senate Bill No. 370.** A Bill for an Act authorizing cities of population of ten thousand or more to designate, regulate, maintain and improve streets in the central business district as a mall for primarily pedestrian use, to levy special assessments for the construction and maintenance of such improvements, and to issue special improvement warrants or bonds for said improvements.

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

Senators Larson (Nelson - Pt. Walsh) and Berube introduced:

**Senate Bill No. 371.** A Bill for an Act repealing Section 12-55-32 of the North Dakota Century Code requiring communications regarding actions of pardon board.

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

Senators Coughlin and Decker introduced:

**Senate Bill No. 372.** A Bill for an Act to restrict the leasing of land for hunting purposes.

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

Senators Kelly (Pt. Barnes), Coughlin, Pyle, Melland, Wenstrom, Luick, Sorlie, Robinson, Litten and Forkner introduced:

**Senate Bill No. 373.** A Bill for an Act to provide for the transfer of funds from the state bonding fund to the general fund.

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

Senator Longmire introduced:

**Senate Bill No. 374.** A Bill for an Act to amend and reenact section 39-17-07 of the 1965 Supplement to the North Dakota Century Code, relating to limitation on the amount payable from the Unsatisfied Judgment Fund.

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

Senator Wenstrom introduced:

**Senate Bill No. 375.** A Bill for an Act to amend and reenact sections 21-04-03, 21-04-05, 21-04-06, 21-04-07, 21-04-08, 21-04-09, 21-04-10, 21-04-12, 21-04-13, 21-04-14, 21-04-15, 21-04-16, 21-04-17, 21-04-18, and 21-04-21 of the North Dakota Century Code, relating to depositories of public funds.

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

Senator Longmire introduced:

**Senate Bill No. 376.** A Bill for an Act to create and enact sections 15-39-37.1 and 15-39-42 of the North Dakota Century Code, relating to credits and assessment under the teachers' insurance and retirement fund during periods in which a teacher is obtaining advanced training and freezing certain rights and obligations; and to amend and reenact subdivision b of subsection 1 of section 15-39-01, and sections 15-39-14, 15-39-15, 15-39-17, subsection 1 of section 15-39-28, sections 15-39-28.1, 15-39-29, 15-39-36, and section 15-39-40 of the North Dakota Century Code, relating to the teachers' insurance and retirement fund; definition of a teacher; assessments upon teaching salaries and matching contributions; repayment and refund of assessments for periods of military service and out-of-state teaching; selection of retirement options; retirement annuity credits, payments and increases; eligibility for minimum retirement annuities; and withdrawal and reinstatement in the fund.

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

Senator Wenstrom introduced:

**Senate Bill No. 377.** A Bill for an Act providing that state-chartered banks shall not collect exchange fees on checks or other cash items received in the regular course of business from persons or other banks, and providing a penalty.

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

Senators Meschke and Lips introduced:

**Senate Bill No. 378.** A Bill for an Act making an appropriation to defray the office and clerical expenses of the governor-elect of 1968.

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

Senators Schultz and Meschke introduced:

**Senate Bill No. 379.** A Bill for an Act providing that certain persons shall be entitled to motor vehicle use tax refunds, providing a procedure therefor and making an appropriation.

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

Senator Torgerson introduced:

**Senate Bill No. 380.** A Bill for an Act to provide educational assistance to the North Dakota veterans who have served in the armed forces of the United States for a period of more than one hundred eighty days from and after January 31, 1955, and providing an appropriation therefor.

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

Senator Wenstrom introduced:

**Senate Bill No. 381.** A Bill for an Act to create and enact section 20-03-21.1, and to amend and reenact sections 20-03-21, 20-03-22, 20-03-23, and 20-03-24 of the North Dakota Century Code, relating to the issuance of hunting, trapping, fishing, and taxidermists' licenses.

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

Senators Sands, Redlin and Schultz introduced:

**Senate Bill No. 382.** A Bill for an Act to amend and reenact section 20-03-01 of the North Dakota Century Code, relating to residents' licenses to hunt, trap, and fish.

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

Senators Sands, Geving, Lowe, Litten, Ruemmele, Chesrown, Nasset, Kelly (Pt. Barnes) and Schultz introduced:

**Senate Bill No. 383.** A Bill for an Act relating to the responsibilities of a professional engineer in connection with municipal construction or improvement projects.

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

Senator Longmire introduced:

**Senate Bill No. 384.** A Bill for an Act to amend and reenact sections 39-01-08 and 40-43-07 of the North Dakota Century Code relating to the permissive purchase of liability insurance by governmental subdivisions and units, providing procedures for insurance coverages to be utilized and providing for waiver of governmental immunity only to the extent of insurance coverage if insurance is purchased.

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

Senator Mutch introduced:

**Senate Bill No. 385.** A Bill for an Act to create and enact subsection 23 of section 57-02-08, exempting personal property from taxation, and to provide for the imposition of a two percent sales tax, use tax and motor vehicle use tax, exemptions thereto, manner of collection and administration, appeals, penalties, refunds, and allocation of revenues; to amend section 57-02-04, relating to the definition of real property, and to repeal sections 18-03-09 and 37-01-27, subsections 9, 10, and 11 of section 57-02-05, section 57-15-23, and chapters 57-39, 57-40, and 57-40.1 all of the North Dakota Century Code, relating to the per-capita school tax, definitions of personal property, and sales and use taxes.

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

Senators Hernet, Roen, Chesrown, Stroup and Luick introduced:

**Senate Bill No. 386.** A Bill for an Act to amend and reenact section 47-14-09 of the North Dakota Century Code, relating to maximum interest rate on loans.

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

Senators Hernet and Trenbeath introduced:

**Senate Bill No. 387.** A Bill for an Act to provide for the levying and collection of an adjusted tax on individual income.

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

Senators Hernet, Wenstrom, Ringsak, Chesrown, Longmire and Meschke introduced:

**Senate Bill No. 388.** A Bill for an Act to amend and reenact section 1 of chapter 314 of the 1965 session laws, relating to the capitol grounds planning commission and authorization for the construction of legislative facilities through the use of assets of the capitol building fund, and providing for the appropriation of such funds.

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

Senator Trenbeath introduced:

**Senate Bill No. 389.** 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 thereof for cleaning and repairing drains.

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

Senators Larsen, Lowe, Litten, Longmire and Coughlin introduced:

**Senate Bill No. 390.** A Bill for an Act to provide for the establishment, administration, organization, and management of sheltered workshops.

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

Senator Becker introduced:

**Senate Bill No. 391.** A Bill for an Act to amend and reenact sections 57-38-35, 57-38-39 and 57-38-45 of the North Dakota Century Code, relating to income tax interest and penalties and to repeal section 57-38-43 of the North Dakota Century Code.

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

Senator Larson (Nelson - Pt. Walsh) introduced:

**Senate Bill No. 392.** A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to a surtax on taxable income and providing an effective date.

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

Senators Meschke and Rait introduced:

**Senate Bill No. 393.** A Bill for an Act declaring legislative intent to simplify income tax and to eliminate certain interstate tax problems; to create and enact a new section to chapter 57-38 of the North Dakota Century Code relating to adjustments to taxable income for individuals and fiduciaries; to create and enact a new section to chapter 57-38 of the North Dakota Century Code relating to adjustments to taxable income for corporations; to create and enact a new section to chapter 57-38 of the North Dakota Century Code relating to the recognition of an election made under subchapter S of the Internal Revenue Code of 1954, as amended; to create and enact a new section to chapter 57-38 of the North Dakota Century Code relating to an optional card income tax return; to amend and reenact subsection 20 of section 57-38-01 of the North Dakota Century Code relating to definitions for income tax purposes; to amend and reenact section 57-38-06 of the North Dakota Century Code relating to nonresidents; to repeal sections 57-38-15, 57-38-15.1, 57-38-15.2, 57-38-15.3, 57-38-16, 57-38-17, 57-38-17.1, 57-38-18, 57-38-19, 57-38-20, 57-38-21, 57-38-22, 57-38-22.1, 57-38-24, 57-38-26, 57-38-27, and

57-38-28 of the North Dakota Century Code; and providing an effective date.

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

Senator Wilhite introduced:

**Senate Bill No. 394.** A Bill for an Act providing for the certification of dealers and persons engaged in the fitting of hearing aids, and for related purposes.

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

Senator Wilhite introduced:

**Senate Bill No. 395.** A Bill for an Act to require the full disclosure of finance charges with regard to extension of credit.

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

Senator Wilhite introduced:

**Senate Bill No. 396.** A Bill for an Act to provide for the reduction of liability of the sheriff in amercement proceedings.

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

#### 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 SORLIE, Chairman

Senator Robinson 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 SORLIE, Chairman

Senator Litten 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 SORLIE, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 42 has had the same under consideration and recommend that the same be amended as follows:

In line 36 after the period insert the following language "Provided, however, that the commissioners may negotiate maintenance agreements with municipalities for those signs upon state highways which are located within the corporate limits of any municipality."

In line 59 delete the words "they may deem necessary" and insert in lieu thereof "prescribed in the state manual and specifications"

In line 66 delete "July 1, 1971" and insert in lieu thereof "December 31, 1968"

And renumber the lines accordingly.

And when so amended recommends that the same do pass.

SENATOR HOLAND, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 43 has had the same under consideration and recommends that the same do pass.

SENATOR HOLLAND, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 68 has had the same under consideration and recommends that the same do pass.

SENATOR HOLLAND, Chairman

Senator Holland 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 HOLLAND, Chairman

Senator Holland moved that the report be adopted, which motion was lost.

Senator Sorlie moved that Senate Bill 102 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 117 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BECKER, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 134 has had the same under consideration and recommends that the same do pass.

SENATOR HOLLAND, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 135 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 139 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 142 has had the same under consideration and recommends that the same do pass.

SENATOR HOLLAND, Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 188 has had the same under consideration and recommends that the same be amended as follows:

In line 17 delete the triple parentheses

In line 18 delete the triple parentheses

And be rereferred to the Committee on Appropriations



And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

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

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

SENATOR HOLAND, Chairman

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

#### MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, January 23, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 4  
Senate Bill No. 10  
Senate Bill No. 119  
Senate Bill No. 121  
Senate Bill No. 124  
Senate Bill No. 127  
Senate Bill No. 130  
Senate Bill No. 131  
Senate Bill No. 133

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

LEO LEIDHOLM, Secretary

#### MESSAGES FROM THE HOUSE

House Chamber

Bismarck, January 23, 1967

Mr. President: I have the honor to transmit:

House Bill No. 563  
House Bill No. 611  
House Bill No. 612  
House Bill No. 613  
House Bill No. 618

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

ROY GILBREATH, Chief Clerk

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

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

#### TWENTY-FIRST DAY

Bismarck, January 23, 1967

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

Prayer by Chaplain Vicar David Bueltmann, Zion Lutheran, Bismarck.

Dear Heavently Father, we come to You this afternoon in thanksgiving for all You have given to us as individuals, as a state, and as a nation. You have truly blessed us and provided for us. We also thank You for the most important gift which You gave us which is Your Son. We thank You that You did send Your Son into this world to suffer, die, and rise again that we might receive the forgiveness of our sins through Him. We acknowledge that without You we can do nothing. Therefore we ask You to be with us here in our state of North Dakota, guide the decisions made by the senators here present that our state continue to flourish. Bless

our nation that the true purposes of government prevail, safeguarding peace and prosperity, to the end that we may live soberly and uprightly in Your sight. Watch over us and protect us in all that we do so that we may walk as You would have us to walk. Pour out Your Holy Spirit upon us that we may ever recognize You as ruler over all. We pray in the name of Jesus our Savior. Amen.

Roll call: All Senators present except Senator Beck.

A quorum was declared by the President.

#### CORRECTION AND REVISION

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 find the same correct.

SENATOR LOWE, Chairman

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

#### CONSIDERATION OF AMENDMENTS

Senator Redlin moved that the amendments to Senate Bill No. 46 as recommended by the Committee on Political Subdivisions, and printed on page 141 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 145 as recommended by the Committee on Social Welfare and Veterans Affairs, and printed on page 143 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 152 as recommended by the Committee on Social Welfare and Veterans Affairs, and printed on page 143 of the Senate Journal, be adopted, which motion prevailed.

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 56.** For an Act to amend and reenact section 21-06-07 of the North Dakota Century Code, relating to investments of surpluses by political subdivisions.

Was read the second time.

#### ROLL CALL

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

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Bulter	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nething	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	
Absent and not voting:			
Beck	Sorlie		

So the bill passed and the title was agreed to.

**Senate Bill No. 59.** For an Act to amend and reenact section 21-03-04 and subsections 1, 5, and 6 of section 21-03-06 of the North Dakota Century Code to provide that debt limitations of certain political subdivisions shall not exceed the limitations established by section 183 of the state Constitution.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 6; absent and not voting, 2.

Those voting in the affirmative were:

Becker	Holand	Lowe	Roen
Bulter	Jacobson	Luick	Ruemmele
Chesrown	Kautzmann	Melland	Sands
Coughlin	Kelly, E.	Morgan	Schultz
Decker	Kelly, M.	Nasset	Stafne
Forkner	Larsen, R.	Nething	Stroup
Freed	Larson, G.	Pyle	Torgerson
Geving	Lips	Redlin	Trenbeath
Goldberg	Liften	Ringsak	Wenstrom
Hernett	Longmire	Robinson	Wilhite
Hofstrand			

Those voting in the negative were:

Berube	Larson, L.	Mutch	Rait
Christensen	Meschke		
Absent and not voting:			
Beck	Sorlie		

So the bill passed and the title was agreed to.

**Senate Bill No. 95.** For an Act to amend and reenact section 61-01-14 of the 1965 Supplement to the North Dakota Century Code, relating to the fouling of public water.

Was 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:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Bulter	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Liften	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:  
Beck

So the bill passed and the title was agreed to.

**Senate Bill No. 107.** For an Act to provide for transferring balances from Korean bonus sinking fund to the general fund.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Bulter	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson

Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:  
Beck

So the bill passed and the title was agreed to.

**Senate Bill No. 120.** For an Act to amend and reenact section 31-01-09 of the North Dakota Century Code, relating to the privilege against self-incrimination.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 141 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Bulter	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:  
Beck

So the bill passed and the title was agreed to.

**Senate Bill No. 126.** A Bill for an Act to require insurance adjusters, attorneys, and any other person who has taken a statement of any individual for the purpose of possible use in a lawsuit arising out of a tortious act to provide a copy of the statement to the person from whom said statement was taken, and providing a penalty.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 126 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Bulter	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:  
Beck

So the bill passed and the title was agreed to.

**Senate Bill No. 129.** A Bill for an Act to create and enact section 12-42-09 of the North Dakota Century Code, relating to making false reports to the police.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 126 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Bulter	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Beck

So the bill passed and the title was agreed to.

**Senate Bill No. 132.** A Bill for an Act to repeal section 35-01-26 of the North Dakota Century Code, relating to the sale or disposition of mortgaged property.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 127 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Bulter	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Beck

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 23, 1967

Mr. President: I have the honor to transmit:

House Concurrent Resolution "H"

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

ROY GILBREATH, Chief Clerk

SIGNING OF A RESOLUTION

The Secretary announced that the President was about to sign House Concurrent Resolution "H"

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

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, January 23, 1967

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "H"

Which the President has signed.

LEO LEIDHOLM, Secretary

## MOTIONS

Senator Ringsak moved that Senate Bill No. 250 be returned to the Senate from the Committee on Social Welfare and Veterans Affairs, which motion prevailed.

Senator Ringsak moved that Senate Bill No. 250 be re-referred to the Committee on State and Federal Government, which motion prevailed.

Senator Melland moved that Senate Bills No. 267 and 268 be returned to the Senate from the Committee on Industry, Business and Labor, which motion prevailed.

Senator Melland moved that Senate Bills No. 267 and 268 be re-referred to the Committee on Transportation, which motion prevailed.

Senator Lips moved that the Senate recess until 1:30 p.m., January 24, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary

"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### TWENTY-FIRST DAY AFTER RECESS AND TWENTY-SECOND DAY

Bismarck, January 24, 1967

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

#### REPORTS OF STANDING COMMITTEES

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

Senate Bill No. 46  
Senate Bill No. 145  
Senate Bill No. 152

And find the same correctly engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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 resolutions:

Senate Concurrent Resolution "K"  
Senate Concurrent Resolution "L"

And find the same correctly enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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 "K"  
Senate Concurrent Resolution "L"

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. 25 has had the same under consideration and recommends that the same be amended as follows:

In line 8 after the word Services delete (Includes Library Services)

In line 8 delete the figure \$32,680.00 and insert in lieu thereof \$17,680.00.

In line 9 delete the figure \$34,722.00 and insert in lieu thereof \$44,722.00.

In line 10 delete the figure \$200.00 and insert in lieu thereof \$5,200.00.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee made the above amendments because of initial

misinterpretation as to what belongs in the pertinent lined items.

SENATOR SORLIE, Chairman

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 77 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 100 has had the same under consideration and recommends that the same be amended as follows:

In line 4 delete the following: "Subject to the provisions of this section" and insert in lieu thereof "Notwithstanding any other provisions of law, including this section."

In line 8 after the period delete "Such agreement"

Delete all of lines 9, 10 and 11.

In line 12 delete the following: "liabilities and shall receive its share of the assets."

In line 19 after the word "election" delete the following: ", the description of"

In line 20 delete the following: "the boundaries of the proposed joint district."

In line 21 after the word "agreement" delete the following: ", including assets, debts, and liabilities of each"

Delete all of line 22.

In line 23 delete the following: "liabilities in the event of dissolution"

In line 33 after the figure "15-48" delete "and 57-15" and insert in lieu thereof ", 57-16 and sections 57-15-13 and 57-15-14"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 105 has had the same under consideration and recommends that the same be amended as follows:

In line 229 after the period insert the following language "Provided that when such funds are deposited in a bank other than the Bank of North Dakota or a bank which is not a duly designated depository for state funds, such bank shall be required to pledge as security for such deposit, securities in an amount equal to the sum by which such deposit exceeds the amount of Federal Deposit Insurance Corporation insurance. Securities which shall be eligible for such pledge shall be notes or bonds issued by the United States government, its agencies or instrumentalities, all bonds and notes guaranteed by the United States government, Federal Land Bank bonds or bonds issued by any state of the United States. In lieu of the deposit of such securities, a surety bond may be accepted from the bank designated as a depository in a sum equal to the amount of funds such bank may receive in excess of the amount guaranteed by the Federal Deposit Insurance Corporation."

In line 274 delete the words "a bank which is a member of" and insert in lieu thereof "as provided in Section 15-55-05"

In line 275 delete the words "the Federal Deposit Insurance Corporation"



And Renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR ROEN, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 159 has had the same under consideration and recommends that the same be amended as follows:

In line 2 of the title delete the word "County" and insert in lieu thereof the word "county"

In line 3 of the title delete the word "Auditor" and insert in lieu thereof the word "auditor"

In line 4 of the bill delete the word "County" and insert in lieu thereof the word "COUNTY"

In line 4 of the bill delete the words "discovery of" and insert in lieu thereof the words "DISCOVERY OF"

In line 5 delete the words "Clerical error" and insert in lieu thereof the words "CLERICAL ERROR"

In line 20 after the comma insert the following: "provided the assessor furnishes the county auditor with a written statement describing the nature of the error, which statement the county auditor shall keep on file."

In line 28 delete the word "County" and insert in lieu thereof the word "county"

And renumber the lines accordingly

And when so amended recommends the same do pass.

SENATOR BECKER, Chairman

Senator Becker 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 do pass.

SENATOR BECKER, Chairman

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

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 do pass.

SENATOR BECKER, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 177 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 178 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 187 has had the same under consideration and recommends that the same be amended as follows:

In line 17 after the word "reduction" insert the following "or adjustment"

In line 23 after the word "reduction" insert the following "or adjustment"

And renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR ROEN, Chairman

Senator Roen 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 do pass.

SENATOR BECKER, Chairman

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

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

In line 15 after the word "authorize" insert the following "tuition."

And when so amended recommend the same do pass.

SENATOR ROEN, Chairman

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

#### CONSIDERATION OF AMENDMENTS

Senator Holand moved that the amendments to Senate Bill No. 42 as recommended by the Committee on Transportation, and printed on page 181 of the Senate Journal, be adopted, which motion prevailed.

Senator Roen moved that the amendments to Senate Bill No. 188 as recommended by the Committee on Education, and printed on page 182 of the Senate Journal, be adopted, which motion prevailed.

#### MOTION

Senator Roen moved that Senate Bill No. 188 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Mutch moved that Senate Bill No. 229 be returned to the Senate from the Committee on Industry, Business and Labor, which motion prevailed.

Senator Mutch moved that Senate Bill No. 229 be re-referred to the Committee on Social Welfare and Veterans Affairs, which motion prevailed.

Senator Trenbeath moved that Senate Bills Nos. 316, 317, 318, 329, 348, and 368 be returned to the Senate from the Committee on Natural Resources, which motion prevailed.

Senator Trenbeath moved that Senate Bills Nos. 316, 317, 318, 329, 348, and 368 be re-referred to the Committee on Agriculture, which motion prevailed.

#### FIRST READING OF A SENATE CONCURRENT RESOLUTION

Senators Longmire, Larsen, and Lowe introduced:

**Senate Concurrent Resolution "T".** A Concurrent Resolution, expressing appreciation to Chester Fritz for his gifts to the University of North Dakota and for the benefit of the people of his native State.

Was read the first time.

Senator Longmire moved that the rules be suspended, that Senate Concurrent Resolution "T" be not printed as a bill but printed in the Journal, and placed on second reading and final passage, which motion prevailed.

### SENATE CONCURRENT RESOLUTION "T"

Introduced by Senators Longmire, R. Larsen, and Lowe.

A concurrent resolution expressing appreciation to Chester Fritz for his gifts to the University of North Dakota and for the benefit of the people of his native State.

1 WHEREAS, through the generous gift of Chester Fritz the  
 1a sum  
 2 of one million dollars has been made available toward the  
 2a construc-  
 3 tion of a new auditorium at the University of North Dakota;  
 3a and  
 4 WHEREAS, Chester Fritz has previously given one million  
 4a dollars  
 5 for the construction of the Chester Fritz Library now serving  
 6 thousands of students and citizens of North Dakota every day;  
 6a and  
 7 WHEREAS, Chester Fritz has generously endowed the-  
 7a Chester Fritz  
 8 scholarships enabling worthy boys and girls to continue with  
 8a their  
 9 college education through the financial help of such  
 9a scholarships  
 10 and his other benefactions;  
 11 NOW, THEREFORE, BE IT RESOLVED BY THE  
 12 SENATE OF THE STATE OF NORTH DAKOTA, THE  
 13 HOUSE OF REPRESENTATIVES CONCURRING THEREIN:  
 14 That on behalf of the people of the state of North Dakota, we  
 15 express our thanks and appreciation for all the generosity and  
 16 foresight of Mr. Fritz for gifts that make North Dakota a  
 16a greater  
 17 state and enhance the cultural and educational opportunities of  
 18 its people, and especially for his most recent significant  
 18a contribu-  
 19 tion that will make possible an auditorium, which will become  
 19a a  
 20 cultural center to improve the quality of life enjoyed by  
 20a Univer-  
 21 sity students and by citizens of the State and, moreover, we  
 22 commend the State Board of Higher Education for its support  
 22a for  
 23 this extension of the cultural life of the area and for its  
 23a decision  
 24 to name the new center THE CHESTER FRITZ AUDITORIUM,  
 24a thus perpet-  
 25 uating the name, generosity, and foresight of the donor; and  
 26 BE IT FURTHER RESOLVED, that copies of this  
 26a resolution be  
 27 forwarded by the Secretary of State to Chester Fritz.

### SECOND READING OF A SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution "T".** A Concurrent Resolution expressing appreciation to Chester Fritz for his gifts to the University of North Dakota and for the benefit of the people of his native State.

Was read the second time.

Senator Longmire moved that Senate Concurrent Resolution "T" be adopted, which motion prevailed.

FIRST READING OF A  
SENATE CONCURRENT RESOLUTION

Senators Longmire, Larsen and Lowe introduced:

**Senate Concurrent Resolution "U".** A Concurrent Resolution expressing appreciation to Dr. Maxwell M. Upson for the contribution toward the construction of a new engineering building on the campus of the University of North Dakota.

Was read the first time.

SENATE CONCURRENT RESOLUTION "U"

Introduced by Senators Longmire, R. Larsen, and Lowe.

A concurrent resolution expressing appreciation to Dr. Maxwell M. Upson for the contribution toward the construction of a new engineering building on the campus of the University of North Dakota.

- 1 WHEREAS, through the generous gift of Dr. Maxwell M.  
1a Upson the  
2 sum of four hundred thousand dollars has been offered to be  
2a used  
3 toward the construction of an engineering building on the  
3a campus  
4 of the University of North Dakota, provided this amount can  
4a be  
5 matched by March 1; and  
6 WHEREAS, Dr. Upson also endowed the Maxwell M. Upson  
6a scholar-  
7 ships providing sixteen scholarships of five hundred dollars  
7a each  
8 for each year in perpetuity, thus enabling many worthy young  
8a North  
9 Dakotans to continue with their education when financial  
9a circum-  
10 stances might otherwise have made this impossible; and  
11 WHEREAS, Dr. Maxwell M. Upson also endowed the  
11a Maxwell M. Upson  
12 Lectureship which provides outstanding and distinguished  
12a lecturers  
13 for the University community and general public each year;  
14 NOW, THEREFORE, BE IT RESOLVED BY THE  
15 SENATE OF THE STATE OF NORTH DAKOTA, THE  
16 HOUSE OF REPRESENTATIVES CONCURRING THEREIN:  
17 That on behalf of the people of the state of North Dakota we  
18 express our thanks and appreciation for the generosity and  
18a fore-  
19 sight of Dr. Upson in making this significant contribution to  
19a his  
20 alma mater, and we commend the State Board of Higher  
20a Education  
21 for its efforts to secure the necessary matching funds and for  
22 naming the proposed new building THE MAXWELL M.  
22a UPSON HALL, to  
23 perpetuate the name, generosity, and foresight of the donor.  
24 BE IT FURTHER RESOLVED, that a copy of this resolution  
24a be  
25 forwarded to Dr. Maxwell M. Upson by the Secretary of State.

SECOND READING OF A  
SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution "U".** A Concurrent Resolution expressing appreciation to Dr. Maxwell M. Upson for the contribution toward the construction of a new engineering building on the campus of the University of North Dakota.

Was read the second time.

Senator Longmire moved that Senate Concurrent Resolution "U" be adopted, which motion prevailed.

#### FIRST READING OF A SENATE CONCURRENT RESOLUTION

Senators Decker, Lowe and Becker introduced:

**Senate Concurrent Resolution "V".** A Concurrent Resolution directing the North Dakota employment security bureau to carry out a comprehensive study of unemployment insurance coverage for state, county and municipal employees.

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

#### FIRST READING OF HOUSE BILLS

**House Bill No. 563.** For an Act to amend and reenact sections 27-16-06, 27-16-18, and 27-16-31 of the North Dakota Century Code, relating to the confidentiality of juvenile court records and hearings and the publication of names of certain juvenile offenders.

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

**House Bill No. 611.** For an Act to create and enact subsection 11 of Section 26-09-01 of the North Dakota Century Code providing conditions to be complied with by foreign insurance companies before transacting business in state.

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

**House Bill No. 612.** For an Act to amend and reenact subsection 3 of section 26-08-11 of the 1965 Supplement to the North Dakota Century Code relating to the authorized investment of funds of insurance companies.

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

**House Bill No. 613.** A Bill for an Act to amend and reenact subsection 4 of section 26-08-05 of the North Dakota Century Code relating to the period of corporate existence permitted of a domestic insurance company.

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

**House Bill No. 618.** A Bill for an Act to amend and reenact subsection 6 of section 12-41-11 of the 1965 Supplement to the North Dakota Century Code, relating to the malicious injury to a freehold.

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

#### MOTION

Senator Forkner moved that the Secretary of the Senate be authorized to arrange for the printing of 100 extra copies of the Senate Journal effective January 21, 1967.

#### ROLL CALL

The question being on the motion of Senator Forkner to print 100 extra copies of Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne

Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:  
Beck

So the motion was declared carried.

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

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

## TWENTY-SECOND DAY

Bismarck, January 24, 1967

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

Prayer by Chaplain R. Lynn Gaylor, United Church of Christ, Bismarck.

We pause in the middle of a busy day to remember the source of all our being. We are grateful for gifts of wisdom and knowledge given by the Great Provider. May He provide us this day with the wisdom and the courage to make the decisions needed to face the issues of our time.

With fear and trembling we stand before Him and our fellow-man.

Amen.

Roll call: All Senators present except Senator Beck.

A quorum was declared by the President.

## CORRECTION AND REVISION

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 finds the same correct.

SENATOR LOWE, Chairman

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

## SECOND READING OF SENATE BILLS AND A SENATE CONCURRENT RESOLUTION

**Senate Bill No. 5.** 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 second time.

Senator Sorlie moved that Senate Bill No. 5 be re-referred to the Committee on Appropriations, which motion prevailed.

**Senate Bill No. 13.** 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 second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Becker	Holand	Luick	Robinson
Butler	Jacobson	Melland	Roen
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne

Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite
Hofstrand	Lowe		

Absent and not voting:

Beck	Berube	Ruemmele
------	--------	----------

So the bill passed and the title was agreed to.

**Senate Bill No. 27.** For an Act making an appropriation for salaries and other expenses for administering the provisions of Chapter 39-17 of the North Dakota Century Code.

Was 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:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Beck

So the bill passed and the title was agreed to.

**Senate Bill No. 43.** For an Act to create and enact subsection 12 of section 39-03-09 and to amend and reenact sections 29-06-15, 39-03-02, 39-03-03, 39-03-04, 39-03-07, subsection 2 of section 39-03-13, and section 39-03A-18 of the North Dakota Century Code, relating to the powers of the Highway Patrol, arrests without warrants, the appointment, removal, and duties of the superintendent, assistant superintendent, and patrolmen, the qualifications of patrolmen, the powers and salary of the superintendent, and to the compulsory termination of employment of patrolmen, and to repeal section 29-06-16 of the North Dakota Century Code, relating to arrests at night.

Was read the second time.

Senator Holand moved that Senate Bill No. 43 be placed at the foot of the calendar, which motion prevailed.

**Senate Bill No. 68.** For an Act to amend and reenact section 39-04-36 of the 1965 Supplement to the North Dakota Century Code relating to the transfer of registration and number plates of motor vehicles.

Was 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:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands

Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Beck

So the bill passed and the title was agreed to.

**Senate Bill No. 102.** A Bill for an Act transferring the field enforcement functions of the weight control division of the state highway department, together with all field equipment and facilities used by the weight control division, to the state highway patrol, and to amend and reenact sections 24-01-13, 24-03-02, 39-03A-09, 39-04-40, and 39-12-07 of the North Dakota Century Code, relating to the authority of the state highway commissioner in regulating and controlling the weight of vehicles traveling upon the state highway system.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 10; nays, 38; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Hofstrand	Nothing	Roen
Geving	Longmire	Robinson	Sorlie
Hernett	Luick		

Those voting in the negative were:

Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Stafne
Coughlin	Larsen, R.	Nasset	Stroup
Decker	Larson, G.	Pyle	Torgerson
Forkner	Larson, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Holand	Lowe		

Absent and not voting:

Beck

So the bill was declared lost.

**Senate Bill No. 134.** A Bill for an Act to create and enact section 39-16-03.1 of the North Dakota Century Code, precluding the public dissemination of driver abstracts containing entries more than five years old except by a court order.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Torgerson



Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Hernett	Longmire		

Those voting in the negative were:

Redlin            Stroup

Absent and not voting:

Beck

So the bill passed and the title was agreed to.

**Senate Bill No. 135.** A Bill for an Act amending and reenacting section 57-38-21 of the 1963 Supplement to the North Dakota Century Code relating to the definition of and computation of net income.

Was 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:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Bulter	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Beck

So the bill passed and the title was agreed to.

**Senate Bill No. 139.** For an Act to amend and reenact subsection 21 of section 57-38-01 of the 1965 Supplement to the North Dakota Century Code, relating to income tax definitions, and declaring an emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Bulter	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Beck

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

**Senate Bill No. 142.** A Bill for an Act to authorize the state board of higher education to convey its interest in certain lands to the state highway department for use as highway rights-of-way.

Was 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:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Beck

So the bill passed and the title was agreed to.

**Senate Concurrent Resolution "T".** A Concurrent Resolution urging the Bureau of Public Roads to adopt standards allowing the use of yellow centerlines in the northern states.

Was read the second time.

Senator Morgan moved that Senate Concurrent Resolution "T" be adopted, which motion prevailed.

**Senate Bill No. 46.** For an Act to provide for the transition of villages to cities and to amend and reenact sections 1-08-04, 2-02-01, 2-02-02, 2-02-03, 2-02-04, 2-02-06, 2-02-08, subsection 4 of section 2-04-01, section 2-05-06.1, subsection 1 of section 2-06-01, sections 2-06-20, 5-01-13, 5-01-17, 5-02-07, 5-02-08, 5-03-03, 5-03-04, 5-03-20, 5-05-02, 5-05-03, 12-19-25, subsection 2 of section 12-21-15, subsection 5 of section 12-41-11, sections 15-27-01, 15-35-13, 16-09-02, 16-09-03, 18-01-06, 18-01-08, 18-04-01, 18-04-02, 18-04-03, 18-04-04, 18-04-05, 18-04-07, 19-01-05, subsection 1 of section 21-01-01, sections 21-01-06, 21-02-02, 21-02-06, subsections 1 and 2 of section 21-03-01, subsection 1 of section 21-03-02, subsection 2 of section 21-03-07, subsection 2 of section 21-03-10, sections 21-03-12, 21-03-17, 21-03-24, 21-03-25, 21-03-26, 21-03-27, 21-03-29, 21-03-31, 21-03-34, subsections 1, 2, and 3 of section 21-04-01, sections 21-04-06, 21-06-05, 21-06-06, 21-06-07, 21-06-09, subdivision b of subsection 1 and subdivision c of subsection 2 of section 23-02-13, subdivision b of subsection 1 and subdivision c of subsection 2 of section 23-02-30, subsections 2, 3, and 4 of section 23-03-07, sections 23-03-11, 23-05-01, 23-05-04, 23-05-05, subsection 1 of section 23-05-07, sections 23-05-08, 23-05-10, 23-07-04, 23-14-01, 23-14-07, 23-15-03, 23-24-02, 23-24-05, 23-24-06, subsection 26 of section 24-01-01.1, sections 24-01-14, 24-06-10, 24-07-04, 24-08-01, 26-23-05, 26-23-10, 26-23-22, subsection 3 of section 26-24-01, sections 26-24-06, 26-24-08, 27-09-06, 27-09-07, 27-09-08, 27-09-09, 27-09-10, 27-09-24, 29-02-23, 32-14-07, 32-28-01, 32-28-03, 38-09-02, 40-01-01, 40-01-02, 40-01-10, 40-01-11, 40-01-16, 40-01-18, 40-01-20, 40-02-01, subsection 4 of section 40-02-05, sections 40-02-09, 40-02-10, 40-02-11, 40-02-12, 40-04-01, 40-04-03, 40-04-04, 40-04-07, subsections 1 and 71 of section 40-05-01, sections 40-05-02.2, 40-05-05, 40-05-09.1, 40-11-01, 40-11-04, 40-11-08, 40-11-12, 40-13-02, 40-13-03, 40-18-01, 40-18-05, 40-18-07, 40-18-12, 40-18-15, 40-18-16, 40-18-17, 40-18-19, 40-19-01, 40-19-03, 40-21-06, 40-21-07, 40-21-08, 40-21-10, 40-21-12, 40-21-14, 40-22-14, 40-22-17,

subsection 1 of section 40-22-19, sections 40-22-24, 40-22-25, 40-22-26, 40-22-30, subsection 1 of section 40-22-31, sections 40-22-35, 40-22-36, 40-22-40, 40-23-02, 40-23-05, 40-23-07, 40-23-12, 40-23-13, 40-23-14, 40-23-16, 40-24-09, 40-24-11, 40-24-12, 40-24-15, 40-24-16, 40-24-20, 40-27-05, 40-28-02, 40-28-03, 40-28-04, 40-28-05, 40-28-06, 40-28-07, 40-28-08, 40-28-09, 40-29-04, 40-29-05, 40-29-07, 40-29-09, 40-29-10, 40-29-12, 40-29-15, 40-29-17, 40-29-18, 40-29-19, 40-29-20, 40-33-03, 40-33-14, 40-33-16, subsection 5 of section 40-34-02, sections 40-38-03, 40-38-10, 40-39-01, 40-39-02, 40-39-03, 40-39-06, 40-39-08, 40-40-02, subdivision A of subsection 2 of section 40-40-05, sections 40-40-06, 40-40-10, 40-40-13, 40-40-14, 40-40-17, 40-41-02, 40-41-03, 40-41-07, 40-42-01, 40-42-02, 40-42-03, 40-43-03, 40-47-01, 40-48-28, 40-48-31, 40-48-35, 40-49-02, 40-49-04, 40-49-07, 40-49-08, subsection 1 of section 40-49-12, sections 40-49-13, 40-49-17, 40-50-16, 40-50-19, 40-50-22, 40-55-01, subsections 2, 3, and 4 of section 40-58-19, sections 40-59-02, 40-59-03, 47-19-14, 48-04-01, 48-04-02, 48-04-03, 50-16-01, 53-02-08, subsection 3 of section 53-03-01, sections 53-06-06, 57-12-01, 57-12-01.1, 57-12-02, subdivisions a and b of subsection 2 of section 57-12-06, subsections 1 and 3 of section 57-13-04, sections 57-15-01, 57-15-07, 57-15-10, 57-15-10.1, 57-15-27, 57-15-27.1, 57-15-30, 57-15-31, 57-15-32, 57-15-37, 57-15-38, 57-15-39, 57-15-40, 57-15-41, 57-15-42, 57-15-43, 58-02-10, 58-03-04, 58-04-01, subsections 4 and 18 of section 58-06-01, sections 58-10-04, 58-15-01, 58-15-02, 58-15-03, 58-15-04, 58-15-07, 58-16-01, 58-16-02, 61-01-18, 61-21-62, 62-01-06, 63-02-01, 63-02-03, 63-02-05, 63-02-06, 63-02-07, subsection 4 of section 63-02-08, subsection 3 of section 63-02-12, sections 63-02-14, 63-02-16, and 63-03-01 of the North Dakota Century Code, relating to forms of municipal government, eliminating villages as a form of municipal government, contracts by municipalities, municipal ordinances providing for the sale of property, and deleting provisions relating to villages and officers thereof, and to repeal section 16-10-05, subsection 3 of section 21-03-06, subsection 3 of section 21-03-21, chapter 40-03, sections 40-05-04, 40-05-07, chapter 40-07, sections 40-19-04, 40-21-04, 40-29-06, 40-49-06, 40-49-19, 40-51-13, 40-51-14, 40-51-15, 40-51-16, chapters 40-53, and 57-10, and section 57-15-09 of the North Dakota Century Code, relating to villages and their powers, duties, officers, and organization.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 141 of the Senate Journal the roll was called and there were ayes, 42; nays, 5; absent and not voting, 2.

Those voting in the affirmative were:

Becker	Hernett	Litten	Redlin
Berube	Hofstrand	Longmire	Ruemmele
Butler	Holand	Lowe	Sands
Chesrown	Jacobson	Luick	Schultz
Christensen	Kautzmann	Melland	Sorlie
Coughlin	Kelly, E.	Meschke	Stafne
Decker	Kelly, M.	Nasset	Stroup
Forkner	Larsen, R.	Nothing	Trenbeath
Freed	Larson, G.	Pyle	Wenstrom
Geving	Larson, L.	Rait	Wilhite
Goldberg	Lips		

Those voting in the negative were:

Morgan	Ringsak	Robinson	Torgerson
Mutch			

Absent and not voting:

Beck	Roen
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So the bill passed and the title was agreed to.

**Senate Bill No. 145.** A Bill for an Act to require the motor vehicle registrar to issue special parking privilege permits to handi-

capped people and to repeal section 40-05-02.1 of the North Dakota Century Code, relating to parking privileges for the handicapped, and providing a penalty.

Was read the second time.

✓ Senator Lips moved that Senator Trenbeath be excused from voting on Senate Bill No. 145, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 143 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3; excused, 1.

Those voting in the affirmative were:

Becker	Hofstrand	Longmire	Redlin
Berube	Holand	Lowe	Ringsak
Butler	Jacobson	Luick	Robinson
Chesrown	Kautzmann	Melland	Ruemmele
Christensen	Kelly, E.	Meschke	Sands
Coughlin	Kelly, M.	Morgan	Sorlie
Decker	Larsen, R.	Mutch	Stafne
Forkner	Larsen, G.	Nasset	Stroup
Freed	Larson, L.	Nething	Torgerson
Geving	Lips	Pyle	Wenstrom
Goldberg	Litten	Rait	Wilhite
Hernett			

Absent and not voting:

Beck	Roen	Schultz
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Excused:

Trenbeath

So the bill passed and the title was agreed to.

**Senate Bill No. 152.** A Bill for an Act to amend and reenact section 23-13-09 of the 1965 Supplement to the North Dakota Century Code relating to membership of state safety committee.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 143 of the Senate Journal, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Becker	Hofstrand	Longmire	Redlin
Butler	Holand	Lowe	Ringsak
Chesrown	Jacobson	Luick	Robinson
Christensen	Kautzmann	Melland	Sands
Coughlin	Kelly, E.	Meschke	Sorlie
Decker	Kelly, M.	Morgan	Stafne
Forkner	Larsen, R.	Mutch	Stroup
Freed	Larsen, G.	Nasset	Torgerson
Geving	Larson, L.	Nething	Trenbeath
Goldberg	Lips	Pyle	Wenstrom
Hernett	Litten	Rait	Wilhite

Absent and not voting:

Beck	Roen	Ruemmele	Schultz
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Berube

So the bill passed and the title was agreed to.

**Senate Bill No. 43.** For an Act to create and enact subsection 12 of section 39-03-09 and to amend and reenact sections 29-06-15, 39-03-02, 39-03-03, 39-03-04, 39-03-07, subsection 2 of section 39-03-13, and section 39-03A-18 of the North Dakota Century Code, relating to the powers of the Highway Patrol, arrests without warrants, the appointment, removal, and duties of the superintendent, assistant superintendent, and patrolmen, the qualifications of patrol-

men, the powers and salary of the superintendent, and to the compulsory termination of employment of patrolmen, and to repeal section 29-06-16 of the North Dakota Century Code, relating to arrests at night.

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, 1; absent and not voting, 3.

Those voting in the affirmative were:

Becker	Holand	Lowe	Ringsak
Berube	Jacobson	Luick	Robinson
Butler	Kautzmann	Melland	Ruemmele
Chesrown	Kelly, E.	Meschke	Sands
Christensen	Kelly, M.	Morgan	Sorlie
Coughlin	Larsen, R.	Mutch	Stafne
Decker	Larsen, G.	Nasset	Stroup
Forkner	Larsen, L.	Nothing	Torgerson
Geving	Lips	Pyle	Trenbeath
Goldberg	Litten	Rait	Wenstrom
Hernett	Longmire	Redlin	Wilhite
Hofstrand			

Those voting in the negative were:

Freed

Absent and not voting:

Beck	Roen	Schultz
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So the bill passed and the title was agreed to.

#### MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, January 24, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 56

Senate Bill No. 59

Senate Bill No. 95

Senate Bill No. 107

Senate Bill No. 120

Senate Bill No. 126

Senate Bill No. 129

Senate Bill No. 132

Senate Concurrent Resolution "T"

Senate Concurrent Resolution "U"

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

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, January 24, 1967

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "K"

Senate Concurrent Resolution "L"

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

LEO LEIDHOLM, Secretary

#### MESSAGES FROM THE HOUSE

House Chamber

Bismarck, January 24, 1967

Mr. President: I have the honor to return:

Senate Bill No. 32

Senate Bill No. 94

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, January 24, 1967

Mr. President: I have the honor to transmit:

House Bill No. 505

House Bill No. 584

House Bill No. 629

House Bill No. 637

House Bill No. 647

House Bill No. 660

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

ROY GILBREATH, Chief Clerk

Senator Lips moved that the Senate recess until 1:30 p.m., January 25, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary

"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### TWENTY-SECOND DAY AFTER RECESS AND TWENTY-THIRD DAY

Bismarck, January 25, 1967

The Senate convened at 1:30 p.m., pursuant to recess taken, the President Pro Tem 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. 42

Senate Bill No. 188

And find the same correctly Engrossed.

SENATOR WENSTROM, Chairman

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

Senator Freed moved that Senate Bill No. 170 be returned to the Senate from the Committee on Judiciary, which motion prevailed.

Senator Freed requested unanimous consent of the Senate to withdraw Senate Bill No. 170, which motion prevailed.

Senator Holand moved that Senate Bill No. 328 be returned to the Senate from the Committee on Industry, Business and Labor, which motion prevailed.

Senator Holand requested unanimous consent to withdraw Senate Bill No. 328, which request was granted.

Senator Morgan moved that Senate Bill No. 368 be returned to the Senate from the Committee on Agriculture, which motion prevailed.

Senator Morgan moved that Senate Bill No. 368 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Redlin moved that Senate Bill No. 384 be returned to the Senate from the Committee on Political Subdivisions, which motion prevailed.

Senator Redlin moved that Senate Bill No. 384 be re-referred to the Committee on Judiciary, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

**House Bill No. 505.** A Bill for an Act making an appropriation to the North Dakota Park Service for administration, operation, maintenance, and development of state parks.

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

**House Bill No. 584.** A Bill for an Act to amend and reenact section 15-47-35 of the North Dakota Century Code, relating to the number of days of permissible absence annually due to sickness that shall be provided in the employment contract of any teacher.

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 37-18-04 of the North Dakota Century Code, relating to the duties and functions of the Commissioner of the Department of Veterans Affairs, and to create a new section under chapter 37-18 pertaining to the keeping and maintaining of records of veterans, and providing that such records and information contained therein be kept confidential, except for certain purposes.

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 to repeal sections 15-12-11 and 15-12-12 of the North Dakota Century Code, relating to the furnishing of lists of college publications to the county auditor and the duty of the county auditor to cause such lists to be published.

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

**House Bill No. 647.** A Bill for an Act to amend and reenact subsection 6 of section 34-06.1-02 of the 1965 Supplement to the North Dakota Century Code, changing the definition of commissioner to mean commissioner of labor.

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

**House Bill No. 660.** A Bill for an Act to amend and reenact section 24-02-39 of the North Dakota Century Code relating to highway department building limitations.

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

#### 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 be amended as follows:

In line 3 delete the figure \$664,805.00 and insert in lieu thereof \$661,405.00.

In line 9 delete the figure \$48,220.00 and insert in lieu thereof \$44,820.00

In line 14 delete the figure \$664,805.00 and insert in lieu thereof \$661,405.00

In line 16 delete the figure \$567,278.00 and insert in lieu thereof \$563,878.00

In line 20 delete the figure \$664,805.00 and insert in lieu thereof \$661,405.00

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The Committee reduced Fees and Services by \$3,400.00 because of a corrected estimated cost of insurance.

SENATOR SORLIE, Chairman

Senator Wenstrom 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 line 3 delete the figure \$2,043,036.00 and insert in lieu thereof \$2,017,534.00

In line 4 delete the figure \$1,530,028.00 and insert in lieu thereof \$1,513,150.00

In line 5 delete the figure \$513,008.00 and insert in lieu thereof \$504,384.00



In line 9 delete the figure \$592,979.00 and insert in lieu thereof \$567,477.00

In line 15 delete the figure \$2,043,036.00 and insert in lieu thereof \$2,017,534.00

In line 16 delete the figure \$1,530,028.00 and insert in lieu thereof \$1,513,150.00

In line 17 delete the figure \$513,008.00 and insert in lieu thereof \$504,384.00

After line 17 add the following: SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

Renumber the sections and lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee reduced the number of counselors requested from 5 to 3, 75% of whose salaries are paid by federal funds and 25% by state funds.

SENATOR SORLIE, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 98 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

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

Mr. President: Your Committee on Judiciary 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 9 after the comma insert the following: "harass, terrify, intimidate, or offend,"

In line 10 after the word "injury" delete the following "to the per-"

Delete all of line 11

In line 12 delete the following "his family, is" and insert in lieu thereof "to any person or property of any person shall be"

And renumber the lines accordingly

And when so amended recommend the same do pass.

ROBERT CHESROWN, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 136 has had the same under consideration and recommends that the same be amended as follows:

In line 6 delete the triple parentheses

In line 6 delete the word "twenty-five" and insert in lieu thereof the word "forty"

In line 7 delete the triple parentheses

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 140 has had the same under consideration and recommends that the same be amended as follows:

In line 7 delete the word "seventy" and insert in lieu thereof the word "sixty"

In line 8 delete the word "carbon"

In line 9 delete the word "carbon"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 161 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 162 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

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

#### CONSIDERATION OF AMENDMENTS

Senator Sorlie moved that the amendments to Senate Bill No. 25 as recommended by the Committee on Appropriations, and printed on page 189 of the Senate Journal, be adopted, which motion prevailed.

Senator Roen moved that the amendments to Senate Bill No. 100 as recommended by the Committee on Education, and printed on page 190 of the Senate Journal, be adopted, which motion prevailed.

Senator Roen moved that the amendments to Senate Bill No. 105 as recommended by the Committee on Education, and printed on page 190 of the Senate Journal, be adopted, which motion prevailed.

Senator Becker moved that the amendments to Senate Bill No. 159 as recommended by the Committee on Finance and Taxation, and printed on page 191 of the Senate Journal, be adopted, which motion prevailed.

Senator Roen moved that the amendments to Senate Bill No. 187 as recommended by the Committee on Education, and printed on page 192 of the Senate Journal, be adopted, which motion prevailed.

Senator Roen moved that the amendments to Senate Concurrent Resolution "J" as recommended by the Committee on Education, and printed on page 192 of the Senate Journal, be adopted, which motion prevailed.

#### MOTIONS

Senator Morgan: Mr. President. Members of the Senate.

On Monday of this week, following an argument before the North Dakota Supreme Court testing the constitutionality of expenses paid to members of the Legislature, former Secretary of the Senate and Chief Clerk of the House, Mr. Charles R. Verry, was hospitalized.

Mr. Verry was first employed as Chief Clerk of the House in the 1923 Session. In 1925 he was employed as Secretary of the Senate and at later periods, namely: 1927, 1929, 1931, and 1941, when it was my pleasure to serve under him as Assistant Chief

Clerk, I gave him credit for the many things he taught me in becoming Chief Clerk in the Sessions I served.

According to Senator Stafne, he at one time recently here in the lower chambers of the capitol, on January 23, had no pulse, but through the marvels of medical science, namely the administration of oxygen, he was brought around again. I am pleased to report that Mr. Verry was able to return to his home in Minot, January 24, and I am sure the members of the Senate join with me in wishing him a speedy and complete recovery from his illness.

Senator Morgan moved that these remarks be printed in the Journal, which motion prevailed.

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

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

### TWENTY-THIRD DAY

Bismarck, January 25, 1967

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

Prayer by Chaplain Rev. A. W. Weisser, Baptist Home, Bismarck.

Great God, our Father, whose we are and who we serve, we pray Thy blessings upon Thy servants here assembled.

Let Thy blessing rest upon the President of these United States; and upon the Governor of this great State.

Grant Thou wisdom and understanding to the members of this Senate that they may discern, not only the immediate and superficial needs of those whom they govern, but also the deepest and lasting needs. Impart Thy wisdom and Thy grace unto them to seek the larger and lasting good of all under their jurisdiction.

Help them to do the work Thou givest them to do in truth, in righteousness, with singleness of heart, to the benefit of their fellowmen and for the sake of Him who came as one who serves; Thine only begotten Son, Jesus Christ, our Savior and Lord. Amen.

Roll call: All Senators present except Senator Beck.

A quorum was declared by the President Pro Tem.

### CORRECTION AND REVISION

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 finds the same correct.

SENATOR LOWE, Chairman

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

### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 25, 1967

Mr. Speaker: I have the honor to transmit:

- Senate Bill No. 13
- Senate Bill No. 27
- Senate Bill No. 43
- Senate Bill No. 46
- Senate Bill No. 68
- Senate Bill No. 134
- Senate Bill No. 135
- Senate Bill No. 139
- Senate Bill No. 142

Senate Bill No. 145  
 Senate Bill No. 152  
 Senate Concurrent Resolution "I"

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

LEO LEIDHOLM, Secretary

### SECOND READING OF SENATE BILLS

**Senate Bill No. 42.** For an Act to provide a method for the establishment of minimum speed limits and to provide for the adoption of a manual and specifications for a uniform system of traffic control devices and requiring the highway department to place and maintain signs and devices in accordance therewith, and to amend and reenact section 39-13-02 of the North Dakota Century Code, relating to local traffic signs.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, on page 181 of the Senate Journal, the roll was called and there were ayes, 40; nays, 7; absent and not voting, 2.

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Kautzmann	Melland	Ruemmele
Chesrown	Kelly, E.	Meschke	Sorlie
Christensen	Kelly, M.	Mutch	Stafne
Coughlin	Larsen, R.	Nasset	Stroup
Decker	Larson, L.	Nething	Torgerson
Forkner	Lips	Pyle	Trenbeath
Goldberg	Litten	Rait	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Those voting in the negative were:

Freed	Jacobson	Redlin	Schultz
Geving	Morgan	Sands	

Absent and not voting:

Beck                      Larson, G.

So the bill passed and the title was agreed to.

**Senate Bill No. 77.** For an Act reappropriating the unexpended balance of that appropriation contained in section 3 of chapter 50 of the 1965 Session Laws for the construction of armories and improvements to military property.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Beck

So the bill passed and the title was agreed to.

**Senate Bill No. 175.** For an Act to amend and reenact section 57-38-30 of the North Dakota Century Code, relating to the rate of tax on corporations.

Was 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:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litlen	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Beck

So the bill passed and the title was agreed to.

**Senate Bill No. 176.** For an Act to amend and reenact subsection 20 of section 57-38-01 of the North Dakota Century Code, relating to definitions for income tax purposes.

Was 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:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litlen	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Beck

So the bill passed and the title was agreed to.

**Senate Bill No. 177.** For an Act to amend and reenact section 57-38-07 of the North Dakota Century Code, relating to income tax on fiduciaries.

Was 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:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen

Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Beck

So the bill passed and the title was agreed to.

**Senate Bill No. 178.** For an Act to amend and reenact section 57-38-06 of the North Dakota Century Code, relating to application of income tax law to nonresident.

Was 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:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Beck

So the bill passed and the title was agreed to.

**Senate Bill No. 193.** A Bill for an Act to amend and reenact subdivision k of subsection 2 of section 57-37-11, sections 57-37-15 and 57-37-17, subdivision c of subsection 3 of section 57-37-21 of the North Dakota Century Code, relating to the administration of the estate tax law.

Was 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:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Beck

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 25, 1967

Mr. President: I have the honor to transmit:

House Bill No. 591

House Bill No. 631

House Bill No. 632

House Bill No. 636

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

ROY GILBREATH, Chief Clerk

RECOGNITION

The President Pro Tem announced that the following distinguished guests were in the chambers, Father Gustin, President of Mary College; Alexander Gabriel, United Nations Correspondent; Gen. Amin Hilmy, Ambassador from the United Arab Republic of the United Nations; and Gustavus Williams, Political Counselor for Sierra Leone's Delegation to the United Nations, and the Sergeant-at-arms escorted these guests to the rostrum and they were invited to address the Senate briefly.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 25, 1967

Mr. President: I have the honor to return:

Senate Concurrent Resolution "K"

Senate Concurrent Resolution "L"

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

Senator Lips moved that the Senate recess until 1:30 p.m., January 26, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary





"Buy North Dakota Products"

# Journal of the Senate

Fortieth Legislative Assembly



TWENTY-THIRD DAY AFTER RECESS AND  
TWENTY-FOURTH DAY

Bismarck, January 26, 1967

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

## REPORTS OF A STANDING COMMITTEE

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

Senate Bill No. 25  
Senate Bill No. 100  
Senate Bill No. 105  
Senate Bill No. 159  
Senate Bill No. 187

And find the same correctly engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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 WENSTROM, Chairman

Senator Wenstrom 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 WENSTROM, Chairman

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

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution "K"  
Senate Concurrent Resolution "L"

Were delivered to the Secretary of State at the hour of 3:10 o'clock p.m., January 25, 1967.

SENATOR WENSTROM, Chairman

## MOTIONS

Senator Sorlie moved that Senate Bill No. 188 be returned to the Senate from the Committee on Appropriations, which motion prevailed.

Senator Sorlie moved that Senate Bill No. 188 be re-referred to the Committee on Education, which motion prevailed.

Senator Morgan moved that Senate Bill No. 235 be returned to the Senate from the Committee on Agriculture, which motion prevailed.

Senator Morgan moved that Senate Bill No. 235 be re-referred to the Committee on Natural Resources, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 44 has had the same under consideration and recommends that the same be amended as follows:

In line 18 delete the word "safety" and insert in lieu thereof "financial"

In line 72 after the word "misdemeanor" insert the following language "involving the movements of a vehicle"

In line 84 after the word "who" insert the following language "holds a license corresponding to the vehicle he operates and"

In line 93 delete the "parentheses" before and after the word "three"

In line 94 delete the word "five"

In line 108 delete the entire line

In line 109 delete the words "monthly to the state highway fund."

In line 154 delete the words "or renewal" and ", from"

Delete line 155

In line 156 delete the words "four years thereafter,"

In line 161 delete the words "one year" and insert in lieu thereof "ninety days"

In line 166 delete the "parentheses" before and after the word "three" and delete the word "five"

In line 217 after the word "forward" insert the following "within ten days"

In line 229 after the word "or" insert the following language "for violation of", after the word "ordinances" insert the following "relating to the offenses listed in Section 39-06-31" and delete the words "in every court in"

Delete line 230.

In line 231 delete the words "than tribal courts and courts of Indian offense"

In line 257 delete the words "driving a motor vehicle while under the"

In line 258 delete the words "influence of intoxicating liquor or a drug, or"

In line 292 after the word "misdemeanor" insert the following "involving the movement of a vehicle"

Re-number the lines accordingly.

And refer to Committee on Appropriations.

And when so amended recommends the same do pass.

SENATOR HOLLAND, Chairman

Senator Holland 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. 108 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. 123 has had the same under consideration and recommends that the same be amended as follows:

In line 5 after the word "reporter" insert the following: "who has been employed in North Dakota as a court reporter for five years or more"

In line 6 delete the word "nine" and insert in lieu thereof the word "eight" and delete the word "five" and insert in lieu thereof the word "two"

In line 6 place triple parentheses before and after the comma and insert in lieu thereof an underscored period "."

After line 6 insert the following new language: "Each court reporter who has not been employed in North Dakota as a court reporter for five years or more shall receive a base salary of not to exceed seven thousand dollars per annum, and additional annual compensation of two hundred and forty dollars for each year he has been employed in North Dakota as a court reporter, such base salary and additional annual compensation not to exceed eight thousand two hundred dollars per annum. The salary of a court reporter shall be"

Renumber the lines accordingly

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 138 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. 144 has had the same under consideration and recommends that the same be amended as follows:

In line 23 after the word "shall" delete the words "make a record" and insert in lieu thereof the words "after recording"; after the word "of" insert the word "the"

In line 24 delete the word "and"; delete the word "record" and insert in lieu thereof the word "recording"; after the word "attachd" delete the word "to" and insert in lieu thereof the following " and it shall b filed with"

In line 515 after the word "willful" insert the words "misconduct or"

Renumber the lines accordingly

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 146 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. 151 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 Becker made the substitute motion that Senate Bill No. 151 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 184 has had the same under consideration and recommends that the same be amended as follows:

In line 7 after the comma insert the following "39-18 and 39-21,"

In line 9 delete the word "shall" and insert in lieu thereof the word "may"

Renumber the lines accordingly

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 192 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

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

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 223 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

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

Mr. President: Your Committee on Agriculture 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 7 delete the word "denistry" and insert "dentistry"

And when so amended recommend the same do pass.

SENATOR MORGAN, Chairman

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

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

In line 7, after the third comma insert the following "other state law enforcement agencies"; after the word "and" insert a " ."

Renumber the lines accordingly

And when so amended recommend the same do pass.

And re-referred to the Legislative Research Resolutions Committee.

SENATOR CHESROWN, Chairman

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

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 26, 1967

Mr. President: I have the honor to transmit:

House Concurrent Resolution "K"

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

ROY GILBREATH, Chief Clerk

**FIRST READING OF A SENATE CONCURRENT RESOLUTION**

Senator Wilhite introduced:

**Senate Concurrent Resolution "W"**. A concurrent resolution relating to the import of crude oil and the determination of available supplies for national defense purposes.

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

**FIRST READING OF A SENATE RESOLUTION**

Senators Morgan, Schultz and Nasset introduced:

**Senate Resolution No. 1**. A Senate Resolution to appoint an Official Photographer for the Senate of the Fortieth Legislative Assembly of the State of North Dakota

Was read the first time.

Senator Morgan moved that the rules be suspended and that Senate Resolution No. 1 be not referred to a committee, be not printed as a bill, but printed in the Journal, and laid over one legislative day, which motion prevailed.

**SENATE RESOLUTION No. 1**

Introduced by Senators Morgan, Schultz, and Nasset.

A Senate Resolution to appoint an Official Photographer for the Senate of the Fortieth 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 custom  
2 of all North Dakota legislative assemblies to have composite  
3 group pictures made of all members of such assemblies; and  
4 WHEREAS, L. W. Naegle's Studio, of Bismarck, North  
4a Dakota,  
5 offers to make a composite group picture of the members of  
6 the 1967 North Dakota senate, size thirty inches by forty  
7 inches, said picture to be framed and ready to hang; and fifty-  
8 five, fourteen inches by eleven inches, copies of said picture  
9 for each member and desk force of the senate; and one, five  
10 inches by seven inches, print of each senator and the lieutenant  
11 governor for the state historical society, at a cost of  
12 seven hundred and ninety-five dollars.

13 NOW, THEREFORE, BE IT RESOLVED BY THE  
14 SENATE OF THE STATE OF NORTH DAKOTA: that

14a L. W. Naegle's  
15 Studio, of Bismarck, North Dakota, be, and is hereby appointed  
16 official photographer for the North Dakota Senate of the  
17 fortieth legislative assembly.

18 BE IT FURTHER RESOLVED, that L. W. Naegle's Studio,  
19 of Bismarck, North Dakota, be, and is hereby awarded the  
20 sole privilege of photographing members of the senate of the  
21 fortieth legislative assembly, at a cost price of seven hundred  
22 and ninety-five dollars to be taken out of legislative  
23 expenses.

**FIRST READING OF HOUSE BILLS**

**House Bill No. 591**. A Bill for an Act to amend and reenact section 39-04-39.1 of the 1965 Supplement to the North Dakota Century Code, relating to the distribution of motor vehicle use tax to local highway funds.

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

**House Bill No. 631.** A Bill for an Act to amend and reenact subsection 7 of section 57-52-03 of the North Dakota Century Code and subsection 6 of section 57-53-01 of the North Dakota Century Code, relating to the definition of Special Fuel User.

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

**House Bill No. 632.** A Bill for an Act to amend and reenact Section 57-50-05.1 of the North Dakota Century Code relating to motor fuel tax refunds to private individuals and corporations.

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

**House Bill No. 636.** A Bill for an Act to amend and reenact subsection 1 of section 20-03-02 of the North Dakota Century Code, relating to game and fish licenses required of owners and lessees of land.

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

#### CONSIDERATION OF AMENDMENTS

Senator Sorlie moved that the amendments to Senate Bill No. 5 as recommended by the Committee on Appropriations, and printed on page 206 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 18 as recommended by the Committee on Appropriations, and printed on page 206 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill No. 128 as recommended by the Committee on Judiciary, and printed on page 207 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill No. 136 as recommended by the Committee on Judiciary, and printed on page 207 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill No. 140 as recommended by the Committee on Judiciary, and printed on page 208 of the Senate Journal, be adopted, which motion prevailed.

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 26, 1967

Mr. President: I have the honor to return:

Senate Concurrent Resolution "T"

Senate Concurrent Resolution "U"

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, January 26, 1967

Mr. President: I have the honor to transmit:

House Bill No. 551

House Bill No. 635

House Bill No. 642

House Bill No. 763

House Bill No. 768

House Bill No. 780

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

ROY GILBREATH, Chief Clerk

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

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

TWENTY-FOURTH DAY

Bismarck, January 26, 1967

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

Prayer by Chaplain Father Arnold Spain, St. Anne's Roman Catholic Church, Bismarck.

O Lord, who has said that wherever two or three are gathered in Your Name, You will be in their midst; be with us today as we call upon Your Name and ask Your help.

Teach us to live together in harmony, to offer our hand in help to the needy, to use the blessings You have given us for those who suffer want. May we forget our personal interest today in serving those who put their trust in us. Through Our Lord Jesus Christ, Amen.

Roll call: All Senators present except Senator Beck.

A quorum was declared by the President Pro Tem.

CORRECTION AND REVISION

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

SENATOR LOWE, Chairman

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

SECOND READING OF SENATE BILLS  
AND A SENATE CONCURRENT RESOLUTION

**Senate Bill No. 25.** For an Act making an appropriation for salaries and expenses of the State Library Commission.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 189 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Luften	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Beck

So the bill passed and the title was agreed to.

**Senate Bill No. 98.** For an Act to amend and reenact sections 47-24-01, 47-24-02, 47-24-03, 47-24-04, 47-24-06, and 47-24-07 of the North Dakota Century Code, relating to the North Dakota Uniform Gifts to Minors Act.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Beck

So the bill passed and the title was agreed to.

**Senate Bill No. 100.** For an Act to allow certain school districts, upon approval of the electorate of such districts and the superintendent of public instruction, to enter into agreements with school districts of adjoining states for the joint operation and maintenance of school facilities and activities and to levy and collect taxes for such purpose.

Was read the second time.

Senator Roen moved that Senate Bill No. 100 be amended as follows:

In line 4, after the comma, delete the word "including" and insert in lieu thereof the words "subject to the provisions of".

Which motion prevailed.

Senator Roen moved that the rules be suspended, that Senate Bill No. 100 be deemed properly reengrossed 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. 100 as amended on page 190 of the Senate Journal and 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:

Becker	Hofstrand	Lowe	Roen
Berube	Holand	Melland	Ruemmele
Butler	Jacobson	Meschke	Sands
Chesrown	Kautzmann	Morgan	Schultz
Christensen	Kelly, E.	Mutch	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nothing	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Hernett	Longmire	Robinson	

Absent and not voting:

Beck

Luick

So the bill passed and the title was agreed to.

**Senate Bill No. 105.** For an Act to amend and reenact sections 15-55-01, 15-55-02, 15-55-02.1, 15-55-03, 15-55-04, 15-55-05, 15-55-06, 15-55-07, 15-55-09, 15-55-10 and 15-55-14 of the North Dakota Century Code relating to the issuance of revenue bonds for the con-



struction of buildings and other campus improvements at the state institutions of higher learning.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 190 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Beck

So the bill passed and the title was agreed to.

**Senate Bill No. 159.** A Bill for an Act to amend and reenact section 57-14-01 of the North Dakota Century Code relating to the duty of a county auditor to make corrections in the assessment books and tax lists when the assessor has made a clerical error in valuing real or personal property.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 159 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Beck

So the bill passed and the title was agreed to.

**Senate Bill No. 162.** A Bill for an Act to amend and reenact subsection 1 of section 16-11-04 of the North Dakota Century Code to provide that ballots for no-party candidates, partisan candidates, and on which measures are submitted, shall be of different colors.

Was 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:

Becker	Hofstrand	Lowe	Robinson
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Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Beck

So the bill passed and the title was agreed to.

**Senate Bill No. 187.** For an Act to amend and reenact section 15-10-28 of the North Dakota Century Code, relating to reciprocal agreements in regard to nonresident tuition fees at institutions of higher education.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 192 of the Senate Journal, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nothing	Torgerson
Freed	Larson, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Hernett	Longmire	Robinson	

Those voting in the negative were:

Pyle

Absent and not voting:

Beck

So the bill passed and the title was agreed to.

**Senate Concurrent Resolution "J".** A Concurrent Resolution for the amendment of section 148 of the Constitution of the state of North Dakota, relating to a uniform system of free public schools.

Was read the second time.

Senator Meschke moved that Senate Concurrent Resolution "J" be amended as follows:

In line 14 delete the words "secondary or" and

In line 15 delete the words "high schools" and insert in lieu thereof "schools of higher education"

Which motion prevailed.

Senator Larson (Burleigh) moved that Senate Concurrent Resolution "J" be deemed properly re-engrossed and placed on second reading and final passage, as amended from the floor, which motion prevailed.

The question being on the final passage of Senate Concurrent Resolution "J", as amended on page 192 of the Senate Journal and from the floor.

Senator Larson (Burleigh) moved that Senate Concurrent Resolution "J" be adopted, which motion prevailed.

Senator Holand moved that the Senate reconsider the action by which Senate Concurrent Resolution "J" was adopted, for the purpose of taking a roll call vote, which motion prevailed.

#### ROLL CALL

The question being on the final passage of Senate Concurrent Resolution "J", 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:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Beck

So the resolution was declared adopted.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 26, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 42  
 Senate Bill No. 77  
 Senate Bill No. 175  
 Senate Bill No. 176  
 Senate Bill No. 177  
 Senate Bill No. 178  
 Senate Bill No. 193

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

LEO LEIDHOLM, Secretary

#### MESSAGES FROM THE HOUSE

House Chamber

Bismarck, January 26, 1967

Mr. President: I have the honor to return:

Senate Bill No. 80

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, January 26, 1967

Mr. President: I have the honor to transmit:

House Bill No. 504  
 House Bill No. 530  
 House Bill No. 553  
 House Bill No. 555  
 House Bill No. 577

House Bill No. 650  
House Bill No. 653

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

ROY GILBREATH, Chief Clerk

Senator Lips moved that the Senate recess until 1:00 p.m., January 27, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary

"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### TWENTY-FOURTH DAY AFTER RECESS AND TWENTY-FIFTH DAY

Bismarck, January 27, 1967

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

#### REPORTS OF A STANDING COMMITTEE

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

Senate Bill No. 5

Senate Bill No. 18

Senate Bill No. 128

Senate Bill No. 136

Senate Bill No. 140

And find the same correctly Engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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. 100

And find the same correctly Re-Engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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 Re-Engrossed.

SENATOR WENSTROM, Chairman

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

#### FIRST READING OF HOUSE BILLS AND A HOUSE CONCURRENT RESOLUTION

**House Bill No. 504.** A Bill for an Act making an appropriation to the State Historical Board for salary, clerkhire and miscellaneous expenses and the maintenance of the State Historical Board, and declaring an emergency.

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

**House Bill No. 530.** For an Act making an appropriation to meet the extraordinary expenses of law enforcement arising by reason of the location of Indian reservations.

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

**House Bill No. 551.** A Bill for an Act to amend and reenact sections 55-03-01 and 55-03-02 of the 1965 Supplement to the North Dakota Century Code, relating to the protection of prehistoric sites and deposits.

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

**House Bill No. 553.** For an Act to create and enact section 54-16-04.1 of the North Dakota Century Code, relating to powers of the emergency commission, and providing for an effective date.

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

**House Bill No. 555.** A Bill for an Act making an appropriation for the purpose of providing emergency relief for counties suffering damage to highways in the flood of June 24, 1966, and declaring an emergency.

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

**House Bill No. 577.** A Bill for an Act to amend and reenact section 15-39-28.1 of the 1965 Supplement to the North Dakota Century Code, relating to teachers' retirement annuities.

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

**House Bill No. 635.** A Bill for an Act to amend and reenact section 47-06-08 and subsections 11 and 12 of section 61-24-08 and to create and enact subsection 13 of section 61-24-08 of the North Dakota Century Code, relating to the Garrison Diversion Conservancy District and to islands and lands in navigable streams.

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

**House Bill No. 642.** A Bill for an Act to amend and reenact section 57-02-04 of the North Dakota Century Code, relating to the definition of real property, and to repeal subsections 9, 10, and 11 of section 57-02-05 of the North Dakota Century Code, relating to the definition of personal property.

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

**House Bill No. 650.** A Bill for an Act to amend and reenact section 26-28-07 of the North Dakota Century Code, relating to deviations.

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

**House Bill No. 653.** A Bill for an Act to amend and reenact section 26-29-07 of the North Dakota Century Code, relating to deviations.

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

**House Bill No. 763.** A Bill for an Act extending the time for filing income tax returns and extending the time for payment of income tax and eliminating the attachment of interest and penalty during extension period for members of the armed forces and merchant marine serving outside of boundaries of the United States, providing a termination date and declaring an emergency.

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

**House Bill No. 768.** A Bill for an Act relating to the filing of exemption affidavits with the tax commissioner by organizations exempt from income tax.

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

**House Bill No. 780.** A Bill for an Act to provide a method of determining amount of tax liability when mathematical errors are made on returns filed with the tax commissioner.

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

**House Concurrent Resolution "K".** A Concurrent Resolution directing a study by the Legislative Research Committee for the purpose of recommending legislation which will facilitate and enable the rehabilitation and reclamation of strip and surface mining areas in North Dakota.

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

#### MOTION

Senator Larson (Burleigh) moved that the Senate reconsider the action by which Senate Concurrent Resolution "J" was adopted, which motion prevailed.

Senator Larson moved that Senate Concurrent Resolution "J" be re-referred to the Committee on Education, which motion prevailed.

#### MOTIONS

Senator Ringsak moved that Senate Bill No. 34 be returned to the Senate from the Committee on Appropriations, which motion prevailed.

Senator Ringsak moved that Senate Bill No. 34 be re-referred to the Committee on State and Federal Government, which motion prevailed.

Senator Lips moved that Senate Bill No. 189 be returned to the Senate from the Committee on Political Subdivisions, which motion prevailed.

Senator Lips moved that Senate Bill No. 189 be re-referred to the Committee on State and Federation Government, which motion prevailed.

Senator Trenbeath moved that Senate Bill No. 360 be returned to the Senate from the Committee on Natural Resources, which motion prevailed.

Senator Trenbeath moved that Senate Bill No. 360 be re-referred to the Committee on Agriculture, which motion prevailed.

Senator Nething moved that Senate Bill No. 362 be returned to the Senate from the Committee on Judiciary, which motion prevailed.

Senator Nething requested unanimous consent of the Senate to withdraw Senate Bill No. 362, which request was granted.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 45, has had the same under consideration and recommend that the same be amended as follows:

Delete Line 7

In line 8 delete the words "by applicants under the age of eighteen"

In line 19 delete the words "renewal or"

In line 56 delete the following "prior to July 1, 1967"

And when so amended recommends the same do pass.

SENATOR HOLAND, Chairman

Senator Holand 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. 74, has had the same

under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Kautzmann 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. 91, 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 "time" and before the period insert a comma and the following language: ", and declaring an emergency"

Delete lines 4 through 16, inclusive, and insert in lieu thereof the following language:

"40-01-20. DAYLIGHT SAVING TIME PROHIBITED — TIME OBSERVED TO CONFORM TO INTERSTATE COMMERCE COMMISSION REGULATIONS GOVERNING TIME ZONES.)

The State of North Dakota hereby exempts itself from the provisions of Section 3 public law 89-387, relating to advancement of time. No city, village, or other political subdivision within the state shall adopt daylight saving time ((or any other seasonal standard of time which varies from the time in effect in such city, village, or political subdivision during the greater portion of the year. All ordinances, resolution, or other enactments, whether enacted prior to or subsequent to the effective date of this section, are hereby nullified))). Every city, village, and any other political subdivision within the state shall observe the standard of time necessary to conform to interstate commerce commission regulations governing standard time zones. On and after the effective date of this section, in all laws, statutes, orders, decrees, rules or regulations relating to the time of performance of any act by any officer or department of the state or of any county, city, township or district thereof, or relating to the time in which any rights shall accrue or terminate, or within which any act shall or shall not be performed by any person or corporation subject to the jurisdiction of this state, and in all public schools and institutions of the state, or any county, city, township or district thereof, and in all contracts made or to be performed within this state and in all decrees, orders and judgments of the courts (of this state it shall be understood that the time intended, referred to or used shall be the time necessary to conform to the interstate commerce commission's regulations governing standard time zones.

SECTION 2. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR RINGSACK, Chairman

Senator Ringsack 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. 103, has had the same under consideration and recommend that the same do pass.

SENATOR LONGMIRE, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 104 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HOLLAND, Chairman



Senator Holand 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 recommend 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 Senate Bill No. 113 has had the same under consideration and recommends that the same be amended as follows:

In line 18 after the word "hospital" insert the following: "or to a private hospital"

In line 20 after the word "hospital" insert the following: "or to a private hospital"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 115 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 Senate Bill No. 143 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 149 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR REDLIN, Chairman

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

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 150 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 156 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand 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. 167 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

Senator Kautzmann 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. 168 has had the same under consideration and recommends that the same do pass.

SENATOR LONGMIRE, Chairman

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 169 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 Transportation to whom was referred Senate Bill No. 185 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 186 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

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

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 210 has had the same under consideration and recommends that the same be amended as follows:

In line 15 delete the word "thirty" and insert in lieu thereof "ten"

And when so amended recommends the same do pass.

SENATOR HOLAND, Chairman

Senator Holand 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. 218 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman

Senator Kautzmann 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 indefinitely postponed.

SENATOR LONGMIRE, Chairman

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

Affairs to whom was referred Senate Bill No. 229 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman

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

Mr. President: Your Committee on Transportation 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 17 delete the words "five hundred" and insert in lieu thereof "four hundred and fifty"

And when so amended recommends the same do pass.

SENATOR HOLAND, Chairman

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

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

And be re-referred to the Legislative Research Resolutions Committee.

SENATOR HOLAND, Chairman

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

#### CONSIDERATION OF AMENDMENTS

Senator Holand moved that the amendments to Senate Bill No. 44 as recommended by the Committee on Transportation, and printed on page 216 of the Senate Journal, be adopted, which motion prevailed.

#### PROPOSED AMENDMENTS TO SENATE BILL No. 44

Senator Holand moved that Senate Bill No. 44 be further amended as follows:

In line 15 of the title after the figure and comma "39-06-32," insert the following figure and comma "39-06-33,"

After line 294 and before line 295 insert the following section: "SECTION 12. AMENDMENT.) Section 39-06-33 of the 1965 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

39-06-33. HEARING SUBSEQUENT TO LICENSE SUSPENSION.) Upon suspending the license of any person as authorized in section 39-06-32, the commissioner shall immediately notify the licensee in writing and upon his request shall afford him an opportunity for a hearing as early as practical within not to exceed twenty days after receipt of such request in the county wherein the licensee resides unless the department and licensee agree that such hearing may be held in some other county. Upon such hearing the commissioner or his duly authorized agent may administer oaths and may issue subpoenas for the attendance of witnesses and the production of relevant books and papers and may require a re-examination of the licensee. Upon such hearing the commissioner shall either rescind his order of suspension or, good cause appearing therefor, may continue, modify, or extend the suspension of such license or revoke such license. In the case of suspensions under the authority of subsection 6 of section 39-06-32 of the North Dakota Century Code, the operator shall first be given notice of intention to suspend and shall have ten days from the date of receipt of such notice to request a hearing upon the proposed order of suspension. Pending such hearing, which shall be conducted in the same manner as other hearings provided for in this section, the suspension of the license of the operator demanding the hearing shall be held in abeyance."

And renumber the sections and lines accordingly.

Which motion prevailed.

Senator Morgan moved that Senate Bill No. 44 be further amended as follows: Delete all of Section 21.

Which motion prevailed.

Senator Holand moved that Senate Bill No. 44 be re-referred to the Committee on Appropriations, which motion prevailed.

#### MESSAGES FROM THE HOUSE

House Chamber

Bismarck, January 27, 1967

Mr. President: I have the honor to return:

Senate Bill No. 38  
Senate Bill No. 39  
Senate Bill No. 86

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, January 27, 1967

Mr. President: I have the honor to transmit:

House Bill No. 513  
House Bill No. 538  
House Bill No. 561  
House Bill No. 589  
House Bill No. 627  
House Bill No. 645  
House Bill No. 648  
House Bill No. 656  
House Bill No. 657  
House Bill No. 665  
House Bill No. 666  
House Bill No. 694

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

ROY GILBREATH, Chief Clerk

#### RECOGNITION

The President Pro Tem announced that U. S. Congressman Thomas Kleppe was in the chambers and appointed Senator Lips as a committee of one to escort Congressman Kleppe to the rostrum.

Congressman Kleppe was thereupon escorted to the rostrum and invited to address the Senate.

Congressman Kleppe: Mr. President. Members of the North Dakota Senate. Friends. State Officials. This is the first time I have had the opportunity to view your glowing faces from this particular position. I might say it looks pretty interesting. I don't know if you are worried about taxes or time, but either one, each in due time will come before you I am sure. I consider this a very high and personal honor and a personal privilege to not only be introduced here but to have these few minutes to pass my observations on to you. I read a little story that Adlai Stevenson told not long ago. It had to do with a newly elected Congressman and his family. They were getting ready to leave for Washington, were all packed and this was the night before departure. Their little four-year-old daughter was saying her prayers and she said: "God bless mommy, God bless daddy, bless my sisters and brothers, and now good-bye, God, we are going to Washington." After about a month's experience down there I am not sure that I am ready to agree with this little girl, but there is a maze of confusion down there that we are going to have to find a way to cut through.

I suppose you are rather interested in the activity we had down there on January 10th, which was swearing-in day. We had a little item there that was called Adam Clayton Powell. This seemed to be a problem for the Democrats because he was a member of the Democrat party and as you will recall he was stripped of his seniority and his chairmanship on the important and powerful Education and Labor Committee. This was done at their caucus prior to the swearing-in ceremony. There is a rule in Congress that any member so elected can challenge any other member and when so challenged he must step aside from the swearing-in ceremony. He has no argument at this point — he has no question — he must step aside. So there was a little conjecture going on down there if whether Powell was going to be asked to step aside, that he might in his anger get up and request the other 434 members

to step aside also. This did not materialize. As you know by the action so far he has been denied his seat and an investigation committee has been appointed to come back with a report in five weeks or less. We don't know what this report will be. My own prediction is that when we vote again on whether he should be seated, I believe we are going to deny him his seat. This is certainly the way I am going to vote. I think there is absolutely so much at stake insofar as the integrity and history and the responsibility of the United States Congress is concerned, that I believe there are going to be enough to indicate that they do not want a man like that sitting amongst them. We also know, and I think I can predict again, he is going back and run again in the special election and he is going to win, probably by 80% of the vote, and he will be right back there again—what will be done at that time is another operation which we will have to decide at that time.

The other observation I would like to pass on to you at this time is something that has been prevalent in my mind for some time. Right now it is loud and clear and this particular observation to you in itself pertains to the federal government, but I think it also pertains to state government as well. So I will preface my remarks by indicating that they are not in any way, shape or form designed to pinpoint a particular person at all, because it may sound like it can be relevant to President Johnson and Governor Guy, or somebody else. That is not the intent of this at all and I want that to be clearly understood. My thought is this, the constitution of our country, and the constitution of our state provides for three departments of government: the legislative, the executive and the judicial, each to have particular powers delegated to them by the constitution which is the wish and voice of the people. Time has moved us forward to a point where there is no question about the encroaching strength and power of the executive by itself. Everything that you look at—the pointing of increasing people, the expertise on any problem, on any serious question, comes from and under the control, by and large, of the executive. I am saying this to you fellow legislators because we are members of the legislative branch, because we are representatives of the people of our states, our counties or districts. We have a responsibility to be responsible in the area of legislation and we must at all times, in my opinion, be very, very careful as to the weight we give to the executive directions, messages and proposals, and arm twisting of whatever it might be that brings executive legislation, that takes it out of the realm of responsibility that belongs to you and I. I can again talk to you about the two-year term for members of the House of Representatives of our Nation. I am a real proponent of this—probably you are too—the only ones that don't like it are members themselves because they have to be campaigning continually, but as one member I feel very strongly in this respect, we must give the people the right to speak every two years, we got to give them the chance to speak what is on their minds, and at all times we are strengthening in my opinion the legislative aspect of our government to the extent that the representatives are working and functioning like members of the legislative branch, without coercion, dictates or abuses of the executive side. I must say now that I am for a very strong executive—that is what we need, but there is a time and a place when the legislature must exert their position and their responsibility to the citizens.

How much I enjoyed this honor and this privilege in coming here and saying a few words to you. May I just add that I know your deliberations in the next thirty-plus days are going to be serious—mine are about to get underway. I was successful in getting my chosen appointment to the House Agriculture Committee. I am now hopeful of being appointed to the subcommittee on livestock and grain and foreign agriculture, which is P. L. 480, which is the heart of what is going to happen to the agricultural economy

of our country, so that I know that my responsibilities are going to become more involved—you are in the middle of yours. May I just extend to you my very sincerest compliments for serving and doing the best you can regardless of how sticky the situation is, and may I add to that, God Bless You until we see you again.

Senator Lips moved that the remarks of Congressman Kleppe be printed in the Journal, which motion prevailed.

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

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

#### TWENTY-FIFTH DAY

Bismarck, January 27, 1967

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

Prayer by Chaplain Rev. Allan Schoonover, Faith Lutheran, Bismarck.

O Lord, we thank Thee for all the gifts You have given us. We thank You for life itself and all of the wonderful blessings we have received. But Jesus, let us not get lost in all of our blessings and fail to see my less fortunate brothers.

Jesus, we thank You for the opportunity to be responsible men, and we thank You especially for these opportunities to represent the people of North Dakota. But, Jesus we know we need Your help and guidance, if we are to do a good job. So come Jesus and give strength and courage and insight, to help us complete our important task.

But Jesus, there is one thing that bothers me. Do we all really understand that this is a prayer? Or, do some of us think that this is just a mere formality or ritual that we go through here each day. Jesus give us the real understanding of prayer.

Roll call: All Senators present except Senators Beck and Berube.

A quorum was declared by the President Pro Tem.

#### CORRECTION AND REVISION

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 recommends that the same be corrected as follows:

On page 217, in line 9, correct the spelling of the word "insert"; in lines 40, and 41, correct the spelling of the word "attached" and in line 42 after the word "shall" delete the letter "b" and insert in lieu thereof the word "be"

And when so corrected recommends that the same be approved.

SENATOR LOWE, Chairman

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

#### CONSIDERATION OF AMENDMENTS

Senator Chesrown moved that the amendments to Senate Bill No. 123 as recommended by the Committee on Judiciary, and Printed on page 217 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill No. 144 as recommended by the Committee on Judiciary, and Printed on page 217 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill No. 184 as recommended by the Committee on Judiciary, and printed on page 218 of the Senate Journal, be adopted, which motion prevailed.

Senator Morgan moved that the amendments to Senate Bill No. 237 as recommended by the Committee on Agriculture, and printed on page 218 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Concurrent Resolution "O" as recommended by the Committee on Judiciary, and printed on page 218 of the Senate Journal, be adopted, which motion prevailed.

### SECOND READING OF SENATE BILLS AND A SENATE RESOLUTION

**Senate Bill No. 5.** 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 second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 206, of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Becker	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite
Hofstrand	Lowe	Robinson	

Absent and not voting:

Beck Berube

So the bill passed and the title was agreed to.

**Senate Bill No. 18.** For an Act making an appropriation for salaries, and expenses of the Division of Vocational Rehabilitation for rehabilitating disabled persons.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 206, of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Becker	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite
Hofstrand	Lowe	Robinson	

Absent and not voting:

Beck Berube

So the bill passed and the title was agreed to.

**Senate Bill No. 128.** A Bill for an Act to create and enact section 8-10-07.1 of the North Dakota Century Code, relating to harassing telephone calls.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 207 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Becker	Jacobson	Melland	Roen
Butler	Kautzmann	Meschke	Ruemmele
Chesrown	Kelly, E.	Morgan	Sands
Christensen	Kelly, M.	Mutch	Schultz
Coughlin	Larsen, R.	Nasset	Sorlie
Decker	Larson, G.	Nothing	Stafne
Freed	Larson, L.	Pyle	Stroup
Geving	Lips	Rait	Torgerson
Goldberg	Litten	Redlin	Trenbeath
Hernett	Longmire	Ringsak	Wenstrom
Hofstrand	Lowe	Robinson	Wilhite
Holand	Luick		

Absent and not voting:

Beck Berube Forkner

So the bill passed and the title was agreed to.

**Senate Bill No. 136.** For an Act to amend and reenact subsection 1 of section 47-18-01 of the North Dakota Century Code, relating to homestead exemptions.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 207 of the Senate Journal, the roll was called and there were ayes, 26; nays, 19; absent and not voting, 4.

Those voting in the affirmative were:

Becker	Kelly, M.	Melland	Ruemmele
Chesrown	Larsen, R.	Morgan	Sands
Freed	Larson, G.	Nothing	Schultz
Hernett	Lips	Pyle	Sorlie
Hofstrand	Litten	Redlin	Stafne
Jacobson	Lowe	Ringsak	Stroup
Kautzmann	Luick		

Those voting in the negative were:

Butler	Goldberg	Meschke	Torgerson
Christensen	Holand	Mutch	Trenbeath
Coughlin	Kelly, E.	Nasset	Wenstrom
Decker	Larson, L.	Rait	Wilhite
Geving	Longmire	Robinson	

Absent and not voting:

Beck Berube Forkner Roen

So the bill passed and the title was agreed to.

**Senate Bill No. 138.** For an Act to amend and reenact section 24-02-20 of the 1965 Supplement to the North Dakota Century Code relating to proposal guarantees for bidders at highway lettings to eliminate the requirement that certified or cashier's checks be drawn only on North Dakota banks.

Was 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:

Becker	Jacobson	Luick	Robinson
Butler	Kautzmann	Melland	Roen
Chesrown	Kelly, E.	Meschke	Ruemmele
Christensen	Kelly, M.	Morgan	Sands
Coughlin	Larsen, R.	Mutch	Schultz
Decker	Larsen, G.	Nasset	Sorlie
Freed	Larsen, L.	Nothing	Stafne
Geving	Lips	Pyle	Stroup
Goldberg	Litten	Rait	Torgerson
Hernett	Longmire	Redlin	Wenstrom
Hofstrand	Lowe	Ringsak	Wilhite
Holand			

Absent and not voting:

Beck	Berube	Forkner	Trenbeath
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So the bill passed and the title was agreed to.

**Senate Bill No. 140.** A Bill for an Act to amend and reenact section 27-06-08 of the 1965 Supplement to 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, on page 208 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Becker	Jacobson	Luick	Robinson
Butler	Kautzmann	Melland	Roen
Chesrown	Kelly, E.	Meschke	Ruemmele
Christensen	Kelly, M.	Morgan	Sands
Coughlin	Larsen, R.	Mutch	Schultz
Decker	Larsen, G.	Nasset	Sorlie
Freed	Larsen, L.	Nothing	Stafne
Geving	Lips	Pyle	Stroup
Goldberg	Litten	Rait	Torgerson
Hernett	Longmire	Redlin	Wenstrom
Hofstrand	Lowe	Ringsak	Wilhite
Holand			

Absent and not voting:

Beck	Berube	Forkner	Trenbeath
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So the bill passed and the title was agreed to.

**Senate Bill No. 192.** A Bill for an Act to provide a uniform method of apportioning federal and state estate taxes among persons sharing in the distribution of the estate of a decedent, to amend and reenact section 57-37-14 of the North Dakota Century Code, to amend and reenact subsections 3 and 4 of section 57-37-23 of the 1965 Supplement to the North Dakota Century Code and to amend and reenact subsection 1 of section 57-37-27 of the 1965 Supplement to the North Dakota Century Code, relating to the determination and apportionment of estate taxes among beneficiaries of a decedent's estate.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Becker	Jacobson	Melland	Roen
Butler	Kautzmann	Meschke	Ruemmele

Chesrown	Kelly, E.	Morgan	Sands
Christensen	Kelly, M.	Mutch	Schultz
Coughlin	Larsen, R.	Nasset	Sorlie
Decker	Larson, G.	Nothing	Stafne
Freed	Larson, L.	Pyle	Stroup
Geving	Lips	Rait	Torgerson
Goldberg	Litten	Redlin	Trenbeath
Hernett	Longmire	Ringsak	Wenstrom
Hofstrand	Lowe	Robinson	Wilhite
Holand	Luick		
Absent and not voting:			
Beck	Berube	Forkner	

So the bill passed and the title was agreed to.

**Senate Bill No. 223.** A Bill for an Act to require any entity of this state to pay defendant's expenses in eminent domain proceedings which after having been commenced are withdrawn or dismissed.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Becker	Jacobson	Melland	Roen
Butler	Kautzmann	Meschke	Ruemmele
Chesrown	Kelly, E.	Morgan	Sands
Christensen	Kelly, M.	Mutch	Schultz
Coughlin	Larsen, R.	Nasset	Sorlie
Decker	Larson, G.	Nothing	Stafne
Freed	Larson, L.	Pyle	Stroup
Geving	Lips	Rait	Torgerson
Goldberg	Litten	Redlin	Trenbeath
Hernett	Longmire	Ringsak	Wenstrom
Hofstrand	Lowe	Robinson	Wilhite
Holand	Luick		
Absent and not voting:			
Beck	Berube	Forkner	

So the bill passed and the title was agreed to.

**Senate Bill No. 151.** A Bill for an Act to amend and reenact sections 26-27-01, 26-27-02, 26-27-03, 26-27-08, and 26-27-10 of the North Dakota Century Code, relating to the participation of chiropradists in nonprofit medical service corporations.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 11; nays, 35; absent and not voting, 3.

Those voting in the affirmative were:

Becker	Geving	Lowe	Rait
Coughlin	Kelly, M.	Meschke	Schultz
Decker	Larson, L.	Mutch	

Those voting in the negative were:

Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Morgan	Sands
Christensen	Kelly, E.	Nasset	Stafne
Forkner	Larsen, R.	Nothing	Stroup
Freed	Larson, G.	Pyle	Torgerson
Goldberg	Lips	Redlin	Trenbeath
Hernett	Litten	Ringsak	Wenstrom
Hofstrand	Longmire	Robinson	Wilhite
Holand	Luick	Roen	

Absent and not voting:

Beck Berube Sorlie

So the bill was declared lost.

**Senate Resolution No. 1.** A Senate Resolution to appoint an Official Photographer for the Senate of the Fortieth Legislative Assembly of the State of North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of Senate Resolution No. 1, the roll was called and there were ayes, 41; nays 3; absent and not voting, 5.

Those voting in the affirmative were:

Butler	Jacobson	Lowe	Ruemmele
Chesrown	Kautzmann	Luick	Sands
Christensen	Kelly, E.	Melland	Schultz
Coughlin	Kelly, M.	Morgan	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Freed	Larson, G.	Nething	Stroup
Geving	Larson, L.	Pyle	Torgerson
Goldberg	Lips	Rait	Trenbeath
Hernett	Litten	Redlin	Wenstrom
Hofstrand	Longmire	Ringsak	Wilhite
Holand			

Those voting in the negative were:

Becker Meschke Robinson

Absent and not voting:

Beck Forkner Mutch Roen

So the resolution was declared adopted.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, January 27, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 25  
Senate Bill No. 98  
Senate Bill No. 100  
Senate Bill No. 105  
Senate Bill No. 159  
Senate Bill No. 162  
Senate Bill No. 187

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

LEO LEIDHOLM, Secretary

Senator Lips moved that the Senate recess until 10:30 a.m., January 28, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary



"Buy North Dakota Products"

# Journal of the Senate



Fortieth Legislative Assembly

## TWENTY-FIFTH DAY AFTER RECESS AND TWENTY-SIXTH DAY

Bismarck, January 28, 1967

The Senate convened at 10:30 a.m., pursuant to recess taken, the President presiding.

### FIRST READING OF HOUSE BILLS

**House Bill No. 513.** For an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Department of the Registrar of Motor Vehicles.

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

**House Bill No. 538.** For an Act authorizing the superintendent of the Grafton state school to recommend a sterilization operation for a resident of such school upon receiving the approval of a board of professional personnel and the written consent of a relative or guardian, specifying the manner of obtaining and granting consent, prohibiting the superintendent from acting as guardian, providing for compensation of physicians and surgeons and limiting liability, and providing that parents may initiate such procedure.

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

**House Bill No. 561.** For an Act to amend and reenact sections 15-40-16, 15-40-19, and 15-40-29 of the North Dakota Century Code, relating to the time state and local school foundation payments shall be made.

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

**House Bill No. 589.** A Bill for an Act to amend and reenact section 40-11-12 of the North Dakota Century Code, relating to the commitment of guilty persons.

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

**House Bill No. 627.** A Bill for an act to amend and reenact section 18-04-03 of the North Dakota Century Code, relating to failure to file certificate deemed waiver; exception.

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 subsection 2 of section 24-12-02 of the North Dakota Century Code relating to the obstruction of highways and to authorize any official having jurisdiction over a highway to order work or improvement thereon.

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

**House Bill No. 648.** A Bill for an Act to amend and reenact subdivision h of subsection 2 of section 39-04-18 of the North

Dakota Century Code, relating to the change of date of the harvest of agricultural products.

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

**House Bill No. 656.** A Bill for an Act to authorize the state board of higher education to convey certain land owned by the state of North Dakota, which land was formerly used for fairground purposes, and declaring an emergency.

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

**House Bill No. 657.** A Bill for an Act to provide for authorization to the state board of higher education to grant easements upon real property under its administrative jurisdiction.

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

**House Bill No. 665.** A Bill for an Act to amend and reenact section 39-04-17 of the North Dakota Century Code, relating to a certificate of the notary public showing compliance with the motor vehicle registration laws.

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

**House Bill No. 666.** A Bill for an Act to amend and reenact section 58-02-01 of the North Dakota Century Code relating to the organization of a township.

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

**House Bill No. 694.** A Bill for an Act to amend and reenact section 40-45-08 of the North Dakota Century Code, relating to membership fees and assessments in police pension funds in cities.

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

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 28, 1967

Mr. President: I have the honor to return:

Senate Bill No. 47

Senate Bill No. 52

Senate Bill No. 57

Which the House has amended as follows:

#### AMENDMENTS TO SENATE BILL No. 47

In the second line of the title of the engrossed bill delete the word "section" and insert the word "sections" in lieu thereof.

In the third line of the title of the engrossed bill after "40-18-03" insert the following language "and 40-18-07"

In the fifth line of the title of the engrossed bill after "judges," insert the following language "and relating to the issuance of warrants by municipal judges,"

In line 12 delete the word "shall" and insert the word "may" in lieu thereof

After line 48 insert the following language:

"SECTION 4. AMENDMENT.) Section 40-18-07 of the 1965 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

40-18-07. WARRANTS OF ARREST ISSUED BY MUNICIPAL JUDGE — SERVICE OF WARRANT.) Whenever any person competent to testify against the accused makes a complaint to a municipal judge upon oath or affirmation that an offense against

a city ordinance or village ordinance or bylaw, as the case may be, has been committed, the municipal judge shall issue a warrant for the arrest of the offender. The warrant may be served anywhere in the state and shall be served by the chief of police, marshal, sheriff, any constable of the county, or by some person appointed specially by the municipal judge for that purpose."

And renumber the lines and sections accordingly

#### AMENDMENTS TO SENATE BILL No. 52

In line 44 after the period insert the following language "The provisions of this section shall not apply if the parents of such child object thereto on the grounds that such test conflicts with their religious tenets and practices."

And renumber the lines accordingly.

#### AMENDMENTS TO SENATE BILL No. 57

In the third line of the title after the word "warrants" insert the words "and the destruction of cancelled warrants"

In line 3 after the word "CANCELLATION —" insert the following "DESTRUCTION —"

In line 5 delete the word "each" and insert the word "a" in lieu thereof

In line 23 after the period add the following language "After the same have been first offered to the state historical society, the school board may destroy by burning any cancelled warrant after the passage of ten years from its date of cancellation."

In line 29 delete the word "each" and insert the word "a" in lieu thereof

And renumber the lines accordingly.

ROY GILBREATH, Chief Clerk

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 28, 1967

Mr. President: I have the honor to transmit:

House Concurrent Resolution "T"

House Concurrent Resolution "V"

House Bill No. 501

House Bill No. 508

House Bill No. 595

House Bill No. 600

House Bill No. 619

House Bill No. 625

House Bill No. 672

House Bill No. 692

House Bill No. 721

House Bill No. 772

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

ROY GILBREATH, Chief Clerk

#### CONSIDERATION OF AMENDMENTS

Senator Holand moved that the amendments to Senate Bill No. 45 as recommended by the Committee on Transportation, and printed on page 229 of the Senate Journal, be adopted, which motion prevailed.

Senator Ringsak moved that the amendments to Senate Bill No. 91 as recommended by the Committee on State and Federal Government, and printed on page 230 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 113 as recommended by the Committee on Social Welfare and

Veterans Affairs, and printed on page 231 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 210 as recommended by the Committee on Transportation, and printed on page 232 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 270 as recommended by the Committee on Transportation, and printed on page 232 of the Senate Journal, be adopted, which motion was decalred lost.

#### MOTION

Senator Holand moved that Senate Bill No. 270 be placed on the calendar, which motion prevailed.

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 74.** For an Act to amend and reenact section 25-09-07 of the 1965 Supplement to the North Dakota Century Code relating to the collection of expenses of care and treatment of patients at the state hospital and state school.

Was read the second time.

Senator Holand: Mr. President. I would like to state for the record, that my vote in support of Senate Bill No. 74 is with the understanding that the hospital will not use this permissive legislation for the purpose of transferring all doubtful accounts over to a collection agency just before they reach \$350.00.

#### MOTION

Senator Ringsak moved that Senate Bill No. 74 be laid over one legislative day, which motion prevailed.

**Senate Bill No. 103.** A Bill for an Act to amend and reenact section 43-13-29 of the North Dakota Century Code, relating to prohibiting the solicitation of the sale of optical appliances and visual services.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Becker	Holand	Melland	Robinson
Butler	Jacobson	Meschke	Ruemmele
Chesrown	Kautzmann	Morgan	Sands
Christensen	Kelly, M.	Nasset	Schultz
Coughlin	Larsen, R.	Nething	Sorlie
Decker	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Hernett	Luick	Ringsak	Wilhite
Hofstrand			
Absent and not voting:			
Beck	Goldberg	Longmire	Roen
Berube	Kelly, E.	Lowe	Stafne
Forkner	Litten	Mutch	Stroup

So the bill passed and the title was agreed to.

**Senate Bill No. 111.** For an Act to amend and reenact sections 20-03-06 and 20-03-12 of the North Dakota Century Code, relating to hunting by nonresidents and nonresident hunting licenses and fees.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 2; absent and not voting, 12.



Those voting in the affirmative were:

Becker	Holand	Melland	Ruemmele
Butler	Jacobson	Meschke	Sands
Chesrown	Kautzmann	Morgan	Schultz
Coughlin	Kelly, M.	Nasset	Sorlie
Decker	Larsen, R.	Nothing	Torgerson
Freed	Larson, G.	Pyle	Trenbeath
Geving	Larson, L.	Redlin	Wenstrom
Hernett	Lips	Ringsak	Wilhite
Hofstrand	Luick	Robinson	

Those voting in the negative were:

Christensen	Rait		
Absent and not voting:			
Beck	Goldberg	Longmire	Roen
Berube	Kelly, E.	Lowe	Stafne
Forkner	Litten	Mutch	Stroup

So the bill passed and the title was agreed to.

**Senate Bill No. 143.** A Bill for an Act to amend and reenact section 40-22-06 of the 1965 Supplement to the North Dakota Century Code relating to the certification of municipalities obtaining authority to enter into agreements with the state highway department.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Becker	Holand	Melland	Robinson
Butler	Jacobson	Meschke	Ruemmele
Chesrown	Kautzmann	Morgan	Sands
Christensen	Kelly, M.	Nasset	Schultz
Coughlin	Larsen, R.	Nothing	Sorlie
Decker	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Hernett	Luick	Ringsak	Wilhite
Hofstrand			

Absent and not voting:

Beck	Goldberg	Longmire	Roen
Berube	Kelly, E.	Lowe	Stafne
Forkner	Litten	Mutch	Stroup

So the bill passed and the title was agreed to.

**Senate Bill No. 150.** A Bill for an Act to amend and reenact section 40-46-20 of the 1965 Supplement to the North Dakota Century Code, relating to refund or partial retirement upon termination of employment with city.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 0; absent and not voting, 12.

Those voting in the affirmative were:

Becker	Holand	Melland	Robinson
Butler	Jacobson	Meschke	Ruemmele
Chesrown	Kautzmann	Morgan	Sands
Christensen	Kelly, M.	Nasset	Schultz
Coughlin	Larsen, R.	Nothing	Sorlie
Decker	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Hernett	Luick	Ringsak	Wilhite
Hofstrand			

Absent and not voting:

Beck	Goldberg	Longmire	Roen
Berube	Kelly, E.	Lowe	Stafne
Forkner	Litten	Mutch	Stroup

So the bill passed and the title was agreed to.

**Senate Bill No. 156.** For an Act to amend and reenact sections 39-17-01 and 39-17-03 of the North Dakota Century Code, relating to additional registration fees for the unsatisfied judgment fund and recoveries from the unsatisfied judgment fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 3; absent and not voting, 11.

Those voting in the affirmative were:

Becker	Hofstrand	Luick	Robinson
Butler	Holand	Melland	Roen
Chesrown	Jacobson	Morgan	Ruemmele
Christensen	Kautzmann	Nasset	Sorlie
Coughlin	Kelly, M.	Nething	Torgerson
Decker	Larsen, R.	Pyle	Trenbeath
Freed	Larson, G.	Rait	Wenstrom
Geving	Larson, L.	Redlin	Wilhite
Hernett	Lips	Ringsak	

Those voting in the negative were:

Meschke	Sands	Schultz
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Absent and not voting:

Beck	Goldberg	Longmire	Stafne
Berube	Kelly, E.	Lowe	Stroup
Forkner	Litten	Mutch	

So the bill passed and the title was agreed to.

**Senate Bill No. 167.** A Bill for an Act to amend and reenact section 50-24-12 of the 1965 Supplement of the North Dakota Century Code, relating to specific income exemptions in the determination of the amount of aid.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Becker	Holand	Melland	Roen
Butler	Jacobson	Meschke	Ruemmele
Chesrown	Kautzmann	Morgan	Sands
Christensen	Kelly, M.	Nasset	Schultz
Coughlin	Larsen, R.	Nething	Sorlie
Decker	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Hernett	Luick	Ringsak	Wilhite
Hofstrand		Robinson	

Absent and not voting:

Beck	Goldberg	Longmire	Stafne
Berube	Kelly, E.	Lowe	Stroup
Forkner	Litten	Mutch	

So the bill passed and the title was agreed to.

**Senate Bill No. 168.** A Bill for an Act to amend and reenact section 50-09-05 of the North Dakota Century Code and section 50-24-03 of the 1965 Supplement, both sections relating to residence eligibility requirements for public assistance.

Was read the second time.

Senator Holand moved that Senate Bill No. 168 be laid over one legislative day, which motion prevailed.

**Senate Bill No. 169.** A Bill for an Act to amend and reenact section 20-03-35 of the North Dakota Century Code, relating to misrepresentations in applications for licenses or permits and the alteration of licenses or permits.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11:

Those voting in the affirmative were:			
Becker	Holand	Melland	Robinson
Butler	Jacobson	Meschke	Roen
Chesrown	Kautzmann	Morgan	Ruemmele
Christensen	Kelly, M.	Nasset	Sands
Coughlin	Larsen, R.	Nothing	Schultz
Decker	Larson, G.	Pyle	Sorlie
Freed	Larson, L.	Rait	Torgerson
Geving	Lips	Redlin	Trenbeath
Hernett	Luick	Ringsak	Wenstrom
Hofstrand			Wilhite

Absent and not voting:			
Beck	Goldberg	Longmire	Stafne
Berube	Kelly, E.	Lowe	Stroup
Forkner	Litten	Mutch	

So the bill passed and the title was agreed to.

**Senate Bill No. 185.** For an Act to amend and reenact subsection 1 of section 39-04-18 of the 1965 Supplement to the North Dakota Century Code, relating to registration of motor vehicles.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:			
Becker	Holand	Melland	Robinson
Butler	Jacobson	Meschke	Roen
Chesrown	Kautzmann	Morgan	Ruemmele
Christensen	Kelly, M.	Nasset	Sands
Coughlin	Larsen, R.	Nothing	Schultz
Decker	Larson, G.	Pyle	Sorlie
Freed	Larson, L.	Rait	Torgerson
Geving	Lips	Redlin	Trenbeath
Hernett	Luick	Ringsak	Wenstrom
Hofstrand			Wilhite

Absent and not voting:			
Beck	Goldberg	Longmire	Stafne
Berube	Kelly, E.	Lowe	Stroup
Forkner	Litten	Mutch	

So the bill passed and the title was agreed to.

**Senate Bill No. 186.** For an Act to amend and reenact section 39-10-51 of the North Dakota Century Code, relating to unattended motor vehicle.

Was read the second time.

Senator Holand moved that Senate Bill No. 186 be amended as follows:

In line 4, after the word "stand" insert the words "unlocked or".

Which motion prevailed.

Senator Holand moved that Senate Bill No. 186 be placed at the foot of the calendar, which motion prevailed.

## MOTIONS

Senator Hernettt moved that Senate Bills Nos. 174, 216, 345 and 356 be returned to the Senate from the Committee on Industry, Business and Labor, which motion prevailed.

Senator Hernettt moved that Senate Bills Nos. 174, 216, 345 and 356 be re-referred to the Committee on State and Federal Government, which motion prevailed.

Senator Lips moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the chair, pursuant to recess taken, the President presiding.

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

Senate Bill No. 123  
Senate Bill No. 144  
Senate Bill No. 184  
Senate Bill No. 237

And find the same correctly Engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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 "O"

And find the same correctly Engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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. 32  
Senate Bill No. 94

And find the same correctly Enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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. 32  
Senate Bill No. 94

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

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

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

## TWENTY-SIXTH DAY

Bismarck, January 28, 1967

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

Prayer by Chaplain Rev. John Holten, Lutheran Church of the Cross, Bismarck.

Almighty God, our Heavenly Father, bless our country that it may be a blessing to the world; grant that our ideals and aspirations may be in accordance with Thy will, and help us to see our-

selves as others see us. Keep us from hypocrisy in feeling or action. Grant us sound government at all levels and just laws, good education and a clean press, a simplicity and justice in our relations with one another, and above all, a spirit of service which will abolish pride of place and inequality of opportunity; through Jesus Christ our Lord. Amen.

Roll call: Senators present, Becker, Geving, Hernett, Holand, Kautzmann, Lester Larson, Lips, Rait, Ringsak, Torgerson, Trenbeath, and Wenstrom.

Senators absent, Beck, Berube, Butler, Chesrown, Christensen, Coughlin, Decker, Forkner, Freed, Goldberg, Hofstrand, Jacobson, Earl Kelly, Milton Kelly, Richard Larsen, Guy Larson, Litten, Longmire, Lowe, Luick, Meschke, Melland, Morgan, Mutch, Nasset, Nething, Pyle, Redlin, Robinson, Roen, Ruemmele, Sands, Schultz, Sorlie, Stafne, Stroup and Wilhite.

The President announced the Senate lacked a quorum.

Senator Lips moved that the Senate recess until 1:30 p.m., January 30, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary.



"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

TWENTY-SIXTH DAY AFTER RECESS AND  
TWENTY-EIGHTH DAY

Bismarck, January 30, 1967

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

Roll call: All Senators present except Senators Larsen, Meschke and Ruemmele.

A quorum was declared by the President.

### CORRECTION AND REVISION

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 finds the same correct.

SENATOR LOWE, Chairman

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

### REPORTS OF A STANDING COMMITTEE

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

Senate Bill No. 45  
Senate Bill No. 91  
Senate Bill No. 113  
Senate Bill No. 186  
Senate Bill No. 210

And find the same correctly Engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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. 44

And find the same correctly Re-Engrossed.

SENATOR WENSTROM, Chairman

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

### FIRST READING OF HOUSE BILLS AND A HOUSE CONCURRENT RESOLUTION

**House Bill No. 501.** For an Act making an appropriation for the general operation, 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.

**House Bill No. 508.** A Bill for an Act making an appropriation to the livestock sanitary board for its operating and maintenance expense and for veterinary inspectors fees and expenses pertaining to licensed quarantined feedlots and livestock sales rings.

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

**House Bill No. 595.** A Bill for an Act to require motorcycle operators and passengers to wear protective helmets and to preclude the carrying of passengers on certain two-wheel motorcycles.

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

**House Bill No. 600.** A Bill for an Act to amend and reenact section 4-30-03 of the 1965 Supplement to the North Dakota Century Code relating to the amount of bond to be furnished by applicants for license to purchase milk or cream from dairy producers.

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

**House Bill No. 619.** A Bill for an Act to require the highway department to place all new signs which preclude the cultivation of the right-of-way alongside of existing highway signs, right-of-way posts, and natural obstructions to require the relocation of all existing such signs when requested, wherever such are not already located alongside of existing highway signs and right-of-way posts.

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

**House Bill No. 625.** A Bill for an Act to empower boards of county park commissioners to establish special service districts for the purpose of providing police protection and garbage removal services, and declaring an emergency.

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

**House Bill No. 672.** A Bill for an Act to reduce civil liability of firemen, policemen or peace officers who render aid at the scene of an emergency while on duty.

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

**House Bill No. 692.** A Bill for an Act to amend and reenact section 43-15-17 of the North Dakota Century Code, relating to qualifications of assistant registered pharmacist.

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

**House Bill No. 721.** A Bill for an Act to provide for the use of revolving charge agreements in the sale of personal property at wholesale.

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

**House Bill No. 772.** A Bill for an Act to create and enact subsection 4 of section 43-23-06 and to amend and reenact section 43-23-05, subsection 3 of section 43-23-06, sections 43-23-07, 43-23-08, 43-23-09, 43-23-10, 43-23-11, 43-23-12, 43-23-13, and 43-23-14 of the North Dakota Century Code, relating to licensing real estate mortgage brokers.

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

**House Concurrent Resolution "T".** A Concurrent Resolution commending the great nation of Canada for her one hundred years of progress in this her Centennial Year 1967.

Was read the first time.



## MOTION

Senator Lips moved that the rules be suspended, that House Concurrent Resolution "T" be not referred to committee but placed on second reading and final passage, which motion prevailed.

## SECOND READING OF A HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution "T"**. A Concurrent Resolution commending the great nation of Canada for her one hundred years of progress in this her Centennial Year 1967.

Was read the second time.

Senator Lips moved that House Concurrent Resolution "T" be adopted, which motion prevailed.

## FIRST READING OF A HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution "V"**. A Concurrent Resolution relating to the marking of historical, archaeological, and paleontological sites along the Lewis and Clark trail and periodic on-site inspections thereof.

Was read the first time.

## MOTION

Senator Lips moved that the rules be suspended, that House Concurrent Resolution "V" be not referred to a committee, but placed on second reading and final passage, which motion prevailed.

## SECOND READING OF A HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution "V"**. A Concurrent Resolution relating to the marking of historical, archaeological, and paleontological sites along the Lewis and Clark trail and periodic on-site inspections thereof.

Was read the second time.

Senator Lips moved that House Concurrent Resolution "V" be adopted, which motion prevailed.

## RECOGNITION

Senator Lips announced that former Senator Milt Rue was in the chambers and moved that a committee of two be appointed to escort former Senator Milt Rue to the rostrum, which motion prevailed.

The President appointed as such committee, Senators Lips and Torgerson, and former Senator Milt Rue was escorted to the rostrum and invited to address the Senate.

Former Senator Rue: Mr. President. Members of the Senate. It is good to be here in the Senate chambers. It brings me back to the days when I served in the legislature. Those terms were always the high light of my life. The people that serve in this body will always remember the great friends they have made in all corners of the State. They made these friends regardless of political affiliations, which is very good. If the people of the State could only know the diligent work the members are putting in here trying their best to solve the problems of the State, it would be fine. But it is good to see that we have as many visitors as we do so that they can see the legislators hard at work. I compliment you on the many fine new faces you have here. It is good and healthy that the people of the State — in all corners — are concerned about our state government, and they should be because there are two very difficult propositions — number one is finance and taxation, and the other one is appropriations — to treat fairly those that are asking for state appropriations and to see where we are going to get the money from. There are many, many ideas, and I am sure it is being solved better by members of the legislature when they hear all sides. The other night we were having a visit, a few

legislators were there, and you know especially the new ones will think this is the most difficult the legislature has ever had. They all seem difficult. They are all difficult. But now there are a good many people hard up but there are very few people hungry. I remember when I served in the House in 1933, people were more than hard up, they were hungry, they could not pay their taxes on the farm or in town — cattle were selling from thirteen — government — to twenty a head — wheat was 25¢ a bushel, if you had any. Especially in the western part of the state there was a great drouth — all they seemed to have out there was Russian thistle.

We did not have all these government setups to take care of the people — welfare and social security or any other program — so that to my way of thinking my sessions of the legislature were really tough times. It is good to be here. We appreciate the good work you are doing for the people of North Dakota. Thank you very much.

Senator Lips moved that the remarks of former Senator Milt Rue be printed in the Journal, which motion prevailed.

#### MOTION

Senator Forkner moved that the Senate reconsider the action by which Senate Bill No. 104 was indefinitely postponed, which motion was declared lost.

Senator Forkner requested a division which request was granted.

The question being on the motion of Senator Forkner that the Senate reconsider the action by which Senate Bill No. 104 was indefinitely postponed, which motion was again declared lost.

#### 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 be amended as follows:

In line 29 delete the figure \$173,736.00 and insert in lieu thereof \$181,736.00

In line 30 delete the figure \$86,100.00 and insert in lieu thereof \$95,170.00

In line 33 delete the figure \$269,836.00 and insert in lieu thereof \$286,906.00

In line 34 delete the figure \$948,857.00 and insert in lieu thereof \$965,927.00

After line 34 add the following: SECTION 4. APPROPRIATION.) The director of accounts and purchases and the state treasurer shall make such transfers of funds between lined items of appropriation for the legislative research committee as may be requested by the chairman of such committee upon a finding by such chairman that the nature of studies and duties assigned to the committee requires such transfers in properly carrying on the committee's functions.

Renumber the lines and sections accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee increased Salaries and Wages by \$8,000.00 to allow the hiring of an additional attorney.

The committee increased Fees and Services by \$9,070.00 to allow for the rental of the Xerox machine and an IBM magnetic tape typewriter.

The committee added Section 4 because of the unpredictability of legislative expenditures.

SENATOR SORLIE, Chairman

Senator Luick 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 do pass.

SENATOR SORLIE, Chairman

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

Mr. President: 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.

SENATOR SORLIE, Chairman

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 82 has had the same under consideration and recommends that the same be amended as follows:

In line 24 after the word "property" insert the following: "and of inundated land"

In line 44 after the word "percent" insert the following: "and deducting therefrom the amount of personal property taxes assessed against personal property having a situs upon the property subject to valuation"

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 Senate Bill No. 116 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 182 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Litten 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. 232 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak 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 "Q" has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

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

Mr. President: Your Committee on Natural Resources to whom was referred Senate Concurrent Resolution "R" 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 "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 State and Federal Government to whom was referred House Concurrent Resolution "B" has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

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

#### MOTION

Senator Hernettt moved that Senate Bills Nos. 181, 202, 239 and 308 be returned to the Senate from the Committee on Industry, Business and Labor, which motion prevailed.

Senator Hernettt moved that Senate Bills Nos. 202 and 239 be re-referred to the Committee on Judiciary, which motion prevailed.

Senator Hernettt moved that Senate Bills Nos. 181 and 308 be re-referred to the Committee on Social Welfare and Veterans Affairs, which motion prevailed.

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Chesrown moved that the Senate do not concur in the House amendments to Senate Bill No. 47 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. 47, Senators Longmire, Chesrown and Meschke.

Senator Longmire moved that the Senate do concur in the House amendments to Senate Bill No. 52, which motion prevailed.

Senator Longmire moved that the rules be suspended and that Senate Bill No. 52 be deemed properly 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. 52.** For an Act to provide for the testing and treatment of the disease phenylketonuria and other metabolic diseases causing mental retardation, providing for an educational program concerning such diseases under the direction of the department of health, and requiring physicians attending newborn infants to subject such infants to tests for phenylketonuria and other metabolic diseases.

Which has ben read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, by the House and printed on page 245 of the Senate Journal, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz

Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nething	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

So the bill passed and the title was agreed to.

Senator Roen moved that the Senate do concur in the House amendments to Senate Bill No. 57, which motion prevailed.

Senator Roen moved that the rules be suspended and that Senate Bill No. 57 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 57.** For an Act to create and enact sections 15-29-14 and 40-17-09.1 of the North Dakota Century Code, relating to the cancellation of outstanding warrants.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, as amended, by the House and printed on page 245 of the Senate Journal, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nething	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

So the bill passed and the title was agreed to.

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

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

**TWENTY-EIGHTH**

Bismarck, January 30, 1967

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

Prayer by Chaplain Father Arnold Spain, St. Anne's Catholic Bismarck.

O my Lord,  
 If I pray to Thee from fear of hell,  
 Then banish me to hell!  
 If I pray to Thee from hope of paradise,  
 Then shut me out from it!  
 But If I pray to Thee for Thine own sake,  
 Then do not withhold from me anything of Thine eternal beauty!  
 O my God, I cannot live in the world without remembrance of  
 Thee,  
 And how could I endure the world to come

Without the sight of Thee?

O my Lord, my sighing is nothing before Thee;  
For I am a stranger in Thy Land, alone  
In the midst of them who honor Thee.

— Rabia Al Adwiya  
Mesopotamia, C. 800

#### CORRECTION AND REVISION

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 recommends that the same be corrected as follows:

On page 244, line 51, correct the spelling of the word "After"

And when so corrected recommends that the same be approved.

SENATOR LOWE, Chairman

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

#### FIRST READING OF A SENATE CONCURRENT RESOLUTION

Senators Morgan and Holand introduced:

**Senate Concurrent Resolution "X"**. A Concurrent Resolution expressing opposition to a proposed flood control project on the lower reach of the Sheyenne River.

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

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 123**. A Bill for an Act to amend and reenact section 27-06-02 of the 1965 Supplement to the North Dakota Century Code, relating to salary and expenses of court reporter.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 217 of the Senate Journal, the roll was called and there were ayes, 45; nays, 4; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Roen
Becker	Holand	Luick	Ruemmele
Berube	Kautzmann	Melland	Sands
Butler	Kelly, E.	Meschke	Schultz
Chesrown	Kelly, M.	Morgan	Sorlie
Christensen	Larsen, R.	Mutch	Stafne
Coughlin	Larson, G.	Nething	Stroup
Decker	Larson, L.	Pyle	Torgerson
Forkner	Lips	Rait	Trenbeath
Freed	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

Those voting in the negative were:

Geving	Jacobson	Nasset	Robinson
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So the bill passed and the title was agreed to.

**Senate Bill No. 144**. A Bill for an Act to create and enact sections 10-15-52.1, 10-15-52.2, 10-15-52.3, 10-15-52.4, 10-15-52.5, and 41-09-46.1 of the North Dakota Century Code, relating to mergers, amendments to articles of association, certificates of authority, and withdrawal of foreign cooperatives; and exempting the secretary of state and his employees from liability for filing errors made in carrying out the provisions of the Uniform Commercial Code; and to amend and reenact sections 6-06-04, 10-15-04, 10-15-07, 10-15-09, 10-15-10, 10-15-12, subsections 3, 4, and 5 of section 10-15-36, sections

10-15-38, 10-15-40, subsection 1 of section 10-15-42, subsection 3 of section 10-15-43, section 10-15-44, subsection 4 of section 10-15-45, subsection 4 of section 10-15-47, subsection 1 of section 10-15-48, sections 10-15-50, 10-15-51, 10-15-53, 10-15-54, 10-23-01, subsection 1 of section 10-23-05, subsection 1 of section 10-28-02, subsection 5 of section 41-09-42, sections 41-09-44, 41-09-45, subsection 2 of section 41-09-46, sections 43-03-16, 49-09-14, 54-09-04, 61-05-19, and 61-16-06 of the North Dakota Century Code, relating to recording and filing certain forms in the office of the secretary of state, charges for making such filings, and failure of cooperatives to file annual reports as legally required.

Was read the second time.

Senator Holand moved that Senate Bill No. 144 be re-referred to the Committee on Judiciary, which motion prevailed.

**Senate Bill No. 184.** For an Act to amend and reenact section 39-07-07 of the 1965 Supplement to the North Dakota Century Code relating to arresting person for violating traffic regulations and to amend and reenact sections 39-07-08 and 39-07-09 of the North Dakota Century Code relating to hearing upon arrest and release upon promise to appear, and providing a penalty.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 184 of the Senate Journal, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nething	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

So the bill passed and the title was agreed to.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, January 30, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 32

Senate Bill No. 94

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

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, January 30, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 5

Senate Bill No. 18

Senate Bill No. 103

Senate Bill No. 111

Senate Bill No. 128

Senate Bill No. 136

Senate Bill No. 138  
 Senate Bill No. 140  
 Senate Bill No. 143  
 Senate Bill No. 150  
 Senate Bill No. 156  
 Senate Bill No. 167  
 Senate Bill No. 169  
 Senate Bill No. 185  
 Senate Bill No. 192  
 Senate Bill No. 223

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

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, January 30, 1967

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to Senate Bills No. 52 and 57, but refused to concur in the House Amendment to Senate Bill No. 47.

The President appointed a conference committee to act with a like committee from the House to act on Senate Bill No. 47,

Senator Longmire  
 Senator Chesrown  
 Senator Meschke

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 30, 1967

Mr. President: I have the honor to transmit:

House Bill No. 564

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

ROY GILBREATH, Chief Clerk

Senator Lips moved that the Senate recess until 1:00 p.m., January 31, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary



"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### TWENTY-EIGHTH DAY AFTER RECESS AND TWENTY-NINTH DAY

Bismarck, January 31, 1967

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

STATE OF NORTH DAKOTA  
Executive Office  
Bismarck

January 30, 1967

The Honorable Charles Tighe  
President of the Senate  
State Capitol  
Bismarck, North Dakota

Dear Mr. President:

I have received Senate Concurrent Resolution "L". It is a fine gesture on your part, especially in these tense days of a legislative session when too often our political zeal prevents such expressions.

While I am sure it must have appeared to be a very minor matter to some of you, I assure you that Resolution "L" will be a valued memento of my days in office.

Sincerely yours,  
WILLIAM L. GUY, Governor

### 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 3 delete the figure \$150,000.00 and insert in lieu thereof \$100,000.00

In line 12 delete the figure \$133,500.00 and insert in lieu thereof \$83,500.00

In line 15 delete the figure \$150,000.00 and insert in lieu thereof \$100,000.00

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee decreased Salaries and Wages by \$50,000.00 because of the establishment of county mental health units which will gradually phase out this State clinic.

SENATOR SORLIE, Chairman

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

Mr. President: Your Committee on Appropriations to whom was deferred Senate Bill No. 29 has had the same under consideration and recommends that the same be amended as follows:

In line 3 delete the figure \$70,000.00 and insert in lieu thereof \$75,000.00.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee increased this fund by \$5,000.00 to insure a bid opening during this fiscal year to avoid losing federal funds available from Civil Defense.

SENATOR SORLIE, Chairman

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

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 44 has had the same under consideration and recommends that the same do pass and that the same be referred to the Committee on Transportation.

SENATOR SORLIE, Chairman

Senator Kelly (Earl) 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. 53 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSAK, Chairman

Senator Ringsak moved that the report be adopted, which motion was declared lost.

#### MOTION

Senator Lips moved that Senate Bill No. 53 be re-referred to the Committee on State and Federal Government, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 87 has had the same under consideration and a majority recommends that the same be amended as follows:

In line 10 after the word "retail" insert the following: "in quantities of twenty-five gallons or less"

Renumber the lines accordingly.

For the majority:

Senator Holand  
 Senator Freed  
 Senator Goldberg  
 Senator Sands  
 Senator Jacobson  
 Senator Stroup  
 Senator Meschke

And when so amended recommends that the same be indefinitely postponed.

SENATOR RINGSAK, Chairman

Senator Meschke moved that the report be adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 87 has had the same under consideration and a minority recommends that the same be amended as follows:

In line 10 after the word "retail" insert the following: "in quantities of twenty-five gallons or less"

Renumber the lines accordingly.

For the minority:

Senator Ringsak  
 Senator Forkner  
 Senator Morgan  
 Senator Mutch

And when so amended recommend the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak moved that the report of the minority be substituted for that of the majority.

Senator Holand: Mr. President. In recommending indefinite postponement of Senate Bill No. 87, a majority of the committee recognizes that the Department of Accounts and Purchases has now instigated a credit card system for use in connection with the purchase of gasoline and other items. The Committee assumes that the department heads will generally advise their personnel to make all normal purchases from bid stations, but it is hoped that personnel will be able to exercise reasonable discretion in using the cards at other than bid stations when in their judgment emergencies or other circumstances warrant such purchases.

The question being on the motion of Senator Ringsak that the report of the minority be substituted for that of the majority on Senate Bill No. 87.

Senator Mutch requested a recorded vote, which request was granted.

#### ROLL CALL

The question being on the motion of Senator Ringsak that the report of the minority be substituted for that of the majority on Senate Bill No. 87, the roll was called and there were ayes, 27; nays, 22; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Kelly, E.	Morgan	Robinson
Becker	Kelly, M.	Mutch	Ruemmele
Coughlin	Larsen, R.	Nasset	Schultz
Decker	Larson, G.	Nething	Sorlie
Forkner	Longmire	Pyle	Torgerson
Hernett	Lowe	Redlin	Trenbeath
Hofstrand	Luick	Ringsak	

Those voting in the negative were:

Berube	Goldberg	Litten	Sands
Bulter	Holand	Melland	Stafne
Chesrown	Jacobson	Meschke	Stroup
Christensen	Kautzmann	Rait	Wenstrom
Freed	Larson, L.	Roen	Wilhite
Geving	Lips		

So the motion was declared carried.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 97, has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSAK, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 125 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BECKER, Chairman

Senator Becker 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. 160 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 188 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 195 has had the same under consideration and recommends that the same be amended as follows:

In line 3 of the title after the word "two" insert the words "and one-half"; delete the word "current" and insert in lieu thereof the words "full and true"

In line 11 of the bill after the word "two" insert the words "and one-half"; delete the word "current" and insert in lieu thereof the words "full and true"

Renumber the lines accordingly

And when so amended recommends the same do pass.

SENATOR BECKER, Chairman

Senator Becker 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. 220 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSACK, Chairman

Senator Ringsack 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. 221 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

Senator Ringsack 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. 225 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

Senator Ringsack 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. 282 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

Senator Ringsack 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. 290 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Committee on Appropriations.

SENATOR RINGSACK, Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 297 has had the same under consideration and recommends that the same be amended as follows:

In line 10 delete the words "a majority" and insert in lieu thereof "fifty-five"

And when so amended recommend the same do pass.

SENATOR ROEN, Chairman

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

Mr. President: Your Committee on Education to whom was referred Senate Concurrent Resolution "J" have had the same under consideration and recommends that the same be amended as follows:

In line 15 of the engrossed bill delete the following ". The" and insert in lieu thereof ", except that the"

In line 16 delete the word "in" and insert in lieu thereof "to assist in the financing of"

Renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR ROEN, Chairman

Senator Roen 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. 575 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

Senator Ringsack 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. 592, has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

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

#### MOTION

Senator Sorlie moved that Senate Bill No. 290 be returned to the Senate from the Committee on Appropriations, which motion prevailed.

Senator Sorlie moved that Senate Bill No. 290 be placed on the calendar, which motion prevailed.

Senator Becker moved that Senate Bills Nos. 201, 261, 332, 343 and 375 be returned to the Senate from the Committee on Finance and Taxation, which motion prevailed.

Senator Becker moved that Senate Bill No. 261, be re-referred to the Committee on Agriculture, which motion prevailed.

Senator Becker moved that Senate Bills Nos. 201 and 375 be re-referred to the Committee on State and Federal Government, which motion prevailed.

Senator Becker moved that Senate Bills Nos. 332 and 343 be re-referred to the Committee on Political Subdivisions, which motion prevailed.

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

#### TWENTY-NINTH DAY

Bismarck, January 31, 1967

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

Prayer by Chaplain Rev. David Sahr, McCabe Methodist, Bismarck.

Our Heavenly Father, we do not come to Thee in prayer because it is a nice formality, but because we recognize the need to direct

our attention to the source of our life. We are aware of our needs and our shortcomings. We are aware that we stand in Thy presence, not having reached the fullness of the capacities which lie within us.

Help us to understand that we live in a community of men, and that each man within our total community and state is our personal responsibility, because Thou hast made it so. As we begin our daily deliberations, help us to be aware that we are an instrument of justice; an instrument of love; and an instrument of concern for our state and for our fellowman. May we not enter into this day misunderstanding our role as Thy sons, but help us to live up to the fullness of the meaning of our sonship in Thee.

Grant us a clearness of heart and mind to see the issues and face them squarely to the best of our ability. Grant us Thy presence, Thy mercy, and Thy peace. Amen.

Roll call: All Senators present.

A quorum was declared by the President.

#### CORRECTION AND REVISION

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 260, after line 7, insert the following: Roll call: All Senators present. A quorum was declared by the President."

And when so corrected recommends that the same be approved.

SENATOR LOWE, Chairman

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

#### CONSIDERATION OF AMENDMENTS

Senator Sorlie moved that the amendments to Senate Bill No. 3 as recommended by the Committee on Appropriations, and printed on page 256 of the Senate Journal, be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to Senate Bill No. 82 as recommended by the Committee on Natural Resources, and printed on page 267 of the Senate Journal, be adopted, which motion prevailed.

#### FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Chesrown, Ringsak, Roen, Morgan, Hernet, Nasset, Ruemmele and Kautzmann introduced:

**Senate Concurrent Resolution "Y".** A Concurrent Resolution for the ratification of a proposed amendment to the Constitution of the United States, relating to succession to the Presidency and Vice Presidency and to cases where the president is unable to discharge the powers and duties of his office.

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

Senators Chesrown, Hernet, Ruemmele, Ringsak, Roen, Morgan and Nasset introduced:

**Senate Concurrent Resolution "Z".** A Concurrent Resolution requesting the United State Congress to authorize and provide funds for the construction of a bridge over the Oahe Reservoir segment of the Missouri River.

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

Senators Trenbeath, Roen, Ringsak and Ruemmele introduced:

**Senate Concurrent Resolution "AA".** A Concurrent Resolution urging the state board of higher education, the commissioner of

higher education, and the president of the University of North Dakota to consider the needs of the handicapped in the educational programs of the university and in planning additional building facilities.

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

#### FIRST READING OF A HOUSE BILL

**House Bill No. 564.** A Bill for an Act to repeal subsections 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 of section 51-10-06 and sections 51-10-09, 51-10-10, 51-10-11, 51-10-12, 51-10-13, 51-10-14, and 51-10-15 of the 1965 Supplement to the North Dakota Century Code, relating to the North Dakota Trade Commission.

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

#### MESSAGES FROM THE HOUSE

House Chamber

Bismarck, January 31, 1967

Mr. President: I have the honor to transmit:

House Concurrent Resolution "X"

House Bill No. 646

House Bill No. 655

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, January 31, 1967

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Representatives:

Kelsch, Fossum and Eagles to act on Senate Bill No. 47.

Very respectfully,

ROY GILBREATH, Chief Clerk

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 237.** A Bill for an Act to amend and reenact Section 43-29-17, of the North Dakota Century Code relating to the unlawful practice of veterinary medicine, providing for violations thereof to be a misdemeanor and in addition thereto providing for the civil remedy of injunction to restrain and enjoin violations thereof.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 237 of the Senate Journal, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Bulter	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nething	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom

Goldberg	Longmire	Ringsak	Willhite
Hernett			

So the bill passed and the title was agreed to.

**Senate Bill No. 186.** For an Act to amend and reenact section 39-10-51 of the North Dakota Century Code, relating to unattended motor vehicle.

Was read the second time.

#### MOTION

Senator Luick moved that Senate Bill No. 186 be re-referred to the Committee on Transportation, which motion was declared lost.

#### ROLL CALL

The question being on the final passage of Senate Bill No. 186 as amended, on page 249 of the Senate Journal, the roll was called and there were ayes, 20; nays, 28; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Freed	Larson, L.	Rait
Berube	Geving	Luick	Ruemmele
Butler	Goldberg	Melland	Schultz
Christensen	Holand	Meschke	Trenbeath
Forkner	Kelly, M.	Pyle	Willhite

Those voting in the negative were:

Becker	Kautzmann	Lowe	Robinson
Chesrown	Kelly, E.	Morgan	Sands
Coughlin	Larsen, R.	Mutch	Sorlie
Decker	Larson, G.	Nasset	Stafne
Hernett	Lips	Nething	Stroup
Hofstrand	Litten	Redlin	Torgerson
Jacobson	Longmire	Ringsak	Wenstrom

Absent and not voting:

Roen

So the bill was declared lost.

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 45.** For an Act to amend and reenact section 39-06-14 of the North Dakota Century Code, relating to the issuance of licenses to operate motor vehicles.

Was read the second time.

Senator Butler moved that Senate Bill No. 45 be placed at the foot of the calendar, which motion prevailed.

**Senate Bill No. 91.** A Bill for an Act to amend and reenact section 40-01-20 of the North Dakota Century Code, relating to the prohibition of daylight saving time, and declaring an emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 230 of the Senate Journal, the roll was called and there were ayes, 35; nays, 14; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Morgan	Ruemmele
Becker	Holand	Mutch	Sands
Berube	Jacobson	Nasset	Schultz
Chesrown	Kautzmann	Pyle	Sorlie
Christensen	Kelly, E.	Rait	Stroup
Forkner	Kelly, M.	Redlin	Torgerson
Freed	Larson, L.	Ringsak	Trenbeath
Geving	Lowe	Robinson	Wenstrom
Hernett	Luick	Roen	



Those voting in the negative were:

Bulter	Larsen, R.	Longmire	Nothing
Coughlin	Larson, G.	Melland	Stafne
Decker	Lips	Meschke	Wilhite
Goldberg	Litten		

So the bill passed and the title was agreed to and the emergency clause carried.

**Senate Bill No. 113.** For an Act to amend and reenact section 25-03-08 of the North Dakota Century Code, relating to emergency procedure for admission of mentally ill to a private hospital or to the state hospital.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 231 of the Senate Journal, the roll was called and there were ayes, 45; nays, 3; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hernett	Litten	Redlin
Becker	Hofstrand	Longmire	Ringsak
Berube	Holand	Lowe	Roen
Butler	Jacobson	Luick	Ruemmele
Chesrown	Kautzmann	Melland	Sands
Christensen	Kelly, E.	Meschke	Schultz
Coughlin	Kelly, M.	Morgan	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nothing	Torgerson
Freed	Larson, L.	Pyle	Wenstrom
Geving	Lips	Rait	Wilhite
Goldberg			

Those voting in the negative were:

Mutch	Robinson	Trenbeath
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Absent and not voting:

Sorlie

So the bill passed and the title was agreed to.

**Senate Bill No. 210.** A Bill for an Act to amend and reenact section 39-04-15 of the North Dakota Century Code, relating to motor vehicle registration fees.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 232 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nothing	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite

Absent and not voting:

Sorlie

So the bill passed and the title was agreed to.

**Senate Bill No. 270.** A Bill for an Act to provide for the use of a slow-moving vehicle identification emblem, and declaring an effective date.

Was 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, 9; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Goldberg	Lips	Pyle
Becker	Hernett	Litten	Rait
Butler	Hofstrand	Longmire	Redlin
Chesrown	Holand	Lowe	Ringsak
Christensen	Kautzmann	Luick	Roen
Coughlin	Kelly, E.	Melland	Ruemmele
Decker	Kelly, M.	Meschke	Stafne
Forkner	Larsen, R.	Morgan	Wenstrom
Freed	Larson, G.	Nasset	Wilhite
Geving	Larson, L.	Nothing	

Those voting in the negative were:

Berube	Robinson	Schultz	Torgerson
Jacobson	Sands	Stroup	Trenbeath
Mutch			

Absent and not voting:

Sorlie

So the bill passed and the title was agreed to.

#### MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, January 31, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 123

Senate Bill No. 184

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, January 31, 1967

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "T"

House Concurrent Resolution "V"

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, January 31, 1967

Mr. President: I have the honor to return:

Senate Bill No. 32

Senate Bill No. 94

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

#### REPORT OF A STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 32

Senate Bill No. 94

Were delivered to the Governor for his approval at the hour of 3:45 o'clock p.m., January 31, 1967.

SENATOR WENSTROM, Chairman

MOTION

Senator Wenstrom moved that Senate Bills Nos. 366 and 367 be returned to the Senate from the Committee on Appropriations, which motion prevailed.

Senator Wenstrom moved that Senate Bills Nos. 366 and 367 be re-referred to the Committee on State and Federal Government, which motion prevailed.

Senator Lips moved that the Senate recess until 1:00 p.m., February 1, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary



"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### TWENTY-NINTH DAY AFTER RECESS AND THIRTIETH DAY

Bismarck, February 1, 1967

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

#### REPORT OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 3

Senate Bill No. 82

And find the same correctly Engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

#### FIRST READING OF HOUSE BILLS AND A HOUSE CONCURRENT RESOLUTION

**House Bill No. 646.** A Bill for an Act to amend and reenact section 44-03-01 of the North Dakota Century Code, allowing the Commissioner of Labor to appoint a Deputy Commissioner.

Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 655.** A Bill for an Act to amend and reenact sections 34-06-09, 34-06-11, and 34-06-12 of the North Dakota Century Code, relating to conferences to consider investigation by the commissioner of labor.

Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Concurrent Resolution "X".** A Concurrent Resolution requesting that the taking line for the Garrison and Oahe Reservoirs be surveyed and marked as soon as possible.

Was read the first time and referred to the Committee on Natural Resources.

#### CONSIDERATION OF AMENDMENTS

Senator Sorlie moved that the amendments to Senate Bill No. 21 as recommended by the Committee on Appropriations, and printed on page 263 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 29 as recommended by the Committee on Appropriations, and printed on page 263 of the Senate Journal, be adopted, which motion prevailed.

Senator Ringsak moved that the amendments to Senate Bill No. 87 as recommended by the Committee on State and Federal Govern-

ment, and printed on page 264 of the Senate Journal, be adopted, which motion prevailed.

Senator Becker moved that the amendments to Senate Bill No. 195 as recommended by the Committee on Finance and Taxation, and printed on page 266 of the Senate Journal, be adopted, which motion prevailed.

Senator Roen moved that the amendments to Senate Bill No. 297 as recommended by the Committee on Education, and printed on pages 266 and 267 of the Senate Journal, be adopted, which motion prevailed.

Senator Roen moved that the amendments to Senate Concurrent Resolution "J", as recommended by the Committee on Education, and printed on page 267 of the Senate Journal, be adopted, which motion prevailed.

#### SECOND READING OF SENATE BILLS AND A SENATE CONCURRENT RESOLUTION

**Senate Bill No. 7.** 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 second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Becker	Holand	Luick	Robinson
Berube	Jacobson	Melland	Roen
Butler	Kautzmann	Meschke	Ruemmele
Chesrown	Kelly, E.	Morgan	Sands
Christensen	Kelly, M.	Mutch	Schultz
Decker	Larson, G.	Nasset	Stafne
Forkner	Larson, L.	Nething	Stroup
Freed	Lips	Pyle	Torgerson
Geving	Litten	Rait	Wenstrom
Goldberg	Lowe	Redlin	Wilhite
Hernett			

Absent and not voting:

Beck	Hofstrand	Longmire	Sorlie
Coughlin	Larsen, R.	Ringsak	Trenbeath

So the bill passed and the title was agreed to.

**Senate Bill No. 19.** 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 second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Becker	Holand	Luick	Robinson
Berube	Jacobson	Melland	Roen
Butler	Kautzmann	Meschke	Ruemmele
Chesrown	Kelly, E.	Morgan	Sands
Christensen	Kelly, M.	Mutch	Schultz
Decker	Larson, G.	Nasset	Stafne
Forkner	Larson, L.	Nething	Stroup
Freed	Lips	Pyle	Torgerson
Geving	Litten	Rait	Wenstrom
Goldberg	Lowe	Redlin	Wilhite
Hernett			

Absent and not voting:

Beck	Larsen, R.	Longmire	Sorlie
Coughlin	Hofstrand	Ringsak	Trenbeath

So the bill passed and the title was agreed to.

**Senate Bill No. 74.** For an Act to amend and reenact section 25-09-07 of the 1965 Supplement to the North Dakota Century Code relating to the collection of expenses of care and treatment of patients at the state hospital and state school.

Was read the second time.

Senator Kautzmann moved that Senate Bill No. 74 be amended as follows:

In line 13, after the word "with" insert the words "North Dakota"  
Which motion prevailed.

Senator Kautzmann moved that the rules be suspended and that Senate Bill No. 74 be deemed properly 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. 74, as amended from the floor, the roll was called and there were ayes, 34; nays, 10; absent and not voting, 5.

Those voting in the affirmative were:

Becker	Jacobson	Longmire	Roen
Berube	Kautzmann	Lowe	Sands
Butler	Kelly, E.	Luick	Schultz
Chesrown	Kelly, M.	Melland	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nothing	Trenbeath
Goldberg	Larson, L.	Pyle	Wenstrom
Hernett	Lips	Rait	Wilhite
Holand	Litten		

Those voting in the negative were:

Christensen	Meschke	Redlin	Ruemmele
Freed	Morgan	Robinson	Torgerson
Geving	Mutch		

Absent and not voting:

Beck	Hofstrand	Ringsak	Sorlie
Coughlin			

So the bill passed and the title was agreed to.

**Senate Bill No. 116.** For an Act to amend and reenact subsection 3 of section 24-02-11 of the North Dakota Century Code, relating to the records required to be maintained by the highway department.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Becker	Jacobson	Luick	Roen
Berube	Kautzmann	Melland	Ruemmele
Butler	Kelly, E.	Meschke	Sands
Chesrown	Kelly, M.	Morgan	Schultz
Christensen	Larsen, R.	Mutch	Sorlie
Decker	Larson, G.	Nasset	Stafne
Forkner	Larson, L.	Nothing	Stroup
Freed	Lips	Pyle	Torgerson
Geving	Litten	Rait	Trenbeath
Goldberg	Longmire	Redlin	Wenstrom

Hernett	Lowe	Robinson	Wilhite
Holand			
Absent and not voting:			
Beck	Coughlin	Hofstrand	Ringsak

So the bill passed and the title was agreed to.

**Senate Bill No. 168.** A Bill for an Act to amend and reenact section 50-09-05 of the North Dakota Century Code and section 50-24-03 of the 1965 Supplement, both sections relating to residence eligibility requirements for public assistance.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 12; nays, 36; absent and not voting, 1.

Those voting in the affirmative were:

Berube	Lips	Lowe	Schultz
Hofstrand	Litten	Nething	Stafne
Kautzmann	Longmire	Rait	Stroup

Those voting in the negative were:

Beck	Geving	Larson, L.	Robinson
Becker	Goldberg	Luick	Roen
Butler	Hernett	Melland	Ruemmele
Chesrown	Holand	Meschke	Sands
Christensen	Jacobson	Morgan	Sorlie
Coughlin	Kelly, E.	Mutch	Torgerson
Decker	Kelly, M.	Nasset	Trenbeath
Forkner	Larsen, R.	Pyle	Wenstrom
Freed	Larson, G.	Redlin	Wilhite

Absent and not voting:

Ringsak

So the bill was declared lost.

**Senate Bill No. 182.** For an Act to amend and reenact section 54-35-10 of the North Dakota Century Code, relating to compensation of members of the legislative research committee and legislative audit and fiscal review committee.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 5; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Goldberg	Litten	Redlin
Becker	Hernett	Longmire	Robinson
Berube	Hofstrand	Lowe	Roen
Butler	Holand	Luick	Ruemmele
Chesrown	Jacobson	Melland	Sands
Christensen	Kautzmann	Meschke	Schultz
Coughlin	Kelly, E.	Morgan	Sorlie
Decker	Kelly, M.	Nasset	Stafne
Forkner	Larsen, R.	Nething	Stroup
Freed	Larson, G.	Pyle	Wenstrom
Geving	Larson, L.	Rait	

Those voting in the negative were:

Lips	Torgerson	Trenbeath	Wilhite
Mutch			

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

**Senate Bill No. 232.** A Bill for an Act to repeal section 54-03-21 of the North Dakota Century Code precluding persons doing busi-



ness with the State of North Dakota or its political subdivisions from serving in the 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, 39; nays, 5; absent and not voting, 1; 4 excused.

Those voting in the affirmative were:

Beck	Kautzmann	Melland	Sands
Becker	Kelly, E.	Morgan	Schultz
Chesrown	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Freed	Larson, G.	Nething	Stroup
Geving	Lips	Pyle	Torgerson
Hernett	Litten	Redlin	Trenbeath
Hofstrand	Longmire	Robinson	Wenstrom
Holand	Lowe	Roen	Wilhite
Jacobson	Luick	Ruemmele	

Those voting in the negative were:

Berube	Larson, L.	Meschke	Rait
Christensen			

Absent and not voting:

Ringsak

Excused:

Bulter	Coughlin	Forkner	Goldberg
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Senators Butler, Coughlin, Forkner and Goldberg requested to be excused from voting on Senate Bill No. 232 because of personal interest therein.

Senator Decker moved that Senators Butler, Coughlin, Forkner and Goldberg be excused from voting on Senate Bill No. 232, which motion prevailed.

So the bill passed and the title was agreed to.

**Senate Concurrent Resolution "Q".** 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 in programs which the state determines needs additional money.

Was read the second time.

Senator Goldberg moved that Senate Concurrent Resolution "Q" be laid over one legislative day, which motion prevailed.

**Senate Concurrent Resolution "R".** A Concurrent Resolution endorsing the establishment by the President of the Red-Souris-Rainy River Basins Commission, authorizing appointment of the state member thereof and fixing his compensation, and pledging state support thereto.

Was read the second time.

Senator Holand moved that Senate Concurrent Resolution "R" be placed at the foot of the calendar, which motion prevailed.

**Senate Concurrent Resolution "S".** A Concurrent Resolution endorsing the establishment by the President of the Missouri River Basin Commission, authorizing appointment of the state member thereof and fixing his compensation, and pledging state support thereto.

Was read the second time.

Senator Meschke moved that Senate Concurrent Resoluion "S" be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF A  
HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution "B".** A concurrent resolution urging the Bureau of Outdoor Recreation and the North Dakota congressional delegation to advocate for the inclusion of provisions within the Land, Water, and Conservation Fund Act which would make possible the construction of weather-protective buildings specifically equipped to provide year-around indoor recreation activities free from uncertain weather conditions.

Was read the second time.

Senator Lips moved that House Concurrent Resolution "B" be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF A SENATE BILL

**Senate Bill No. 45.** For an Act to amend and reenact section 39-06-14 of the North Dakota Century Code, relating to the issuance of licenses to operate motor vehicles.

Was read the second time.

Senator Butler moved that Senate Bill No. 45, be amended as follows:

In line 27 delete the word "four" and insert in lieu thereof the numeral "5"

In line 31 delete the word "four" and insert in lieu thereof the numeral "5"

In line 32 after the word "vehicle" and before the word "other" insert the following material: "registered under chapter 39-04 of the North Dakota Century Code for more than twelve thousand pounds"

In line 35 after the comma insert the following language: "and other than"

In line 38 delete the word "four" and insert in lieu thereof the numeral "5"

After line 42 and before line 43 insert the following material:

"Class 4. Any vehicle registered under chapter 39-04 of the North Dakota Century Code for twelve thousand pounds or less except when such vehicle is towing another vehicle having a gross weight in excess of six thousand pounds.

In line 43 delete the numeral "4" and insert in lieu thereof the numeral "5"

In line 47 delete the numeral "4" and insert in lieu thereof the numeral "5"

In line 48 delete the word "or"

In line 49 after the numeral "3" and before the period insert the following language: ", or 4"

In line 50 delete the numeral "4" and insert in lieu thereof the numeral "5"

In line 51 delete the word "or" and insert after the numeral "3" the following language: ", or 4"

In line 53 delete the numeral "4" and insert in lieu thereof the numeral "5"

In line 55 after the numeral "1" delete the word "or" and insert in lieu thereof a comma; and after the numeral "2" insert the following material: ", and 3"

In line 58 after the word "applicant" and before the word "and" insert the following language: "or the owner of the vehicle which the applicant will be operating,"

And renumber the lines accordingly.

Which motion was declared lost.

ROLL CALL

The question being on the final passage of Senate Bill No. 45, as amended on page 225 of the Senate Journal, the roll was called and there were ayes, 41; nays, 7; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hofstrand	Litten	Redlin
Becker	Holand	Longmire	Roen
Bulter	Jacobson	Lowe	Sands
Chesrown	Kautzmann	Luick	Schultz
Christensen	Kelly, E.	Melland	Sorlie
Coughlin	Kelly, M.	Morgan	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nething	Trenbeath
Freed	Larson, L.	Pyle	Wenstrom
Goldberg	Lips	Rait	Wilhite
Hernett			

Those voting in the negative were:

Berube	Meschke	Robinson	Torgerson
Geving	Mutch	Ruemmele	

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTIETH DAY

Bismarck, February 1, 1967

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. Glenn Bradford, First Baptist, Bismarck.

Roll call: All Senators present except Senator Ringsak.

A quorum was declared by the President.

CORRECTION AND REVISION

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 LOWE, Chairman

Senator Lowe moved that the report be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 1, 1967

Mr. President: I have the honor to transmit:

House Bill No. 507  
 House Bill No. 512  
 House Bill No. 515  
 House Bill No. 516  
 House Bill No. 528  
 House Bill No. 533  
 House Bill No. 548  
 House Bill No. 597  
 House Bill No. 654

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

SECOND READING OF SENATE BILLS

Senate Bill No. 160. A Bill for an Act authorizing the commissioner of insurance to waive subrogation rights of the state fire and

tornado fund arising out of damage by fire or explosion caused by a contractor during construction of an alteration or addition to a public building insured in said fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beck	Holand	Lowe	Robinson
Becker	Jacobson	Luick	Roen
Berube	Kautzmann	Melland	Ruemmele
Bulter	Kelly, E.	Meschke	Sands
Chesrown	Kelly, M.	Morgan	Schultz
Coughlin	Larsen, R.	Mutch	Sorlie
Decker	Larson, G.	Nasset	Stafne
Forkner	Larson, L.	Nething	Stroup
Freed	Lips	Pyle	Torgerson
Goldberg	Litten	Rait	Trenbeath
Hernett	Longmire	Redlin	Wilhite

Absent and not voting:

Christensen	Geving	Ringsak	Wenstrom
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So the bill passed and the title was agreed to.

**Senate Bill No. 188.** For an Act to amend and reenact section 15-18-07 of the 1965 Supplement to the North Dakota Century Code relating to state aid for junior colleges or educational centers.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 5; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Holand	Luick	Ruemmele
Becker	Jacobson	Melland	Sands
Berube	Kautzmann	Morgan	Schultz
Bulter	Kelly, M.	Nasset	Sorlie
Chesrown	Larson, G.	Nething	Stafne
Coughlin	Larson, L.	Pyle	Stroup
Decker	Lips	Rait	Torgerson
Forkner	Litten	Redlin	Trenbeath
Freed	Longmire	Robinson	Wenstrom
Hernett	Lowe	Roen	Wilhite

Those voting in the negative were:

Goldberg	Larsen, R.	Meschke	Mutch
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Absent and not voting:

Christensen	Geving	Ringsak
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So the bill passed and the title was agreed to.

**Senate Bill No. 221.** A Bill for an Act to sell the North Dakota state highway maintenance building in Medora, and to construct a new maintenance building out of the funds derived therefrom, and declaring an emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Holand	Luick	Roen
Becker	Jacobson	Melland	Ruemmele
Berube	Kautzmann	Meschke	Sands
Butler	Kelly, E.	Morgan	Schultz
Chesrown	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Robinson	Wilhite
Hofstrand	Lowe		

Absent and not voting:

Christensen	Geving	Ringsak
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So the bill passed and the title was agreed to and the emergency clause carried.

**Senate Bill No. 225.** A Bill for an Act to authorize the board of administration to sell and convey certain land owned by the state of North Dakota, which land was formerly used for agricultural purposes at the school for the deaf, and to authorize the board of armory supervisors to release and quit-claim certain land under the control of the board of armory supervisors, which land was formerly intended to be used for armory purposes, and declaring an emergency.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Holand	Luick	Roen
Becker	Jacobson	Melland	Ruemmele
Berube	Kautzmann	Meschke	Sands
Butler	Kelly, E.	Morgan	Schultz
Chesrown	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Robinson	Wilhite
Hofstrand	Lowe		

Absent and not voting:

Christensen	Geving	Ringsak
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So the bill passed and the title was agreed to, and the emergency clause carried.

**REPORTS OF A STANDING COMMITTEE**

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 38

Senate Bill No. 80

And find the same correctly Enrolled.

**SENATOR WENSTROM, Chairman**

Senator Wenstrom 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 resolutions:

Senate Concurrent Resolution "T"

Senate Concurrent Resolution "U"

And find the same correctly enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 1, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 91

Senate Bill No. 113

Senate Bill No. 210

Senate Bill No. 237

Senate Bill No. 270

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senator Lips moved that the Senate recess until 1:00 p.m., on February 2, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary.

"Buy North Dakota Products"

# Journal of the Senate



Fortieth Legislative Assembly

THIRTIETH DAY AFTER RECESS  
AND THIRTY-FIRST DAY

Bismarck, February 2, 1967

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

## COMMUNICATION

The Champagne Music of Lawrence Welk

January 30, 1967

Mr. Ben Meier  
Secretary of State  
Bismarck, North Dakota

Dear Ben:

My sincere thanks for sending me the Senate Concurrent Resolution "H" from the Legislative Assembly.

I am indeed proud of this and hope you will express my gratitude to everyone responsible for this fine honor.

Very best wishes,

Cordially,

LAWRENCE WELK

## FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Meschke and Lips introduced:

**Senate Concurrent Resolution "BB".** A Concurrent Resolution urging the Congress of the United States not to increase the tariff or tolls on the Saint Lawrence Seaway.

Was read the first time and referred to the Committee on State and Federal Government.

Senators Becker, Luick, Chesrown, Holand and Lips introduced:

**Senate Concurrent Resolution "CC".** A Concurrent Resolution directing the Legislative Research Committee to conduct a study of the North Dakota Hail Insurance Department and program.

Was read the first time and referred to the Committee on State and Federal Government.

## FIRST READING OF HOUSE BILLS

**House Bill No. 507.** For an Act relating to an appropriation for the purpose of administering the provisions of Chapters 52-09 and 52-10 of the North Dakota Century Code, pertaining to administration costs of the Old Age and Survivor Insurance System and to social security coverage of public employees.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 512.** 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. 515.** For an Act making an appropriation for the purpose of paying salaries and miscellaneous expenses of the Workmen's Compensation Bureau.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 516.** For an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Game and Fish Department.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 528.** For an Act making an appropriation for salaries and expenses of the Governor's Council on Human Resources.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 533.** For an Act to create and enact sections 16-04-02.1 and 40-09-17 of the North Dakota Century Code, providing a certificate of endorsement form, and providing for restrictions for members of the board of city commissioners, to provide that certain questions relating to financing political subdivisions shall not be submitted to the electorate for a specified time after the failure to approve such measures, to provide that political parties shall reorganize on a legislative district basis in 1967, 1968, and every two years thereafter, and to amend and reenact sections 1-01-50, 5-01-13, subsection 6 of section 11-11-14, sections 15-28-05, 15-28-06, 15-28-09, 16-01-02, 16-01-07, 16-03-01, 16-03-02, 16-04-02, 16-04-03, 16-04-04, 16-04-05, 16-04-06, 16-04-08, 16-04-11, 16-04-13, 16-04-15.1, 16-04-17, subsection 4 of section 16-04-20, sections 16-04-21, 16-04-26, 16-04-29, 16-05-03, 16-05-04, 16-06-02, 16-06-04, 16-07-01, 16-07-02, 16-07-04, 16-07-09, 16-07-12, 16-08-04, 16-08-05, 16-08-07, 16-09-01, 16-09-02, 16-09-03, 16-09-05, 16-09-06, 16-09-07, 16-10-01, 16-10-04, 16-10-06, 16-10-08, 16-10-17, 16-11-05, 16-11-07, 16-11-09, 16-11-11, 16-11-12, 16-12-04, 16-12-10, 16-12-14, 16-13-07, 16-13-13, 16-13-14, 16-13-16, 16-13-20, 16-13-21, 16-13-24, 16-13-33, 16-16-08, 16-17-06, 16-17-08, 16-17-09, 16-17-10, 16-17-11, 16-17-13, 16-17-15, 16-17-16, subsection 3 of section 16-18-01, sections 16-18-03, 16-18-05, 16-18-06, 16-18-09, 16-18-14, 16-18-17, 16-18-18, 16-18-19, 16-20-04, 16-20-08, 16-20-17.1, 16-20-19, 16-21-03, 40-02-07, 40-02-11, 40-04-02, 40-08-08, 40-08-09, 40-12-08, 40-21-02, 40-21-07, 40-21-09, 40-21-12, 40-52-04, subsection 5 of section 54-01-26, and section 58-04-05, all of the North Dakota Century Code, relating to voting and elections and election petitions, polling places, officials, publications, certificates of endorsement, political parties, ballots, campaign expenses, residency, and procedures, and to repeal sections 16-01-13, 16-04-22, 16-04-23, 16-04-24, 16-05-07, 16-07-11, 16-10-07, 16-11-08, 16-13-22, 16-18-10, 16-18-13, 16-20-02, 16-20-03, and 16-20-21, relating to placing measures on the ballot, the filling of vacancies, the appointment of judges of election, and the method of filing statements of campaign expenses.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 548.** For an Act to amend and reenact sections 19-01-02 and 19-08-04 of the North Dakota Century Code, relating to the powers and duties of the state laboratories commission, and to the inspection and chemical analysis of beverages.

Was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 597.** A Bill for an Act to create section 20-03-35.1 of the North Dakota Century Code, relating to applications for special antelope licenses, and to amend and reenact section 20-03-35



of the North Dakota Century Code, relating to misrepresentation in application for license or permit.

Was read the first time and referred to the Committee on Natural Resources.

**House Bill No. 654.** A Bill for an Act to amend and reenact sections 12-43-01, 12-43-01.1, 12-43-04 and 12-43-05 of the North Dakota Century Code, relating to the sale and purchase of tobacco to and by persons under the age of eighteen.

Was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

#### REPORTS OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 21  
Senate Bill No. 29  
Senate Bill No. 74  
Senate Bill No. 87  
Senate Bill No. 195  
Senate Bill No. 297

And find the same correctly engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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 Re-engrossed

SENATOR WENSTROM, Chairman

Senator Wenstrom 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. 86

And find the same correctly Enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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. 1

And find the same correctly Enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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. 38  
Senate Bill No. 80  
Senate Bill No. 86  
Senate Concurrent Resolution "T"  
Senate Concurrent Resolution "U"  
Senate Resolution 1

And the President signed the same in the presence of the Senate.

## MOTIONS

Senator Morgan moved that Senate Bill No. 352 be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Morgan moved that Senate Bill No. 352 be re-referred to the Committee on Judiciary, which motion prevailed.

## REPORTS OF STANDING COMMITTEES

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 do pass.

SENATOR SORLIE, Chairman

Senator Luick 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 be amended as follows:

In line 3 delete the figure \$5,206,515.00 and insert in lieu thereof \$5,309,515.00

In line 8 delete the figure \$3,844,600.00 and insert in lieu thereof \$3,958,600.00

In line 11 delete the figure \$209,400.00 and insert in lieu thereof \$198,400.00

In line 15 delete the figure \$5,206,515.00 and insert in lieu thereof \$5,309,515.00

In line 17 delete the figure \$4,585,515.00 and insert in lieu thereof \$4,688,515.00

In line 21 delete the figure \$5,206,515.00 and insert in lieu thereof \$5,309,515.00

After line 24 add the following: SECTION 3. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

Renumber the sections and lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee increased salaries and wages by \$114,000.00 so that the school can continue to operate at its present level.

The committee decreased equipment by \$11,000.00 because of a new estimate in cost of laundry equipment.

The committee added Section 3 to emphasize that the moneys are to be expended for the purpose for which they were appropriated.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

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 be amended as follows:

After line 22 add the following: SECTION 3. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that

newly anticipated employees are actually in the employ of the state.

Renumber the sections and lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee added Section 3 to emphasize that the moneys be expended for the purpose for which they were appropriated.

SENATOR SORLIE, Chairman

Senator Litten 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 SORLIE, Chairman

Senator Kelly (Milton) 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. 33 has had the same under consideration and a majority recommends that the same be indefinitely postponed.

For the majority:

Senator Forkner  
 Senator Goldberg  
 Senator Morgan  
 Senator Sands  
 Senator Mutch  
 Senator Jacobson

SENATOR RINGSACK, Chairman

Senator Mutch moved that the report be adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 33 has had the same under consideration and a minority recommends that the same do pass.

For the minority:

Senator Holand  
 Senator Freed  
 Senator Stroup  
 Senator Meschke  
 Senator Ringsack

SENATOR RINGSACK, Chairman

Senator Meschke moved that the report of the minority be substituted for that of the majority, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 54 has had the same under consideration and recommends that the same be amended as follows:

In line 7 delete the figure \$62,662.00 and insert in lieu thereof \$69,662.00.

In line 11 delete the figure \$372,538.00 and insert in lieu thereof \$365,538.00

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee decreased Grants by \$7,000.00 and increased Salaries and Wages by this same amount so that the present staff of five could be maintained for the coming biennium.

SENATOR SORLIE, Chairman

Senator Coughlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 55 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Kelly (Earl) moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 89 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Litten 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:

In line 1 of the title delete the words "in the construction"

In line 2 of the title delete the word "industry"

In line 3 after the word "contract" insert the following: ", other than insurance contract,"

Delete all of line 4

In line 5 delete the following: "appurtenance, including moving, demolition and excavating,"

In line 7 after the word "the" delete the word "sole"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 144 has had the same under consideration and recommends that the same be amended as follows:

In line 573 of the engrossed bill delete the word "two" and insert in lieu thereof the word "one"

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 203 has had the same under consideration and recommends that the same do pass.

GAIL H. HERNETT, Chairman

Senator Hernettt moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 208 has had the same under consideration and recommends that the same be amended as follows:

In line 51 after the word "new" insert the word "commercial"

In line 57 after the "period" add the following language "The name and address of each commercial apiary shall be displayed at each commercial location. The property owner will be exempt from this subsection."

In line 65 after the period insert the following language "All commercial locations must be occupied by July 1st, at least every other year."

In line 96 delete the second word "the" and insert in lieu thereof the words "a nonresident"

In line 97 delete the word "inspection" and insert in lieu thereof the word "entrance"

In line 99 delete the words "that hives or colonies"

Delete lines 100 and 101.

In line 102 delete the words "the state, nor shall any" and insert in lieu thereof the word "no" and after the word "permit" insert the word "shall"

In line 103 delete the word "inspection" and insert in lieu thereof the word "entrance"

Renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 226 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown 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 Judiciary to whom was referred Senate Bill No. 233 has had the same under consideration and recommends that the same be amended as follows:

In line 38 delete the words "All sums" and insert in lieu thereof the word "Expenses"; after the word "person" insert the following "when approved by judge."

In line 40 after the word "place" delete the following "after approval by the judge"

In line 44 delete the word "three" and insert the word "six"

Renumber the lines accordingly

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 241 has had the same under consideration and recommends that the same be amended as follows:

In line 11 after the semicolon delete "pro-

In line 12 delete "vided" and insert in lieu thereof "except"

And when so amended recommend 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. 243 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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.

ROBERT CHESROWN, Chairman

Senator Chesrown 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. 253 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 State and Federal Government to whom was referred Senate Bill No. 281 has had the same under consideration and a majority recommends that the same do pass.

For the majority:

Senator Holand  
 Senator Goldberg  
 Senator Morgan  
 Senator Sands  
 Senator Jacobson  
 Senator Ringsak  
 Senator Stroup

SENATOR RINGSAK, Chairman

Senator Jacobson moved that the report be adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 281 has had the same under consideration and a minority recommends that the same be indefinitely postponed.

For the minority:

Senator Forkner  
 Senator Mutch  
 Senator Freed  
 Senator Meschke

SENATOR RINGSAK, Chairman

Senator Freed moved that the report of the minority be substituted for that of the majority, which motion was declared lost.

The question being on the motion of Senator Jacobson that the report of the majority be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 284 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. 285 has had the same under consideration and recommends that the same be amended as follows:

In line 2 of the title delete the word "company" and insert in lieu thereof "corporation" and after the word "provide" delete "from a central processing"

Delete all of lines 3 and 4 of the title and insert in lieu thereof "a centralized data processing service."

In line 5 of the bill delete the word "exclusively" and insert a comma after the word "providing" and delete the word "for"

In line 6 delete the word "them" and after the word "of" insert the words "data processing"

In line 7 delete the word "automation" and after the word "equipment" insert a period and delete the remainder of the line

Delete all of lines 8, 9, 10 and 11

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. 286 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. 288 has had the same under consideration and recommends that the same do pass.

**SENATOR SORLIE, Chairman**

Senator Wenstrom moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 304 has had the same under consideration and recommends that the same be indefinitely postponed.

**SENATOR MORGAN, Chairman**

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 309 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 amend and reenact subsection 4 of section 41-06-08 of the North Dakota Century Code, relating to notices in auction sales and the corresponding provision of the North Dakota Uniform Commercial Code.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.)** Subsection 4 of section 41-06-08 of the North Dakota Century Code, designated as subsection 4 of section 6-108 of the Uniform Commercial Code, is hereby amended and reenacted to read as follows:

4. Failure of the auctioneer to perform any of these duties does not affect the validity of the sale or the title of the purchasers, but if the auctioneer knows that the auction constitutes a bulk transfer such failure renders the auctioneer liable to the creditors of the transferor as a class for the sums owing to them from the transferor up to but not exceeding the net proceeds of the auction. If the auctioneer consists of several persons their liability is joint and several.

And when so amended recommends the same do pass.

**SENATOR CHESROWN, Chairman**

Senator Chesrown 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. 314 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 Agriculture to whom was referred Senate Bill No. 317 has had the same under consideration and recommends that the same be amended as follows:

In line 23 after the "period" add the following language "Upon the sale of such land, the proceeds shall be deposited in the general fund in the state treasury."

Renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan 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. 322 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. 323 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 329 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan 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. 331 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 Agriculture to whom was referred Senate Bill No. 334 has had the same under consideration and recommends that the same be amended as follows:

In line 3 of the Title after the second word "of" insert the words "a corporate or"

In line 6 after the word "a" insert the words "corporate or"

In line 7 after the word "a" insert the words "corporate or"

In line 21 delete the word "corporation" and insert in lieu thereof the word "corporate"

In line 52 after the word "nonprofit" insert the words "corporate or"

In line 53 after the word "governing" insert the words "corporate or"



In line 87 after the second word "a" insert the words "corporate or"

Renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 339 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 346 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 357 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 378 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Kelly (Earl) moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 384 has had the same under consideration and recommends that the same be amended as follows:

In line 33 delete the word "extent" and insert in lieu thereof the word "types"; after the word "coverage" insert the following "and only to the extent of the policy limits of such coverage"

In line 56 delete the word "extent" and insert in lieu thereof the word "types"; after the word "coverage" insert the following "and only to the extent of the policy limits of such coverage"

And renumber the lines accordingly

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 386 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 Senate Bill No. 389 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 396 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed and the report was adopted.

### SECOND READING OF A SENATE BILL

**Senate Bill No. 282.** A Bill for an Act to create and enact subsection 11 of section 55-01-02, section 55-02-01.3, subsections 9 and 10 of section 55-08-03, and to amend and reenact section 55-01-01 and subsections 9 and 10 of section 55-01-02, all of the North Dakota Century Code, relating to the state historical society and the superintendent thereof.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Holand	Luick	Roen
Becker	Jacobson	Melland	Ruemmele
Berube	Kautzmann	Meschke	Sands
Butler	Kelly, E.	Morgan	Schultz
Chesrown	Kelly, M.	Mutch	Sorlie
Christensen	Larsen, R.	Nasset	Stafne
Coughlin	Larson, G.	Nething	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite
Hofstrand	Lowe	Robinson	

Absent and not voting:

Decker            Geving

So the bill passed and the title was agreed to.

### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 2, 1967

Mr. President: I have the honor to transmit:

House Concurrent Resolution "O"

House Bill No. 502

House Bill No. 733

House Bill No. 749

House Bill No. 801

House Bill No. 898

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

Senator Schultz moved that the absent Senators be excused, which motion prevailed.

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

### THIRTY-FIRST DAY

Bismarck, February 2, 1967

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Senator Guy Larson, Bismarck.

Our Heavenly Father,

As this new legislative day begins we do not know what You

may have in store for us. We are thankful for this great feeling of expectation in which we live and move and have our being as persons.

Give unjudgmental love for each person with whom we work for the people of our state.

This we ask in Jesus' name.

Roll call: All Senators present, except Senators Decker and Geving.

A quorum was declared by the President.

#### CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the twenty-ninth day after recess and thirtieth day and finds the same correct.

SENATOR LOWE, Chairman

Senator Lowe moved that the report be adopted, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 2, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 38

Senate Bill No. 80

Senate Bill No. 86

Senate Concurrent Resolution "T"

Senate Concurrent Resolution "U"

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 2, 1967

Mr. President: I have the honor to transmit:

House Bill No. 607

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 2, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 7

Senate Bill No. 19

Senate Bill No. 45

Senate Bill No. 74

Senate Bill No. 116

Senate Bill No. 160

Senate Bill No. 182

Senate Bill No. 188

Senate Bill No. 221

Senate Bill No. 225

Senate Bill No. 232

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

## JOURNAL OF THE SENATE

## MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 2, 1967

Mr. President: I have the honor to return:

Senate Concurrent Resolution "T"

Senate Concurrent Resolution "U"

Senate Bill No. 38

Senate Bill No. 80

Senate Bill No. 86

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

Senator Lips moved that the Senate recess until 12:30 p.m., February 3, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary

"Buy North Dakota Products"

# Journal of the Senate

Fortieth Legislative Assembly



THIRTY-FIRST DAY AFTER RECESS AND  
THIRTY-SECOND DAY

Bismarck, February 3, 1967

The Senate convened at 12:30 p.m., pursuant to recess taken, the President presiding.

## REPORTS OF A STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 38

Senate Bill No. 80

Senate Bill No. 86

Were delivered to the Governor for his approval at the hour of 10:53 o'clock a.m., February 3, 1967.

SENATOR WENSTROM, Chairman

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution "T"

Senate Concurrent Resolution "U"

Senate Resolution No. 1

Were delivered to the Secretary of State at the hour of 10:55 o'clock a.m., February 3, 1967.

SENATOR WENSTROM, Chairman

## MESSAGE FROM THE GOVERNOR

February 2, 1967

Members of the Senate  
Fortieth Legislative Assembly  
Senate Chambers  
Bismarck, North Dakota

Greetings!

As of February 1, 1967, I signed the following Senate Bill:

Senate Bill 32

This bill has now been filed with the Secretary of State.

Sincerely,

WILLIAM L. GUY  
Governor

## FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Ringsak, Longmire and Larsen introduced:

**Senate Concurrent Resolution "DD"**. A Concurrent Resolution directing the legislative research committee to conduct a study of penal and charitable institutions of the state to determine whether functions performed by the board of administration or state health department should be transferred to other agencies.

Was read the first time and referred to the Committee on State and Federal Government.

Senators Melland, Nasset, Goldberg and Decker introduced:

**Senate Concurrent Resolution "EE".** A Concurrent Resolution urging the entire Congressional delegation from the State of North Dakota to introduce and strive for the adoption of a bill to amend existing statutes relating to the boundary line of time zones in the State of North Dakota.

Was read the first time and referred to the Committee on State and Federal Government.

#### FIRST READING OF HOUSE BILLS AND A HOUSE CONCURRENT RESOLUTION

**House Bill No. 502.** For an Act making an appropriation for the general operation, maintenance, and improvements of the extension division and experiment stations of North Dakota State University of Agriculture and Applied Science.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 607.** A Bill for an Act making an appropriation for the department of labor for salaries and wages, fees and services, and supplies and materials for the period beginning January 1, 1967, and ending June 30, 1967, and declaring an emergency.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 733.** A Bill for an Act to amend and reenact section 21-06-08 of the North Dakota Century Code, relating to the authority of the state or any department, division, bureau, commission, board, authority, agency or political subdivision thereof to contract with the United States of America or any agency thereof for the purchase of any equipment, supplies, materials or other property.

Was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 749.** A Bill for an Act to amend and reenact sections 18-04-05 and 18-04-07 of the North Dakota Century Code, relating to the distribution of insurance taxes to fire departments and to the disbursement of these funds by municipalities and providing an appropriation.

Was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 801.** A Bill for an Act to create and enact section 52-10-11 of the North Dakota Century Code related to divided retirement systems for social security coverage.

Was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 898.** A Bill for an Act to amend and reenact section 11-13-02.1 of the North Dakota Century Code, relating to preparation of statistical material by county officials.

Was read the first time and referred to the Committee on Political Subdivisions.

**House Concurrent Resolution "O".** A concurrent resolution for the amendment of sections 41, 53, and 56 of the Constitution of the state of North Dakota, relating to commencement of the term of the members of the legislative assembly; meeting times of the legislative assembly; and providing for a pre-session orientation conference.

Was read the first time and referred to the Committee on State and Federal Government.

## REPORTS OF STANDING COMMITTEES

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:

After line 22 add the following: SECTION 3. TRANSFER OF FUNDS BETWEEN LINE ITEMS.) The board of public school education may authorize the expenditure of funds included within any line item of the total operating budget for any purpose authorized by any other line item included within the total operating budget for a given institution.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee added Section 3 to allow this fund flexibility because of the unpredictability of expenditures.

SENATOR SORLIE, Chairman

Senator Litten moved that the report 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 CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 374 has had the same under consideration and recommends that the same be amended as follows:

In line 13 delete the words "which shall"

Delete line 14

In line 15 delete the words "and the Workmen's Compensation Bureau."

In line 16 after the word "between" insert the following "ten thousand dollars or"

In line 17 before the word "provided" insert "triple parentheses" and after the second comma insert "triple parentheses"; and insert the following "whichever is smaller"

In line 18 delete the following "the right of any person to recover"

Delete all of line 19 and insert in lieu thereof the following "Provided that in computing the amount authorized to be paid from the fund, any amount the judgment creditor has received from an uninsured motorist insurance policy or the Workmen's Compensation Bureau shall be subtracted from the amount of the judgment before applying the above formula.

The right of any person to recover from the Unsatisfied Judgment Fund shall not be assignable and subrogation of such right shall not be allowed."

Renumber the lines accordingly

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

## MOTION

Senator Becker moved that the House be requested to return Senate Bill No. 188, which motion prevailed.

## MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 3, 1967

Mr. Speaker: I have the honor to inform you that the Senate requests the return of Senate Bill No. 188.

LEO LEIDHOLM, Secretary

## CONSIDERATION OF AMENDMENTS

Senator Sorlie moved that the amendments to Senate Bill No. 6 as recommended by the Committee on Appropriations, and printed on page 288 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 8 as recommended by the Committee on Appropriations, and printed on pages 288 and 289 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 54 as recommended by the Committee on Appropriations, and printed on page 289 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill No. 106 as recommended by the Committee on Judiciary, and printed on page 290 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill No. 144 as recommended by the Committee on Judiciary, and printed on page 290 of the Senate Journal, be adopted, which motion prevailed.

Senator Morgan moved that the amendments to Senate Bill No. 208 as recommended by the Committee on Agriculture, and printed on pages 290 and 291 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill No. 233 as recommended by the Committee on Judiciary, and printed on page 291 of the Senate Journal, be adopted, which motion prevailed.

Senator Hernett moved that the amendments to Senate Bill No. 241 as recommended by the Committee on Industry, Business and Labor, and printed on page 291 of the Senate Journal, be adopted, which motion prevailed.

Senator Hernett moved that the amendments to Senate Bill No. 285 as recommended by the Committee on Industry, Business and Labor, and printed on pages 292 and 293 of the Senate Journal, be adopted, which motion prevailed.

Senator Lips moved that the rules be suspended and that the reading of the amendments to Senate Bills No. 309, 317, 334, and 384, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill No. 309 as recommended by the Committee on Judiciary, and printed on page 293 of the Senate Journal, be adopted, which motion prevailed.

Senator Morgan moved that the amendments to Senate Bill No. 317 as recommended by the Committee on Agriculture, and printed on page 294 of the Senate Journal, be adopted, which motion prevailed.

Senator Morgan moved that the amendments to Senate Bill No. 334 as recommended by the Committee on Agriculture, and printed on page 294 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill



No. 384 as recommended by the Committee on Judiciary, and printed on page 295 of the Senate Journal, be adopted, which motion prevailed.

#### MESSAGES FROM THE HOUSE

House Chamber  
Bismarck, February 3, 1967

Mr. President: I have the honor to return:  
Senate Bill No. 4  
Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

House Chambers  
Bismarck, February 3, 1967

Mr. President: I have the honor to return Senate Bill No. 188, which the Senate has requested.

Very respectfully,  
ROY GILBREATH, Chief Clerk

#### MOTIONS

Senator Lips moved that the Senate reconsider the action by which Senate Bill No. 188 was passed, which motion prevailed.

Senator Lips moved that Senate Bill No. 188 be placed at the foot of the calendar, which motion prevailed.

#### SECOND READING OF A SENATE BILL

**Senate Bill No. 290.** A Bill for an Act to amend and reenact section 50-06-04 of the 1965 Supplement to the North Dakota Century Code, relating to the compensation for members of the public welfare board.

Was 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:

Beck	Hofstrand	Lowe	Roen
Becker	Holand	Luick	Ruemmele
Berube	Jacobson	Melland	Sands
Butler	Kautzmann	Meschke	Schultz
Chesrown	Kelly, E.	Morgan	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larsen, R.	Nething	Stroup
Decker	Larson, G.	Pyle	Torgerson
Forkner	Larson, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Hernett	Longmire	Robinson	

Absent and not voting:  
Geving Mutch

So the bill passed and the title was agreed to.

#### MOTION

Senator Lips moved that House Bills No. 575 and 592 be placed at the foot of the calendar, which motion prevailed.

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 3.** For an Act to appropriate money for the expenses of the legislative branch of government, specifying the amount and time for which such appropriation 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, on page 256 of the Senate Journal, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Roen
Becker	Holand	Luick	Ruemmele
Berube	Jacobson	Melland	Sands
Butler	Kautzmann	Meschke	Schultz
Chesrown	Kelly, E.	Morgan	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larsen, R.	Nething	Stroup
Decker	Larson, G.	Pyle	Torgerson
Forkner	Larson, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Hernett	Longmire	Robinson	

Those voting in the negative were:

Mutch

Absent and not voting:

Geving

So the bill passed and the title was agreed to.

**Senate Bill No. 82.** For an Act to amend and reenact sections 57-02.1-01 and 57-02.1-02, and subsection 1 of section 57-02.1-05 of the North Dakota Century Code, relating to payments to be made to counties in lieu of real property taxes which would otherwise be due if such property were not owned by a governmental entity and controlled by the state game and fish department.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 257 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nething	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	• Wilhite

Absent and not voting:

Geving

So the bill passed and the title was agreed to.

#### MOTION

Senator Lips moved that Senate Concurrent Resolution "R" and "S", and House Concurrent Resolution "B", be placed at the foot of the calendar, which motion prevailed.

## SECOND READING OF SENATE BILL

**Senate Bill No. 21.** 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 second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, on page 263 of the Senate Journal, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Holand	Lujck	Roen
Becker	Jacobson	Melland	Ruemmele
Berube	Kautzmann	Meschke	Sands
Butler	Kelly, E.	Morgan	Schultz
Chesrown	Kelly, M.	Mutch	Sorlie
Christensen	Larsen, R.	Nasset	Stafne
Coughlin	Larson, G.	Nething	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Robinson	Wilhite
Hofstrand	Lowe		

Those voting in the negative were:

Ringsak

Absent and not voting:

Decker                      Geving

So the bill passed and the title was agreed to.

Senator Ringsak: Mr. President. I would like to explain my vote on Senate Bill No. 21. I voted "no" for this reason — when this clinic was first established, I supported this clinic. This clinic was intended to serve the children at the State Industrial School at Mandan, North Dakota, and to serve Bismarck, Minot, Grafton and so forth in between times. For some reason, unbeknown to the legislators, this clinic was to be phased out during the interim. This clinic was the subject of an interim study. I was on the social welfare committee. It was brought to our attention that the head of this department left the State — then Dr. Carbone of the State Hospital conducted this type of a clinic at no expense to the State. However, it is a great imposition on a man in Dr. Carbone's position to conduct this clinic. We brought a psychiatrist back to North Dakota. He refused to take over this clinic because it was being phased out. The committee was never told this was to take place. Two years ago we appropriated \$150,000 to run this clinic. It was called to our attention that the Public Health Department spent about \$50,000 of this appropriation on travel, administration costs and to publish a book. We had no authority in our committee to do anything about this. I certainly felt that this money was not being properly used, or as appropriated, and that is the reason I voted "no" on this bill.

## MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 3, 1967

Mr. President: I have the honor to transmit:

House Concurrent Resolution "T"

House Concurrent Resolution "V"

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

## SIGNING OF BILLS

The Secretary announced that the President was about to sign  
House Concurrent Resolution "T"  
House Concurrent Resolution "V"

And the President signed the same in the presence of the Senate.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 29.** For an Act making an appropriation to the North Dakota National Guard for the construction of a radio communications and emergency center to be established at Fraine Barracks.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, on page 263 of the Senate Journal, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Melland	Roen
Berube	Jacobson	Meschke	Ruemmele
Bulter	Kautzmann	Morgan	Schultz
Chesrown	Kelly, E.	Mutch	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larsen, R.	Nothing	Stroup
Decker	Larson, G.	Pyle	Torgerson
Forkner	Larson, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Hernett	Longmire		

Those voting in the negative were:

Sands

Absent and not voting:

Geving Luick

So the bill passed and the title was agreed to.

**Senate Bill No. 87.** A Bill for an Act to amend and reenact subsection 21 of section 54-44-04 of the North Dakota Century Code, providing for the operation of a centralized purchasing service and to provide for credit card purchases of motor vehicle fuel by the department of accounts and purchases.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, on page 264 of the Senate Journal, the roll was called and there were ayes, 27; nays, 21; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Kautzmann	Morgan	Ruemmele
Becker	Kelly, E.	Mutch	Schultz
Coughlin	Kelly, M.	Nothing	Sorlie
Decker	Larsen, R.	Redlin	Torgerson
Forkner	Longmire	Ringsak	Trenbeath
Hernett	Lowe	Robinson	Wenstrom
Hofstrand	Luick	Roen	

Those voting in the negative were:

Berube	Holand	Litten	Rait
Bulter	Jacobson	Melland	Sands
Chesrown	Larson, G.	Meschke	Stafne
Christensen	Larson, L.	Nasset	Stroup
Freed	Lips	Pyle	Wilhite
Goldberg			

Absent and not voting:

Geving

So the bill passed and the title was agreed to.

Senator Schultz moved that the absent Senators be excused, which motion prevailed.

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

### THIRTY-SECOND DAY

Bismarck, February 3, 1967

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. Ira Herzberg, Calvary, EUB, Bismarck.

Our Heavenly Father. On this day that the Lord hath made for us to enjoy, help us, to appreciate its beauty and to use aright its opportunities.

Give unto us as Thy servants a true appreciation of our heritage, of great men and great deeds in the past. Remind us that the God they worshiped and by whose help they laid the foundation of our great nation is still able to help us uphold the constitution which they gave to us.

Remind us that we are not called to fill the places of those who have gone, but to fill our own places, to do the work Thou has laid before us, to do the right as Thou hast given us to see the right, always to do the very best we can, and leave the rest to Thee.

Where we differ in opinions to a problem, may we ever be open to consider another and a better way, guided not by whether it be popular, but always whether it be right.

In Thy name we pray. Amen.

Roll call: All Senators present except Senator Geving.

A quorum was declared by the President.

### CORRECTION AND REVISION

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 LOWE, Chairman

Senator Lowe moved that the report be adopted, which motion prevailed.

### SECOND READING OF SENATE BILLS

**Senate Bill No. 195.** A Bill for an Act to create and enact section 57-02-29.1 of the North Dakota Century Code, providing that any real or personal property taxes levied and payable shall not exceed two and one-half percent of the full and true market value of the property upon which such taxes are levied.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, on page 266 of the Senate Journal, the roll was called and there were ayes, 14; nays, 32; absent and not voting, 3.

Those voting in the affirmative were:

Becker	Kelly, E.	Nething	Schultz
Coughlin	Kelly, M.	Ringsak	Torgerson
Decker	Longmire	Robinson	Wilhite
Hofstrand	Lowe		

Those voting in the negative were:

Beck	Holand	Luick	Redlin
Butler	Jacobson	Melland	Roen
Chesrown	Kautzmann	Meschke	Ruemmele

Christensen	Larsen, R.	Morgan	Sands
Forkner	Larson, G.	Mutch	Sorlie
Freed	Larson, L.	Nasset	Stafne
Goldberg	Lips	Pyle	Trenbeath
Hernett	Litten	Rait	Wenstrom
Absent and not voting:			
Berube	Geving	Stroup	

So the bill was declared lost.

**Senate Bill No. 297.** A Bill for an Act to amend and reenact section 15-27-04 of the North Dakota Century Code, relating to attachment of adjacent territory to school districts.

Was read the second time.

Senator Roen moved that Senate Bill No. 297 be amended as follows:

In line 10 after the words "fifty-five" insert the word "percent"

Which motion prevailed.

Senator Roen moved that the rules be suspended, that Senate Bill No. 297 be deemed properly re-engrossed and placed on second reading and final passage, as amended from the floor, which motion prevailed.

**Senate Bill No. 297.** A Bill for an Act to amend and reenact section 15-27-04 of the North Dakota Century Code, relating to attachment of adjacent territory to school districts.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on pages 266 and 267 of the Senate Journal, and from the floor, the roll was called and there were ayes, 42; nays, 4; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hofstrand	Melland	Roen
Becker	Holand	Meschke	Ruemmele
Berube	Jacobson	Morgan	Sands
Butler	Kautzmann	Nasset	Schultz
Chesrown	Larson, G.	Nothing	Sorlie
Christensen	Larson, L.	Pyle	Stafne
Coughlin	Lips	Rait	Torgerson
Decker	Litten	Redlin	Trenbeath
Freed	Longmire	Ringsak	Wenstrom
Goldberg	Lowe	Robinson	Wilhite
Hernett	Luick		

Those voting in the negative were:

Forkner	Kelly, E.	Larsen, R.	Mutch
Absent and not voting:			
Geving	Kelly, M.	Stroup	

So the bill passed and the title was agreed to.

#### MOTION

Senator Lips moved that Senate Concurrent Resolutions "J" and "Q" be placed at the foot of the calendar, which motion prevailed.

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 2.** For an Act to appropriate money for the expenses of the Judicial branch of government, specifying the amount and time for which such appropriation 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, the roll was called and there were ayes, 44; nays, 4; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hernett	Litten	Roen
Becker	Hofstrand	Longmire	Ruemmele
Berube	Holand	Lowe	Sands
Butler	Jacobson	Luick	Schultz
Chesrown	Kautzmann	Melland	Sorlie
Christensen	Kelly, E.	Meschke	Stafne
Coughlin	Kelly, M.	Nasset	Stroup
Decker	Larsen, R.	Nothing	Torgerson
Forkner	Larson, G.	Pyle	Trenbeath
Freed	Larson, L.	Rait	Wenstrom
Goldberg	Lips	Ringsak	Wilhite

Those voting in the negative were:

Morgan	Mutch	Redlin	Robinson
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Absent and not voting:

Geving

So the bill passed and the title was agreed to.

**Senate Bill No. 23.** For an Act making an appropriation for salaries and expenses for the State Seed Department.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	

Absent and not voting:

Geving Wenstrom

So the bill passed and the title was agreed to.

## RECOGNITION

Senator Coughlin announced that the Honorable Ray Dobson of Minot, North Dakota, Grand Exalted Ruler of the Elks, was in the chambers and moved that a committee of two be appointed to escort the Honorable Ray Dobson to the rostrum.

The President appointed as such committee, Senators Coughlin and Berube and the Honorable Ray Dobson was escorted to the rostrum and invited to address the Senate.

Mr. Dobson: Mr. President. Gentlemen of the North Dakota Senate. You compliment me very highly. I am on this occasion going back to the early 1920's when I came to Bismarck for the first time in my journalistic career to cover the legislature as a newspaper man. You know that is a few sessions ago. Mention was made of the fact that I was Grand Exalted Ruler of the Elks this year. Perhaps you would be interested in knowing that organization has a membership of 1,400,000, and that there are 2,000 subordinate lodges throughout the United States. I have

traveled, since last July when I was elected at Dallas, Texas, now approximately 60,000 miles and before my term of office is ended next July, I anticipate my mileage will be twice that. I, like the former Governor of North Dakota, John Davis, who is head of the American Legion this year as National Commander, am trying to give a good image of North Dakota wherever I go. I find that people are very much interested in what we have in North Dakota, and amazed at our resources. I never hesitate to tell the story if I have the opportunity. Gentlemen, you have a busy day ahead of you. You have a joint session coming up for newspapermen's day. I take off again tomorrow on my travels and I thank you for this opportunity.

Senator Lips moved that the remarks of Honorable Ray Dobson be printed in the Journal, which motion prevailed.

#### MOTION

Senator Lips moved that Senate Bill No. 33 be placed at the foot of the calendar, which motion prevailed.

#### MESSAGE FROM THE HOUSE

Bismarck, February 3, 1967  
House Chamber

Mr. President: I have the honor to transmit:

House Bill No. 518  
House Bill No. 521  
House Bill No. 523  
House Bill No. 527  
House Bill No. 566  
House Bill No. 630  
House Bill No. 639  
House Bill No. 693  
House Bill No. 717  
House Bill No. 738  
House Bill No. 743  
House Bill No. 748  
House Bill No. 770  
House Bill No. 755  
House Bill No. 725  
House Bill No. 825  
House Concurrent Resolution "L"  
House Concurrent Resolution "B-1"

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 55.** For an Act making an appropriation to the North Dakota Trade Commission in accordance with North Dakota Century Code 51-10.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 30; nays, 18; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Holand	Litten	Ruemmele
Berube	Jacobson	Longmire	Sorlie
Chesrown	Kautzmann	Lowe	Stafne
Christensen	Kelly, E.	Luick	Stroup
Coughlin	Kelly, M.	Meschke	Trenbeath
Decker	Larsen, R.	Rait	Wenstrom
Freed	Larsen, G.	Roen	Wilhite
Hernett	Lips		



Those voting in the negative were:

Becker	Larson, L.	Nething	Robinson
Butler	Melland	Pyle	Sands
Forkner	Morgan	Redlin	Schultz
Goldberg	Mutch	Ringsak	Torgerson
Hofstrand	Nasset		

Absent and not voting:

Geving

So the bill passed and the title was agreed to.

Senator Longmire: Mr. President: I would like to explain my vote. I voted for Senate Bill No. 55. As long as it is out we have to appropriate some money for it, but had it been over here and was out, I would have voted in opposition to this bill. I have had many contacts made to me in my district who are not satisfied at all with this organization which we thought was their own organization, but which apparently is not very satisfactory at the present time.

**Senate Bill No. 89.** A Bill for an Act relating to a study by the legislative research committee for the development of a plan for an integrated data processing and data retrieval system for the state of North Dakota, temporarily limiting the acquisition of new data processing equipment, and providing for an appropriation.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hofstrand	Luick	Roen
Becker	Holand	Melland	Ruemmele
Berube	Jacobson	Meschke	Sands
Butler	Kelly, E.	Morgan	Schultz
Chesrown	Kelly, M.	Nasset	Sorlie
Christensen	Larsen, R.	Nething	Stafne
Coughlin	Larson, G.	Pyle	Stroup
Decker	Larson, L.	Rait	Torgerson
Forkner	Lips	Redlin	Trenbeath
Freed	Litten	Ringsak	Wenstrom
Goldberg	Longmire	Robinson	Wilhite
Hernett	Lowe		

Those voting in the negative were:

Kautzmann Mutch

Absent and not voting:

Geving

So the bill passed and the title was agreed to.

**Senate Bill No. 203.** A Bill for an Act to amend and reenact section 6-06-08 of the North Dakota Century Code, relating to credit union supervision, reports, examination and fees.

Was 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:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne

Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Geving

So the bill passed and the title was agreed to.

**Senate Bill No. 231.** A Bill for an Act to amend and reenact section 6-01-17 of the North Dakota Century Code, relating to fees for examination of banks.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 3; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hofstrand	Longmire	Ringsak
Berube	Holand	Lowe	Ruemmele
Butler	Jacobson	Luick	Sands
Chesrown	Kautzmann	Melland	Schultz
Christensen	Kelly, E.	Meschke	Sorlie
Coughlin	Kelly, M.	Morgan	Stafne
Decker	Larsen, R.	Mutch	Stroup
Forkner	Larson, G.	Nothing	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Goldberg	Lips	Rait	Wenstrom
Hernett	Litten	Redlin	Wilhite

Those voting in the negative were:

Becker	Robinson	Roen
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Absent and not voting:

Geving      Nasset

So the bill passed and the title was agreed to.

**Senate Bill No. 243.** A Bill for an Act to amend and reenact subsection 3 of section 57-37-02 of the North Dakota Century Code, relating to gross estate of resident decedent.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Holand	Luick	Roen
Becker	Jacobson	Melland	Ruemmele
Berube	Kautzmann	Meschke	Sands
Butler	Kelly, E.	Morgan	Schultz
Chesrown	Kelly, M.	Mutch	Sorlie
Christensen	Larsen, R.	Nothing	Stafne
Coughlin	Larson, G.	Pyle	Stroup
Decker	Larson, L.	Rait	Torgerson
Freed	Lips	Redlin	Trenbeath
Goldberg	Litten	Ringsak	Wenstrom
Hernett	Longmire	Robinson	Wilhite
Hofstrand	Lowe		

Absent and not voting:

Forkner      Geving      Nasset

So the bill passed and the title was agreed to.

**Senate Bill No. 248.** A Bill for an Act to provide for state to reimburse counties for one-half of election expenses in statewide primary, general and special elections.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 8; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Holand	Lowe	Ruemmele
Becker	Jacobson	Meschke	Sands
Berube	Kautzmann	Morgan	Schultz
Butler	Kelly, E.	Pyle	Stafne
Chesrown	Kelly, M.	Rait	Stroup
Christensen	Larsen, R.	Redlin	Torgerson
Decker	Larsen, L.	Ringsak	Trenbeath
Freed	Lips	Robinson	Wenstrom
Hernett	Litten	Roen	Wilhite
Hofstrand	Longmire		

Those voting in the negative were:

Coughlin	Larson, G.	Melland	Nothing
Goldberg	Luick	Mutch	Sorlie

Absent and not voting:

Forkner	Geving	Nasset
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So the bill passed and the title was agreed to.

**Senate Bill No. 253.** A Bill for an Act to provide for voluntary liquidation of credit unions, and repealing sections 6-06-30, 6-06-31, and 6-06-32 of the North Dakota Century Code.

Was 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:

Beck	Hofstrand	Lowe	Roen
Becker	Holand	Luick	Ruemmele
Berube	Jacobson	Melland	Sands
Butler	Kautzmann	Meschke	Schultz
Chesrown	Kelly, E.	Morgan	Sorlie
Christensen	Kelly, M.	Mutch	Stafne
Coughlin	Larsen, R.	Nothing	Stroup
Decker	Larson, G.	Pyle	Torgerson
Forkner	Larson, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Hernett	Longmire	Robinson	

Absent and not voting:

Geving	Nasset
--------	--------

So the bill passed and the title was agreed to.

## MOTION

Senator Wenstrom moved that Senate Bill No. 281 be re-referred to the Committee on Appropriations, which motion prevailed.

**Senate Bill No. 284.** A Bill for an Act to amend and reenact section 7-05-01 of the North Dakota Century Code, relating to savings and loan associations examination and fees therefor.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Berube	Hofstrand	Lowe	Robinson
Beck	Holand	Luick	Roen
Becker	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands

Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nething	Stafne
Decker	Larson, G.	Pyle	Stroup
Forkner	Larson, L.	Rait	Torgerson
Freed	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Hernett	Longmire		

Absent and not voting:

Geving                      Nasset                      Trenbeath

So the bill passed and the title was agreed to.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 297

And find the same correctly Re-engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 3, 1967

Mr. President: I have the honor to transmit:

House Bill No. 517

House Bill No. 524

House Bill No. 525

House Bill No. 585

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

Senator Lips moved that the Senate recess until 1:00 p.m., February 4, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary

"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### THIRTY-SECOND DAY AFTER RECESS AND THIRTY-THIRD DAY

Bismarck, February 4, 1967

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

#### REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 6  
Senate Bill No. 8  
Senate Bill No. 54  
Senate Bill No. 106  
Senate Bill No. 208  
Senate Bill No. 233  
Senate Bill No. 241  
Senate Bill No. 285  
Senate Bill No. 309  
Senate Bill No. 317  
Senate Bill No. 334  
Senate Bill No. 384

And find the same correctly engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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 find the same correctly Re-Engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 4, 1967

Mr. Speaker: I have the honor to return:  
House Concurrent Resolution "T"  
House Concurrent Resolution "V"  
Which the President has signed.

LEO LEIDHOLM, Secretary

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 4, 1967

Mr. President: I have the honor to transmit:

House Bill No. 615  
 House Bill No. 651  
 House Bill No. 652  
 House Bill No. 683  
 House Bill No. 697  
 House Bill No. 706  
 House Bill No. 729  
 House Bill No. 731  
 House Bill No. 732  
 House Bill No. 761  
 House Bill No. 769  
 House Bill No. 796  
 House Bill No. 797  
 House Bill No. 798  
 House Bill No. 873  
 House Bill No. 894  
 House Bill No. 895  
 House Bill No. 916

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 63 has had the same under consideration and recommends that the same be amended as follows:

Delete lines 1 through 16, inclusive and insert in lieu thereof the following language:

"SECTION 1. PROHIBITION OF SUNDAY BUSINESS AND LABOR.) It shall be unlawful on Sunday for any person, firm, or corporation:

1. To engage in or conduct business or labor for profit in the usual manner and location, or to operate a place of business open to the public; or

2. To cause, direct, or authorize any employee or agent to engage in or conduct business or labor for profit in the usual manner and location, or to operate a place of business open to the public."

In line 26 after the word "Newspapers" delete the word "and" and insert in lieu thereof a comma, and after the word "magazines" and before the period insert the following language ", and books"

After line 35 and before line 36 insert the following subsection:

"10. Camera and school supplies, stationery, and cosmetics."

After line 68 and before line 69 insert the following subsection:

"28. Grocery stores operated by the owner-manager who regularly employs not more than three employees for the operation of said store.

In line 73 delete the "comma" and insert in lieu thereof a "period" and delete remainder of the line.

Delete lines 74 thru 77.

And renumber the sections and 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 Senate Bill No. 147 has had the

same under consideration and recommends that the same be indefinitely postponed.

**SENATOR LONGMIRE, Chairman**

Senator Ringsak 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 do pass.

**SENATOR BECKER, Chairman**

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 157 have had the same under consideration and recommends that the same be amended as follows:

In line 166 after the word "the" delete "State Health" and insert in lieu thereof "Advisory"

Delete all of lines 184 through 187.

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 Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 181 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 Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 190 has had the same under consideration and recommends that the same be amended as follows:

In line 34 delete the word "three" and insert in lieu thereof the word "five"

In line 38 delete the word "three" and insert in lieu thereof the word "five"

In line 53 delete the word "three" and insert in lieu thereof the word "five"

In line 55 delete the word "three" and insert in lieu thereof the word "five"

In line 59 delete the second word "one" and insert in lieu thereof the word "two" and delete the word "member" and insert in lieu thereof the word "members"

In line 60 delete the words "one member" and insert in lieu thereof the words "two members"

In line 129 after the first word "board" insert the following: "not to exceed one hundred dollars."

In line 367, after the word "agency" insert the following: ", non-profit corporation"

Delete all of lines 370 and 371, and insert in lieu thereof the following:

"shall be extended by the board in individual cases where hardship or other good cause is shown by the agency, non-profit corporation or institution covered hereby."

And renumber the lines accordingly.

And when so amended recommend the same do pass.

**SENATOR LONGMIRE, Chairman**

Senator Ringsak moved that Senate Bill No. 190 be re-referred to the Committee on Social Welfare and Veterans Affairs, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 215 has had the same under consideration and recommends that the same do pass.

SENATOR HOLLAND, Chairman

Senator Holland 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. 234 has had the same under consideration and a majority recommends that the same be indefinitely postponed.

For the majority:

Senator Kautzmann  
 Senator Hofstrand  
 Senator Larsen  
 Senator Nething  
 Senator Ringsak  
 Senator Schultz  
 Senator Stafne  
 Senator Torgerson  
 Senator Kelly  
 Senator Stroup  
 Senator Longmire

SENATOR LONGMIRE, Chairman

Senator Ringsak moved that the report be adopted.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 234 has had the same under consideration and a minority recommends that the same do pass.

For the Minority:

Senator Rait

SENATOR LONGMIRE, Chairman

Senator Rait moved that the report of the minority be substituted for the report of the majority.

Senator Meschke requested a recorded vote, which request was granted.

#### ROLL CALL

The question being on the motion of Senator Rait that the report of the minority be substituted for the report of the majority, the roll was called and there were ayes, 17; nays, 27; absent and not voting, 5.

Those voting in the affirmative were:

Becker	Freed	Kelly, M.	Longmire
Butler	Goldberg	Larsen, R.	Meschke
Christensen	Hernett	Larson, L.	Rait
Coughlin	Jacobson	Lips	Ruemmele
Decker			

Those voting in the negative were:

Beck	Litten	Redlin	Stafne
Chesrown	Luick	Ringsak	Stroup
Geving	Melland	Robinson	Torgerson
Hofstrand	Morgan	Roen	Trenbeath
Holand	Nasset	Sands	Wenstrom
Kautzmann	Nething	Schultz	Wilhite
Kelly, E.	Pyle	Sorlie	

Absent and not voting:

Berube	Larson, G.	Lowe	Mutch
Forkner			

So the motion was declared lost.



The question being on the motion of Senator Ringsak that the report of the majority be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 236 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand 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. 249 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman

Senator Ringsak moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 252 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 Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 254 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman

Senator Meschke moved that Senate Bill No. 254 be re-referred to the Committee on Social Welfare and Veterans Affairs, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 260 have had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 267 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 268 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 269 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 Finance and Taxation to whom was referred Senate Bill No. 273 has had the same under consideration and recommends that the same be amended as follows:

In line 4 of the title after the first word "returns" delete the following "and retail sales and use tax returns"

And when so amended recommends the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 276 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 289 has had the same under consideration and recommends that the same be returned to the Senate Without Recommendation.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 291 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Senator Meschke requested a recorded vote, which request was granted.

#### ROLL CALL

The question being on the motion of Senator Becker that the report of the Committee on Finance and Taxation on Senate Bill No. 291 be adopted, the roll was called and there were ayes, 41; nays, 4; absent and not voting, 4.

Those voting in the affirmative were:

Beck	Holand	Luick	Ruemmele
Becker	Jacobson	Melland	Sands
Butler	Kautzmann	Morgan	Schultz
Chesrown	Kelly, E.	Nasset	Sorlie
Coughlin	Kelly, M.	Nothing	Stafne
Decker	Larsen, R.	Pyle	Stroup
Freed	Larson, G.	Redlin	Torgerson
Geving	Lips	Ringsak	Trenbeath
Goldberg	Litten	Robinson	Wenstrom
Hernett	Longmire	Roen	Wilhite
Hofstrand			

Those voting in the negative were:

Christensen	Larson, L.	Meschke	Rait
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Absent and not voting:

Berube	Forkner	Lowe	Mutch
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So the motion was declared carried.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 300 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was

referred Senate Bill No. 306 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand 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. 308 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 Senate Bill No. 310 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker 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 recommend that the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak 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. 320 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 326 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 330 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 337 has had the same under consideration and recommends that the same be amended as follows:

In line 3 after the second "comma" insert the words "private carriers"

And when so amended recommends the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 347 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker 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. 351 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSAK, Chairman

Senator Ringsak 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. 365 have had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSAK, Chairman

Senator Ringsak 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. 371 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 Bill No. 379 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 382 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 Finance and Taxation to whom was referred Senate Bill No. 385 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 391 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Concurrent Resolution "K" has had the same under consideration and recommends that the same be amended as follows:

At the end of line 39 of the engrossed bill insert the following:

"7. A representative of the board of county commissioners of one of the major coal producing counties."

In line 40 delete the figure "7" and insert in lieu thereof "8"

Renumber the lines accordingly.

And when so amended be re-referred to the Legislative Research Resolutions Committee.

SENATOR TRENBEATH, Chairman

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Senator Schultz moved that the absent Senators be excused which motion prevailed.

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

### THIRTY-THIRD DAY

Bismarck, February 4, 1967

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. Robert Lynne, Good Shepherd Lutheran, Bismarck.

Bless, we beseech Thee, Merciful Lord, our country and all our people. Give Thy aid and grace to this assembly of lawmakers. Be their counselor and defense. Give them faith, wisdom, courage, health, and patience to bear the burden of their positions of responsibility. Keep them in safety and grant that, relying upon Thee, and seeking to do Thy will, they may enact wise laws and administer them justly, so that the welfare of our people may be assured. In Christ's name we pray. Amen.

Roll call: All Senators present except Senators Berube, Forkner, Lowe and Mutch.

A quorum was declared by the President.

### CORRECTION AND REVISION

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 recommends that the same be corrected as follows:

On page 302, line 47, after the figure "384" insert the following: "be dispensed with"

On page 174, in line 11 from the bottom of the page delete the words "Political Subdivisions" and insert in lieu thereof the words "State and Federal Government".

And when so corrected recommends that the same be approved.

SENATOR NETHING, Acting Chairman

Senator Nothing moved that the report be adopted, which motion prevailed.

### CONSIDERATION OF AMENDMENTS

Senator Lips moved that the rules be suspended and that the reading of the amendments to Senate Bills Nos. 20 and 374 be dispensed with, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 20 as recommended by the Committee on Appropriations, and printed on page 301 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill No. 374 as recommended by the Committee on Judiciary, and printed on page 301 of the Senate Journal, be adopted, which motion prevailed.

### FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Morgan and Luick introduced:

**Senate Concurrent Resolution "FF".** A concurrent resolution supporting needed channel improvements in and related to Antelope Creek west and north of Wahpeton, North Dakota, and urging the Corps of Engineers to expedite completion of its investigation and the formulation of a favorable report thereon.

Was read the first time and referred to the Committee on Natural Resources.

Senators Torgerson, Lips and Meschke introduced:

**Senate Concurrent Resolution "GG".** A Concurrent Resolution commending Mr. Jack Williams, Department Adjutant of the North Dakota American Legion, and making him an honorary member of the Fortieth Legislative Assembly, and declaring February 6, 1967, as American Legion Day in the state of North Dakota.

Was read the first time.

Senator Torgerson moved that the rules be suspended, that Senate Concurrent Resolution "GG" be not referred to committee, not printed as a bill, but printed in the Journal and placed on second reading and final passage, which motion prevailed.

#### SENATE CONCURRENT RESOLUTION "GG"

Introduced by Senators Torgerson, Lips, and Meschke.

A concurrent resolution commending Mr. Jack Williams, Department Adjutant of the North Dakota American Legion, and making him an honorary member of the Fortieth Legislative Assembly, and declaring February 6, 1967, as American Legion Day in the state of North Dakota.

- 1 WHEREAS, Jack Williams, Department Adjutant of the
- 1a North Dakota
- 2 American Legion, has been hospitalized since October 14, 1966;
- 2a and
- 3 WHEREAS, he was one of the founding fathers of the
- 3a National
- 4 American Legion which was founded in 1919 and is the only
- 4a Department
- 5 Adjutant in the American Legion who has continually served
- 5a in such
- 6 position since the founding of the American Legion; and
- 7 WHEREAS, he was instrumental in establishing the National
- 7a American
- 8 Legion Junior Baseball Program in 1925; instituted such
- 8a program in the
- 9 state of North Dakota in 1928, and became the North Dakota
- 9a American
- 10 Legion's first Department Athletic Officer, and for such
- 10a services the
- 11 city of Fargo in paying tribute to Mr. Williams has named a new
- 12 athletic field "American Legion Jack Williams Stadium" in
- 12a honor of Mr.
- 13 Williams; and
- 14 WHEREAS, Mr. Williams has received many awards from
- 14a national,
- 15 state, and other organizations honoring and commending him
- 15a for his
- 16 dedicated service to citizens of the United States and this state,
- 17 such as the distinguished Service Medal of the state of North
- 17a Dakota;
- 18 and
- 19 WHEREAS, he has attended each legislative session of the
- 19a state of
- 20 North Dakota since 1919 except in 1953 when he was also ill;
- 21 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE
- 22 OF THE STATE OF NORTH DAKOTA, THE HOUSE OF
- 22a REPRESENTATIVES CONCURRING THEREIN:
- 23 That Mr. Jack Williams is hereby declared to be an honorary
- 24a member
- 25 of the Fortieth Legislative Assembly and that in recognition of
- 25a his
- 26 dedicated services to this state and in honor of the American

26a Legion,  
 27 it is hereby declared that February 6, 1967, is North Dakota  
 27a American  
 27 Legion Day; and  
 29 BE IT FURTHER RESOLVED, that an enrolled copy of this  
 29a resolution  
 30 be forwarded to Mr. Jack Williams by the Secretary of State.

Senator Torgerson moved that Senate Concurrent Resolution "GG" be adopted, which motion prevailed.

Senators Larson, (Nelson and Pt. Walsh), Geving, Jacobson, Lowe, and Kelly (Ramsey) introduced:

**Senate Concurrent Resolution "HH".** A concurrent resolution directing the legislative research committee to study state grants-in-aid, state tax-sharing programs, and problems related to the efficient management of fiscal affairs by political subdivisions.

Was read the first time and referred to the Committee on Finance and Taxation.

Senator Hofstrand introduced:

**Senate Concurrent Resolution "II".** A concurrent resolution relating to wetland acquisition and the development of natural resources on privately owned lands.

Was read the first time and referred to the Committee on Natural Resources.

Senator Hernettt introduced:

**Senate Concurrent Resolution "JJ".** A concurrent resolution relating to prefiling and printing of bills in advance of sessions of the legislative assembly.

Was read the first time and referred to the Committee on State and Federal Government.

#### FIRST READING OF HOUSE BILLS

**House Bill No. 517.** 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.

**House Bill No. 518.** 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.

**House Bill No. 521.** 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. 523.** 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. 524.** For an Act making an appropriation to the State Water Conservation commission for general administrative expenses, maintenance and construction of dams; planning, surveying and construction expenses of multiple purpose water projects; and organizing water conservation and irrigation districts.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 525.** 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.

**House Bill No. 527.** For an Act making an appropriation for the purpose of administering the provisions of Chapter 54-50 of the North Dakota Century Code.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 566.** A Bill for an Act to make a deficiency appropriation to pay salaries and wages of the Grafton state school, and declaring an emergency.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 585.** A Bill for an Act to create and enact subdivision h of subsection 3 of section 57-15-06 of the North Dakota Century Code, and to amend and reenact section 11-28-17, subdivisions f and g of subsection 3 of section 57-15-06, section 57-15-08, subsection 3 of section 57-15-12, and sections 57-15-14 and 57-15-20 of the North Dakota Century Code, relating to maximum mill levies for certain political subdivisions.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 630.** A Bill for an Act to amend and reenact sections 29-10-33 and 29-10-34 of the North Dakota Century Code, relating to the functions and procedures of the grand jury, and to repeal sections 29-10-35, 29-10-36, 29-10-37 and 29-10-38, relating to procedures on the issuance of a bench warrant.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 639.** A Bill for an Act to amend and reenact subsection 1 of section 20-03-01 and subsection 1 of section 23-03-06 of the North Dakota Century Code, relating to authorizing the taking of game birds and game animals with a regular hunting license.

Was read the first time and referred to the Committee on Natural Resources.

**House Bill No. 693.** A Bill for an Act providing for a temporary commission for the purpose of making arrangements for functions honoring the dominion of Canada and the province of Manitoba in their centennial year, and providing an appropriation, and declaring an emergency.

Was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 717.** A Bill for an Act to amend and reenact sections 15-29-05 and 15-53-05 of the North Dakota Century Code, relating to the compensation of school board members and to the county committee for reorganization of school districts.

Was read the first time and referred to the Committee on Education.

**House Bill No. 738.** A Bill for an Act to amend and reenact section 15-03-09 of the North Dakota Century Code, relating to the term, interest and payment of farm loans in which the board of university and school lands make investment.

Was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 743.** A Bill for an Act to amend and reenact subsection 3 of section 11-10-10 of the 1965 Supplement to the



North Dakota Century Code, relating to the salaries and expenses of county commissioners.

Was read for the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 748.** A Bill for an Act to amend and reenact section 29-06-15 of the North Dakota Century Code, relating to arrests without a warrant.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 755.** A Bill for an Act to amend and reenact subsections 1 and 2 of section 39-12-04 of the 1965 Supplement to the North Dakota Century Code, relating to width, height, and length limitations on vehicles.

Was read the first time and referred to the Committee on Transportation.

**House Bill No. 770.** A Bill for an Act to accept the cession of the state of Minnesota to the state of North Dakota of a certain parcel of real property and declaring an emergency.

Was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 825.** A Bill for an Act to amend and reenact section 24-07-03 of the 1965 Supplement to the North Dakota Century Code, relating to the closing of section line roads.

Was read the first time and referred to the Committee on Transportation.

**House Bill No. 615.** A Bill for an Act to repeal chapter 26-22 of the North Dakota Century Code, relating to the hail insurance department and providing an effective date.

Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 651.** A Bill for an Act to amend and reenact Subsection 4 of Section 26-29-04 of the North Dakota Century Code, relating to rate filings.

Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 652.** A Bill for an Act to amend and reenact Subsection 4 of Section 26-28-04 of the North Dakota Century Code, relating to rate filings.

Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 683.** A Bill for an Act to provide for the regulation and taxation of the sale, use and distribution of alcoholic beverages and licensing of wholesalers and retailers of such beverages and to repeal Title Five of the North Dakota Century Code.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 697.** A Bill for an Act to provide that nonpublic school students may be transported on public school buses when authorized by the school board of a public school district and under certain conditions.

Was read the first time and referred to the Committee on Education.

**House Bill No. 706.** A Bill for an Act to provide for the establishment of junior college boards of control.

Was read the first time and referred to the Committee on Education.

**House Bill No. 729.** A Bill for an Act to amend and reenact sections 57-35-04, and 57-35.1-02 of the North Dakota Century Code, relating

to the taxation of banks, trust companies, and building and loan associations.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 731.** A Bill for an Act to provide for the imposition of a three percent sales tax, use tax, and motor vehicle excise and use tax, exemptions thereto, manner of collection and administration, appeals, penalties, refunds, and allocation of revenues; to amend section 57-39.1-02, relating to sales of motor vehicles and the taxation thereof; and to repeal chapters 57-39, 57-40, and 57-40.1 of the North Dakota Century Code, and declaring an emergency.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 732.** A Bill for an Act to provide for reservation of all minerals in sales of lands made by the board of university and school lands, and commissioner of university and school lands, except for leasing of such minerals and generally describing the lands to which such reservation shall apply.

Was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 761.** A Bill for an Act to create and enact a section of the North Dakota Century Code, relating to a uniform allowance for sheriffs and deputy sheriffs.

Was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 769.** A Bill for an Act to amend and reenact section 6-03-14 of the North Dakota Century Code, relating to paying and receiving stations.

Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 796.** A Bill for an Act to amend and reenact section 64-02-13 of the North Dakota Century Code, to require the owner of weighing and/or measuring apparatus to have the same inspected at least once each year.

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 section 11-10-20 of the North Dakota Century Code relating to location of county offices.

Was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 798.** A Bill for an Act to amend and reenact sections 55-08-05, 55-08-07, and 55-08-14, of the North Dakota Century Code, relating to the acquisition, construction, reconstruction, improvement, betterment, and extension of special service projects by the North Dakota park service, the charges and fees for service provided by such projects, the appropriation of the revenues thereof to the park fund and state park revenue bond fund, and the issuance of revenue bonds to pay capital costs of such projects, and authorizing the issuance of revenue bonds to finance certain projects.

Was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 873.** A Bill for an Act making an appropriation to the state historical society for salaries and wages for the period beginning January 1, 1967, and ending June 30, 1967, and declaring an emergency.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 894.** A Bill for an Act to permit the state board of higher education to erect steel and prefabricated buildings at the institutions under their control on the basis of plans approved by the state construction superintendent.

Was read the first time and referred to the Committee on Education.

**House Bill No. 895.** A Bill for an Act to allow a county which has a vacancy in the office of county superintendent of schools to enter into an agreement with an adjacent county to provide services to such county.

Was read the first time and referred to the Committee on Education.

**House Bill No. 916.** A Bill for an Act to amend and reenact section 40-08-12 of the North Dakota Century Code, relating to the publication of proceedings by city councils.

Was read the first time and referred to the Committee on Political Subdivisions.

**House Concurrent Resolution "L".** A Concurrent Resolution directing the state board of higher education to prepare a long-range ten-year plan for capital improvements at state institutions under its jurisdiction, to prepare a plan for the maximum utilization of classrooms and physical facilities, to prepare a plan for the elimination of unjustified and duplicate programs, to prepare a plan and establish the use and purpose for which each institution under its jurisdiction is intended, and to report on such plans to the subcommittee on budget of the legislative research committee by no later than December 1, 1968, and to the Forty-first Legislative Assembly.

Was read the first time and referred to the Committee on Education.

**House Concurrent Resolution "B-1".** A Concurrent Resolution directing the state industrial commission to establish credit terms for the operation of the state mill and elevator.

Was read the first time and referred to the Committee on State and Federal Government.

SECOND READING OF SENATE BILLS

**Senate Bill No. 286.** A Bill for an Act to authorize state-chartered savings and loan associations to exercise powers granted to federally-chartered savings and loan associations.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Becker	Holand	Luick	Robinson
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Nasset	Sorlie
Decker	Larsen, R.	Nething	Stafne
Freed	Larson, G.	Pyle	Stroup
Geving	Larson, L.	Rait	Torgerson
Goldberg	Lips	Redlin	Trenbeath
Hernett	Litten	Ringsak	Wenstrom
Hofstrand	Longmire		

Absent and not voting:

Beck	Forkner	Mutch	Wilhite
Berube	Lowie	Roen	

So the bill passed and the title was agreed to.

**Senate Bill No. 288.** A Bill for an Act to appropriate money to the Employment Security Bureau for reimbursement to the United States on account of expenditure of granted federal funds contrary to federal standards.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 29; nays, 14; absent and not voting, 6.

Those voting in the affirmative were:

Beck	Holand	Lips	Ruemmele
Becker	Jacobson	Litten	Sands
Chesrown	Kautzmann	Longmire	Schultz
Christensen	Kelly, E.	Melland	Sorlie
Decker	Kelly, M.	Meschke	Stafne
Freed	Larson, G.	Rait	Stroup
Hernett	Larson, L.	Roen	Wenstrom
Hofstrand			

Those voting in the negative were:

Butler	Larsen, R.	Nothing	Ringsak
Coughlin	Luick	Pyle	Robinson
Geving	Morgan	Redlin	Torgerson
Goldberg	Nasset		

Absent and not voting:

Berube	Lowe	Trenbeath	Wilhite
Forkner	Mutch		

So the bill passed and the title was agreed to.

**Senate Bill No. 322.** A Bill for an Act to amend and reenact section 6-02-01 of the 1965 Supplement to the North Dakota Century Code, relating to banking powers and use of the name "bank".

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beck	Hofstrand	Longmire	Robinson
Becker	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Nasset	Sorlie
Decker	Larsen, R.	Nothing	Stafne
Freed	Larson, G.	Pyle	Stroup
Geving	Larson, L.	Rait	Torgerson
Goldberg	Lips	Redlin	Wenstrom
Hernett	Litten	Ringsak	

Absent and not voting:

Berube	Lowe	Trenbeath	Wilhite
Forkner	Mutch		

So the bill passed and the title was agreed to.

**Senate Bill No. 323.** A Bill for an Act to amend and reenact section 30-17-01, subsection 4 of section 30-17-03 and subsection 2 of section 30-17-05 of the North Dakota Century Code, relating to summary administration of small estates.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beck	Hofstrand	Longmire	Robinson
Becker	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Nasset	Sorlie
Decker	Larsen, R.	Nothing	Stafne
Freed	Larson, G.	Pyle	Stroup
Geving	Larson, L.	Rait	Torgerson
Goldberg	Lips	Redlin	Trenbeath
Hernett	Litten	Ringsak	Wenstrom

Absent and not voting:

Berube	Lowe	Mutch	Wilhite
Forkner			

So the bill passed and the title was agreed to.

**Senate Bill No. 329.** A Bill for an Act to grant to the bureau of reclamation right-of-way necessary for the construction and development of Garrison diversion within the right-of-way of roads in the state upon approval of the state highway commissioner, board of county commissioners, or board of township supervisors, and declaring an emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beck	Hofstrand	Longmire	Robinson
Becker	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Nasset	Sorlie
Decker	Larsen, R.	Nothing	Stafne
Freed	Larson, G.	Pyle	Stroup
Geving	Larson, L.	Rait	Torgerson
Goldberg	Lips	Redlin	Trenbeath
Hernett	Litten	Ringsak	Wenstrom

Absent and not voting:

Berube	Lowe	Mutch	Wilhite
Forkner			

So the bill passed and the title was agreed to, and the emergency clause carried.

**Senate Bill No. 339.** A Bill for an Act to amend and reenact section 57-28-17 of the North Dakota Century Code, relating to the sale of county tax deed real estate by the county auditor.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 1; absent and not voting, 5.

Those voting in the affirmative were:

Beck	Hofstrand	Longmire	Robinson
Becker	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Nasset	Sorlie
Decker	Larsen, R.	Nothing	Stafne
Freed	Larson, G.	Pyle	Stroup
Geving	Larson, L.	Rait	Torgerson

Goldberg	Lips	Redlin	Wenstrom
Hernett	Litten	Ringsak	

Those voting in the negative were:  
Trenbeath

Absent and not voting:  
Berube            Lowe            Mutch            Wilhite  
Forkner

So the bill passed and the title was agreed to.

**Senate Bill No. 346.** A Bill for an Act to amend and reenact section 33-03-11 of the North Dakota Century Code, relating to a change of venue in justice court.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beck	Hofstrand	Longmire	Robinson
Becker	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Nasset	Sorlie
Decker	Larsen, R.	Nothing	Stafne
Freed	Larsen, G.	Pyle	Stroup
Geving	Larsen, L.	Rait	Torgerson
Goldberg	Lips	Redlin	Trenbeath
Hernett	Litten	Ringsak	Wenstrom

Absent and not voting:  
Berube            Lowe            Mutch            Wilhite  
Forkner

So the bill passed and the title was agreed to.

**Senate Bill No. 357.** A Bill for an Act to amend and reenact section 30-21-05 of the North Dakota Century Code, relating to the judicial distribution of an estate.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beck	Hofstrand	Longmire	Robinson
Becker	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Nasset	Sorlie
Decker	Larsen, R.	Nothing	Stafne
Freed	Larsen, G.	Pyle	Stroup
Geving	Larsen, L.	Rait	Torgerson
Goldberg	Lips	Redlin	Trenbeath
Hernett	Litten	Ringsak	Wenstrom

Absent and not voting:  
Berube            Lowe            Mutch            Wilhite  
Forkner

So the bill passed and the title was agreed to.

**Senate Bill No. 378.** A Bill for an Act making an appropriation to defray the office and clerical expenses of the governor-elect of 1968.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beck	Hofstrand	Longmire	Robinson
Becker	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Nasset	Sorlie
Decker	Larsen, R.	Nething	Stafne
Freed	Larson, G.	Pyle	Stroup
Geving	Larson, L.	Rait	Torgerson
Goldberg	Lips	Redlin	Trenbeath
Hernett	Litten	Ringsak	Wenstrom

Absent and not voting:

Berube	Lowe	Mutch	Wilhite
Forkner			

So the bill passed and the title was agreed to.

**Senate Bill No. 386.** A Bill for an Act to amend and reenact section 47-14-09 of the North Dakota Century Code, relating to maximum interest rate on loans.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 30; nays, 13; absent and not voting, 6.

Those voting in the affirmative were:

Beck	Hernett	Lips	Redlin
Butler	Holand	Litten	Ruemmele
Chesrown	Jacobson	Longmire	Schultz
Coughlin	Kautzmann	Luick	Sorlie
Decker	Kelly, E.	Melland	Stafne
Freed	Kelly, M.	Nething	Stroup
Geving	Larsen, R.	Pyle	Trenbeath
Goldberg	Larson, G.		

Those voting in the negative were:

Becker	Meschke	Rait	Sands
Christensen	Morgan	Ringsak	Torgerson
Hofstrand	Nasset	Robinson	Wenstrom
Larson, L.			

Absent and not voting:

Berube	Lowe	Roen	Wilhite
Forkner	Mutch		

So the bill passed and the title was agreed to.

**Senate Bill No. 389.** 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 thereof for cleaning and repairing drains.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Beck	Hofstrand	Longmire	Roen
Becker	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nething	Stroup
Freed	Larson, G.	Pyle	Torgerson

Geving	Larson, L.	Rait	Trenbeath
Goldberg	Lips	Ringsak	Wenstrom
Hernett	Litten	Robinson	
Absent and not voting:			
Berube	Lowe	Redlin	Wilhite
Forkner	Mutch		

So the bill passed and the title was agreed to.

**Senate Bill No. 396.** A Bill for an Act to provide for the reduction of liability of the sheriff in amercement proceedings.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:			
Beck	Hofstrand	Luick	Roen
Becker	Holand	Melland	Ruemmele
Butler	Jacobson	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Nasset	Sorlie
Coughlin	Larsen, R.	Nothing	Stafne
Decker	Larson, G.	Pyle	Stroup
Freed	Larson, L.	Rait	Torgerson
Geving	Lips	Ringsak	Trenbeath
Goldberg	Litten		Wenstrom
Hernett	Longmire	Robinson	
Absent and not voting:			
Berube	Kautzmann	Mutch	Wilhite
Forkner	Lowe	Redlin	

So the bill passed and the title was agreed to.

#### MOTIONS

Senator Lips moved that Senate Bill No. 188, House Bills Nos. 575 and 592, Senate Concurrent Resolution "R", "S", House Concurrent Resolution "B" and Senate Concurrent Resolutions "J" and "Q", and Senate Bill No. 33, be placed at the foot of the calendar, which motion prevailed.

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 6.** For an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous items, new buildings, and special projects for the Grafton State School at Grafton, North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 288 of the Senate Journal, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:			
Beck	Hofstrand	Longmire	Roen
Becker	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nothing	Stroup
Freed	Larson, G.	Pyle	Torgerson
Geving	Larson, L.	Rait	Trenbeath
Goldberg	Lips	Ringsak	Wenstrom
Hernett	Litten	Robinson	



Absent and not voting:  
 Berube           Lowe                           Redlin                   Wilhite  
 Forkner           Mutch

So the bill passed and the title was agreed to.

**Senate Bill No. 8.** 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 second time.

Senator Ringsak moved that Senate Bill No. 8 be placed at the foot of the calendar, which motion prevailed.

**Senate Bill No. 54.** For an Act making an appropriation to the state Outdoor Recreation Agency for funding the planning, acquisition and development of outdoor recreation agencies and activities.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 289 of the Senate Journal, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:  
 Beck                   Hofstrand                   Longmire                   Roen  
 Becker                Holand                    Luick                    Ruemmele  
 Butler                Jacobson                Melland                Sands  
 Chesrown            Kautzmann            Meschke                Schultz  
 Christensen        Kelly, E.               Morgan                Sorlie  
 Coughlin            Kelly, M.               Nasset                Stafne  
 Decker              Larsen, R.            Nothing                Stroup  
 Freed                Larson, G.            Pyle                    Torgerson  
 Geving              Larson, L.            Rait                    Trenbeath  
 Goldberg            Lips                    Ringsak                Wenstrom  
 Hernet              Litten                Robinson

Absent and not voting:  
 Berube                   Lowe                           Redlin                   Wilhite  
 Forkner                Mutch

So the bill passed and the title was agreed to.

**Senate Bill No. 106:** A Bill for an Act to invalidate certain indemnity requirements.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 290 of the Senate Journal, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:  
 Beck                   Holand                   Luick                    Roen  
 Becker                Jacobson                Melland                Ruemmele  
 Butler                Kautzmann            Meschke                Sands  
 Chesrown            Kelly, E.               Morgan                Schultz  
 Christensen        Kelly, M.               Nasset                Sorlie  
 Coughlin            Larsen, R.            Nothing                Stafne  
 Decker              Larson, G.            Pyle                    Stroup  
 Freed                Larson, L.            Rait                    Torgerson  
 Geving              Lips                    Ringsak                Trenbeath  
 Goldberg            Litten                Robinson                Wenstrom  
 Hernet              Longmire

Absent and not voting:  
 Berube                   Hofstrand                   Mutch                    Wilhite  
 Forkner                Lowe                           Redlin

So the bill passed and the title was agreed to.

**Senate Bill No. 144.** A Bill for an Act to create and enact sections 10-15-52.1, 10-15-52.2, 10-15-52.3, 10-15-52.4, 10-15-52.5, and 41-09-46.1 of the North Dakota Century Code, relating to mergers, amendments to articles of association, certificates of authority, and withdrawal of foreign cooperatives; and exempting the secretary of state and his employees from liability for filing errors made in carrying out the provisions of the Uniform Commercial Code; and to amend and reenact sections 6-06-04, 10-15-04, 10-15-07, 10-15-09, 10-15-10, 10-15-12, subsections 3, 4, and 5 of section 10-15-36, sections 10-15-38, 10-15-40, subsection 1 of section 10-15-42, subsection 3 of section 10-15-43, section 10-15-44, subsection 4 of section 10-15-45, subsection 4 of section 10-15-47, subsection 1 of section 10-15-48, sections 10-15-50, 10-15-51, 10-15-53, 10-15-54, 10-23-01, subsection 1 of section 10-23-05, subsection 1 of section 10-28-02, subsection 5 of section 41-09-42, sections 41-09-44, 41-09-45, subsection 2 of section 41-09-46, sections 43-03-16, 49-09-14, 54-09-04, 61-05-19, and 61-16-06 of the North Dakota Century Code, relating to recording and filing certain forms in the office of the secretary of state, charges for making such filings, and failure of cooperatives to file annual reports as legally required.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 290 of the Senate Journal, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Beck	Hofstrand	Longmire	Robinson
Becker	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Nasset	Sorlie
Decker	Larsen, R.	Nething	Stafne
Freed	Larson, G.	Pyle	Stroup
Geving	Larson, L.	Rait	Torgerson
Goldberg	Lips	Ringsak	Trenbeath
Hernett	Litten		

Absent and not voting:

Berube	Low	Redlin	Wilhite
Forkner	Mutch	Wenstrom	

So the bill passed and the title was agreed to.

**Senate Bill No. 208.** A Bill for an Act to create and enact sections 4-12-03.1 and 4-12-03.2 of the North Dakota Century Code, relating to the establishment, registration, and retention of beehive or colony location rights, and to amend and reenact sections 4-12-01, 4-12-03, 4-12-20, and 4-12-22 of the North Dakota Century Code, relating to definitions concerning bees, beekeepers' licenses, the penalty for unlawful transportation or maintenance of bees, inspection fees paid for bees being brought into the state, and declaring an emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 290 and 291 of the Senate Journal, the roll was called and there were ayes, 38; nays, 4; absent and not voting, 7.

Those voting in the affirmative were:

Beck	Hofstrand	Luick	Roen
Becker	Holand	Melland	Ruemmele
Butler	Jacobson	Morgan	Sands
Chesrown	Kautzmann	Nasset	Schultz
Christensen	Kelly, E.	Nething	Stafne

Decker	Kelly, M.	Pyle	Stroup
Freed	Larsen, G.	Rait	Torgerson
Geving	Lips	Ringsak	Trenbeath
Goldberg	Litten	Robinson	Wenstrom
Hernett	Longmire		

Those voting in the negative were:

Coughlin	Larsen, R.	Larsen, L.	Meschke
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Absent and not voting:

Berube	Lowe	Redlin	Wilhite
Forkner	Mutch	Sorlie	

So the bill passed and the title was agreed to and the emergency clause carried.

**Senate Bill No. 233.** A Bill for an Act to provide for appointment of counsel for indigents and making provision for payment of such expenses.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 291 of the Senate Journal, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beck	Hofstrand	Longmire	Roen
Becker	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nothing	Stroup
Freed	Larsen, G.	Pyle	Torgerson
Geving	Larsen, L.	Rait	Trenbeath
Goldberg	Lips	Ringsak	Wenstrom
Hernett	Litten	Robinson	

Absent and not voting:

Berube	Lowe	Redlin	Wilhite
Forkner	Mutch		

So the bill passed and the title was agreed to.

**Senate Bill No. 241.** A Bill for an Act to amend and reenact section 47-14-05 of the North Dakota Century Code, relating to interest rates on legal indebtedness and contracts.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 291 of the Senate Journal, the roll was called and there were ayes, 33; nays, 6; absent and not voting, 10.

Those voting in the affirmative were:

Beck	Holand	Longmire	Robinson
Becker	Jacobson	Luick	Ruemmele
Butler	Kautzmann	Melland	Schultz
Chesrown	Kelly, M.	Morgan	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larsen, G.	Nothing	Stroup
Freed	Lips	Pyle	Torgerson
Hernett	Litten	Ringsak	Wenstrom
Hofstrand			

Those voting in the negative were:

Christensen	Larsen, L.	Rait	Sands
Geving	Meschke		

Absent and not voting:

Berube	Kelly, E.	Redlin	Trenbeath
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Forkner	Lowe	Roen	Wilhite
Goldberg	Mutch		

So the bill passed and the title was agreed to.

**Senate Bill No. 285.** A Bill for an Act to authorize savings and loan associations to invest in or own jointly a corporation to provide a centralized data processing service.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on pages 292 and 293 of the Senate Journal, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Beck	Hofstrand	Longmire	Robinson
Becker	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, M.	Morgan	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Wenstrom
Hernett	Litten	Ringsak	

Absent and not voting:

Berube	Kelly, E.	Redlin	Trenbeath
Forkner	Lowe	Roen	Wilhite
Goldberg	Mutch		

So the bill passed and the title was agreed to.

**Senate Bill No. 309.** A Bill for an Act to amend and reenact subsection 4 of section 41-06-08 of the North Dakota Century Code, relating to notices in auction sales and the corresponding provision of the North Dakota Uniform Commercial Code.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 293 of the Senate Journal, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Beck	Hofstrand	Luick	Ruemmele
Becker	Holand	Melland	Sands
Butler	Jacobson	Morgan	Schultz
Chesrown	Kautzmann	Nasset	Sorlie
Christensen	Kelly, M.	Nothing	Stafne
Coughlin	Larsen, R.	Pyle	Stroup
Decker	Larson, G.	Rait	Torgerson
Freed	Larson, L.	Ringsak	Trenbeath
Geving	Lips	Robinson	Wenstrom
Hernett	Longmire		

Absent and not voting:

Berube	Kelly, E.	Meschke	Roen
Forkner	Litten	Mutch	Wilhite
Goldberg	Lowe	Redlin	

So the bill passed and the title was agreed to.

**Senate Bill No. 317.** A Bill for an Act authorizing the state of North Dakota to sell, convey, and transfer certain described real properties held for the use and benefit of the state hospital of the state of North Dakota, and declaring an emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, on page 294 of the Senate Journal, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:			
Beck	Hofstrand	Luick	Ruemmele
Becker	Holand	Melland	Sands
Butler	Jacobson	Morgan	Schultz
Chesrown	Kautzmann	Nasset	Sorlie
Christensen	Kelly, M.	Nething	Stafne
Coughlin	Larsen, R.	Pyle	Stroup
Decker	Larson, G.	Rait	Torgerson
Freed	Larson, L.	Ringsak	Trenbeath
Geving	Lips	Robinson	Wenstrom
Hernett	Longmire		
Absent and not voting:			
Berube	Kelly, E.	Meschke	Roen
Forkner	Latten	Mutch	Wilhite
Goldberg	Lowe	Redlin	

So the bill passed and the title was agreed to and the emergency clause carried.

**Senate Bill No. 334.** A Bill for an Act to amend and reenact sections 36-08-01, 36-08-02, 36-08-04, and 36-08-05 of the North Dakota Century Code, relating to definitions, powers, membership, and the election of directors of a corporate or cooperative grazing association.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, on page 294 of the Senate Journal, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:			
Beck	Hofstrand	Luick	Ruemmele
Becker	Holand	Melland	Sands
Butler	Jacobson	Morgan	Schultz
Chesrown	Kautzmann	Nasset	Sorlie
Christensen	Kelly, M.	Nething	Stafne
Coughlin	Larsen, R.	Pyle	Stroup
Decker	Larson, G.	Rait	Torgerson
Freed	Larson, L.	Ringsak	Trenbeath
Geving	Lips	Robinson	Wenstrom
Hernett	Longmire		
Absent and not voting:			
Berube	Kelly, E.	Meschke	Roen
Forkner	Latten	Mutch	Wilhite
Goldberg	Lowe	Redlin	

So the bill passed and the title was agreed to.

**Senate Bill No. 384.** A Bill for an Act to amend and reenact sections 39-01-08 and 40-43-07 of the North Dakota Century Code relating to the permissive purchase of liability insurance by governmental subdivisions and units, providing procedures for insurance coverages to be utilized and providing for waiver of governmental immunity only to the extent of insurance coverage if insurance is purchased.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, on page 295 of the Senate Journal, the roll was called and there were ayes, 37; nays, 1; absent and not voting, 11.

Those voting in the affirmative were:

Beck	Hofstrand	Longmire	Robinson
Becker	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Schultz
Chesrown	Kautzmann	Morgan	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larsen, R.	Nething	Stroup
Decker	Larson, L.	Pyle	Torgerson
Freed	Larson, G.	Rait	Trenbeath
Geving	Lips	Ringsak	Wenstrom
Hernett			

Those voting in the negative were:

Sands

Absent and not voting:

Berube	Kelly, E.	Meschke	Roen
Forkner	Litten	Mutch	Wilhite
Goldberg	Lowe	Redlin	

So the bill passed and the title was agreed to.

Senator Lips moved that the Senate recess until 1:30 p.m., February 6, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary

"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### THIRTY-THIRD DAY AFTER RECESS AND THIRTY-FIFTH DAY

Bismarck, February 6, 1967

The Senate convened at 1:30 p.m., pursuant to recess taken, 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. 20

Senate Bill No. 374

And find the same correctly engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 6, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2

Senate Bill No. 3

Senate Bill No. 21

Senate Bill No. 23

Senate Bill No. 29

Senate Bill No. 55

Senate Bill No. 82

Senate Bill No. 87

Senate Bill No. 89

Senate Bill No. 203

Senate Bill No. 231

Senate Bill No. 243

Senate Bill No. 248

Senate Bill No. 253

Senate Bill No. 282

Senate Bill No. 284

Senate Bill No. 290

Senate Bill No. 297

Senate Concurrent Resolution "GG"

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 6, 1967

Mr. President: I have the honor to transmit:

House Bill No. 511

House Bill No. 541  
 House Bill No. 609  
 House Bill No. 673

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

#### REPORTS OF STANDING COMMITTEES

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 be amended as follows:

In line 8 delete the figure \$810, 279.00 and insert in lieu thereof \$840,279.00

In line 10 delete the figure \$214,206.00 and insert in lieu thereof \$194,206.00

In line 11 delete the figure \$30,000.00 and insert in lieu thereof \$20,000.00

After line 25 add the following:

**SECTION 3. APPROPRIATIONS.)** The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee increased salaries and wages by \$30,000.00, \$18,000.00 of which is to be used to maintain present level of operations and \$12,000.00 to hire a Protestant minister.

The committee decreased supplies and materials by \$20,000.00 and equipment by \$10,000.00 in order to transfer these amounts to salaries and wages.

The committee added Section 3 so that the moneys will be expended for the purpose for which they were appropriated.

SENATOR SORLIE, Chairman

Senator Kautzmann 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 SORLIE, Chairman

Senator Robinson 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. 164 has had the same under consideration and recommends that the same be amended as follows;

In the second line of the title delete the comma and delete the words "except when such is" and insert in lieu thereof the words "in large size type."

Delete the third line of the title.

In line 3 delete the word "EXCEPTION" and insert in lieu thereof the words "IN LARGE SIZE TYPE"

In line 8 delete the words "except when specifically required by" and insert in lieu thereof the words "unless his name is printed in a smaller type than the printed name of the office, department, or agency as it appears on such material"



Delete all of lines 9 through 12 inclusive

In line 13 delete the words "in such license or regulation"

In line 15 delete the words "Nothing in this Act shall"

Delete all of line 16

In line 17 delete the words "stationery by anyone subject to the provisions of this Act."

And renumber the lines accordingly

And when so amended recommends the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak 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 be amended as follows:

In line 1 of the title after "44-08-01" delete "and 46-02-15"

In line 3 of the title after the word "supplies" delete the comma and insert in lieu thereof "and" and after the word "equipment" delete the comma and the words "and public printing"

Delete all of lines 23 through 49.

And when so amended recommends the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 333 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR ROEN, Chairman

Senator Roen 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. 353 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 State and Federal Government to whom was referred Senate Bill No. 363 has had the same under consideration and recommends that the same be amended as follows:

In line 62 delete the triple parentheses before the word "All"

In line 68 delete the triple parentheses after the period

And when so amended recommends the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 607 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

#### MOTION

Senator Holand moved that the Senate reconsider the action by which Senate Bill No. 385 was indefinitely postponed, which motion prevailed.

Senator Holand moved that Senate Bill No. 385 be placed on the calendar, which motion prevailed.

Senator Morgan moved that Senate Concurrent Resolution "FF" be returned to the Senate from the Committee on Natural Resources, which motion prevailed.

Senator Morgan moved that Senate Concurrent Resolution "FF" be re-referred to the Committee on Agriculture, which motion prevailed.

#### FIRST READING OF A SENATE CONCURRENT RESOLUTION

Senators Hernettt, Becker and Raft introduced:

**Senate Concurrent Resolution "KK".** A Concurrent Resolution directing the Legislative Research Committee to carry out a comprehensive study of business and industrial legislative incentives.

Was read the first time and referred to the Committee on Industry, Business and Labor.

#### FIRST READING OF HOUSE BILLS

**House Bill No. 511.** 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 the programs above mentioned.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 541.** For an Act to create and enact section 27-15-03.1 of the North Dakota Century Code, relating to when supreme court judges shall not attend judicial council meetings and to amend and reenact sections 27-02-01, 27-15-03, and 27-15-05 of the North Dakota Century Code relating to the selection of the chief justice of the supreme court and the duties of the judicial council.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 609.** For an Act to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to the salaries of judges of the supreme court and district courts.

Was read for the first time and referred to the Committee on Judiciary.

**House Bill No. 673.** A Bill for an Act to create and enact subsections 25, 26, and 27 of section 40-05-02 of the North Dakota Century Code, relating to the powers of cities.

Was read the first time and referred to the Committee on Judiciary.

#### CONSIDERATION OF AMENDMENTS

Senator Lips moved that the rules be suspended and that the reading of the amendments to Senate Bills Nos. 63, 157, 273, 337, and House Concurrent Resolution "K" be dispensed with, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 63 as recommended by the Committee on Social Welfare and Veterans Affairs, and printed on page 316 of the Senate Journal, be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to Senate Bill No. 157 as recommended by the Committee on Natural Resources, and printed on page 317 of the Senate Journal, be adopted, which motion prevailed.

Senator Becker moved that the amendments to Senate Bill No. 273 as recommended by the Committee on Finance and Taxation, and printed on page 320 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 337 as recommended by the Committee on Transportation, and printed on page 321 of the Senate Journal, be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to House Concurrent Resolution "K" as recommended by the Committee on Natural Resources, and printed on page 322 of the Senate Journal, be adopted, which motion prevailed.

MOTION

Senator Rait moved that the Senate reconsider the action by which Senate Bill No. 249 was indefinitely postponed, which motion prevailed.

Senator Rait moved that Senate Bill No. 249 be placed on the calendar, which motion prevailed.

SECOND READING OF A SENATE BILL

**Senate Bill No. 188.** For an Act to amend and reenact section 15-18-07 of the 1965 Supplement to the North Dakota Century Code relating to state aid for junior colleges or educational centers.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 31; nays, 18; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Holand	Lowe	Sands
Butler	Jacobson	Nasset	Schultz
Chesrown	Kautzmann	Pyle	Sorlie
Decker	Kelly, M.	Rait	Stroup
Forkner	Larsen, R.	Redlin	Trenbeath
Geving	Larson, G.	Robinson	Wenstrom
Hernett	Lips	Roen	Wilhite
Hofstrand	Longmire	Ruemmele	

Those voting in the negative were:

Becker	Goldberg	Melland	Nothing
Berube	Kelly, E.	Meschke	Ringsak
Christensen	Larson, L.	Morgan	Stafne
Coughlin	Litten	Mutch	Torgerson
Freed	Luick		

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 6, 1967

Mr. President: I have the honor to inform you that the House requests the return of House Bill No. 609.

ROY GILBREATH, Chief Clerk

MOTIONS

Senator Ringsak moved that Senate Bill No. 293 be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Ringsak moved that Senate Bill No. 293 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Forkner moved that the Committee on Printing be authorized to order such additional stationery as necessary, which motion prevailed.

Senator Schultz moved that the absent Senators be excused, which motion prevailed.

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

### THIRTY-FIFTH DAY

Bismarck, February 6, 1967

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. David Knecht, McCabe Methodist, Bismarck.

Roll call: All Senators present.

A quorum was declared by the President.

### CORRECTION AND REVISION

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 finds the same correct.

SENATOR LOWE, Chairman

Senator Lowe moved that the report be adopted, which motion prevailed.

### REPORTS OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 57

And find the same correctly Re-Engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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. 4

Senate Bill No. 39

Senate Bill No. 52

Senate Bill No. 57

And find the same correctly Enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 6, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 6

Senate Bill No. 54

Senate Bill No. 106

Senate Bill No. 144

Senate Bill No. 208

Senate Bill No. 233

Senate Bill No. 241

Senate Bill No. 285

Senate Bill No. 286

Senate Bill No. 288

Senate Bill No. 309

Senate Bill No. 317

Senate Bill No. 322

Senate Bill No. 323

Senate Bill No. 329  
 Senate Bill No. 334  
 Senate Bill No. 339  
 Senate Bill No. 346  
 Senate Bill No. 357  
 Senate Bill No. 378  
 Senate Bill No. 384  
 Senate Bill No. 386  
 Senate Bill No. 389  
 Senate Bill No. 396

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 6, 1967

Mr. President: I have the honor to return:  
 Senate Bill No. 85

Which the House has amended as follows:

AMENDMENTS TO SENATE BILL NO. 85

In line 5 delete the words "ONE MONTH" and insert the words "FORTY-FIVE DAYS" in lieu thereof

In line 12 delete the words "one month" and insert the words "forty-five days" in lieu thereof

In line 16 delete the words "one month" and insert the words "forty-five days" in lieu thereof; and after the comma "," and before the word "such" insert the following language "upon determination by the county judge that no contest is pending."

And renumber the lines accordingly.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 6, 1967

Mr. President: I have the honor to transmit:

House Bill No. 503  
 House Bill No. 534  
 House Bill No. 678  
 House Bill No. 679  
 House Bill No. 685  
 House Bill No. 699  
 House Bill No. 702  
 House Bill No. 705  
 House Bill No. 708  
 House Bill No. 839  
 House Bill No. 869  
 House Bill No. 875  
 House Bill No. 886  
 House Bill No. 889  
 House Bill No. 909

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

Senator Lips moved that the Senate recess until 1:00 p.m., February 7, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary



"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### THIRTY-FIFTH DAY AFTER RECESS AND THIRTY-SIXTH DAY

Bismarck, February 7, 1967

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

#### FIRST READING OF A SENATE RESOLUTION

Senators Ringsak, Lips and Meschke introduced:

**Senate Resolution No. 2.** A Resolution expressing the appreciation of the Senate for the establishment of emergency medical services for the use of members of the Legislative Assembly and visitors to the capitol.

Was read the first time.

Senator Lips moved that the rules be suspended, that Senate Resolution No. 2 be not referred to committee, not printed as a bill but printed in the Journal, and placed on second reading and final passage, which motion prevailed.

#### SENATE RESOLUTION No. 2

Introduced by Senators Ringsak, Lips, and Meschke.

A resolution expressing the appreciation of the Senate for the establishment of emergency medical services for the use of members of the Legislative Assembly and visitors to the capitol.

1 WHEREAS, the North Dakota State Medical Association, the  
2 Bismarck Hospitals, and the pharmacists of the city of  
2a Bismarck,  
3 have rendered assistance in establishing an emergency medical  
4 service unit in the Senate chambers of the capitol building  
5 during the legislative session; and

6 WHEREAS, the members of the North Dakota State Medical  
7 Association, and especially those residing in the city of  
7a Bismarck,  
8 have donated their time and professional skills each day of the  
9 legislative session by having a member of the medical  
9a profession

10 present during every day of the legislative session; and

11 WHEREAS, the need for an emergency medical service unit  
11a and  
12 the need for the presence of a member of the medical  
12a profession

13 have been demonstrated to be absolutely necessary on several  
14 occasions;

15 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE  
16 OF THE STATE OF NORTH DAKOTA:

17 That the Senate hereby expresses its appreciation to the  
18 North Dakota State Medical Association, the Bismarck

18a Hospitals,

19 and the pharmacists of Bismarck for their unselfish service to  
20 the members of the Legislative Assembly and the citizens of

21 North Dakota, and that copies be sent by the Secretary of State  
 22 to the President of the North Dakota State Medical Association,  
 22a the  
 23 Bismarck Hospital, the St. Alexius Hospital, the President of the  
 24 North Dakota Pharmaceutical Association, and the President  
 24a of the  
 25 Bismarck Medical Association.

#### SECOND READING OF A SENATE RESOLUTION

**Senate Resolution No. 2.** A Resolution expressing the appreciation of the Senate for the establishment of emergency medical services for the use of members of the Legislative Assembly and visitors to the capitol.

Was read the second time.

Senator Lips moved that Senate Resolution No. 2 be adopted, which motion prevailed.

#### FIRST READING OF SENATE CONCURRENT RESOLUTION

Senator Mutch introduced:

**Senate Concurrent Resolution "LL".** A Concurrent Resolution relating to an economic boycott of certain farm organizations.

Was read the first time and referred to the Committee on Agriculture.

Senator Ringsak introduced:

**Senate Concurrent Resolution "M-M".** A Concurrent Resolution providing for the amendment of sections 28 and 34 of the Constitution of the state of North Dakota, relating to the qualifications for the office of state senator and state representative.

Was read the first time and referred to the Committee on State and Federal Government.

Senators Melland and Nething introduced:

**Senate Concurrent Resolution "N-N".** A Concurrent Resolution endorsing and supporting the construction of the authorized Pipestem Creek Dam and Reservoir, and urging an appropriation therefor.

Was read the first time.

Senator Melland moved that the rules be suspended that Senate Concurrent Resolution "NN" be not referred to Committee, not printed as a bill, but printed in the Journal and placed on second reading and final passage, which motion prevailed.

#### SENATE CONCURRENT RESOLUTION "N-N"

Introduced by Senators Melland, and Nething.

##### PIPESTEM CREEK DAM AND RESERVOIR JAMES RIVER, NORTH DAKOTA Construction Appropriation

A concurrent resolution endorsing and supporting the construction of the authorized Pipestem Creek Dam and Reservoir, and urging an appropriation therefor.

1 WHEREAS, the Congress by Public Law 89-298 authorized

1a the

2 construction of Pipestem Dam and Reservoir in the James

2a River

3 Basin, North Dakota, and has provided preconstruction

3a planning

4 funds therefor; and

5 WHEREAS, a portion of the City of Jamestown, North

5a Dakota,

6 was flooded by the Pipestem Creek in 1966, inundating thirty

7 homes, badly damaging another thirty residences, and disrupt-

8 ing traffic and normal routine;



9 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE  
 9a OF THE STATE  
 10 OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES  
 10a CONCURRING  
 11 THEREIN:

12 That the Fortieth Legislative Assembly of the state of  
 13 North Dakota does hereby reaffirm its endorsement and  
 13a support  
 14 of said project and most respectfully requests and urges the  
 15 Congress to make funds available for initiating early con-  
 16 struction thereon; and

17 BE IT FURTHER RESOLVED that a copy of this resolution  
 17a be  
 18 by the secretary of state transmitted to each of the members  
 19 of the North Dakota congressional delegation; chairmen of  
 20 the House and Senate Committees on Appropriations; chief of  
 21 Engineers, Department of the Army, Washington, D. C.;  
 21a Division  
 22 Engineer, Missouri River Division, Corps of Engineers, Omaha,  
 23 Nebraska; District Engineer, Corps of Engineers, Omaha,  
 24 Nebraska; and Area Engineer, Corps of Engineers, Riverdale,  
 25 North Dakota.

#### SECOND READING OF A SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution "N-N".** A Concurrent Resolution endorsing and supporting the construction of the authorized Pipestem Creek Dam and Reservoir, and urging an appropriation therefor.

Was read the second time.

Senator Meschke moved that Senate Concurrent Resolution "NN" be referred to the Committee on Natural Resources, which motion prevailed.

#### FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Larsen, Melland, Geving, Coughlin, Becker, Stroup, Kautzmann, Roen, Pyle, Nething, Goldberg, Freed, Chesrown, Lowe, Decker, Butler, Jacobson, Litten, Morgan, Wilhite, Lips, Kelly (Pt. Barnes), and Larson (Burleigh) introduced:

**Senate Concurrent Resolution "O-O".** A Concurrent Resolution for the amendment of section 121 of the Constitution of the state of North Dakota, relating to the elective franchise lowering the voting age from twenty-one to nineteen.

Was read the first time and referred to the Committee on Judiciary.

Senators Trenbeath and Torgerson introduced:

**Senate Concurrent Resolution "P-P".** A Concurrent Resolution for the amendment of the Constitution of the state of North Dakota, relating to issuance of dedicated revenue bonds by political subdivisions of the state and providing the methods for repayment thereof.

Was read the first time and referred to the Committee on Political Subdivisions.

Senator R. Larsen introduced:

**Senate Concurrent Resolution "Q-Q".** A Concurrent Resolution directing the Legislative Research Committee to study a report entitled, "Library Services in North Dakota" and to make recommendations from such study.

Was read the first time and referred to the Committee on Education.

Senators Butler, Decker, Rait and Goldberg introduced:

**Senate Concurrent Resolution "R-R".** A Concurrent Resolution directing the legislative research committee to study the various exemptions now in effect and available for income tax purposes.

Was read the first time and referred to the Committee on Finance and Taxation.

Senator Becker introduced:

**Senate Concurrent Resolution "S-S".** A Concurrent Resolution directing the legislative research committee to study the feasibility of providing property tax limitations based upon current market value and to study other areas relating to property taxes levied for the purpose of improving assessment practices.

Was read the first time and referred to the Committee on Finance and Taxation.

Senators Rait, Christensen, Decker, Becker and Wenstrom introduced:

**Senate Concurrent Resolution "T-T".** A Concurrent Resolution directing a study by the legislative research committee of alternative methods of taxation of mineral rights.

Was read the first time and referred to the Committee on Finance and Taxation.

Senators Longmire, Wenstrom, Chesrown and Holand introduced:

**Senate Concurrent Resolution "U-U".** A Concurrent Resolution for the amendment of sections 85, 90, 94, and 100 of the Constitution of the state of North Dakota relating to the powers of the judiciary, changing the selection of judges from an elective to an appointive-elective system, preserving the tenure of judges presently in office and those who would take office prior to the effective date of this amendment; to provide for the retirement, discipline and removal of supreme and district court judges; to provide for requirements to declare a law unconstitutional; providing for judicial districts, judicial council, and to repeal sections 88, 89, 92, 93, 95, 97, 98, 102, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, and 118, relating to procedures of state courts, all of such sections amended and repealed being a part of the Constitution of the state of North Dakota.

Was read the first time and referred to the Committee on Judiciary.

Senators Kelly (Ramsey), Hofstrand, Beck, and Lester Larson introduced:

**Senate Concurrent Resolution "V-V".** A Concurrent Resolution relating to commemorative ceremonies in regard to the establishment of the Fort Totten Indian Reservation and the Fort Totten Military Post.

Was read the first time.

Senator Kelly (Ramsey) moved that the rules be suspended, that Senate Concurrent Resolution "VV" be not referred to Committee, not printed as a bill, but printed in the Journal and placed on second reading and final passage, which motion prevailed.

#### SENATE CONCURRENT RESOLUTION "V-V"

Introduced by Senators M. Kelly, Hofstrand, Beck, and L. Larson.

A concurrent resolution relating to commemorative ceremonies in regard to the establishment of the Fort Totten Indian Reservation and the Fort Totten Military Post.

- 1 WHEREAS, the year 1967 marks the centennial of the
- 2 establishment of the Fort Totten Indian Reservation and of the
- 3 Fort Totten Military Post; and
- 4 WHEREAS, the Fort Totten Military Post, which is under the
- 5 supervision of the state historical society, is the best
- 6 preserved military post of frontier vintage west of the

7 Mississippi River and is a source of pride to all residents of  
8 the state of North Dakota and of interest to North Dakota  
9 visitors; and

10 WHEREAS, it is appropriate that suitable commemorative  
11 ceremonies be carried on during the year 1967 in recognition  
12 of such centennial;

13 NOW, THEREFORE, BE IT RESOLVED BY THE  
14 SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE  
14a OF

15 REPRESENTATIVES CONCURRING THEREIN:

16 That the Fort Totten Tribal Council and the residents of the  
17 Fort Totten Indian Reservation are hereby congratulated upon  
18 the one hundredth anniversary of the establishment of the  
19 Reservation and are urged, with the cooperation of the state  
20 historical society, to conduct suitable commemorative  
20a ceremonies

21 in the year 1967 in recognition of the centennial anniversary of  
22 the Fort Totten Indian Reservation and Fort Totten Military  
22a Post;

23 and;  
24 BE IT FURTHER RESOLVED, that a copy of this resolution  
25 be forwarded by the secretary of state to the chairman of the  
26 Fort Totten Tribal Council.

#### SECOND READING OF A SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution "V-V".** A Concurrent Resolution relating to commemorative ceremonies in regard to the establishment of the Fort Totten Indian Reservation and the Fort Totten Military Post.

Was read the second time.

Senator Kelly moved that Senate Concurrent Resolution "VV" be adopted, which motion prevailed.

#### FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senator Mutch introduced:

**Senate Concurrent Resolution "W-W".** A Concurrent Resolution directing the legislative research committee to study the workmen's compensation bureau and its laws and procedures.

Was read the first time and referred to the Committee on Industry, Business and Labor.

Senator Mutch introduced:

**Senate Concurrent Resolution "X-X".** A Concurrent Resolution requesting the Congress of the United States to propose to the people an amendment to the Constitution expressly prohibiting the government of the United States from engaging in enterprise in competition with its citizens, the supreme law of the land, and repealing the 16th amendment.

Was read the first time and referred to the Committee on State and Federal Government.

Senator Mutch introduced:

**Senate Concurrent Resolution "Y-Y".** A Concurrent Resolution providing that a special senate committee be appointed to investigate the John Birch Society.

Was read the first time.

#### MOTION

Senator Ringsak moved that Senate Concurrent Resolution "YY" be laid on the table, which motion prevailed.

FIRST READING OF  
SENATE CONCURRENT RESOLUTIONS

Senator Mutch introduced:

**Senate Concurrent Resolution "Z-Z".** A Concurrent Resolution requesting the Senate, the House of Representatives concurring therein, to recommend the need to support our local police; to ask the American Legion state commander to work with the North Dakota Support Your Local Police Committee; and to ask the Governor of North Dakota to declare Support Your Local Police Week.

Was read the first time and referred to the Committee on Judiciary.

Senator Lips introduced:

**Senate Concurrent Resolution "AAA".** A Concurrent Resolution directing the legislative research committee to study the state employees' retirement program.

Was read the first time and referred to the Committee on State and Federal Government.

Senator Lips and Meschke introduced:

**Senate Concurrent Resoluition "BBB".** A Concurrent Resolution directing the legislative research committee to conduct a study of state government reorganization for the establishment of a department of state business operations for the purpose of consolidating functions, improving services to the public and conserving governmental revenues, and to draft such legislation as shall be deemed advisable and to hold hearings thereon for presentation to and consideration by the Forty-first Legislative Assembly.

Was read the first time and referred to the Committee on State and Federal Government.

Senator Lips introduced:

**Senate Concurrent Resolution "CCC".** A Concurrent Resolution urging Congress to pass legislation which would effect a uniform closing time of the polling places throughout the United States during Presidential elections.

Was read the first time and referred to the Committee on Judiciary.

Senators Lips and Meschke introduced:

**Senate Concurrent Resolution "DDD".** A Concurrent Resolution directing the legislative research committee to conduct a study of state government reorganization for the establishment of a department of business regulation for the purpose of consolidating functions, improving services to the public, and conserving governmental revenues, and to draft such legislation as shall be deemed advisable and to hold hearings thereon, for presentation to and consideration by the Forty-first Legislative Assembly.

Was read the first time and referred to the Committee on Industry, Business and Labor.

The Committee on Judiciary introduced:

**Senate Concurrent Resolution "EEE".** A Concurrent Resolution relating to a study by the legislative research committee of the feasibility of modifying the doctrine of governmental immunity.

Was read the first time and referred to the Committee on Judiciary.

Senators Melland, Nething and Litten introduced:

**Senate Concurrent Resolution "FFF".** A Concurrent Resolution directing the legislative research committee to study the various state scholarship and loan funds administered by the state.

Was read the first time and referred to the Committee on Education.

Senators Longmire, Geving, Berube, Ruemmele, and Kelly (Ramsey) introduced:

**Senate Concurrent Resolution "GGG".** A Concurrent Resolution expressing the policy of the state in its relations with tribal councils and tribal groups.

Was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

The Committee on Appropriations introduced:

**Senate Concurrent Resolution "HHH".** A Concurrent Resolution directing the legislative research committee to study the farming operations of the various institutions of the state of North Dakota.

Was read the first time and referred to the Committee on State and Federal Government.

Senators Geving, Schultz, Pyle, Robinson, Nasset and Wenstrom introduced:

**Senate Concurrent Resolution "III".** A Concurrent Resolution urging the news media, civic organizations, and service clubs to carry out vigorous campaigns promoting highway safety and the use of headlights at all times of the day and night so as to assist in reducing the traffic accident rate in North Dakota.

Was read the first time and referred to the Committee on Transportation.

Senators Trenbeath and Pyle introduced:

**Senate Concurrent Resolution "JJJ".** A Concurrent Resolution authorizing and directing the legislative research committee to study the feasibility of placing the administration of certain agricultural activities that are now administered by separate state boards, commissions and institutions under the jurisdiction of the state department of agriculture.

Was read the first time and referred to the Committee on Agriculture.

Senators Stafne, Ringsak and Longmire, introduced:

**Senate Concurrent Resolution "KKK".** A Concurrent Resolution directing the legislative research committee to study the miscarriage and abortion statutes of the state to determine whether or not they are in need of amendment.

Was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

Senators Nasset, Coughlin, Longmire, and Larson (Burleigh) introduced:

**Senate Concurrent Resolution "LLL".** A Concurrent Resolution directing the North Dakota Association of School Administrators to urge the federal government and the North Dakota congressional delegation to refrain from allocating school funds directly to local school districts without first notifying the state's administrative agency charged with administering such local school districts.

Was read the first time and referred to the Committee on Education.

Senators Meschke, Rait, Christensen, Berube, and Lester Larson introduced:

**Senate Concurrent Resolution "MMM".** A Concurrent Resolution requesting the Congress of the United States to expand federal assistance to education, to consolidate present education grants, and to further improve on equalizing formulas.

Was read the first time and referred to the Committee on Education.

## MOTIONS

Senator Mutch moved that Senate Bill No. 88 be returned to the Senate from the Committee on Industry, Business and Labor, which motion prevailed.

Senator Mutch requested unanimous consent of the Senate to withdraw Senate Bill No. 88, which request was granted.

## CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Lips moved that House Bill No. 609 be returned to the Senate from the Committee on Judiciary, which motion prevailed.

Senator Lips moved that House Bill No. 609 be returned to the House as requested, which motion prevailed.

## REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 34 has had the same under consideration and recommends that the same be indefinitely postponed.

## SENATOR RINGSAK, Chairman

Senator Ringsak 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 be amended as follows:

In line 19 delete the word "three" and insert in lieu thereof the word "two"

And when so amended recommends the same do pass.

## SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 209 has had the same under consideration and recommends that the same be indefinitely postponed.

## SENATOR BECKER, Chairman

Senator Becker 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. 216 has had the same under consideration and recommends that the same do pass.

## SENATOR RINGSAK, Chairman

Senator Ringsak moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 217 has had the same under consideration and recommends that the same be indefinitely postponed.

## SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 228 has had the same under consideration and recommend that the same be amended as follows:

In line 1 of the Title delete the word "section" and insert in lieu thereof "sections"; after "15-40-12" insert "and 15-40-24"

In line 16 delete the words "thirty-two" and insert in lieu thereof "twenty-two"

In line 18 delete the words "forty-two" and insert in lieu thereof "fifty-seven" and delete "twenty-four" and insert in lieu thereof "seventy-two"

In line 21 delete the word "eight" and insert in lieu thereof "twenty"

Following line 23 add the following SECTION:

SECTION 2. AMENDMENT.) Section 15-40-24 of the 1965 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-40-24. ELEMENTARY PER PUPIL PAYMENTS — AMOUNT.)

There shall be paid out of the county equalization fund, to the school districts of the county operating elementary schools, to school districts contracting to educate elementary pupils in a federal Indian school, and to the state school for the blind, the state school for the deaf and the state training school, employing teachers holding valid certificates or permits, payments based on the average daily membership as provided for in section 15-40-14, the following amounts:

1. In one-room rural schools there shall be paid that amount of money resulting from multiplying the factor of (((1.32))) 1.25 times the educational cost per pupil as provided in section 15-40-12 for each of the first sixteen pupils in average daily membership and for each additional pupil in average daily membership there shall be paid the educational cost per pupil as provided in section 15-40-12 except that no payment shall be made for more than twenty pupils in average daily membership; and

2. In elementary schools having under one hundred pupils in average daily membership there shall be paid that amount of money resulting from multiplying the factor of (((1.1))) 1. times the educational cost per pupil as provided in section 15-40-12 for each of the first twenty pupils in average daily membership in each classroom or for each teacher and for each additional pupil in average daily membership in each classroom or for each teacher there shall be paid the educational cost per pupil as provided in section 15-40-12 except that no payment shall be made for more than twenty-five pupils in average daily membership in each classroom or for each teacher; and

3. In elementary schools having one hundred or more pupils in average membership there shall be paid that amount of money resulting from multiplying the factor of .9 times the educational cost per pupil as provided in section 15-40-12 for each of the first thirty pupils in average daily membership in each classroom or for each teacher except that no payment shall be made for more than thirty pupils in average membership in each classroom or for each teacher.

Payment shall not be made for Indian pupils in districts in which the school facilities are being provided, maintained and staffed wholly or in part by the federal government for the education of Indian children.

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 230 has had the same under consideration and recommends that the same be amended as follows:

In line 11 after the word "shall" delete "act as the agent of"

In line 12 delete "the state tax commissioner in administering" and insert in lieu thereof the word "administer"

In line 185 delete "state tax commissioner and"

In line 186 delete "by him shall be paid to the"

Delete all of lines 213 through 232

Renumber the Sections and lines accordingly

And when so amended recommends the same do pass.

Senator Becker moved that the report be adopted, which motion prevailed.

SENATOR BECKER, Chairman

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 247 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BECKER, Chairman

Senator Becker 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. 254 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 Bill No. 262 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 263 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 264 has had the same under consideration and recommends that the same be amended as follows:

In line 19 after the "period" insert the following "All provisions of this Act shall terminate on July 1, 1969."

And when so amended recommends the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

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:

Delete everything after the words "A BILL" and insert the following in lieu thereof:

"For an Act to amend and reenact section 54-44-11 of the North Dakota Century Code, relating to a purchasing department operating fund, the provision of data processing services, and providing an appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

- 1 SECTION 1. AMENDMENT.) Section 54-44-11
- 2 of the North Dakota Century Code is hereby amended and
- 3 reenacted to read as follows:
- 4 54-44-11. (((TRANSFER OF PURCHASING



5 DEPARTMENT FUND - STANDING APPROPRIATION.) All  
 6 moneys in the purchasing department fund and any future  
 7 collections of the purchasing department or its successor  
 8 are hereby transferred to the general fund of this state. An  
 9 amount not exceeding at any time the sum of seventy-five  
 10 thousand dollars may be withdrawn upon voucher of the pur-  
 11 chasing department or its successor from the general fund for  
 12 the procurement and maintenance of an inventory of equipment  
 13 and supplies for state departments and agencies and such  
 14 amounts, not exceeding the sum of seventy-five thousand  
 15 dollars at any time is hereby appropriated as a standing  
 16 appropriation for this purpose.))) PURCHASING

17 DEPARTMENT OPERATING FUND CREATION.) 1. The  
 17a department of  
 18 accounts and purchases shall establish a state purchasing  
 19 department operating fund to be used for the procurement and  
 20 maintenance of an inventory of equipment and supplies and to  
 21 provide data processing services to the state departments and  
 22 agencies. The sum of thirty-five thousand dollars is  
 23 hereby transferred from the state general fund to the state  
 24 purchasing department operating fund to provide the initial  
 25 working capital and is hereby appropriated for supplies and  
 26 equipment as a standing appropriation. Any surplus in this  
 27 fund in excess of forty-five thousand dollars on each  
 28 June thirtieth shall be transferred to the state  
 29 general fund.

30 2. Each office, agency, or institution provided with  
 31 data processing service shall pay to the department of  
 32 accounts and purchases a proportionate share of the cost  
 33 of such service, as determined by the department of accounts  
 34 and purchases, based on actual costs and actual usage. The  
 35 amounts paid to the department of accounts and purchases by  
 36 the various offices, agencies, and institutions shall be  
 37 deposited in the purchasing department operating fund and  
 38 will be expended in accordance with legislative appropriations.

39 SECTION 2. APPROPRIATION.) There is hereby  
 40 appropriated out of any funds in the purchasing department  
 41 operating fund the sum of three hundred seven thousand  
 42 dollars or so much thereof as may be necessary for salaries,  
 43 fees, supplies, and other expenses for the operation of a  
 44 centralized data processing system for the biennium  
 45 beginning July 1, 1967, and ending June 30, 1969, as follows:

46	Salaries and Wages	\$ 81,000.00
47	Fees and Services	200,000.00
48	Supplies and Materials	5,000.00
49	Equipment	1,000.00
50	Emergency	20,000.00
51		\$307,000.00"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The amendments to the bill were added so as to provide that the centralized data processing would be handled on a revolving fund basis whereas the departments would be billed an hourly rate for their usage of the computer so as to make the fund self sustaining. The emergency line was increased by \$10,000.00 in case the workload increased to the point where three shifts would have to be run instead of the projected two.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was

referred Senate Bill No. 294 has had the same under consideration and recommend that the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, 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 BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 302 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 325 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted.

Senator Ringsak made the substitute motion that the committee report on Senate Bill No. 325 be laid over one legislative time, which motion was ruled out of order.

Senator Meschke rose on a point of parliamentary procedure and cited Rule 18 in support thereof.

The President then announced that the question was on the motion of Senator Ringsak that the committee report on Senate Bill No. 325 be laid over one legislative day, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 366 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSAK, Chairman

Senator Ringsak 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. 367 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSAK, Chairman

Senator Ringsak 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. 388 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Committee on Appropriations.

SENATOR RINGSAK, Chairman

Senator Ringsak 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 "Y" has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak 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 "Z" has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

Senator Ringsack 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 do pass.

SENATOR RINGSACK, Chairman

Senator Ringsack 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 SORLIE, Chairman

Senator Litten 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 SORLIE, Chairman

Senator Robinson 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 be amended as follows:

After line 24 add the following: "SECTION 3. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee added Section 3 to allow that moneys be expended only for the purpose for which they were appropriated.

SENATOR SORLIE, Chairman

Senator Melland moved that the report be adopted, which motion prevailed.

### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 7, 1967

Mr. Speaker: I have the honor to return:  
House Bill No. 609  
Which the House requested.

Very respectfully,  
LEO LEIDHOLM, Secretary

### SIGNING OF BILLS

The Secretary announced that the President was about to sign  
Senate Bill No. 4  
Senate Bill No. 39

Senate Bill No. 52

Senate Bill No. 57

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 7, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 4

Senate Bill No. 39

Senate Bill No. 52

Senate Bill No. 57

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

Senator Lips moved that the Senate Adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTY-SIXTH DAY

Bismarck, February 7, 1967

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Capt. Dale Coleman, Salvation Army, Bismarck.

As we come to Thee, our Heavenly Father, we recognize that Thou didst place these men over the people for in Thy Word we read "obey the government, for God is the One Who has put it there. There is no government anywhere that God has not placed in power."

As we pray for them and Thy seal of approval upon all that transpires during their proceedings, give to Thy servants wisdom and strength and may they possess willing hearts to obey Thy leadership, for we all realize that You truly are concerned with the governmental conditions of our state and country.

We thank You for Your great love and mercy and grace. We thank You for redemption's plan through Christ and may we always realize that the liberty and peace that we enjoy in our country has been given to us by Thee in order that every person may honor Thy Name and be a witness that You are the supreme God of the World.

We seek Thy blessing this day, in Jesus name. Amen.

Roll call: All Senators present.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President. Your Committee on Revision and Correction of the Journal has carefully examined the Journal the thirty-third day after recess and the thirty-fifth day and finds the same correct.

SENATOR LOWE, Chairman

Senator Lowe moved that the report be adopted, which motion prevailed.

Senator Lips moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the chair, the 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. 63

Senate Bill No. 157  
 Senate Bill No. 273  
 Senate Bill No. 337

And find the same correctly Engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

#### MESSAGES FROM THE HOUSE

House Chamber  
 Bismarck, February 7, 1967

Mr. President: I have the honor to return:

Senate Concurrent Resolution "GG"

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk  
 House Chamber

Bismarck, February 7, 1967

Mr. President: I have the honor to transmit:

House Bill No. 676  
 House Bill No. 681  
 House Bill No. 701  
 House Bill No. 714  
 House Bill No. 720  
 House Bill No. 722  
 House Bill No. 723  
 House Bill No. 727  
 House Bill No. 728  
 House Bill No. 744  
 House Bill No. 745  
 House Bill No. 747  
 House Bill No. 760  
 House Bill No. 783  
 House Bill No. 786  
 House Bill No. 795  
 House Bill No. 805  
 House Bill No. 809  
 House Bill No. 826  
 House Bill No. 840  
 House Bill No. 848  
 House Bill No. 882  
 House Bill No. 929

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

#### CONSIDERATION OF AMENDMENTS

Senator Lips moved that the rules be suspended and that the reading of the amendments to Senate Bills Nos. 9, 164, 313, and 363, be dispensed with, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 9 as recommended by the Committee on Appropriations, and printed on page 342 of the Senate Journal, be adopted, which motion prevailed.

Senator Ringsak moved that the amendments to Senate Bill No. 164 as recommended by the Committee on State and Federal Government, and printed on pages 342 and 343 of the Senate Journal, be adopted, which motion prevailed.

Senator Ringsak moved that the amendments to Senate Bill No. 313 as recommended by the Committee on State and Federal Government, and printed on pages 343 of the Senate Journal, be adopted, which motion prevailed.

Senator Ringsak moved that the amendments to Senate Bill No. 363 as recommended by the Committee on State and Federal Government, and printed on page 343 of the Senate Journal, be adopted, which motion prevailed.

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Chesrown moved that the Senate do concur in the House amendments to Senate Bill No. 85, which motion prevailed.

Senator Chesrown moved that the rules be suspended and that Senate Bill No. 85 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

#### SECOND READING OF A SENATE BILL

**Senate Bill No. 85.** For an Act to amend and reenact section 16-13-11 of the North Dakota Century Code, relating to the keeping of ballots by the county judge.

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:

Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nothing	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite

Absent and not voting:

Roen.

So the bill passed and the title was agreed to.

#### MOTION

Senator Sorlie moved that House Bill No. 607 be placed at the head of the calendar, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 607.** A Bill for an Act making an appropriation for the department of labor for salaries and wages, fees and services, and supplies and materials for the period beginning January 1, 1967, and ending June 30, 1967, and declaring an emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nothing	Torgerson

Freed	Larson, L.	Pyle	Trembeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite

Absent and not voting:  
Roen

So the bill passed and the title was agreed to, and the emergency clause carried.

Senator Sorlie moved that the vote by which House Bill No. 607 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

**House Bill No. 575.** A Bill for an Act to amend and reenact sections 4-02-06, 4-02-21, 4-06-01, 4-06-02, 4-06-10, 4-06-11, 4-13-01, 4-13-04, 4-22-03, 4-23-13, 4-27-04, 23-22-02, 53-01-02, 54-16-01, 54-17-02, 54-21-02, 54-36-01, 55-01-01, 57-13-01, and 61-02-04 of the North Dakota Century Code, changing the name of the office of commissioner of agriculture and labor to commissioner of agriculture and removing him from the state historical society board.

Was 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:

Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Sorlie
Christensen	Kelly, E.	Morgan	Stafne
Coughlin	Kelly, M.	Mutch	Stroup
Decker	Larsen, R.	Nasset	Torgerson
Forkner	Larson, G.	Nething	Trembeath
Freed	Larson, L.	Pyle	Wenstrom
Geving	Lips	Rait	Wilhite
Goldberg	Litten	Redlin	

Absent and not voting:  
Roen

Schultz

So the bill passed and the title was agreed to.

**House Bill No. 592.** A Bill for an Act to repeal section 21-04-20 of the North Dakota Century Code, relating to reports of the state treasurer.

Was 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:

Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nething	Torgerson
Freed	Larson, L.	Pyle	Trembeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite

Absent and not voting:

Roen

So the bill passed and the title was agreed to.

**SECOND READING OF  
SENATE CONCURRENT RESOLUTIONS**

**Senate Concurrent Resolution "R".** A Concurrent Resolution endorsing the establishment by the President of the Red-Souris-Rainy River Basins Commission, authorizing appointment of the state member thereof and fixing his compensation, and pledging state support thereto.

Was read the second time.

Senator Meschke moved that Senate Concurrent Resolution "R" be amended as follows:

In line 99 of the Bill delete the word "authorize" and insert in lieu thereof the words "concur in"

In line 100 delete the comma and word "and" insert in lieu thereof a semicolon

Delete all of line 101 and 102

Renumber the lines accordingly

Which motion prevailed.

Senator Meschke moved that the rules be suspended, that Senate Concurrent Resolution "R" be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

Senator Meschke moved that Senate Concurrent Resolution "R" be adopted, which motion prevailed.

**Senate Concurrent Resolution "S".** A Concurrent Resolution endorsing the establishment by the President of the Missouri River Basin Commission, authorizing appointment of the state member thereof and fixing his compensation, and pledging state support thereto.

Was read the second time.

Senator Meschke moved that Senate Concurrent Resolution "S" be amended as follows:

In line 100 of the bill delete the word "authorize" and insert in lieu thereof the words "concur in"

In line 102 delete the comma and the words "and to receive such compensation from" and insert in lieu thereof a semicolon

Delete all of line 103

Renumber the lines accordingly

Which motion prevailed.

Senator Meschke moved that the rules be suspended, that Senate Concurrent Resolution "S" be deemed properly engrossed, placed on second reading and final passage, as amended from the floor, which motion prevailed.

Senator Meschke moved that Senate Concurrent Resolution "S" be adopted, which motion prevailed.

**SECOND READING OF A  
HOUSE CONCURRENT RESOLUTION**

**House Concurrent Resolution "B".** A concurrent resolution urging the Bureau of Outdoor Recreation and the North Dakota congressional delegation to advocate for the inclusion of provisions within the Land, Water, and Conservation Fund Act which would make possible the construction of weather-protective buildings specifically equipped to provide year-around indoor recreation activities free from uncertain weather conditions.

Was read the second time.



Senator Ringsak moved that House Concurrent Resolution "B" be adopted, which motion prevailed.

SECOND READING OF  
SENATE CONCURRENT RESOLUTIONS

**Senate Concurrent Resolution "J".** A Concurrent Resolution for the amendment of section 148 of the Constitution of the state of North Dakota, relating to a uniform system of free public schools.

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, 48; nays, 0; absent and not noting, 1.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nothing	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite

Absent and not voting:

Roen

So the resolution was declared adopted.

**Senate Concurrent Resolution "Q".** 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 in programs which the state determines needs additional money.

Was read the second time.

Senator Decker moved that Senate Concurrent Resolution "Q" be re-referred to the Committee on State and Federal Government, which motion prevailed.

SECOND READING OF SENATE BILLS

**Senate Bill No. 33.** For an Act to create and enact chapter 54-23 of the North Dakota Century Code, establishing a department of natural resources and conservation through the integration of the state water conservation commission, state game and fish department, state outdoor recreation agency, North Dakota park service, state forester, and soil conservation committee, providing for the department's operation, personnel, powers, and duties, and establishing divisions of such department with existing agencies, and to create section 61-02-01.1 of the North Dakota Century Code, limiting the authority of the state water conservation commission, and to amend and reenact sections 4-22-03, 4-22-05, 4-22-06, 20-02-01, 20-02-04, 20-02-05, 20-02-23, 53-07-01, 53-07-03, 55-08-01, 55-08-03, 61-02-05, 61-02-13, 61-02-14, 61-02-23, 61-02-28, 61-02-30, 61-02-64.1, 61-03-01, and 61-03-13 of the North Dakota Century Code, relating to the personnel, powers, and duties of the soil conservation committee, game and fish department, outdoor recreation agency, North Dakota park service, and water conservation commission, and placing these agencies in the department of natural resources and conservation, and repealing section 61-03-14 of the North Dakota Century Code, relating to modification of rules by the state water conservation commission.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 26; nays, 22; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Geving	Larson, L.	Morgan
Berube	Holand	Lips	Nasset
Chesrown	Kautzmann	Longmire	Nothing
Christensen	Kelly, E.	Lowe	Rait
Coughlin	Kelly, M.	Luick	Ringsak
Decker	Larsen, R.	Meschke	Wilhite
Freed	Larson, G.		

Those voting in the negative were:

Becker	Jacobson	Robinson	Stafne
Butler	Litten	Ruemmele	Stroup
Forkner	Melland	Sands	Torgerson
Goldberg	Mutch	Schultz	Trenbeath
Hernett	Pyle	Sorlie	Wenstrom
Hofstrand	Redlin		

Absent and not voting:

Roen

So the bill was declared lost for lack of a two-thirds majority.

**Senate Bill No. 8.** 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 second time.

Senator Melland moved that Senate Bill No. 8 be laid over one legislative day, which motion prevailed.

**Senate Bill No. 153.** A Bill for an Act to provide for a native woodland tax, prescribing the land that may be subject to such tax, prescribing the duties of the state forester and local assessor, providing for the rate and manner of collection of said tax, the conditions for eligibility under the native woodland tax, declassification orders, and hearings and appeals from orders of the state forester

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 7; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Ruemmele
Becker	Holand	Luick	Sands
Berube	Jacobson	Melland	Schultz
Butler	Kautzmann	Meschke	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nothing	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Robinson	Wilhite
Hernett			

Those voting in the negative were:

Chesrown	Kelly, E.	Morgan	Ringsak
Coughlin	Lips	Mutch	

Absent and not voting:

Roen

So the bill passed and the title was agreed to.

**Senate Bill No. 181.** For an Act relating to the regulation of pre-need funeral service contracts, providing penalties, and to amend and reenact section 23-06-03.1 of the North Dakota Century Code,

relating to deposit, safekeeping, and withdrawal of payments upon pre-need funeral service contracts.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 3; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Ruemmele
Berube	Jacobson	Melland	Sands
Butler	Kautzmann	Meschke	Schultz
Chesrown	Kelly, M.	Morgan	Sorlie
Christensen	Larsen, R.	Nasset	Stafne
Coughlin	Larson, G.	Nothing	Stroup
Decker	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Willhite
Hernett			

Those voting in the negative were:

Forkner	Kelly, E.	Mutch
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Absent and not voting:

Roen

So the bill passed and the title was agreed to.

**Senate Bill No. 215.** A Bill for an Act to amend and reenact subsection 4 of section 39-03-09 of the North Dakota Century Code, relating to the powers of the highway patrol, and to repeal section 39-03-10 of the North Dakota Century Code, relating to the inspection of motor vehicles by the highway patrol.

Was 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, 9; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hernett	Lips	Ringsak
Becker	Hofstrand	Litten	Ruemmele
Berube	Holand	Longmire	Schultz
Butler	Jacobson	Lowe	Stafne
Chesrown	Kautzmann	Luick	Stroup
Coughlin	Kelly, E.	Melland	Torgerson
Decker	Kelly, M.	Morgan	Trenbeath
Forkner	Larsen, R.	Nasset	Wenstrom
Geving	Larson, G.	Pyle	Willhite
Goldberg	Larson, L.	Rait	

Those voting in the negative were:

Christensen	Mutch	Redlin	Sands
Freed	Nothing	Robinson	Sorlie

Meschke

Absent and not voting:

Roen

So the bill passed and the title was agreed to.

#### REPORTS OF STANDING COMMITTEES

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 be indefinitely postponed.

SENATOR SORLIE, Chairman

Senator Litten 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. 118 has had the same under consideration and a majority recommends that the same do pass.

For the majority:

Senator Sands  
 Senator Holand  
 Senator Mutch  
 Senator Jacobson  
 Senator Morgan  
 Senator Ringsak

SENATOR RINGSAK, Chairman

Senator Ringsak moved that the report be adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 118 has had the same under consideration and a minority recommends that the same be indefinitely postponed.

For the minority:

Senator Forkner  
 Senator Goldberg  
 Senator Stroup  
 Senator Freed  
 Senator Meschke

SENATOR RINGSAK, Chairman

Senator Forkner moved that the report of the minority be substituted for that of the majority.

Senator Hofstrand requested a recorded vote, which request was granted.

#### ROLL CALL

The question being on the motion of Senator Forkner the roll was called and there were ayes, 24; nays, 24; absent and not voting, 1.

Those voting in the affirmative were:

Butler	Goldberg	Litten	Rait
Chesrown	Hernett	Luick	Ruemmele
Christensen	Kautzmann	Melland	Sorlie
Coughlin	Kelly, E.	Meschke	Stafne
Forkner	Larson, G.	Nasset	Stroup
Freed	Lips	Nething	Trenbeath

Those voting in the negative were:

Beck	Holand	Lowe	Robinson
Becker	Jacobson	Morgan	Sands
Berube	Kelly, M.	Mutch	Schultz
Decker	Larsen, R.	Pyle	Torgerson
Geving	Larson, L.	Redlin	Wenstrom
Hofstrand	Longmire	Ringsak	Wilhite

Absent and not voting:  
 Roen

The President voted aye.

So the motion was declared carried.

Senator Nething moved that the vote by which the motion of Senator Forkner was carried be reconsidered and the motion to reconsider be laid on the table.

Which motion lost.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 201 has had the same under consideration and recommends that the same be amended as follows:

In line 11 after the word "treasurer" delete ", as an agent of the state,"

In line 18 after the comma insert the following: "send a duplicate of the receipt to the county auditor,"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak 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 indefinitely postponed.

SENATOR RINGSAK, Chairman

Senator Ringsak 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. 257 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSAK, Chairman

Senator Ringsak 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. 324 has had the same under consideration and recommends that the same be amended as follows:

In line 16 after the word "law" insert "for the benefit of the fund" and following the period insert "Any gifts received in the form of certificates of deposit shall remain in such form and with the issuing bank until needed by the board of administration for building purposes."

In line 17 delete the word "two" and insert in lieu thereof the word "one"

Renumber the lines accordingly

And when so amended recommends the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak 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. 327 has had the same under consideration and recommends that the same be amended as follows:

In line 54 after the word "other" delete the word "state"

In line 101 after the word "paid" delete "as requested"

In line 103 after the word "operational" insert a period

In line 104 delete "in twenty-five counties or more."

At the end of line 115 add the following new section:

"SECTION 8. PAYMENT - OTHER LAW ENFORCEMENT AGENCIES.) Other law enforcement agencies may participate in the law enforcement teletypewriter service upon payment for their portion of this service at actual cost."

In line 116 delete the figure "8" and insert in lieu thereof "9"

Renumber the lines and sections accordingly

And when so amended recommends the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 338 has had the same under consideration and recommend that the same do pass.

SENATOR ROEN, Chairman

Senator Roen 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. 356 has had the same under consideration and recommends that the same be amended as follows:

At the end of line 72 add the following new subsection:

"8. Signs calling attention to the location of buried utility lines."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak 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. 373 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSAK, Chairman

Senator Ringsak 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. 375 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSAK, Chairman

Senator Ringsak moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Concurrent Resolution "AA" has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

## SECOND READING OF SENATE BILLS

Senate Bill No. 236. A Bill for an Act authorizing the governor to contract and to do other things necessary in behalf of this state to secure the full benefits available to this state under the federal highway safety act of 1966, 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:

Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Sorlie
Christensen	Kelly, E.	Morgan	Stafne
Coughlin	Kelly, M.	Mutch	Stroup
Decker	Larsen, R.	Nasset	Torgerson
Forkner	Larson, G.	Nothing	Trenbeath

Freed	Larson, L.	Pyle	Wenstrom
Geving	Lips	Rait	Wilhite
Goldberg	Litten	Redlin	
Absent and not voting:			
Roen	Schultz		

So the bill passed and the title was agreed to and the emergency clause carried.

**Senate Bill No. 267.** A Bill for an Act to amend and reenact subsection 3 of section 49-18-02 of the North Dakota Century Code, relating to exemptions to farmers and associations of farmers hauling their own goods and providing for a clarification of those exempted.

Was 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:			
Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Sorlie
Christensen	Kelly, E.	Morgan	Stafne
Coughlin	Kelly, M.	Mutch	Stroup
Decker	Larsen, R.	Nasset	Torgerson
Forkner	Larson, G.	Nething	Trenbeath
Freed	Larson, L.	Pyle	Wenstrom
Geving	Lips	Rait	Wilhite
Goldberg	Litten	Redlin	

Absent and not voting:  
Roen Schultz

So the bill passed and the title was agreed to.

**Senate Bill No. 268.** A Bill for an Act to create and enact sections 49-18-34.1, 49-18-38.1, 49-18-38.2 and 49-18-38.3 of the North Dakota Century Code, providing for regulation of agricultural carriers by the public service commission, and requiring hearings on applications for agricultural carrier permits, and providing for factors to be considered in issuing agricultural carrier permits, and providing for the suspension, revocation and abandonment of agricultural carrier permits, and to amend and reenact subsection 4 of section 49-18-01, sections 49-18-35, 49-18-36 and 49-18-38 of the North Dakota Century Code relating to the definition of an agricultural carrier, and clarifying those required to have agricultural carrier permits, and relating to the fee for agricultural carrier permits, and relating to the form of application for agricultural carrier permits and providing for temporary agricultural carrier permits.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 4; absent and not voting, 3.

Those voting in the affirmative were:			
Becker	Holand	Longmire	Redlin
Berube	Jacobson	Lowe	Ringsak
Bulter	Kautzmann	Luick	Robinson
Chesrown	Kelly, E.	Melland	Ruemmele
Christensen	Kelly, M.	Meschke	Sands
Decker	Larsen, R.	Morgan	Stafne
Forkner	Larson, G.	Mutch	Stroup
Freed		Nasset	Torgerson

Geving	Larson, L.	Nething	Wenstrom
Goldberg	Lips	Pyle	Wilhite
Hernett	Litten	Rait	

Those voting in the negative were:

Beck	Schultz	Sorlie	Trenbeath
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Absent and not voting:

Coughlin	Hofstrand	Roen
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So the bill passed and the title was agreed to.

**Senate Bill No. 276.** A Bill for an Act to amend and reenact sections 57-38-31 and 57-38-32 of the North Dakota Century Code, relating to the duty of individuals and corporations to make return.

Was 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:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Ruemmele
Berube	Jacobson	Melland	Sands
Bulter	Kautzmann	Meschke	Schultz
Chesrown	Kelly, E.	Morgan	Sorlie
Christensen	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nething	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	

Absent and not voting:

Coughlin	Roen
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So the bill passed and the title was agreed to.

**Senate Bill No. 289.** A Bill for an Act to provide for the marking of Highway Patrol motor vehicles.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 33; nays, 15; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hofstrand	Longmire	Robinson
Becker	Jacobson	Lowe	Roen
Chesrown	Kautzmann	Luick	Schultz
Coughlin	Kelly, E.	Morgan	Sorlie
Decker	Kelly, M.	Nasset	Stafne
Forkner	Larson, G.	Nething	Torgerson
Freed	Lips	Pyle	Trenbeath
Geving	Litten	Ringsak	Wenstrom
Hernett			

Those voting in the negative were:

Berube	Holand	Mutch	Sands
Butler	Larson, L.	Rait	Stroup
Christensen	Melland	Redlin	Wilhite
Goldberg	Meschke	Ruemmele	

Absent and not voting:

Larsen, R.
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So the bill passed and the title was agreed to.

**Senate Bill No. 300.** A Bill for an Act to amend and reenact section 19-01-08 of the North Dakota Century Code, relating to the state laboratories vouchers.

Was 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:

Beck	Hernett	Lowe	Robinson
Becker	Hofstrand	Luick	Roen
Berube	Holand	Melland	Ruemmele
Butler	Jacobson	Meschke	Sands
Chesrown	Kautzmann	Morgan	Schultz
Christensen	Kelly, E.	Mutch	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite

Absent and not voting:

Larsen, R.

So the bill passed and the title was agreed to.

**Senate Bill No. 306.** A Bill for an Act to provide for distress signals for handicapped drivers, and providing a penalty.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Robinson
Becker	Hofstrand	Luick	Roen
Berube	Holand	Melland	Ruemmele
Butler	Jacobson	Meschke	Sands
Chesrown	Kautzmann	Morgan	Schultz
Christensen	Kelly, E.	Mutch	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite

Absent and not voting:

Larsen, R.

So the bill passed and the title was agreed to.

**Senate Bill No. 310.** A Bill for an Act to amend and reenact section 57-38-42 of the North Dakota Century Code, relating to information and partnership returns.

Was 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:

Beck	Hernett	Lowe	Roen
Becker	Hofstrand	Luick	Ruemmele
Berube	Holand	Melland	Sands
Butler	Jacobson	Meschke	Schultz
Chesrown	Kautzmann	Morgan	Sorlie
Christensen	Kelly, E.	Mutch	Stafne
Coughlin	Kelly, M.	Nothing	Stroup
Decker	Larson, G.	Pyle	Torgerson
Forkner	Larson, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Ringsak	Wilhite

Goldberg Longmire Robinson

Absent and not voting:

Larsen, R. Nasset

So the bill passed and the title was agreed to.

**Senate Bill No. 315.** A Bill for an Act to amend and reenact subsection 4 of section 38-08-11 of the North Dakota Century Code, relating to publication of notices by the industrial commission.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 6; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Holand	Luick	Roen
Becker	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Morgan	Sands
Chesrown	Kelly, E.	Mutch	Schultz
Coughlin	Kelly, M.	Nasset	Sorlie
Forkner	Larson, G.	Nothing	Stafne
Freed	Lips	Pyle	Stroup
Geving	Litten	Redlin	Torgerson
Goldberg	Longmire	Ringsak	Wenstrom
Hernett	Lowe	Robinson	Wilhite
Hofstrand			

Those voting in the negative were:

Berube	Decker	Meschke	Rait
Christensen	Larson, L.		

Absent and not voting:

Larsen, R. Trenbeath

So the bill passed and the title was agreed to.

**Senate Bill No. 320.** A Bill for an Act to amend and reenact section 54-44.1-08 of the North Dakota Century Code, relating to the printing of the budget report.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Robinson
Becker	Hofstrand	Luick	Roen
Berube	Holand	Melland	Ruemmele
Butler	Jacobson	Meschke	Sands
Chesrown	Kautzmann	Morgan	Schultz
Christensen	Kelly, E.	Mutch	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite

Absent and not voting:

Larsen, R.

So the bill passed and the title was agreed to.

**Senate Bill No. 326.** A Bill for and Act relating to access and use of public accommodations, common carriers, and places in which the public is generally invited, by a totally or partially blind person accompanied by such person's guide dog; public employment of handicapped, and providing a penalty.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Robinson
Becker	Hofstrand	Luick	Roen
Berube	Holand	Melland	Ruemmele
Butler	Jacobson	Meschke	Sands
Chesrown	Kautzmann	Morgan	Schultz
Christensen	Kelly, E.	Mutch	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite

Absent and not voting:

Larsen, R.

So the bill passed and the title was agreed to.

**Senate Bill No. 330.** A Bill for an Act to repeal section 5-03-26 of the 1963 Supplement to the North Dakota Century Code, providing for an excise tax on nonalcoholic commodities suitable for use in mixed drinks.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hofstrand	Luick	Roen
Berube	Holand	Melland	Ruemmele
Becker	Jacobson	Meschke	Sands
Bulter	Kautzmann	Morgan	Schultz
Chesrown	Kelly, E.	Mutch	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larson, G.	Nothing	Stroup
Decker	Larson, L.	Pyle	Torgerson
Forkner	Lips	Rait	Trenbeath
Freed	Litten	Redlin	Wenstrom
Goldberg	Longmire	Robinson	Wilhite
Hernett	Lowe		

Those voting in the negative were:

Geving Ringsak

Absent and not voting:

Larsen, R.

So the bill passed and the title was agreed to.

**Senate Bill No. 347.** A Bill for an Act to repeal section 57-38-36 of the North Dakota Century Code relating to the payment of income tax in quarterly installments.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 11; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hofstrand	Luick	Robinson
Becker	Holand	Melland	Roen
Berube	Jacobson	Meschke	Ruemmele
Chesrown	Kautzmann	Morgan	Sorlie
Christensen	Kelly, E.	Nasset	Stroup
Decker	Kelly, M.	Nothing	Torgerson

Forkner	Larson, L.	Pyle	Trenbeath
Freed	Longmire	Rait	Wenstrom
Geving	Lowe	Ringsak	Wilhite
Hernett			

Those voting in the negative were:

Bulter	Larson, G.	Mutch	Schultz
Coughlin	Lips	Redlin	Stafne
Goldberg	Litten	Sands	

Absent and not voting:  
Larsen, R.

So the bill passed and the title was agreed to.

**Senate Bill No. 371.** A Bill for an Act repealing Section 12-55-32 of the North Dakota Century Code requiring communications regarding actions of pardon board.

Was 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:

Beck	Hernett	Lowe	Robinson
Becker	Hofstrand	Luick	Roen
Berube	Holand	Melland	Ruemmele
Bulter	Jacobson	Meschke	Sands
Chesrown	Kautzmann	Morgan	Schultz
Christensen	Kelly, E.	Mutch	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite

Absent and not voting:  
Larsen, R.

So the bill passed and the title was agreed to.

**Senate Bill No. 391.** A Bill for an Act to amend and reenact sections 57-38-35, 57-38-39 and 57-38-45 of the North Dakota Century Code, relating to income tax interest and penalties and to repeal section 57-38-43 of the North Dakota Century Code.

Was 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:

Becker	Hernett	Larson, L.	Nothing
Berube	Hofstrand	Lips	Pyle
Bulter	Holand	Litten	Rait
Chesrown	Jacobson	Longmire	Roen
Christensen	Kautzmann	Lowe	Stafne
Coughlin	Kelly, M.	Luick	Torgerson
Decker	Larsen, R.	Melland	Wenstrom
Goldberg	Larson, G.	Meschke	Wilhite

Those voting in the negative were:

Beck	Morgan	Ringsak	Schultz
Forkner	Mutch	Robinson	Sorlie
Freed	Nasset	Ruemmele	Stroup
Geving	Redlin	Sands	Trenbeath
Kelly, E.			

So the bill passed and the title was agreed to.

**Senate Bill No. 20.** For an Act making an appropriation for the

salaries and miscellaneous expenses of the division of supervised correspondence study.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 301 of the Senate Journal, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

So the bill passed and the title was agreed to.

**Senate Bill No. 374.** A Bill for an Act to amend and reenact section 39-17-07 of the 1965 Supplement to the North Dakota Century Code, relating to limitation on the amount payable from the Unsatisfied Judgment Fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 301 of the Senate Journal, the roll was called and there were ayes, 43; nays, 5; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Roen
Becker	Holand	Luick	Ruemmele
Berube	Jacobson	Melland	Schultz
Butler	Kautzmann	Meschke	Sorlie
Chesrown	Kelly, E.	Morgan	Stafne
Christensen	Kelly, M.	Nasset	Stroup
Forkner	Larson, G.	Nothing	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Hernett	Longmire	Robinson	

Those voting in the negative were:

Coughlin	Mutch	Redlin	Sands
Decker			

Absent and not voting:

Larsen, R.

So the bill passed and the title was agreed to.

**Senate Bill No. 14.** For an Act making an appropriation for the operation and maintenance of the State Hail Insurance Department.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 26; nays, 23; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Holand	Longmire	Rait
Becker	Kautzmann	Lowe	Ringsak
Berube	Kelly, M.	Luick	Ruemmele

Chesrown	Larson, G.	Melland	Sorlie
Christensen	Larson, L.	Meschke	Stroup
Freed	Lips	Morgan	Wenstrom
Geving	Litten		

Those voting in the negative were:

Butler	Hofstrand	Nothing	Schultz
Coughlin	Jacobson	Pyle	Stafne
Decker	Kelly, E.	Redlin	Torgerson
Forkner	Larsen, R.	Robinson	Trenbeath
Goldberg	Mutch	Roen	Willhite
Hernett	Nasset	Sands	

So the bill passed and the title was agreed to.

**Senate Bill No. 63.** For an Act relating to the observance of Sunday as a day of rest, to provide exceptions thereto, to provide for injunctive relief and penalties for violations thereof, and to amend and reenact section 40-05-03 of the North Dakota Century Code, relating to the regulation and inspection of food markets in cities having a population over fifteen thousand, and to repeal sections 12-21-14, 12-21-15, 12-21-16, 12-21-17, 12-21-20, 12-21-21, and 12-21-22 of the North Dakota Century Code, relating to Sunday closing laws.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 316 of the Senate Journal, the roll was called and there were ayes, 31; nays, 18; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lips	Sands
Berube	Holand	Longmire	Sorlie
Chesrown	Jacobson	Luick	Stroup
Christensen	Kautzmann	Melland	Torgerson
Coughlin	Kelly, M.	Meschke	Trenbeath
Decker	Larsen, R.	Nothing	Wenstrom
Freed	Larson, G.	Rait	Willhite
Hernett	Larson, L.	Ruemmele	

Those voting in the negative were:

Becker	Kelly, E.	Nasset	Robinson
Butler	Litten	Pyle	Roen
Forkner	Low	Redlin	Schultz
Geving	Morgan	Ringsak	Stafne
Goldberg	Mutch		

So the bill was declared lost for lack of a two-thirds majority.

**Senate Bill No. 157.** For an Act to maintain or obtain reasonable levels of air quality consistent with the protection of health, and the prevention of injury to plant, animal life and property; to promote the economic and social development of the state; to provide for the comfortable enjoyment of the natural attractions of the state to the greatest extent practical; to establish a statewide program of air pollution prevention, abatement and control; and to coordinate the activities of local and regional air pollution control programs within the state; and creating an Air Pollution Control Advisory Council.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 317 of the Senate Journal, the roll was called and there were ayes, 43; nays, 6; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Jacobson	Luick	Roen
Becker	Kautzmann	Melland	Ruemmele
Berube	Kelly, E.	Meschke	Schultz

Chesrown	Kelly, M.	Morgan	Sorlie
Christensen	Larsen, R.	Nasset	Stafne
Coughlin	Larson, G.	Nething	Stroup
Decker	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Hernett	Litten	Redlin	Wenstrom
Hofstrand	Longmire	Ringsak	Wilhite
Holand	Lowe	Robinson	

Those voting in the negative were:

Butler	Freed	Mutch	Sands
Forkner	Goldberg		

So the bill passed and the title was agreed to.

#### MOTIONS

Senator Forkner moved that the Senate reconsider the vote by which the report of the minority was adopted on Senate Bill No. 118, which motion was declared lost.

Senator Torgerson requested that his vote be changed from nay to aye, which request was ruled out of order.

Senator Ringsak challenged the ruling of the chair on the motion to reconsider.

Senator Longmire requested a recorded vote, which request was granted.

#### ROLL CALL

The question being on whether the Chair shall be sustained in his ruling, the roll was called and there were ayes, 21; nays, 28; absent and not voting, 0.

Those voting in the affirmative were:

Becker	Kelly, M.	Morgan	Roen
Decker	Larsen, R.	Mutch	Sands
Freed	Larson, L.	Pyle	Schultz
Geving	Longmire	Redlin	Torgerson
Hofstrand	Lowe	Ringsak	Wenstrom
Holand			

Those voting in the negative were:

Beck	Goldberg	Litten	Robinson
Berube	Hernett	Luick	Ruemmele
Butler	Jacobson	Melland	Sorlie
Chesrown	Kautzmann	Meschke	Stafne
Christensen	Kelly, E.	Nasset	Stroup
Coughlin	Larson, G.	Nething	Trenbeath
Forkner	Lips	Rait	Wilhite

So the Chair was sustained.

#### FIRST READING OF HOUSE BILLS

**House Bill No. 503.** For an Act making an appropriation out of the state highway fund in 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.

**House Bill No. 534.** For an Act to create and enact sections 25-04-05.1 and 25-04-13 of the North Dakota Century Code, providing for the transfer, visiting, release, placement, and guardianship of mentally deficient persons, and to amend and reenact subsection 3 of section 12-02-01, section 14-03-07, subsection 3 of section 14-03-17, section 15-34-02, subsections 4, 5, and 6 of section 15-34-03, section 15-34-07, subdivision b of subsection 1 of section 15-39-01, subdivision i of subsection 2 of section 15-39-01, sections 15-47-13, 15-47-26, subsections 2, 3, and 5 of section 25-01-01, sections 25-04-01, 25-04-02, 25-04-04, 25-04-05, 25-04-06, 25-04-07, 25-04-08, 25-04-08.1, 25-04-11, subsection 4 of section 27-16-08, sections 29-20-01, 29-20-02,

subsection 4 of section 54-01-19, and subsection 14 of section 54-21-13 of the North Dakota Century Code, relating to terminology of laws pertaining to the mentally deficient, admission of mentally deficient persons to a state institution, cost agreements, custody of minors who are mentally deficient, mentally deficient defendants, discharge of mentally deficient persons, nonresident mentally deficient persons, and examination of defendants appearing to be mentally deficient.

Was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 678.** A Bill for an Act to amend and reenact section 6-05-15.1 of the 1965 Supplement to the North Dakota Century Code, regarding commingling of trust funds.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 679.** A Bill for an Act restricting the establishment of junkyards within one thousand feet of the nearest edge of the right of way on the state highway system and for the screening of any and all junkyards which are allowed to remain in existence with the approval of the highway commissioner, and for the removal of such junkyards when in the judgment of the highway commissioner the intent of this Act is not subverted and authority for the commissioner to acquire by gift, purchase, exchange or condemnation lands used for junkyards, and declaring an emergency.

Was read the first time and referred to the Committee on Transportation.

**House Bill No. 685.** A Bill for an Act to amend and reenact section 62-03-01 of the North Dakota Century Code, relating to prohibition against carrying concealed weapons or firearms.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 699.** A Bill for an Act relating to district health units acquiring and disposing of real and personal property and providing for disposition of same upon dissolution.

Was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

**House Bill No. 702.** A Bill for an Act to amend and reenact section 39-21-40 of the 1965 Supplement to the North Dakota Century Code relating to restrictions as to tire equipment.

Was read the first time and referred to the Committee on Transportation.

**House Bill No. 705.** A Bill for an Act to amend and reenact subsection 3 of section 41-02-75, subdivision f of subsection 4 of section 41-03-34, subdivision b of subsection 2 of section 41-04-33, and subsection 2 of section 41-09-16 of the North Dakota Century Code, relating to corresponding provisions of the North Dakota Uniform Commercial Code with those of the Uniform Commercial Code.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 708.** A Bill for an Act to repeal section 27-09-04 of the North Dakota Century Code, relating to when female persons shall be excused from jury service.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 839.** A Bill for an Act to amend and reenact section 50-26-01 of the 1965 supplement to the North Dakota Century Code relating to committees of the council on human resources;



and amend and reenact section 50-26-04 of the 1965 supplement to the North Dakota Century Code relating to the executive committee of the council on human resources.

Was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

**House Bill No. 869.** A Bill for an Act authorizing any political subdivision, at its option, to procure liability and casualty insurance protecting the political subdivision or the employees thereof against claims or loss arising out of the operation of an airport; and providing for waiver of governmental immunity in the event such insurance is purchased.

Was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 875.** A Bill for an Act to amend and reenact section 1 of house bill number 543 of the fortieth legislative assembly of the state of North Dakota, relating to the form of enrolled bills.

Was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 886.** A Bill for an Act to amend and reenact Section 57-15-44 of the North Dakota Century Code relating to the city tax levy for acquiring real estate for public buildings, and repealing Sections 57-15-45 and 57-15-46 of the North Dakota Century Code.

Was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 889.** A Bill for an Act to amend and reenact Section 54-02-07 of the North Dakota Century Code providing for the Theodore Roosevelt Rough Rider Awards.

Was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 909.** A Bill for an Act to require persons, corporations, associations, or organizations 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 Political Subdivisions.

**House Bill No. 676.** A Bill for an Act to amend and reenact sections 65-05-01, 65-05-07, 65-05-08, 65-05-10, 65-05-13, 65-05-14, 65-05-17, and 65-05-26 of the North Dakota Century Code, relating to filing compensation claims, medical attention to injured employees, disability compensation, partial disability, scheduled injuries, permanent partial injuries, weekly compensation in death claims, and bureau burial expenses.

Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 681.** A Bill for an Act to amend and reenact section 57-37-24 of the North Dakota Century Code, relating to the distribution of estate taxes.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 701.** A Bill for an Act to amend and reenact section 39-04-44 of the North Dakota Century Code, relating to credits on destroyed vehicles.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 714.** A Bill for an Act to amend and reenact

sections 26-24-08 and 26-24-09 of the North Dakota Century Code, relating to insurance on public buildings.

Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 720.** A Bill for an Act to amend and reenact sections 12-44-33 and 40-18-12 of the North Dakota Century Code, relating to the performance of hard labor by convicts and the discounting of fines and judgments because of such hard labor.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 722.** A Bill for an Act providing for the annexation and exclusion of unincorporated areas by municipal corporations, and repealing chapter 40-51 of the North Dakota Century Code.

Was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 723.** A Bill for an Act to amend and reenact section 40-55-09 of the North Dakota Century Code relating to the tax levy limitation for a public recreation system.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 727.** A Bill for an Act to create and enact subsection 23 of section 57-02-08 and section 57-20-09.1 of the North Dakota Century Code, relating to items of personal property exempt from taxation and providing discounts of twenty percent of personal property taxes upon personal property not assessed by the state board of equalization, and to amend and reenact section 57-02-04 of the North Dakota Century Code, relating to the definition of real property, allocating moneys to counties and their political subdivisions, making an appropriation, providing an effective date, and to repeal sections 18-03-09, 37-01-27, subsections 9, 10, and 11 of section 57-02-05 and section 57-15-23 of the North Dakota Century Code, relating to the definition of personal property and imposition of the per capita school tax and exemptions thereto.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 728.** A Bill for an Act providing for the creation of a special commission on personal property taxes for the purpose of developing and presenting to the forty-first legislative assembly a program for the complete elimination of remaining personal property taxes, making an appropriation, and declaring an emergency.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 744.** A Bill for an Act to amend and reenact section 20-06-07 of the North Dakota Century Code, relating to methods of taking fish.

Was read the first time and referred to the Committee on Natural Resources.

**House Bill No. 745.** A Bill for an Act providing an appropriation for the construction of a dormitory building and for an administration building at the International Peace Garden Music Camp, and declaring an emergency.

Was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 747.** A Bill for an Act to amend and reenact section 65-05-09 of the North Dakota Century Code, relating to total disability; weekly and aggregate compensation.

Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 760.** A Bill for an Act to amend and reenact section 20-04-09 of the North Dakota Century Code, relating to when bird dogs may not be trained or permitted to run loose.

Was read the first time and referred to the Committee on Natural Resources.

**House Bill No. 783.** A Bill for an Act to amend and reenact subsection 9 of section 52-06-02 of the North Dakota Century Code relating to receipt of military retirement payments as a disqualification for unemployment compensation benefits.

Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 786.** A Bill for an Act to amend and reenact section 20-11-13 of the North Dakota Century Code, relating to state's consent to United States' acquisition of areas for migratory bird reservations.

Was read the first time and referred to the Committee on Natural Resources.

**House Bill No. 795.** A Bill for an Act to amend and reenact section 15-27-06 of the North Dakota Century Code, relating to limitations on power to detach and attach territory.

Was read the first time and referred to the Committee on Education.

**House Bill No. 805.** A Bill for an Act to amend and reenact subsection 2 of section 6-08-16 of the 1965 Supplement to the North Dakota Century Code, relating to issuing checks or drafts without sufficient funds or credit.

Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 809.** A Bill for an Act to create and enact subsection 19 of section 20-01-01 and section 20-06-15 of the North Dakota Century Code, relating to the definition and regulation of private fish hatcheries, and to amend and reenact sections 20-03-02, 20-03-07, 20-06-01, 20-06-10, and 20-07-01 of the North Dakota Century Code, relating to circumstances under which residents and non-residents are not required to possess a hunting, trapping, or fishing license, the duration of fishing seasons, commercial sales of fish, and property rights in wild fur-bearing animals and fish.

Was read the first time and referred to the Committee on Natural Resources.

**House Bill No. 826.** A Bill for an Act to amend and reenact subsections 2, 3, and 4 of section 57-14-08 of the North Dakota Century Code, relating to the general reassessment of property when ordered by the board of county commissioners or state tax commissioner and the establishment of a new board of equalization to review such reassessments when ordered.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 840.** A Bill for an Act to amend and reenact section 40-24-16 of the 1965 Supplement to the North Dakota Century Code, relating to the certification and payment of taxes collected by the county treasurer.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 848.** A Bill for an Act to create and enact subsection 19 of section 15-29-08 of the North Dakota Century Code relating to school board's authority to organize.

Was read the first time and referred to the Committee on Education.

**House Bill No. 882.** A Bill for an Act to amend and reenact

sections 57-34-02 and 57-34-03 of the 1965 Supplement to the North Dakota Century Code, relating to reports of telephone companies of taxes to be assessed against them.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 929.** A Bill for an Act to provide for the filing of Federal Tax Liens, Releases, and Notices thereof, and to make uniform the law with reference thereto.

Was read the first time and referred to the Committee on Finance and Taxation.

#### MOTION

Senator Lips moved that the Senate recess until 1:00 p.m., February 8, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary

"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### THIRTY-SIXTH DAY AFTER RECESS AND THIRTY-SEVENTH DAY

Bismarck, February 8, 1967

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 8, 1967

Mr. President: I have the honor to return:

Senate Bill No. 4  
Senate Bill No. 39  
Senate Bill No. 52  
Senate Bill No. 57

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

#### REPORTS OF STANDING COMMITTEE

Your Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 4  
Senate Bill No. 39  
Senate Bill No. 52  
Senate Bill No. 57

Were delivered to the Governor for his approval at the hour of 11:43 o'clock a.m., February 8, 1967.

SENATOR WENSTROM, Chairman

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolutions:

Senate Concurrent Resolution "R"  
Senate Concurrent Resolution "S"

And find the same correctly Engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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. 9  
Senate Bill No. 85  
Senate Bill No. 164  
Senate Bill No. 313  
Senate Bill No. 363

And find the same correctly Engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

## MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 8, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 607

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

## MOTIONS

Senator Holand moved that the Senate reconsider the action by which Senate Bill No. 219 was indefinitely postponed, which motion prevailed.

Senator Holand moved that Senate Bill No. 219 be re-referred to the Committee on State and Federal Government, which motion prevailed.

Senator Becker moved that the Senate reconsider the action by which Senate Bill No. 63 was lost, which motion prevailed.

Senator Becker moved that Senate Bill No. 63 be placed at the foot of the calendar, which motion prevailed.

## REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Delayed Bills has had under consideration a Senate Bill to-wit:

## A BILL

For an Act providing for the transfer of the Grand Forks Fair Grounds from the State of North Dakota, and the North Dakota State Fair Association, a defunct corporation, to the County of Grand Forks, and for the purpose of clearing title to said described property by the State of North Dakota.

And recommends the same be introduced.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

## FIRST READING OF A SENATE BILL

The Committee on Delayed Bills introduced:

**Senate Bill No. 397.** A Bill for an Act providing for the transfer of the Grand Forks Fair Grounds from the State of North Dakota, and the North Dakota State Fair Association, a defunct corporation, to the County of Grand Forks, and for the purpose of clearing title to said described property by the State of North Dakota.

Was read the first time and referred to the Committee on State and Federal Government.

## REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 154 has had the same under consideration and recommends the same be amended as follows:

In line 3 of the title after the word "retailers" insert the following: ", and declaring an emergency"

In line 18 delete the comma and the words "or retailer"

In line 20 after the period insert the following: "Application for a license as a retailer shall be made to the county sheriff on forms prescribed by the state fire marshal."

In line 22 after the period insert the following: "Fees for distributors' licenses shall be deposited in the general fund in the state treasury and fees for retailers' licenses shall be deposited in the county general fund."

In line 24 after the period insert the following: "Such distribu-

tors' and retailers' licenses shall be in addition to any other license required by law or municipal ordinance."

At the end of line 36 add the following new section: "SECTION 2. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

Renumber the lines accordingly.

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 Finance and Taxation to whom was referred Senate Bill No. 165 has had the same under consideration and recommends that the same be amended as follows:

In the second line of the title following the comma delete the word "and"

In the third line of the title following the number "57-01-06" insert a comma and the following language: ", and section 57-15-24"

Following line 128 and before line 129 insert the following new section:

"SECTION 5. AMENDMENT.) Section 57-15-24 of the 1965 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-15-24. COUNTY MILL LEVY FOR SCHOOLS.) The county auditor, at the time the annual levy of taxes is made, shall levy a tax of twenty-one mills on the dollar on all taxable property in the county to be placed in the county equalization fund for apportionment as provided by law ((except that the county auditor of any county which, according to the certificate of the tax commissioner, has on a county-wide average assessed its taxable property at a percentage of market value that is less than the state-wide average percentage of market value at which all taxable property has been assessed shall convert the amount certified to him by the superintendent of public instruction to mills and make such levy upon all taxable property in the county in lieu of such twenty-one mill levy specified by this section))). The levy provided for in this section shall be over and above any tax levy limitations provided by law."

And renumber the lines and sections accordingly.

And when so amended recommends the same be indefinitely postponed.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion was declared lost.

Senator Lips moved that Senate Bill No. 165 be placed on Sixth Order, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 194 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. 198 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. 199 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. 211 has had the same under consideration and recommend that the same be amended as follows:

In line 3 of the title insert triple parentheses before and after the words "provide for" and insert in lieu thereof "initiate mandamus proceedings" and insert a period.

Delete all of line 4 of the title.

In line 15 after the word "practice" delete the comma and insert a period and delete the remainder of the line.

Delete all of lines 16 and 17.

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. 212 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 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 indefinitely postponed.

SENATOR HERNETT, Chairman

Senator Hernettt moved that the report be adopted.

Senator Meschke requested a recorded vote, which request was granted.

#### ROLL CALL

The question being on the motion of Senator Hernettt that the committee report on Senate Bill No. 242 be adopted, the roll was called and there were ayes, 35; nays, 11; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hofstrand	Morgan	Ruemmele
Becker	Jacobson	Mutch	Sands
Butler	Kelly, M.	Nasset	Schultz
Chesrown	Larsen, R.	Nothing	Sorlie
Coughlin	Larson, G.	Pyle	Stroup
Freed	Longmire	Redlin	Torgerson
Geving	Lowe	Ringsak	Trenbeath
Goldberg	Luick	Robinson	Wilhite
Hernettt	Melland	Roen	



Those voting in the negative were:

Berube	Kelly, E.	Litten	Stafne
Decker	Larson, L.	Meschke	Wenstrom
Kautzmann	Lips	Rait	

Absent and not voting:

Christensen	Forkner	Holand
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So the motion was declared carried.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 255 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. 259 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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 do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 303 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 316 has had the same under consideration and recommends that the same be amended as follows:

In line 6 of the Title delete the words "additions to the Jamestown Substation,"

In line 3 delete the words "six hundred twenty-seven dollars" and insert in lieu thereof the words "two hundred dollars"

In line 4 delete the words "and fifty cents"

In line 7 delete the words "an easement for drainage facilities at the Jamestown"

In line 8 delete "Substation,"

Delete lines 30 thru 40.

In line 41 delete "acres, more or less."

In line 51 delete "The total"

Delete lines 52 thru 71.

In line 75 delete the word "leased"

In line 76 after the period insert the following "Upon execution of an easement upon such land the proceeds shall be deposited in the general fund in the state treasury."

And when so amended recommends the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan 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. 312 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 State and Federal Government to whom was referred Senate Bill No. 342 has had the same under consideration and a majority recommends that the same be indefinitely postponed.

For the majority:

Senator Ringsak  
 Senator Holand  
 Senator Freed  
 Senator Morgan  
 Senator Mutch  
 Senator Jacobson  
 Senator Sands  
 Senator Goldberg

SENATOR RINGSAK, Chairman

Senator Ringsak moved that the report be adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 342 has had the same under consideration and a minority recommends that the same do pass.

For the minority:

Senator Forkner  
 Senator Stroup  
 Senator Meschke

SENATOR RINGSAK, Chairman

Senator Meschke moved 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 Ringsak that the report of the majority be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 352 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 355 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MORGAN, Chairman

Senator Morgan 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. 358 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 Agriculture to whom was referred Senate Concurrent Resolution "X" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Concurrent Resolution "FF" has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan 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 be amended as follows:

In line 3 delete the figure \$608,554.00 and insert in lieu thereof \$735,984.00

In line 6 delete the figure \$140,000.00 and insert in lieu thereof \$267,430.00

In line 9 delete the figure \$110,000.00 and insert in lieu thereof \$169,784.00

In line 10 delete the figure \$483,554.00 and insert in lieu thereof \$525,600.00

In line 11 delete the figure \$15,000.00 and insert in lieu thereof \$38,000.00

After line 11 add the following:

Equipment	\$2,600.00
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In line 12 delete the figure \$608,554.00 and insert in lieu thereof \$735,984.00

In line 14 delete the figure \$140,000.00 and insert in lieu thereof \$267,430.00

After line 14 add the following: SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

And renumber the lines and sections accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee restored the funds recommended by the executive office of the budget. The House Appropriations Committee amended this bill to delete the funds providing for the State Planning Agency. The committee (Senate Appropriations) reinstated the funds because it concluded this agency serves a definite need to the state.

The committee added Section 2 to restrict this department to expend the moneys appropriated only for the purpose for which they were appropriated.

SENATOR SORLIE, Chairman

Senator Wenstrom 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 do pass.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was

referred House Bill No. 589 has had the same under consideration and recommends that the same do pass.

ROBERT CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

The question being on the motion to adopt the committee report on Senate Bill No. 325 recommending indefinite postponement, which report was laid over one legislative day which motion prevailed.

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

### THIRTY-SEVENTH DAY

Bismarck, February 8, 1967

The Senate convened at 2:00 p.m., the President presiding. Prayer by Chaplain Rev. Allan Strohschein, Bismarck Baptist.

Our Heavenly Father, we are thankful for the privilege of being able to seek Thy face in every experience of life. We pray that today wisdom for every decision and courage to stand for the true and the right, may be given to those who have positions of responsibility in this assembly.

In Jesus name we pray, Amen.

Roll call: All Senators present.

A quorum was declared by the President.

### CORRECTION AND REVISION

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 finds the same correct.

SENATOR LOWE, Chairman

Senator Lowe moved that the report be adopted, which motion prevailed.

### CONSIDERATION OF AMENDMENTS

Senator Lips moved that the reading of the amendments to Senate Bills Nos. 179, 228, 230, 264, 293, House Bill No. 525, Senate Bills Nos. 201, 324, 327, and 356 be dispensed with, which motion prevailed.

Senator Roen moved that the amendments to Senate Bill No. 179 as recommended by the Committee on Education, and printed on page 356 of the Senate Journal, be adopted, which motion prevailed.

Senator Roen moved that the amendments to Senate Bill No. 228 as recommended by the Committee on Education, and printed on pages 356 and 357 of the Senate Journal, be adopted, which motion prevailed.

Senator Becker moved that the amendments to Senate Bill No. 230 as recommended by the Committee on Finance and Taxation, and printed on pages 357 and 358 of the Senate Journal, be adopted, which motion prevailed.

Senator Becker moved that the amendments to Senate Bill No. 264 as recommended by the Committee on Finance and Taxation, and printed on page 358 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 293 as recommended by the Committee on Appropriations, and printed on pages 358 and 359 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 525 as recommended by the Committee on Appropriations, and printed

on page 361 of the Senate Journal, be adopted, which motion prevailed.

Senator Ringsak moved that the amendments to Senate Bill No. 201 as recommended by the Committee on State and Federal Government, and printed on page 371 of the Senate Journal, be adopted, which motion prevailed.

Senator Ringsak moved that the amendments to Senate Bill No. 324 as recommended by the Committee on State and Federal Government and printed on page 371 of the Senate Journal, be adopted, which motion prevailed.

Senator Ringsak moved that the amendments to Senate Bill No. 327 as recommended by the Committee on State and Federal Government, and printed on page 371 of the Senate Journal, be adopted, which motion prevailed.

Senator Ringsak moved that the amendments to Senate Bill No. 356 as recommended by the Committee on State and Federal Government, and printed on page 372 of the Senate Journal, be adopted, which motion prevailed.

### MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 8, 1967

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 85.

Very respectfully,

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 8, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 14

Senate Bill No. 20

Senate Bill No. 153

Senate Bill No. 157

Senate Bill No. 181

Senate Bill No. 188

Senate Bill No. 215

Senate Bill No. 236

Senate Bill No. 267

Senate Bill No. 268

Senate Bill No. 276

Senate Bill No. 289

Senate Bill No. 300

Senate Bill No. 306

Senate Bill No. 310

Senate Bill No. 315

Senate Bill No. 320

Senate Bill No. 326

Senate Bill No. 330

Senate Bill No. 347

Senate Bill No. 371

Senate Bill No. 374

Senate Bill No. 391

Senate Concurrent Resolution "J"

Senate Concurrent Resolution "R"

Senate Concurrent Resolution "S"

Senate Concurrent Resolution "VV"

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 8, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 575

House Bill No. 592

House Concurrent Resolution "B"

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

## MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 8, 1967

Mr. President: I have the honor to return:

Senate Bill No. 22

Senate Bill No. 56

Senate Bill No. 59

Senate Bill No. 62

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 8, 1967

Mr. President: I have the honor to transmit:

House Bill No. 509

House Bill No. 622

House Bill No. 623

House Bill No. 624

House Bill No. 658

House Bill No. 691

House Bill No. 712

House Bill No. 718

House Bill No. 739

House Bill No. 803

House Bill No. 811

House Bill No. 816

House Bill No. 819

House Bill No. 855

House Bill No. 863

House Bill No. 926

House Bill No. 939

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

## MOTION

Senator Lips moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the chair, pursuant to recess taken, the President presiding.

## REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 224 has had the same under consideration and recommends that the same be amended as follows:

In the third line of the title after the word "boundaries" insert the words "and to amend and reenact sections 15-40-17 and 15-40-17.1 of the North Dakota Century Code, relating to the tuition of nonresident students who are living and employed on installations of the federal government"

Underscore all of the language commencing with the word "RESTRICTED" on line 1 and ending on line 25, inclusive,

In line 20 delete the word "five hundred" and insert in lieu thereof "one thousand"

Following line 25 insert the following new section:

"SECTION 2. AMENDMENT.) Section 15-40-17.1 of the 1965 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-40-17.1. PAYMENT OF TUITION BY PARENTS OF NON-RESIDENT STUDENTS — FEDERAL PAYMENTS ACCEPTED.)

1. Notwithstanding the provisions of section 15-40-17 a school district may admit nonresident students for whom tuition payments have not been approved by the school board of their residence or the three-member county committee, if such admittance can be done without injuring or overcrowding the school to which the student will be admitted, and if tuition is paid by the parent or guardian in the amount and manner prescribed in this section. Tuition shall be equal to the actual per pupil cost in the admitting district and shall be based on the actual cost of educating a high school student for the previous school year, less payments from county equalization funds. Such costs shall include expenditures from the general and sinking and interest funds and receipts from the building fund. Credit on tuition charges shall be given by the admitting district to the extent of school taxes paid to the admitting district by the parent or guardian of the admitted student. Not less than one-half of the yearly tuition shall be paid by the parent or guardian in cash on the date of enrollment and the school board shall execute a contract in writing with the parents or guardian of the student requiring the payment of any balance of the tuition in cash on or before the first day of the second semester.

2. Notwithstanding the provisions of section 15-40-17 and subsection 1 of this section, a school district may accept payments, under Title 1 of Public Law 874, in lieu of tuition for a nonresident student, if the parent of such student both resides and is employed upon an installation owned by the federal government, and the school boards of the district of residence and the district where the student attends school both approve the payment of such sum in lieu of other tuition for the nonresident student.

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 239 has had the same under consideration and recommends that the same be amended as follows:

In the first line of the title after the word "Act" insert the following, "to create and enact section 43-13-30 of the North Dakota Century Code,"

In line 1 after the period insert a single parenthesis and the following,") Section 43-13-30 of the North Dakota Century Code is hereby created and enacted to read as follows:

43-13-30."

And renumber the lines accordingly

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 299 has had the same under consideration and recommends that the same be amended as follows:

On the first line of the title following the word "to" insert the words "create and enact section 15-27-20 and to"

On the second line of the title following the word "to" insert the words "students affected by attachment and reorganization of school districts who historically attended schools in bordering states and"

In line 30 insert triple parentheses before the word "Be" and delete the words "of any"

In line 31 delete the words "former school district" and the words "because of"

In line 32 delete the words "proximity or terrain"

In line 35 insert triple parentheses after the period and delete the words "For the purposes of this section"

Delete lines 36 through 38, inclusive

Following line 38 insert the following new section:

"SECTION 2.) Section 15-27-20 of the North Dakota Century Code is hereby created and enacted to read as follows:

15-27-20. CERTAIN STUDENTS ATTENDING SCHOOLS IN BORDER STATES NOT AFFECTED BY REORGANIZATION OR ANNEXATION.) Students from areas of any former school district historically attending school because of proximity or terrain in a bordering state and residing in a district annexed to or reorganized with another district or districts within North Dakota shall be permitted to continue attending school in a district in a bordering state.

Any parent or the guardian of a child who is denied the right to attend a school in a school district in a bordering state by the school board of the district may appeal such decision to the county committee, consisting of the county superintendent of schools, county judge, and state's attorney, and the decision of such county committee may be appealed by the school board or such parent or guardian of the child to the superintendent of public instruction of North Dakota, whose decision shall be final. For the purposes of this section "historically" shall mean a previous attendance by students of any such area for a period of seven years or more prior to the annexation or reorganization of such district.

And renumber the lines accordingly

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 321 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 amend and reenact sections 15-34-09.1 and 15-34-09 of the 1963 Supplement to the North Dakota Century Code, relating to levy for transportation and maintenance of pupils.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. AMENDMENT.) Section 15-34-09.1 of the 1963  
2 Supplement to the North Dakota Century Code is hereby  
2a amended

3 and reenacted to read as follows:

4 15-34-09.1 LEVY FOR TRANSPORTATION AND

5 MAINTENANCE OF PUPILS AUTHORIZED.) The school  
5a board of any

6 school district providing transportation or an allowance for



7 students ((attending high school in another district)) as  
 8 provided in section 15-34-09 shall be authorized to levy up to  
 9 five mills for such purpose or purposes, which levy shall not be  
 10 subject to any mill levy limitations prescribed by law.

11 SECTION 2. AMENDMENT.) Section 15-34-09 of the 1963  
 12 Supplement to the North Dakota Century Code is hereby  
 12a amended

13 and reenacted to read as follows:

14 15-34-09. TRANSPORTATION OR MAINTENANCE OF  
 15 PUPILS PERMITTED.) Any school district may provide  
 15a transportation

16 from the places of residence or, where convenient or more  
 16a economical

17 may at the discretion of the school board pay a reasonable  
 17a allowance

18 for board and lodging for pupils (((who are eligible to attend  
 18a high

19 school and reside in the district, in order that such pupils may  
 20 attend high school in another school district in the county or in  
 20a an

21 adjoining county or any county agricultural and training  
 21a school))).

22 Such transportation or allowance shall be provided in such  
 22a manner

23 and in such amounts as shall be determined by the board of the  
 24 district furnishing such transportation or allowance and shall

25 be in addition to any other payments made to such pupils or  
 25a their

26 parents or responsible relatives under any state public welfare  
 27 program.

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 348 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 249.** A Bill for an Act to provide for the purchasing of residential care, custody, training, treatment or education of the mentally retarded by the state from private, nonprofit, charitable organizations.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 30; nays, 18; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hernett	Lips	Pyle
Berube	Hofstrand	Litten	Rait
Butler	Holand	Longmire	Ruemmele
Christensen	Jacobson	Lowe	Sands
Coughlin	Kelly, E.	Melland	Schultz
Decker	Larsen, R.	Meschke	Stafne
Geving	Larson, G.	Nothing	Trenbeath
Goldberg	Larson, L.		

Those voting in the negative were:

Becker	Kelly, M.	Redlin	Stroup
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Chesrown	Luick	Ringsak	Torgerson
Forkner	Morgan	Robinson	Wenstrom
Freed	Mutch	Sorlie	Wilhite
Kautzmann	Nasset		

Absent and not voting:  
Roen

So the bill passed and the title was agreed to.

**Senate Bill No. 273.** A Bill for an Act to create and enact a new subsection to section 57-38-57 of the North Dakota Century Code, relating to the secrecy of income tax returns, and authorizing the state auditor to examine income tax returns and retail sales and use tax returns under certain conditions.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 320 of the Senate Journal, the roll was called and there were ayes, 28; nays, 21; absent and not voting, 0.

Those voting in the affirmative were:

Becker	Geving	Longmire	Rait
Berube	Hernett	Lowe	Redlin
Butler	Hofstrand	Luick	Ruemmele
Chesrown	Kautzmann	Melland	Torgerson
Christensen	Larsen, R.	Meschke	Trenbeath
Coughlin	Larson, G.	Mutch	Wenstrom
Decker	Larson, L.	Nothing	Wilhite

Those voting in the negative were:

Beck	Kelly, E.	Nasset	Sands
Forkner	Kelly, M.	Pyle	Schultz
Freed	Lips	Ringsak	Sorlie
Goldberg	Litten	Robinson	Stafne
Holand	Morgan	Roen	Stroup
Jacobson			

So the bill passed and the title was agreed to.

**Senate Bill No. 337.** A Bill for an Act to require vehicles used by common motor carriers, contract carrier, and agricultural carriers to have flaps or aprons on the rear of such vehicles to minimize the spray or splash of water or mud to the rear of the vehicle.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 321 of the Senate Journal, the roll was called and there were ayes, 47; nays, 2; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nothing	Torgerson
Freed	Larson, L.	Pyle	Wenstrom
Geving	Lips	Rait	Wilhite
Goldberg	Litten	Redlin	

Those voting in the negative were:

Schultz	Trenbeath
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So the bill passed and the title was agreed to.

**Senate Bill No. 385.** A Bill for an Act to create and enact subsection 23 of section 57-02-08, exempting personal property from taxation, and to provide for the imposition of a two percent sales tax, use tax and motor vehicle use tax, exemptions thereto, manner of collection and administration, appeals, penalties, refunds, and allocation of revenues; to amend section 57-02-04, relating to the definition of real property, and to repeal sections 18-03-09 and 37-01-27, subsections 9, 10, and 11 of section 57-02-05, section 57-15-23, and chapters 57-39, 57-40, and 57-40.1 all of the North Dakota Century Code, relating to the per-capita school tax, definitions of personal property, and sales and use taxes.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 2; nays, 46; absent and not voting, 1.

Those voting in the affirmative were:

Becker Mutch

Those voting in the negative were:

Beck	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Nasset	Sorlie
Coughlin	Larsen, R.	Nothing	Stafne
Decker	Larson, G.	Pyle	Stroup
Forkner	Larson, L.	Rait	Torgerson
Freed	Lips	Redlin	Trenbeath
Geving	Litten	Ringsak	Wenstrom
Goldberg	Longmire	Robinson	Wilhite
Hernett	Lowe		

Absent and not voting:

Hofstrand

So the bill was declared lost.

**SECOND READING OF A HOUSE CONCURRENT RESOLUTION**

**House Concurrent Resolution "K".** A Concurrent Resolution directing a study by the Legislative Research Committee for the purpose of recommending legislation which will facilitate and enable the rehabilitation and reclamation of strip and surface mining areas in North Dakota.

Was read the second time.

Senator Stroup moved that House Concurrent Resolution "K" be adopted, which motion prevailed.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 216.** A Bill for an Act to amend and reenact section 21-10-08 of the 1965 Supplement to the North Dakota Century Code, relating to reserves and their percentage limitations and standards therefor in investing state trust 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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie

Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

So the bill passed and the title was agreed to.

**Senate Bill No. 254.** A Bill for an Act to adopt an interstate compact on the mentally disordered offender.

Was read the second time.

Senator Longmire moved that Senate Bill No. 254 be amended as follows:

In line 378 delete the word "committeed" and insert in lieu thereof the word "committed"

Which motion prevailed.

Senator Longmire moved that the rules be suspended, that Senate Bill No. 254 be deemed properly 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. 254, 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:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nothing	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite

Those voting in the negative were:

Mutch

So the bill passed and the title was agreed to.

**Senate Bill No. 262.** A Bill for an Act to amend and reenact subsection 5 of section 57-38-45 of the North Dakota Century Code, relating to the waiver of civil penalties.

Was 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, 9; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Geving	Larson, L.	Pyle
Becker	Goldberg	Lips	Rait
Berube	Hernett	Litten	Robinson
Butler	Hofstrand	Longmire	Roen
Chesrown	Holand	Lowe	Ruemmele
Christensen	Jacobson	Luick	Sorlie
Coughlin	Kautzmann	Melland	Stafne
Decker	Kelly, M.	Meschke	Torgerson
Forkner	Larsen, R.	Nasset	Wenstrom
Freed	Larson, G.	Nothing	

Those voting in the negative were:

Kelly, E.	Redlin	Sands	Trenbeath
Morgan	Ringsak	Schultz	Wilhite
Mutch			

Absent and not voting:

Stroup

So the bill passed and the title was agreed to.

**Senate Bill No. 263.** A Bill for an Act relating to withholding by employer of delinquent income tax of an employee, penalties, collection of accounts by collection agencies and to provide for effective dates.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 26; nays, 23; absent and not voting, 0.

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Jacobson	Luick	Schultz
Butler	Kelly, M.	Melland	Sorlie
Chesrown	Larsen, R.	Meschke	Torgerson
Christensen	Larson, G.	Nothing	Trenbeath
Decker	Larson, L.	Rait	Wilhite
Hernett	Longmire		

Those voting in the negative were:

Beck	Holand	Mutch	Ruemmele
Coughlin	Kautzmann	Nasset	Sands
Forkner	Kelly, E.	Pyle	Stafne
Freed	Lips	Redlin	Stroup
Geving	Litten	Ringsak	Wenstrom
Goldberg	Morgan	Roen	

So the bill passed and the title was agreed to.

#### MOTION

Senator Meschke moved that the Senate reconsider the action by which Senate Bill No. 33 was lost, which motion prevailed.

Senator Meschke moved that Senate Bill No. 33 be re-referred to the Committee on State and Federal Government, which motion prevailed.

#### SECOND READING OF SENATE BILLS AND SENATE CONCURRENT RESOLUTIONS

**Senate Bill No. 294.** A Bill for an Act to amend and reenact sections 15-63-03 and 15-63-05 of the North Dakota Century Code, relating to the number and nature of Indian scholarships and the scholarship payments thereunder.

Was 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:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom

Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	

Absent and not voting:  
Butler                      Stroup

So the bill passed and the title was agreed to.

**Senate Bill No. 296.** A Bill for an Act to create and enact a new section to chapter 57-01 of the North Dakota Century Code, authorizing the tax commissioner to prescribe procedures for disposing of used data processing cards on which is recorded secret or confidential information.

Was 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:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	

Absent and not voting:

Butler                      Stroup

So the bill passed and the title was agreed to.

**Senate Bill No. 302.** A Bill for an Act to amend and reenact section 57-02-42 of the North Dakota Century Code, relating to the definition of personal property in transit and the exemption of such property from the personal property tax.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 7; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hofstrand	Litten	Redlin
Becker	Holand	Longmire	Robinson
Berube	Jacobson	Lowe	Ruemmele
Chesrown	Kautzmann	Luick	Sands
Christensen	Kelly, E.	Melland	Schultz
Coughlin	Kelly, M.	Meschke	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Freed	Larson, G.	Nothing	Stroup
Geving	Larson, L.	Pyle	Trenbeath
Goldberg	Lips	Rait	Wilhite
Hernett			

Those voting in the negative were:

Forkner	Mutch	Roen	Wenstrom
Morgan	Ringsak	Torgerson	

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

**Senate Concurrent Resolution "Y".** A Concurrent Resolution for the ratification of a proposed amendment to the Constitution of the United States, relating to succession to the Presidency and Vice Presidency and to cases where the president is unable to discharge the powers and duties of his office.

Was read the second time.

Senator Ringsak moved that Senate Concurrent Resolution "Y" be adopted, which motion prevailed.

Senator Ringsak moved that the vote by which Senate Concurrent Resolution "Y" was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

**Senate Concurrent Resolution "Z".** A Concurrent Resolution requesting the United State Congress to authorize and provide funds for the construction of a bridge over the Oahe Reservoir segment of the Missouri River.

Was read the second time.

Senator Chesrown moved that Senate Concurrent Resolution "Z" be adopted, which motion prevailed.

**Senate Concurrent Resolution "BB".** A Concurrent Resolution urging the Congress of the United States not to increase the tariff or tolls on the Saint Lawrence Seaway.

Was read the second time.

Senator Meschke moved that Senate Concurrent Resolution "BB" be adopted, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 510.** 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, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

**House Bill No. 518.** 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 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:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

#### SECOND READING OF SENATE BILLS AND A SENATE CONCURRENT RESOLUTION

**Senate Bill No. 9.** For an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous, and special projects for the State Industrial School at Mandan, North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 343 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Butler

So the bill passed and the title was agreed to.

**Senate Bill No. 164.** A Bill for an Act to prohibit state, county, and local officials from printing their names on public documents and publications in large size type.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on pages 342 and 343 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Meschke	Ruemmele
Chesrown	Kautzmann	Melland	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne



Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:  
Butler

So the bill passed and the title was agreed to.

**Senate Bill No. 313.** A Bill for an Act to amend and reenact section 44-08-01 of the North Dakota Century Code relating to public contracts for the purchase of goods, supplies and equipment.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, as amended, on page 343 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:  
Butler

So the bill passed and the title was agreed to.

**Senate Bill No. 338.** A Bill for an Act to provide that school districts may levy for a school library fund.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Roen
Becker	Holand	Luick	Ruemmele
Berube	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nothing	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Hernett	Longmire	Robinson	

Those voting in the negative were:  
Mutch

Absent and not voting:  
Butler

So the bill passed and the title was agreed to.

**Senate Bill No. 363.** A Bill for an Act to amend and reenact sections 26-24-02, 26-24-04, and 26-24-10 of the North Dakota Century Code and to amend and reenact sections 26-24-08, 26-24-09,

and 26-24-13 of the Supplement of the North Dakota Century Code, relating to the coverages afforded by the state fire and tornado fund and the percentage of assessment to Bureau rates.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 343 of the Senate Journal, the roll was called and there were ayes, 34; nays, 12; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Ruemmele
Becker	Holand	Luick	Sands
Berube	Jacobson	Melland	Schultz
Chesrown	Kautzmann	Meschke	Sorlie
Christensen	Kelly, E.	Morgan	Stroup
Coughlin	Larsen, R.	Nasset	Torgerson
Decker	Larson, G.	Rait	Wenstrom
Freed	Larson, L.	Ringsak	Wihite
Hernett	Longmire		

Those voting in the negative were:

Forkner	Lips	Nothing	Robinson
Geving	Litten	Pyle	Roen
Goldberg	Mutch	Redlin	Stafne

Absent and not voting:

Butler	Kelly, M.	Trenbeath
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So the bill passed and the title was agreed to.

**Senate Concurrent Resolution "AA".** A Concurrent Resolution urging the state board of higher education, the commissioner of higher education, and the president of the University of North Dakota to consider the needs of the handicapped in the educational programs of the university and in planning additional building facilities.

Was read the second time.

Senator Trenbeath moved that Senate Concurrent Resolution "AA" be adopted, which motion prevailed.

**Senate Bill No. 8.** 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 second time.

Senator Ringsak moved that Senate Bill No. 8 be amended as follows:

In line 13, delete the figure "1,200,000.00" and insert in lieu thereof the figure "685,000.00".

In line 14, delete the figure "\$9,806,029.00", and insert in lieu thereof the figure "\$9,121,029.00".

In line 16, delete the figure "\$6,006,029.00" and insert in lieu thereof the figure "\$5,321,029.00"

Which motion was declared lost.

#### ROLL CALL

The question being on the final passage of Senate Bill No. 8, as amended on pages 288 and 289 of the Senate Journal, the roll was called and there were ayes, 39; nays, 6; absent and not voting, 4.

Those voting in the affirmative were:

Beck	Jacobson	Lowe	Ruemmele
Becker	Kautzmann	Luick	Sands
Chesrown	Kelly, E.	Melland	Sorlie
Coughlin	Kelly, M.	Morgan	Stafne
Decker	Larsen, R.	Nasset	Stroup

Geving	Larson, G.	Nething	Torgerson
Goldberg	Larson, L.	Pyle	Trenbeath
Hernett	Lips	Rait	Wenstrom
Hofstrand	Litten	Redlin	Wilhite
Holand	Longmire	Robinson	
Those voting in the negative were:			
Forkner	Mutch	Ringsak	Roen
Freed			Schultz
Absent and not voting:			
Berube	Butler	Christensen	Meschke

So the bill passed and the title was agreed to.

Senator Ringsak: Mr. President. I want to explain my vote. The reason I voted "no" on this bill is not because I am against any part of this Bill except line 13. I sincerely believe that in 1969, no matter whatever sum we put down for the building in this state or any subdivision, they will spend the entire sum instead of looking for a building for six hundred or eight hundred thousand, but will try to build a building for \$1,200,000.00.

Senator Longmire moved that Senate Bill No. 202 be returned to the Senate from the Committee on Judiciary, which motion prevailed.

Senator Longmire requested unanimous consent of the Senate to withdraw Senate Bill No. 202, which request was granted.

MESSAGE FROM THE GOVERNOR

Bismarck, February 7, 1967

Members of the Senate  
Fortieth Legislative Assembly  
Senate Chambers  
Bismarck, North Dakota  
Greetings!

As of February 4, 1967, I signed the following Senate Bills:

- Senate Bill No. 80
- Senate Bill No. 86
- Senate Bill No. 94

These bills have now been filed with the Secretary of State.

Sincerely,  
WILLIAM L. GUY, Governor

MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 8, 1967

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "Y"

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary of the Senate

FIRST READING OF HOUSE BILLS

**House Bill No. 509.** For an Act providing an appropriation for the paying of salaries and other administrative expenses of the office of commissioner of veterans' affairs and the veterans' aid commission.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 622.** A Bill for an Act to amend and reenact section 20-01-17.1 of the North Dakota Century Code, relating to hunting on lands having unharvested crops or grazing livestock thereon and providing a penalty.

Was read the first time and referred to the Committee on Natural Resources.

**House Bill No. 623.** A Bill for an Act to preclude the hunting behind hounds, from a motor vehicle, upon land belonging to another, without first obtaining the permission of the owner or tenant, and providing a penalty.

Was read the first time and referred to the Committee on Natural Resources.

**House Bill No. 624.** A Bill for an Act to create and enact section 23-14-01.1 of the North Dakota Century Code, relating to the formation of health districts.

Was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 658.** A Bill for an Act to amend and reenact sections 19-06-03 and 19-06-04 of the North Dakota Century Code, relating to the wholesale or retail sale of ice milk, and to provide that current licenses shall be extended.

Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 691.** A Bill for an Act to amend and reenact section 25-12-01 of the North Dakota Century Code, relating to establishment of mental health and retardation service units.

Was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 712.** A Bill for an Act to amend and reenact subsection B of section 52-09-06 of the North Dakota Century Code related to investing of funds of the Old Age and Survivor Insurance System, and to amend and reenact Section 52-09-09 of the 1965 supplement to the North Dakota Century Code, relating to rate of contribution of the Old Age and Survivor Insurance System, and to amend and reenact subsection A of section 52-09-20 of the North Dakota Century Code related to the definition of "wages" as used in the North Dakota Old Age and Survivor Insurance System.

Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 718.** A Bill for an Act to amend and reenact section 43-23-01 of the North Dakota Century Code, section 43-23-02 of the 1965 Supplement to the North Dakota Century Code, section 43-23-04, section 43-23-05, subsection 2 of section 43-23-07, section 43-23-08, section 43-23-09 and section 43-23-13 of the North Dakota Century Code; and to create and enact subdivision g of subsection 1 of section 43-23-11 and subsection 9 of section 43-23-13 of the North Dakota Century Code, relating to the North Dakota Real Estate Commission and the licensing of brokers and salesmen.

Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 739.** A Bill for an Act to create and enact section 15-06-19.1 of the North Dakota Century Code, providing for the exchange of lands under control of the board of university and school lands with lands of the United States.

Was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 803.** A Bill for an Act to transfer certain moneys from the accumulated and undivided profits of the bank of North Dakota to the general fund of this state.

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 6-03-38 of the North Dakota Century Code, and to create and enact subsection 10 of section 10-04-06 of the North Dakota Century Code, relating to the use of the assets of a bank and the exemptions of transactions from the corporation laws of the state of North Dakota.

Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 816.** A Bill for an Act to amend and reenact sections 37-14-01, 37-14-03.3, 37-14-03.5, 37-14-04, 37-14-06, 37-14-07, 37-14-08, and 37-14-15 of the North Dakota Century Code, relating to the veterans' aid commission and loans to veterans, and making an appropriation.

Was read the first time and referred to the Committee on Social Welfare and Veterans' Affairs.

**House Bill No. 819.** A Bill for an Act to amend and reenact section 11-14-13, subsection 6 of section 15-29-12, and sections 21-03-40, 57-19-02, 57-19-06, and 57-19-07 of the North Dakota Century Code, providing that school district treasurers may be custodians of sinking and reserve funds of school districts when authorized by the school board and that county treasurers shall remit school funds monthly.

Was read the first time and referred to the Committee on Education.

**House Bill No. 855.** A Bill for an Act to amend and reenact section 12-46-19 of the North Dakota Century Code, permitting North Dakota industrial school students freer use of acquired moneys.

Was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 863.** A Bill for an Act to amend and reenact section 6-09-15 of the North Dakota Century Code, relating to bank loans and to repeal sections 6-09-18, 6-09-19, 6-09-20, 6-09-21, 6-09-22, 6-09-23, 6-09-24, 6-09-30, 6-09-31 and 6-09-32, of the North Dakota Century Code, relating to farm loans made by The Bank of North Dakota.

Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 926.** A Bill for an Act to provide for the regulation of the development and production of certain subsurface minerals, and providing a penalty.

Was read the first time and referred to the Committee on Natural Resources.

**House Bill No. 939.** A Bill for an Act to amend and reenact section 18-11-10 of the North Dakota Century Code, relating to the tax levy formula for alternate firemen's associations.

Was read the first time and referred to the Committee on Political Subdivisions.

Senator Lips moved that the Senate recess until 1:00 p.m., February 9, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary



"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### THIRTY-SEVENTH DAY AFTER RECESS AND THIRTY-EIGHTH DAY

Bismarck, February 9, 1967

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 9, 1967

Mr. President: I have the honor to transmit:

House Bill No. 607

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign House Bill No. 607

And the President signed the same in the presence of the Senate.

#### MOTION

Senator Sorlie moved that Senate Bill No. 368 be returned to the Senate from the Committee on Appropriations, which motion prevailed.

Senator Sorlie requested unanimous consent to withdraw Senate Bill No. 368, which request was granted.

#### REPORTS OF STANDING COMMITTEE

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 171 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 an appropriation for the North Dakota state fair association.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

- 1 SECTION 1. APPROPRIATION.) There is hereby
- 2 appropriated out of any unappropriated moneys in
- 3 the state treasury the sum of \$50,000.00, or so
- 4 much thereof as may be necessary, to the North
- 5 Dakota state fair association for the purpose of
- 6 providing premiums to exhibitors at the state fair.
- 7 SECTION 2. CONTINGENT AVAILABILITY
- 8 OF FUNDS.) The funds provided by this Act shall
- 9 not become or remain available for expenditure
- 10 unless the board of county commissioners of the
- 11 county wherein the state fair is located shall

12 levy not less than one-half mill under the provi-  
 13 sions of sections 4-02-27 and 4-02-27.1 for use  
 14 of the county fair association of such county in  
 15 the maintenance and improvement of fair grounds  
 16 used by the state fair association for state fair  
 17 purposes."

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee allowed funds to the State Fair in the amount of \$50,000.00 for premiums to exhibitors. It is the intention of the committee to support the State Fair in this manner until it becomes self sustaining.

SENATOR SORLIE, Chairman

Senator Luick moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 261 has had the same under consideration and recommends that the be returned to the Senate Without Recommendation.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 277 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 318 has had the same under consideration and recommends that the same be amended as follows:

In line 33 following the period add the following language:

"Notwithstanding any other provision of law, the state shall include in such conveyance all the mineral rights to such land, provided that the state shall receive all the mineral rights in and to the land to be received by the state in exchange for such conveyance."

And renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 360 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 language:

"For an Act to authorize the state department of health to sell and convey certain land owned by the State of North Dakota, which land was formerly used for agricultural purposes, setting forth the procedures to be followed in arranging for the sale, and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

- 1 SECTION 1.) The state health department under the
- 2 following procedures and conditions is hereby authorized
- 3 to sell by private sale to the Jamestown Country Club
- 4 the following described property, which was formerly



5 used for agricultural purposes, to wit:  
 6 NE¼ of the NE¼ of Section 8, Township 139,  
 7 Range 63, Stutsman County, North Dakota.  
 8 The state health officer shall designate a qualified  
 9 appraiser. The Jamestown Country Club shall appoint a  
 10 qualified appraiser. The two appraisers so appointed  
 11 shall appoint and designate the third qualified appraiser.  
 12 The three appraisers so appointed shall determine the  
 13 real and true value of the property to be sold. The  
 14 state may sell the property to the Jamestown Country  
 15 Club for the price established by the three appraisers.  
 16 If the appraisers so appointed are other than state  
 17 officials or employees of the state, the cost of such  
 18 appraisals shall be borne by the Jamestown Country Club.  
 19 The conveyance of the aforesaid described property  
 20 shall reserve to the State of North Dakota all mineral  
 21 rights in and under the premises conveyed.  
 22 The proceeds of the sale shall be deposited in the  
 23 general fund in the state treasury.  
 24 All documents necessary to carry out the provisions  
 25 of this act shall be executed by the governor and at-  
 26 tested by the secretary of state.  
 27 SECTION 2.) The state shall not be responsible for  
 28 the payment of any special assessments levied and asses-  
 29 sed by any taxing district against the property subject  
 30 to sale and conveyance pursuant to this act.  
 31 SECTION 3.) This act is hereby declared to be an  
 32 emergency measure and shall be in full force and effect  
 33 from and after its passage and approval."

And when so amended recommend the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Concurrent Resolution "M" has had the same under consideration and recommends that the same be amended as follows:

After line 31 insert the following "WHEREAS, Federal lands and public parks are a part of the area affected; and"

And renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Concurrent Resolution "LL" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution "ZZ" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was re-

ferred Senate Concurrent Resolution "CCC" has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution "EEE" has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Concurrent Resolution "JJJ" has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 563 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

Senator Lips moved that the rules be suspended and that the reading of the amendments to Senate Bills Nos. 154, 165, 211, 316, and House Bill No. 506, be dispensed with, which motion prevailed.

Senator Hernettt moved that the amendments to Senate Bill No. 154 as recommended by the Committee on Industry, Business and Labor, and printed on pages 388 and 389 of the Senate Journal, be adopted, which motion prevailed.

Senator Becker moved that the amendments to Senate Bill No. 165 as recommended by the Committee on Finance and Taxation, and printed on page 389 of the Senate Journal, be adopted, which motion prevailed.

Senator Trenbeath moved that Senate Bill No. 165 be further amended as follows:

In line 28, insert triple parentheses before the word "which".

In line 29, insert triple parentheses after the comma.

Which motion prevailed.

Senator Hernettt moved that the amendments to Senate Bill No. 211 as recommended by the Committee on Industry, Business and Labor, and printed on page 390 of the Senate Journal, be adopted, which motion prevailed.

Senator Morgan moved that the amendments to Senate Bill No. 316 as recommended by the Committee on Agriculture, and printed on page 391 of the Senate Journal, be adopted, which motion prevailed.

Senator Redlin moved that Senate Bill No. 316 be further amended as follows:

In line 6 of the title delete the word "drainage"

In line 7 of the title delete the word "for"

Which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 506 as recommended by the Committee on Appropriations, and printed on page 393 of the Senate Journal, be adopted, which motion prevailed.

## MOTION

Senator Lips moved that the rules be suspended and that Senate Bills Nos. 224, 239, 299 and 321 be placed on sixth order, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

Senator Lips moved that the rules be suspended, and that the reading of the amendments to Senate Bills Nos. 224, 239, 299 and 321 be dispensed with, which motion prevailed.

Senator Roen moved that the amendments to Senate Bill No. 224 as recommended by the Committee on Education and printed on pages 396 and 397 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill No. 239 as recommended by the Committee on Judiciary and printed on page 397 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that Senate Bill No. 239 be further amended as follows:

After the period on line 16 add the following:

Nothing herein shall in any manner restrict the authority of any such board, body, agency, official, or institution from utilizing the services of physician for examinations of the eyes or treatment of diseases of the eyes.

Renumber the lines accordingly.

Which motion prevailed.

Senator Roen moved that the amendments to Senate Bill No. 299 as recommended by the Committee on Education and printed on pages 397 and 398 of the Senate Journal, be adopted, which motion prevailed.

Senator Roen moved that the amendments to Senate Bill No. 321 as recommended by the Committee on Education and printed on pages 398 and 399 of the Senate Journal, be adopted, which motion prevailed.

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 9, 1967

Mr. Speaker: I have the honor to return:  
House Bill No. 607  
Which the President has signed.

LEO LEIDHOLM, Secretary

## SECOND READING OF SENATE BILLS

**Senate Bill No. 63.** For an Act relating to the observance of Sunday as a day of rest, to provide exceptions thereto, to provide for injunctive relief and penalties for violations thereof, and to amend and reenact section 40-05-03 of the North Dakota Century Code, relating to the regulation and inspection of food markets in cities having a population over fifteen thousand, and to repeal sections 12-21-14, 12-21-15, 12-21-16, 12-21-17, 12-21-20, 12-21-21, and 12-21-22 of the North Dakota Century Code, relating to Sunday closing laws.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 11; absent and not voting, 0.

Those voting in the affirmative were:

Becker	Hernett	Litten	Ruemmele
Berube	Hofstrand	Longmire	Sands
Butler	Holand	Lowe	Sorlie
Chesrown	Jacobson	Luick	Staifne

Christensen	Kautzmann	Melland	Stroup
Coughlin	Kelly, M.	Meschke	Torgerson
Decker	Larsen, R.	Nasset	Trenbeath
Freed	Larson, G.	Nothing	Wenstrom
Geving	Larson, L.	Rait	Wilhite
Goldberg	Lips		

Those voting in the negative were:

Beck	Morgan	Redlin	Roen
Forkner	Mutch	Ringsak	Schultz
Kelly, E.	Pyle	Robinson	

So the bill passed and the title was agreed to.

**Senate Bill No. 194.** A Bill for an Act to amend and reenact subdivision a of subsection 4 and subdivision a of subsection 8 of section 65-01-02 of the North Dakota Century Code, relating to Workmen's Compensation definitions.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

So the bill passed and the title was agreed to.

**Senate Bill No. 198.** A Bill for an Act to amend and reenact section 65-05-25 of the North Dakota Century Code, relating to decisions of the workmen's compensation bureau in making lump sum settlements from the workmen's compensation fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

So the bill passed and the title was agreed to.

**Senate Bill No. 199.** A Bill for an Act to amend and reenact Section 52-04-03 of the North Dakota Century Code, pertaining to rates and wage base for unemployment compensation contribu-

tions; and to amend and reenact subsection 1 of section 52-04-06 of the 1963 supplement to the North Dakota Century Code related to the variation in standard rate of unemployment compensation contributions and the schedule of rates.

Was read the second time.

Senator Larson (Burleigh) moved that Senate Bill No. 199 be amended as follows:

In line 13 delete the word "period" and insert in lieu thereof the word "periods"

Which motion prevailed.

Senator Larson (Burleigh) moved that the rules be suspended, and that Senate Bill No. 199 be deemed properly 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. 199, 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:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

So the bill passed and the title was agreed to.

**Senate Bill No. 212.** A Bill for an Act to amend and reenact section 34-12-10 of the 1965 Supplement to the North Dakota Century Code relating to labor-management relations and to apply the provisions of chapter 28-32 thereto.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nothing	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite

Absent and not voting:

Mutch

So the bill passed and the title was agreed to.

**Senate Bill No. 213.** A Bill for an Act to provide for the appointment of mediators to labor disputes and the compensation therefor.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 12; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Hernett	Larson, L.	Pyle
Butler	Hofstrand	Lips	Rait
Chesrown	Holand	Litten	Ruemmele
Christensen	Jacobson	Longmire	Sands
Decker	Kautzmann	Lowe	Stroup
Forkner	Kelly, E.	Melland	Torgerson
Freed	Kelly, M.	Meschke	Trenbeath
Geving	Larsen, R.	Nasset	Wenstrom
Goldberg	Larson, G.	Nothing	Wilhite

Those voting in the negative were:

Beck	Morgan	Ringsak	Schultz
Coughlin	Mutch	Robinson	Sorlie
Luick	Redlin	Roen	Stafne

Absent and not voting:

Berube

So the bill passed and the title was agreed to.

**Senate Bill No. 255.** A Bill for an Act to create and enact subsection 27 of section 52-01-01 of the 1965 supplement to the North Dakota Century Code related to definitions; and to amend and reenact section 52-05-03 of the North Dakota Century Code related to election of unemployment compensation coverage and rates of contributions.

Was 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:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Berube

So the bill passed and the title was agreed to.

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

## THIRTY-EIGHTH DAY

Bismarck, February 9, 1967

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Pastor Eldred Johnson, Trinity Lutheran, Westhope.

Prayer can be the pause that really refreshes!

You have bidden us O God, to pray for those in authority. This reminds us to thank Thee for the gift of government. Help us to hold in high regard those who are over us in the Lord. We would interceed on their behalf that Thou wouldst give them wisdom,

grace and courage to perform faithfully the tasks that are theirs. Root out the evils of selfishness and greed, pride and glory of self. Instill within us the spirit of sacrifice for the welfare of all. May the basic purposes of government never fail, that is, to safeguard peace and prosperity — not simply that we may have more for ourselves, but that we may live soberly and uprightly and have greater opportunity to tell of Thee and Thy Kingdom.

Through Jesus Christ, our Lord. Amen.  
Roll call: All Senators present.

A quorum was declared by the President.

**CORRECTION AND REVISION**

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 finds the same correct.

SENATOR LOWE, Chairman

Senator Lowe moved that the report be adopted, which motion prevailed.

**SECOND READING OF SENATE BILLS  
AND A SENATE CONCURRENT RESOLUTION**

**Senate Bill No. 259.** A Bill for an Act relating to the filing by certain transmitting utilities of certain instruments required to be filed under the provisions of the Uniform Commercial Code.

Was 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:

Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nething	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wilhite
Goldberg	Litten	Redlin	

Absent and not voting:

Ruemmele      Wenstrom

So the bill passed and the title was agreed to.

**Senate Bill No. 278.** A Bill for an Act to create section 32-34-01.1 of the North Dakota Century Code, relating to the issuance of a writ of mandamus by the supreme court to judges of inferior courts, and to amend and reenact section 32-34-02 of the North Dakota Century Code, relating to the issuance of such writs.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz

Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nething	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

So the bill passed and the title was agreed to.

**Senate Bill No. 303.** A Bill for an Act to provide a period of limitation within which time claims for damages may be brought against persons performing or furnishing the design, planning, supervision or observation of construction of improvements on real property.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, L.	Nething	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

So the bill passed and the title was agreed to.

**Senate Bill No. 312.** A Bill for an Act to amend and reenact sections 65-10-01 and 65-10-03 of the North Dakota Century Code, relating to appeals from decision of bureau and costs of appeal.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 3; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Holand	Melland	Roen
Becker	Jacobson	Meschke	Ruemmele
Berube	Kautzmann	Morgan	Sands
Butler	Kelly, M.	Mutch	Schultz
Chesrown	Larsen, R.	Nasset	Sorlie
Christensen	Larson, G.	Nething	Stafne
Forkner	Larson, L.	Pyle	Stroup
Freed	Lips	Rait	Torgerson
Geving	Litten	Redlin	Trenbeath
Goldberg	Longmire	Ringsak	Wenstrom
Hernett	Lowe	Robinson	Wilhite
Hofstrand	Luick		

Those voting in the negative were:

Coughlin	Decker	Kelly, E.
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So the bill passed and the title was agreed to.

**Senate Concurrent Resolution "FF".** A concurrent resolution supporting needed channel improvements in and related to Antelope Creek west and north of Wahpeton, North Dakota, and urg-



ing the Corps of Engineers to expedite completion of its investigation and the formulation of a favorable report thereon.

Was read the second time.

Senator Morgan moved that Senate Concurrent Resolution "FF" be adopted, which motion prevailed.

### SECOND READING OF HOUSE BILLS

**House Bill No. 507.** For an Act relating to an appropriation for the purpose of administering the provisions of Chapters 52-09 and 52-10 of the North Dakota Century Code, pertaining to administration costs of the Old Age and Survivor Insurance System and to social security coverage of public employees.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nething	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

So the bill passed and the title was agreed to.

**House Bill No. 589.** A Bill for an Act to amend and reenact section 40-11-12 of the North Dakota Century Code, relating to the commitment of guilty persons.

Was read the second time.

Senator Lips moved that House Bill No. 589 be placed at the foot of the calendar, which motion prevailed.

### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 179  
 Senate Bill No. 201  
 Senate Bill No. 228  
 Senate Bill No. 230  
 Senate Bill No. 254  
 Senate Bill No. 264  
 Senate Bill No. 293  
 Senate Bill No. 324  
 Senate Bill No. 327  
 Senate Bill No. 356

And find the same correctly engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

### MESSAGES TO THE HOUSE

Senate Chamber  
 Bismarck, February 9, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 8  
 Senate Bill No. 9

Senate Bill No. 164  
 Senate Bill No. 216  
 Senate Bill No. 249  
 Senate Bill No. 254  
 Senate Bill No. 262  
 Senate Bill No. 263  
 Senate Bill No. 273  
 Senate Bill No. 294  
 Senate Bill No. 296  
 Senate Bill No. 302  
 Senate Bill No. 313  
 Senate Bill No. 337  
 Senate Bill No. 338  
 Senate Bill No. 363  
 Senate Concurrent Resolution "Z"  
 Senate Concurrent Resolution "AA"  
 Senate Concurrent Resolution "BB"

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 9, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 510

House Bill No. 518

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 9, 1967

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "K"

Which the Senate has amended.

LEO LEIDHOLM, Secretary

### SECOND READING OF SENATE BILLS

**Senate Bill No. 179.** For an Act to amend and reenact section 15-59-07 of the North Dakota Century Code, relating to the education of physically handicapped.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill as amended, on page 356 of the Senate Journal, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nething	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

So the bill passed and the title was agreed to.

**Senate Bill No. 201.** A Bill for an Act to amend and reenact 54-27-04 of the North Dakota Century Code, relating to the duties of the county treasurer in transmitting to the state taxes collected for the state, and relating to the duties of and the procedures to be followed by the state treasurer and the director of accounts and purchases upon receiving the state taxes collected by the county, and to repeal sections 54-27-05 and 54-27-06 of the North Dakota Century Code, relating to the procedures on state taxes collected and transmitted.

Was read the second time.

Senator Ringsak moved that Senate Bill No. 201 be amended as follows:

In line 11, after the word "treasurer" insert a comma and the following: "as an agent of the state,"

Which motion prevailed.

Senator Ringsak moved that the rules be suspended and that Senate Bill No. 201 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. 201, as amended, on page 371 of the Senate Journal, and 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:

Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nething	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite

Absent and not voting:

Sorlie

So the bill passed and the title was agreed to.

**MOTION**

Senator Lips moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the chair, the President presiding.

**REPORTS OF STANDING COMMITTEES**

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 be amended as follows:

Delete all language in the title of the bill after the word "a bill" and insert in lieu thereof the following:

"For an Act making an appropriation to the public school of vocational education for the administration and supervision of grants for vocational agriculture, vocational home economics, office and distributive education, trade and industrial education, and manpower development and training.

Delete lines 1 through 45 and insert in lieu thereof the following:

"SECTION 1. APPROPRIATION.) There is hereby appropriated out of any moneys in the state general fund in the state treas-

ury, not otherwise appropriated, the sum of \$547,770.00, or so much thereof as is necessary for the administration and supervision of grants for vocational agriculture, vocational home economics, office and distributive education, trade and industrial education, and manpower development and training, as provided for in Section 15-40-04 as amended, of the North Dakota Century Code, for the biennium beginning July 1, 1967, and ending June 30, 1969, to wit:

Salaries and Wages	\$82,158.00
Fees and Services	18,032.00
Supplies and Materials	4,750.00
Equipment	2,830.00
Grants, Benefits and Claims:	
Vocational Agriculture	160,000.00
Office and Distributive Education	100,000.00
Home Economics	150,000.00
Manpower Development and Training	30,000.00
Total	\$547,770.00

And renumber the lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee consolidated the administrative funds for the various vocational education programs into one to facilitate a clearer understanding of the budget, thereby enabling the committee to appropriate funds more accurately and enabling the department to administer the funds more efficiently.

The committee combined the new program of office education with distributive education because, in fact, office education has been effectively handled through distributive education in the past.

SENATOR SORLIE, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 180 has had the same under consideration and recommends that the same be amended as follows:

In line three of the title delete the words "laws creating" and insert in lieu thereof "Chapter 54-50 and Section 12-44-07 relating to"; after the word "commission" delete the following ", crime" and insert in lieu thereof "and the duties of the grand jury."

Delete all of lines 4 and 5 of the title.

In line 5 after the semicolon delete "the warden of the state"

Delete all of line 6

In line 7 after the first semicolon delete "a district judge;"

In line 8 after the second semicolon delete "a juvenile commissioners; a representa"

Delete all of line 9

In line 10 delete "school, or his appointee;"

In line 12 after the period delete "The district judge shall"

In line 13 delete "be chosen by the judicial council."

In line 39 delete the word "prescribe" and insert in lieu thereof "recommend"

In line 43 delete the word "prescribe" and insert in lieu thereof "recommend"

In line 46 after the word "CERTIFIED" delete "—PENALTY FOR"

Delete all of line 47

Delete all of lines 52 through 57

In line 59 delete the word "establish" and insert in lieu thereof "recommend"

In line 63 delete the word "shall" and insert in lieu thereof "may"

Delete lines 65 and 66

In line 67 delete the words "meet minimum standards upon two successive inspections."

In line 86 after the word "and" delete the word "Sections" and insert in lieu thereof "Section"

Delete all of line 87 and insert in lieu thereof "12-44-07"

In line 91 after the first "of" delete the word "seventy" and insert in lieu thereof "twenty"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 281 has had the same under consideration and recommends that the same be amended as follows:

In line 2 after the word "battlefield," insert the words "Fort Rice" and comma.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee added the title "Fort Rice" to correct an inadvertent deletion, and to coincide with line 11 of the bill.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 307 has had the same under consideration and recommends that the same be returned to the Senate without recommendation.

SENATOR SORLIE, Chairman

Senator Melland 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 SORLIE, Chairman

Senator Litten 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 3 delete the figure \$32,000.00 and insert in lieu thereof \$48,000.00

In line 6 delete the figure \$18,000.00 and insert in lieu thereof \$31,700.00

In line 7 delete the figure \$11,333.00 and insert in lieu thereof \$11,500.00

In line 8 delete the figure \$2,067.00 and insert in lieu thereof \$3,600.00

In line 9 delete the figure \$600.00 and insert in lieu thereof \$1,200.00

In line 10 delete the figure \$32,000.00 and insert in lieu thereof \$48,000.00

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee increased this budget by \$16,000.00 which is to take the place of the money received from the Welfare Board, this biennium.

SENATOR SORLIE, Chairman

Senator Kelly (Earl) 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 SORLIE, Chairman

Senator Robinson moved that the report be adopted, which motion prevailed.

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 9, 1967

Mr. President: I have the honor to transmit:

House Bill No. 522

House Bill No. 537

House Bill No. 596

House Bill No. 670

House Bill No. 674

House Bill No. 695

House Bill No. 752

House Bill No. 753

House Bill No. 774

House Bill No. 776

House Bill No. 778

House Bill No. 779

House Bill No. 781

House Bill No. 792

House Bill No. 821

House Bill No. 867

House Bill No. 883

House Concurrent Resolution "E"

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

#### SECOND READING OF A SENATE BILL

**Senate Bill No. 228.** A Bill for an Act to amend and reenact section 15-40-12 of the North Dakota Century Code, relating to legislative intent as to elementary and secondary education.

Was read the second time.

Senator Meschke moved that Senate Bill No. 228 be laid over one legislative day, which motion was declared lost.

The question being on the final passage of Senate Bill No. 228.

Senator Meschke: Senate Bill No. 228 makes increases in payments by the state through the School Foundation Program, which will total an additional 11 million dollars.

Over one-fourth of the people in North Dakota are in school. We have approximately 150,000 grade school and high school students. We have approximately 20,000 students attending college. Thus, 170,00 of our 630,000 people in North Dakota require educational support.

Adequately providing for the education of this one-fourth of our population has been a difficult responsibility of past sessions particularly the last 10 years. It will continue to burden future sessions for at least 10 years more.

Thus, this session stands in the middle of many years of effort. The problems of the past 10 years are surely no less than the problems of the next 10 years.

Let us briefly review the years past:

In 1959, our modern School Foundation Program was begun, with an appropriation of about \$20 million on a basic per pupil payment of \$150.

In 1961, the appropriation was about \$23 million. The per pupil payment remained the same.

In 1963, the appropriation was about \$25 million. The per pupil payment remained the same.

In 1965, the per pupil payment was increased by \$26 to \$176.00; the appropriation was increased OVER 10 MILLION to 35 million dollars.

Now, in this session, it is proposed to again increase the per pupil payment by \$22 and \$54. It is proposed to increase the appropriation by 11 million dollars. Through this session then, the increases in the last 2 years, would equal an 80% increase over the 63 level. The increases alone in the last two sessions will exceed the original appropriation made only eight years ago.

We submit that dollars alone do not fulfill our responsibility. Cash is not a cure-all. We are not just money-exchangers in this assembly.

Our duties extend to examination of both sides of the coins we handle: the efficiency of our educational plants on the one side; the fairness and equalization of the tax burden on the other.

On the first side:

Can we afford the luxury of poor schools in many spots by sustaining them with a steadily increasing state subsidy?

Can we afford delay of further school district reorganization? A few days ago, we killed Senate Bill No. 217 which called for regional reorganization committees. We all apparently agreed that regionally committees were necessary to further reorganization, but we couldn't take the time to determine the outlines of the regions.

Can we afford a continued deficit in teachers' salaries in spite of increased funding of our schools. For example, last year, total funding for our school districts increased over 10 million dollars — largely due to the increase in State Foundation payments made by the 1965 Legislative Session. Yet only 45% of that increase went to teachers' salaries; only 4.5 million out of that 10 million dollar increase was used for instructional costs?

Can we afford ever broadening programs in our schools, when we struggle to sustain basic programs? We define the basic program, but we do not limit the scope of programs that the state is called on to share.

Can we afford continued biennial increases of this magnitude in future sessions? When and how do we define the equalization share at the state level, in terms that will be meaningful and helpful for future legislative sessions?

This session has done little to examine the questions on this side of the coin. We see no significant effort to do so.

On the other side of the coin:

Do we tax our people with a general tax increase, before closing the swiss cheese of loopholes in our present taxes? This session has not yet acted on withholding, either general or non-resident; it has not yet acted on the domestic corporate dividend loophole; it has not yet acted to equalize the insurance and bank industries with the rest of our tax payers.

Do we tax our people with a general tax increase, while forgetting the task of equalizing the greater burden of other taxes. All the bills in this session seek the repeal of the equalization mechanism for real estate taxes; the sales-ratio study; none suggest a program of long range progressive adjustment. A bill to make the sales tax fairer and less regressive has already been killed in this house.

Do we tax our people with a general tax increase, without repealing the personal property tax on tools of trade, to stimulate

our economic tax base that supports our schools for the years ahead.

Do we tax our people with a general tax increase, in the face of a balanced budget which itself increased school aid by nearly 4 million, when, we could add another 4 million simply by loophole closing, for a total of an 8 million dollar increase?

Do we tax our people in the name of education, with a general tax increase of 16 million in this biennium, when only 3 million of it is needed for education, over existing revenues plus only loophole closing?

Little has been done to examine these questions in this session, as yet.

For those of us in the Senate, this session started with a flip of the coin. It would be easy to continue this session by flipping coins to answer these agonizing questions.

But we cannot flip our voting buttons as easily as we can flip coins.

It will take study, not deftness; and it will take solutions, not just coins, to deal adequately with education and the taxpayers in this session.

We stand for continued and increased support of education in this session. But, we cannot stand still for solutions that represent only coin flipping. The heavy Republican majorities in this session should seek solutions, not just flip coins.

I request that these remarks be printed in the Journal.

#### ROLL CALL

The question being on the final passage of Senate Bill No. 228, as amended, on page 356 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Coughlin

So the bill passed and the title was agreed to.

#### MOTION

Senator Ringsak moved that the House be requested to return Senate Concurrent Resolution "Y", which motion prevailed.

#### MESSAGE TO THE SENATE

House Chamber  
Bismarck, February 9, 1967

Mr. President: I have the honor to return:

Senate Concurrent Resolution "Y"

Senate Concurrent Resolution "VV"

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

#### MOTION

Senator Ringsak moved that Senate Concurrent Resolution "Y" be placed at the head of the calendar, which motion prevailed.



**SECOND READING OF A  
SENATE CONCURRENT RESOLUTION**

**Senate Concurrent Resolution "Y".** A Concurrent Resolution for the ratification of a proposed amendment to the Constitution of the United States, relating to succession to the Presidency and Vice Presidency and to cases where the president is unable to discharge the powers and duties of his office.

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, 1; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Roen
Becker	Holand	Luick	Ruemmele
Berube	Jacobson	Melland	Sands
Butler	Kautzmann	Meschke	Schultz
Chesrown	Kelly, E.	Morgan	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nothing	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Hernett	Longmire	Robinson	

Those voting in the negative were:

Mutch

Absent and not voting:

Coughlin

So the resolution was declared adopted.

**MOTIONS**

Senator Forkner moved that Senate Bill No. 327 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Mutch moved that Senate Concurrent Resolution "WW" be returned to the Senate from the Committee on Industry, Business and Labor, which motion prevailed.

Senator Mutch requested unanimous consent of the Senate to withdraw Senate Concurrent Resolution "WW", which motion prevailed.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 230.** A Bill for an Act to create and enact a new chapter to the North Dakota Century Code imposing a three percent motor vehicle excise tax, exemptions thereto, manner of collection, penalties, allocation of revenue and to repeal chapters 57-39.1 and 57-40.1 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, on page 357 of the Senate Journal, the roll was called and there were ayes, 44; nays, 4; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Holand	Luick	Roen
Becker	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Morgan	Sands
Chesrown	Kelly, E.	Mutch	Schultz
Decker	Kelly, M.	Nasset	Sorlie
Forkner	Larsen, R.	Nothing	Stafne
Freed	Larson, G.	Pyle	Stroup
Geving	Lips	Rait	Torgerson

Goldberg	Litten	Redlin	Trenbeath
Hernett	Longmire	Ringsak	Wenstrom
Hofstrand	Lowe	Robinson	Wilhite

Those voting in the negative were:

Berube	Christensen	Larson, L.	Meschke
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Absent and not voting:

Coughlin

So the bill passed and the title was agreed to.

**Senate Bill No. 264.** A Bill for an Act relating to jeopardy assessments, and penalties.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill as amended, on page 358 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Coughlin

So the bill passed and the title was agreed to.

**Senate Bill No. 293.** A Bill for an Act to amend and reenact section 54-44-11 of the North Dakota Century Code, relating to a purchasing department operating fund, the provision of data processing services, and providing an appropriation.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill as amended, on page 358 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Coughlin

So the bill passed and the title was agreed to.

**Senate Bill No. 324.** A Bill for an Act to authorize the board of administration to accept donations, gifts, grants, and bequests for the construction of a chapel at Grafton state school, and provid-

ing for a special fund in the state treasury for such purpose, and making an appropriation.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill as amended, on page 371 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hofstrand	Luick	Roen
Becker	Holand	Melland	Ruemmele
Berube	Jacobson	Meschke	Sands
Butler	Kautzmann	Morgan	Schultz
Chesrown	Kelly, E.	Mutch	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nothing	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Hernett	Low	Robinson	

Absent and not voting:

Coughlin Longmire

So the bill passed and the title was agreed to.

**Senate Bill No. 356.** A Bill for an Act declaring public policy with regard to the regulation of outdoor advertising and the restoration, preservation and enhancement of scenic beauty; prohibiting outdoor advertising within six hundred and sixty feet of the nearest edge of the right of way for the state highway system and providing for exceptions therefrom; providing for the removal or acquisition of certain outdoor advertising rights and the payment of compensation therefor; establishing a highway corridor board and prescribing other duties and powers; providing for zoning for land use adjacent to the state highway system; authorizing the review of property rights previously acquired for outdoor advertising purposes and the reconveyance of such rights when determined to be in consistent with the purposes of this Act; authorizing the promulgation of rules and regulations by the highway corridor board consistent with the requirements of section 131 and 319 of title 23, United States Code, and the enforcement thereof; providing for public hearings and appeals to the district court; to amend subsection 37 of section 24-01-01.1 of the North Dakota Century Code 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, 39; nays, 7; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Goldberg	Litten	Rait
Becker	Hernett	Longmire	Ringsak
Berube	Hofstrand	Low	Robinson
Butler	Holand	Luick	Ruemmele
Chesrown	Jacobson	Melland	Sorlie
Christensen	Kautzmann	Meschke	Stafne
Decker	Larsen, R.	Morgan	Stroup
Forkner	Larson, G.	Nasset	Torgerson
Freed	Larson, L.	Nothing	Wilhite
Geving	Lips	Pyle	

Those voting in the negative were:

Kelly, E.	Redlin	Sands	Trenbeath
Mutch	Roen	Schultz	

Absent and not voting:

Coughlin Kelly, M. Wenstrom

So the bill passed and the title was agreed to and the emergency clause carried.

**House Bill No. 525.** 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, on page 361 of the Senate Journal, the roll was called and there were ayes, 43; nays, 5; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hernett	Litten	Redlin
Becker	Hofstrand	Longmire	Ruemmele
Berube	Holand	Lowe	Sands
Butler	Jacobson	Luick	Schultz
Chesrown	Kautzmann	Melland	Sorlie
Christensen	Kelly, E.	Meschke	Stafne
Decker	Kelly, M.	Morgan	Stroup
Forkner	Larsen, R.	Nasset	Trenbeath
Freed	Larson, G.	Nothing	Wenstrom
Geving	Larson, L.	Pyle	Wilhite
Goldberg	Lips	Rait	

Those voting in the negative were:

Mutch	Robinson	Roen	Torgerson
Ringsak			

Absent and not voting:

Coughlin

So the bill passed and the title was agreed to.

#### MOTION

Senator Lips moved that the rules be suspended and that Senate Bills Nos. 261, 277, Senate Concurrent Resolutions "CCC", "EEE", "JJJ" and House Bill No. 563 be placed at the head of the calendar, which motion prevailed.

Senator Meschke moved that the Senate reconsider the action by which Senate Bills Nos. 261, 277, Senate Concurrent Resolutions "CCC", "EEE", "JJJ" and House Bill No. 563 were placed at the head of the calendar, which motion was declared lost.

#### SECOND READING OF SENATE BILLS AND SENATE CONCURRENT RESOLUTIONS

**Senate Bill No. 261.** A Bill for an Act to amend and reenact subsection 10 of section 57-02-01 of the 1965 Supplement to the North Dakota Century Code relating to the definition of a farm.

Was read the second time.

Senator Morgan moved that Senate Bill No. 261 be amended as follows:

In line 6 delete the triple parentheses before the word "which" and after the word "provides" and delete the word "and"

In line 7 delete the triple parentheses

In line 8 place triple parentheses before and after the word "fifty" and insert immediately thereafter the word "thirty" and delete the triple parentheses after the word "income"

Delete all of line 9

In line ten delete the words "normal growing season"

And renumber the lines accordingly

Which motion prevailed.

Senator Morgan moved that the rules be suspended and that Senate Bill No. 261 be deemed properly engrossed and placed on

second reading and final passage, as amended from the floor, which motion prevailed.

Senator Luick moved that Senate Bill No. 261 be further amended as follows:

In line 6, delete the word "five" and insert in lieu thereof the word "eighty".

Which motion was lost.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 4; nays, 44; absent and not voting, 1.

Those voting in the affirmative were:

Luick	Meschke	Morgan	Ruemmele
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Those voting in the negative were:

Beck	Hernett	Litten	Robinson
Becker	Hofstrand	Longmire	Roen
Berube	Holand	Lowe	Sands
Butler	Jacobson	Melland	Schultz
Chesrown	Kautzmann	Mutch	Sorlie
Christensen	Kelly, E.	Nasset	Stafne
Decker	Kelly, M.	Nothing	Stroup
Forkner	Larsen, R.	Pyle	Torgerson
Freed	Larson, G.	Rait	Trenbeath
Geving	Larson, L.	Redlin	Wenstrom
Goldberg	Lips	Ringsak	Wilhite

Absent and not voting:

Coughlin

So the bill lost.

**Senate Bill No. 277.** A Bill for an Act to amend and reenact subsection 1 of section 4-28-06 of the North Dakota Century Code, relating to the powers, authority and duties of the wheat commission.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Holand	Luick	Robinson
Becker	Jacobson	Melland	Roen
Berube	Kautzmann	Meschke	Ruemmele
Butler	Kelly, E.	Morgan	Sands
Chesrown	Kelly, M.	Mutch	Schultz
Christensen	Larsen, R.	Nasset	Sorlie
Decker	Larson, G.	Nothing	Stafne
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite
Hofstrand	Lowe		

Those voting in the negative were:

Goldberg

Absent and not voting:

Coughlin

So the bill passed and the title was agreed to.

Senator Goldberg: Mr. President, I would like to explain my vote briefly. I am for the idea and I know we need many varieties of wheat, but I feel the Wheat Commission was established for the purpose of carrying on its own program, and it was not the duty of the legislature to legislate the direction in which they were supposed to go. One session ago you had a bill in here giving the Wheat Commission or making it mandatory that they contribute

approximately \$100,000 to the construction of a cereal test building at the State "U". Senator Becker was opposed to that bill at that time. He objected because it was not the function of the Wheat Commission to contribute to that type of a program at the NDSU. That's why I voted "no" on this bill because I feel the Wheat Commission themselves should make that decision.

**Senate Concurrent Resolution "CCC".** A Concurrent Resolution urging Congress to pass legislation which would effect a uniform closing time of the polling places throughout the United States during Presidential elections.

Was read the second time.

Senator Chesrown moved that Senate Concurrent Resolution "CCC" be adopted, which motion prevailed.

**Senate Concurrent Resolution "EEE".** A Concurrent Resolution relating to a study by the legislative research committee of the feasibility of modifying the doctrine of governmental immunity.

Was read the second time.

Senator Lips moved that Senate Concurrent Resolution "EEE" be re-referred to the Legislative Research Resolutions Committee, which motion prevailed.

**Senate Concurrent Resolution "JJJ".** A Concurrent Resolution authorizing and directing the legislative research committee to study the feasibility of placing the administration of certain agricultural activities that are now administered by separate state boards, commissions and institutions under the jurisdiction of the state department of agriculture.

Was read the second time.

Senator Lips moved that Senate Concurrent Resolution "JJJ" be re-referred to the Legislative Research Resolutions Committee, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Delayed Bills has had under consideration a Senate Bill to wit:

#### A BILL

For an Act to provide that a county may levy a local replacement tax as a credit upon tax on locally assessed personal property, providing for procedures to implement such program, approval by the county electorate, prescribing the provisions of the local replacement tax, providing for administration by the state tax commissioner, and allocating revenues received, and declaring an emergency.

And recommends the same be introduced.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

#### FIRST READING OF A SENATE BILL

The Committee on Delayed Bills introduced:

**Senate Bill No. 398.** A Bill for an Act to provide that a county may levy a local replacement tax as a credit upon tax on locally assessed personal property, providing for procedures to implement such program, approval by the county electorate, prescribing the provisions of the local replacement tax, providing for administration by the state tax commissioner, and allocating revenues received, and declaring an emergency.

Was read the first time and referred to the Committee on Finance and Taxation.

Senator Lips moved that the Senate recess until 1:00 p.m., February 10, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary.

"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### THIRTY-EIGHTH DAY AFTER RECESS AND THIRTY-NINTH

Bismarck, February 10, 1967

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

#### REPORTS OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 154  
Senate Bill No. 165  
Senate Bill No. 199  
Senate Bill No. 211  
Senate Bill No. 239  
Senate Bill No. 299  
Senate Bill No. 316  
Senate Bill No. 321

And find the same correctly Engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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. 201

And find the same correctly Re-engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

#### FIRST READING OF A SENATE RESOLUTION

Senator Hofstrand introduced:

**Senate Resolution No. 3.** A Resolution recognizing the achievements and services of Mr. R. D. Magill in the livestock and agriculture industry.

Was read the first time.

Senator Hofstrand moved that the rules be suspended that Senate Resolution No. 3 be not referred to committee, not printed as a bill but printed in the Journal, and placed on second reading and final passage, which motion prevailed.

#### SENATE RESOLUTION No. 3

Introduced by Senator Hofstrand.

A resolution recognizing the achievements and services of Mr. R. D. Magill in the livestock and agriculture industry.

1 WHEREAS, R. D. Magill, during his seventy-five years, has  
2 been one of the outstanding citizens of this nation in the field

3 of livestock breeding; and  
 4 WHEREAS, R. D. Magill, as past president of the National  
 5 Polled Shorthorn Breeders Association and the North Dakota  
 5a Farm  
 6 Bureau, has been extremely active in promoting livestock  
 6a breeding  
 7 and agriculture both on the state and national level; and  
 8 WHEREAS, R. D. Magill, although remaining unmarried, has  
 8a aided  
 9 five nephews to attend college and attain their degrees, and has  
 10 thus assumed obligations normally carried out by parents; and  
 11 WHEREAS, R. D. Magill, is being honored during the Little  
 12 International Livestock Show being held at North Dakota State  
 13 University of Agriculture and Applied Sciences by having his  
 14 portrait hung in the Hall of Fame of the University from which  
 15 he graduated;  
 16 NOW, THEREFORE, BE IT RESOLVED BY THE  
 17 SENATE OF THE STATE OF NORTH DAKOTA:  
 18 That this body recognize the achievements of R. D. Magill and  
 19 join in honoring and paying tribute to him for his contributions  
 20 to the state and nation; and  
 21 BE IT FURTHER RESOLVED, that the Secretary of State  
 21a forward  
 22 a copy of this resolution to Mr. R. D. Magill.

#### SECOND READING OF A SENATE RESOLUTION

**Senate Resolution No. 3.** A Resolution recognizing the achievements and services of Mr. R. D. Magill in the livestock and agriculture industry.

Was read the second time.

Senator Hofstrand moved that Senate Resolution No. 3 be adopted, which motion prevailed.

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 10, 1967

Mr. President: I have the honor to inform you that the House requests the return of Senate Concurrent Resolution "Y"

ROY GILBREATH, Chief Clerk

#### MOTION

Senator Ringsak moved that the Senate reconsider the action by which Senate Concurrent Resolution "Y" was passed on a recorded roll call vote, which motion prevailed.

Senator Ringsak moved that the Senate reconsider the action by which Senate Concurrent Resolution "Y" was placed on the calendar, which motion prevailed.

Senator Ringsak moved that Senate Concurrent Resolution "Y" be returned to the House as requested, which motion prevailed.

Senator Wenstrom moved that Senate Bill No. 381 be returned to the Senate from the Committee on Natural Resources, which motion prevailed.

Senator Wenstrom requested unanimous consent of the Senate to withdraw Senate Bill No. 381, which request was granted.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 10, 1967

Mr. Speaker: I have the honor to return Senate Concurrent Resolution "Y" which the House requested.

LEO LEIDHOLM, Secretary



## REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 1 has had the same under consideration and recommends that the same be amended as follows:

After line 22 add the following:

22-A National Governors' Conference \$4,000.00

In line 23 delete the figure \$115,981.00 and insert in lieu thereof \$119,981.00

Statement of the Purpose of the Amendment:

The committee increased the appropriation by \$4,000.00 by setting up a line item which would help finance an office established in Washington, D. C., by the National Governors' Conference.

After line 26 add the following:

26-A Council of State Governments 1968 Meeting in North Dakota \$5,000.00

In line 27 delete the figure \$9,250.00 and insert in lieu thereof \$14,250.00

Statement of the Purpose of the Amendment:

The committee approved this line item to provide for part of the costs incurred by the Council of State Governments when it holds its 1968 meeting in North Dakota.

In line 30 delete the figure \$3,424.00 and insert in lieu thereof \$3,824.00

In line 31 delete the figure \$2,000.00 and insert in lieu thereof \$1,800.00

In line 33 delete the figure \$5,724.00 and insert in lieu thereof \$5,924.00

Statement of the Purpose of the Amendment:

The committee allowed \$200.00 over and above the \$200.00 it transferred from fees and services into salaries and wages to pay for a part time (¼ time) secretary.

In line 62 delete the figure \$430,717.00 and insert in lieu thereof \$371,917.00

In line 63 delete the figure \$46,332.00 and insert in lieu thereof \$34,500.00

In line 64 delete the figure \$10,700.00 and insert in lieu thereof \$9,700.00

In line 65 delete the figure \$4,000.00 and insert in lieu thereof \$3,000.00

In line 66 delete the figure \$491,749.00 and insert in lieu thereof \$419,117.00

Statement of the Purpose of the Amendment:

The committee decreased salaries and wages by \$58,800.00 because it denied the three new investigators requested. The committee decreased fees and services, supplies and materials, and equipment by \$13,832.00 in accordance with the deletion of the three investigators.

In line 76 delete the figure \$1,492,861.00 and insert in lieu thereof \$1,419,433.00

In line 77 delete the figure \$367,398.00 and insert in lieu thereof \$295,153.00

In line 78 delete the figure \$159,500.00 and insert in lieu thereof \$110,522.00

In line 79 delete the figure \$47,000.00 and insert in lieu thereof \$37,009.00

In line 80 delete the figure \$2,066,759.00 and insert in lieu thereof \$1,862,117.00

**Statement of the Purpose of the Amendment:**

The committee approved the staff recommendation of the Executive Office of the Budget except for three sales tax auditors amounting to a total reduction of \$44,000.00 in salaries and wages, \$18,000.00 in fees and services, and \$800.00 in equipment. The committee also concluded this level of operations could be attained with a further reduction of salaries and wages by \$29,428.00, fees and services by \$54,245.00, supplies and materials by \$48,978.00, and equipment by \$9,191.00.

In line 83 delete the figure \$675,300.00 and insert in lieu thereof \$671,700.00

After line 83 add the following:

83-A Including Commissioners' salaries not to exceed \$18,000.00 each for the biennium.

In line 87 delete the figure \$12,449.00 and insert in lieu thereof \$20,282.00

In line 88 delete the figure \$1,486,749.00 and insert in lieu thereof \$1,490,982.00

**Statement of the Purpose of the Amendment:**

The committee decreased salaries and wages by \$3,600.00 by reducing the salary of each commissioner from \$19,200.00 per biennium to \$18,000.00. The committee added line 83-A to specify the exact amount each commissioner is allowed in salary for the biennium.

The committee increased special assessments by \$7,833.00 to correct an error in addition and to pay for recently received bills from the city of Bismarck for a special assessment.

In line 91 delete the figure \$98,695.00 and insert in lieu thereof \$107,114.00

In line 92 delete the figure \$36,424.00 and insert in lieu thereof \$54,736.00

In line 95 delete the figure \$198,356.00 and insert in lieu thereof \$225,087.00

**Statement of the Purpose of the Amendment:**

The committee increased this fund by \$26,731.00 because the amount recommended by the Governor appeared inadequate to maintain present operating level.

In line 104 delete the figure \$367,200.00 and insert in lieu thereof \$345,855.00

In line 108 delete the figure \$449,400.00 and insert in lieu thereof \$428,055.00

**Statement of the Purpose of the Amendment:**

The committee decreased salaries and wages by \$21,345.00 because this amount was allowed for one administrator of the data processing system. The salary for this administrator is provided for in Senate Bill No. 293.

In line 120 delete the figure \$104,375.00 and insert in lieu thereof \$90,000.00

In line 121 delete the figure \$111,400.00 and insert in lieu thereof \$70,000.00

In line 124 delete the figure \$38,450,000.00 and insert in lieu thereof \$45,500,000.00

In line 125 delete the figure \$700,000.00 and insert in lieu thereof \$900,000.00

In line 128 delete the figure \$39,939,178.00 and insert in lieu thereof \$47,133,403.00

Statement of the Purpose of the Amendment:

The committee decreased fees and services by \$14,375.00 and supplies and materials by \$41,400.00 because the amount recommended by the Governor appeared excessive in light of actual expenditures during this biennium.

The committee increased the foundation program payments by \$7,050,000.00 to support elementary and secondary education at a level high enough to adequately meet the needs of the various school districts for the forthcoming biennium.

The committee increased special education by \$200,000.00 to allow continuing expansion of the special education services in elementary and secondary schools.

In line 131 delete the figure \$192,228.00 and insert in lieu thereof \$210,228.00

In line 135 delete the figure \$288,528.00 and insert in lieu thereof \$306,528.00

Statement of the Purpose of the Amendment:

The committee increased salaries and wages by \$18,000.00 to allow for the two additional men requested.

In line 138 delete the figure \$417,400.00 and insert in lieu thereof \$457,639.00

In line 142 delete the figure \$556,793.00 and insert in lieu thereof \$597,032.00

Statement of the Purpose of the Amendment:

The committee increased salaries and wages by \$40,239.00 to allow for the court reporter, rate man, and stenographer requested. The committee intended that the stenographer be hired only if the rate man is hired.

In line 149 delete the figure \$55,330.00 and insert in lieu thereof \$55,882.00

In line 152 delete the figure \$2,400.00 and insert in lieu thereof \$1,000.00

In line 153 delete the figure \$88,313.00 and insert in lieu thereof \$87,465.00

Statement of the Purpose of the Amendment:

The committee increased salaries and wages by \$552.00 to correct an error in addition in Social Security.

The committee decreased equipment by \$1,400.00 which was to pay for a new mimeograph machine which the committee thought not necessary at this time.

After line 156 add the following:

156-A Including Commissioner's salary not to exceed \$18,000.00 for the biennium

Statement of the Purpose of the Amendment:

The committee added line 156-A to specify the commissioner's maximum salary for the biennium.

In line 163 delete the figure \$155,460.00 and insert in lieu thereof \$135,460.00

Delete all of line 169

In line 170 delete the figure \$166,560.00 and insert in lieu thereof \$144,160.00

Statement of the Purpose of the Amendment:

The committee decreased the funds for salaries and wages by

\$20,000.00 because the amount recommended by the Governor appeared excessive.

The committee deleted the amount of \$2,400.00 for radio equipment because it was determined that this expenditure was not necessary at this time.

In line 178 delete the figure \$168,038.00 and insert in lieu thereof \$184,038.00

In line 179 delete the figure \$59,000.00 and insert in lieu thereof \$66,200.00

In line 182 delete the figure \$238,538.00 and insert in lieu thereof \$261,738.00

**Statement of the Purpose of the Amendment:**

The committee increased the funds for salaries and wages by \$16,000.00 to pay for one additional parole agent.

The committee increased the funds for travel by \$7,200.00 to coincide with the increase in salaries and wages.

Delete all of lines 187, 188, 189, and 190

**Statement of the Purpose of the Amendment:**

The committee indefinitely postponed subdivision 27 because this fund has not been used in the past several years.

After line 197 add the following:

197-A Including State Examiner's salary not to exceed \$24,000.00 for the biennium

**Statement of the Purpose of the Amendment:**

The committee added line 197-A to specifically set a maximum on the State Examiner's salary.

After line 204 add the following:

204-A Including Securities Commissioner's salary not to exceed \$22,080.00 for the biennium.

**Statement of the Purpose of the Amendment:**

The committee added line 204-A to specifically earmark the Commissioner's salary.

In line 211 delete the figure \$500,777.00 and insert in lieu thereof \$466,300.00

After line 211 add the following:

211-A Including Director's salary not to exceed \$18,000.00 for the biennium

In line 212 delete the figure \$118,500.00 and insert in lieu thereof \$110,500.00

In line 213 delete the figure \$47,000.00 and insert in lieu thereof \$42,000.00

In line 214 delete the figure \$20,000.00 and insert in lieu thereof \$10,000.00

In line 215 delete the figure \$686,277.00 and insert in lieu thereof \$628,800.00

**Statement of the Purpose of the Amendment:**

The committee decreased this fund by \$57,477.00 because the committee concluded this department could adequately maintain its present level of operation with this amount deducted in light of actual expenditures during this biennium.

The committee added line 211-A to specify the maximum salary for the Director.

In line 219 delete the figure \$4,000.00 and insert in lieu thereof \$3,000.00

In line 220 delete the figure \$3,000.00 and insert in lieu thereof \$4,000.00

Statement of the Purpose of the Amendment:

The committee decreased the funds for fees and services by \$1,000.00 because the trade of a new car was erroneously included in this line item.

The committee increased the funds for supplies and materials because of general increase in costs.

In line 238 delete the figure \$500,000.00 and insert in lieu thereof \$300,000.00

In line 239 delete the figure \$500,000.00 and insert in lieu thereof \$300,000.00

Statement of the Purpose of the Amendment:

The committee decreased this fund by \$100,000.00 because the executive office of the budget recommendation appeared excessive for the needs of this fund.

In line 256 delete the figure \$600,000.00 and insert in lieu thereof \$500,000.00

In line 257 delete the figure \$600,000.00 and insert in lieu thereof \$500,000.00

Statement of the Purpose of the Amendment:

The committee decreased this fund by \$100,000.00 because the amount recommended by the Governor appeared excessive in light of past years' need of this fund.

In line 271 delete the figure \$31,525.00 and insert in lieu thereof \$41,525.00

In line 275 delete the figure \$107,281.00 and insert in lieu thereof \$117,281.00

After line 274 delete the figure "275"

Statement of the Purpose of the Amendment:

The committee increased the funds for travel by \$10,000.00 because the amount recommended by the Governor appeared to be inadequate in light of expenditures in the present biennium.

In line 285 delete the figure \$8,000.00 and insert in lieu thereof \$10,000.00

In line 286 delete the figure \$8,000.00 and insert in lieu thereof \$10,000.00

Statement of the Purpose of the Amendment:

The committee increased this fund by \$2,000.00 because the amount recommended by the Governor appeared inadequate in light of actual expenditures this biennium.

In line 302 delete the figure \$265,980.00 and insert in lieu thereof \$261,794.00

In line 306 delete the figure \$330,800.00 and insert in lieu thereof \$326,614.00

Statement of the Purpose of the Amendment:

The committee reduced salaries and wages by \$4,186.00 (\$1,680.00 reduction in cost of living; \$2,506.00 reduction of merit increase) to correct an error in computation.

In line 309 delete the figure \$44,650.00 and insert in lieu thereof \$58,750.00

In line 312 delete the figure \$1,000.00 and insert in lieu thereof \$3,600.00

In line 313 delete the figure \$68,650.00 and insert in lieu thereof \$85,350.00

## Statement of the Purpose of the Amendment:

The committee increased the executive office of the budget by \$16,700.00 to allow for an additional deputy fire marshal on a full time basis, and to replace old and obsolete radio equipment for Mr. Arneson's car.

After line 316 add the following:

316-A Including Commissioner's salary not to exceed \$20,000.00 for the biennium

## Statement of the Purpose of the Amendment:

The committee set the commissioner's salary at \$10,000.00 per year with the intention of precluding him from coming under the state elected officials expense bill.

After line 330 insert a new subdivision, heading and lines as follows:

Subdivision 52

YELLOWSTONE-MISSOURI FORT UNION COMMISSION	
Fees and Services	\$1,000.00
Total	\$1,000.00

## Statement of the Purpose of the Amendment:

The committee allowed this appropriation of \$1,000.00 to provide reimbursement for travel to Washington, D. C. by the members of the commission.

In line 331 delete the figure \$52,504,924.00 and insert in lieu thereof \$59,166,422.00

## Statement of the Purpose of the Amendment:

The committee changed the total to coincide with the amendments made in this bill.

After line 339 insert the following: "SECTION 5. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

## Statement of the Purpose of the Amendment:

The committee added Section 5 to emphasize that moneys appropriated be expended only for the purpose for which they were appropriated.

In line 340 delete the figure "5" and insert in lieu thereof "6"

And renumber the sections, subdivisions and lines accordingly.

And when so amended recommends the same do pass.

SENATOR SORLIE, Chairman

Senator Beck moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 191 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 197 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 244 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 245 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 279 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 301 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 332 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 336 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 343 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin 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 be amended as follows:

After line 14 add the following: "SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

And when so amended recommends the same do pass.

**Statement of the Purpose of the Amendment:**

The committee added Section 2 to restrict the bureau to expending the appropriated funds only for the purpose for which they were appropriated.

**SENATOR SORLIE, Chairman**

Senator Geving moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 545 has had the same under consideration and recommends that the same be indefinitely postponed.

**SENATOR HOLAND, Chairman**

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 547 has had the same under consideration and recommends that the same do pass.

**SENATOR HOLAND, Chairman**

Senator Holand 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 be amended as follows:

In line 11 after the word "department," insert the word "board," And when so amended recommends the same do pass.

**Statement of the Purpose of the Amendment:**

The committee added the word "board" to include all state programs that receive unanticipated federal funds during the biennium.

**SENATOR SORLIE, Chairman**

Senator Litten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 559 has had the same under consideration and recommends that the same do pass.

**SENATOR HOLAND, Chairman**

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 570 has had the same under consideration and recommends that the same do pass.

**SENATOR HOLAND, Chairman**

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 571 has had the same under consideration and recommends that the same do pass.

**SENATOR HOLAND, Chairman**

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 572 has had the same under consideration and recommends that the same do pass.

**SENATOR HOLAND, Chairman**

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom



was referred House Bill No. 573 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 648 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 665 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand 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. 148 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 Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 190 has had the same under consideration and recommend that the same be amended as follows:

In line 34 delete the word "three" and insert in lieu thereof the word "five"

In line 38 delete the word "three" and insert in lieu thereof the word "five"

In line 53 delete the word "three" and insert in lieu thereof the word "five"

In line 55 delete the word "three" and insert in lieu thereof the word "five"

In line 59 delete the second word "one" and insert in lieu thereof the word "two" and delete the word "member" and insert in lieu thereof the word "members"

In line 60 delete the words "one member" and insert in lieu thereof the words "two members"

In line 129 after the first word "board" insert the following: "not to exceed one hundred dollars."

In line 361 delete the words "full-time"

In line 367 after the word "agency" insert the following: ", non-profit corporation"

Delete all of lines 370 and 371 and insert in lieu thereof the following: "shall be extended by the board in individual cases where hardship or other good cause is shown by the agency, non-profit corporation or institution covered hereby, or where the person affected hereunder has received from a school or college as defined herein, a master's degree in psychology and his activities and services with such agency, non-profit corporation or institution are performed under the supervision of a licensed psychologist."

And 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 Industry, Business and Labor to whom was referred Senate Bill No. 204 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 Rait requested a recorded vote, which request was granted.

#### ROLL CALL

The question being on the motion of Senator Hernettt that the committee report on Senate Bill No. 204 be adopted, the roll was called and there were ayes, 29; nays, 19; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Holand	Nothing	Schultz
Becker	Jacobson	Pyle	Sorlie
Butler	Larson, G.	Redlin	Stafne
Chesrown	Litten	Ringsak	Stroup
Coughlin	Luick	Roen	Torgerson
Forkner	Melland	Ruemmele	Trenbeath
Goldberg	Morgan	Sands	Wilhite
Hernettt			

Those voting in the negative were:

Berube	Kautzmann	Lips	Nasset
Christensen	Kelly, E.	Longmire	Rait
Decker	Kelly, M.	Lowe	Robinson
Freed	Larsen, R.	Meschke	Wenstrom
Geving	Larson, L.	Mutch	

Absent and not voting:  
Hofstrand

So the motion was declared adopted.

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 37 after the word "Engineering" insert the following "and Practice of Professional Engineering"

In line 300 after the word "to" delete "January" and insert in lieu thereof "July"

After line 483 insert the following subsections:

"3. In addition to and without impairing any rights or exemptions granted others in this Act, the practice of or offer to practice professional engineering or land surveying as defined in this Act by individual engineers or land surveyors registered under this Act either through or as an officer, employee or agent of a partnership or corporation, or by a partnership or a corporation (other than a Professional Corporation) through individual engineers or land surveyors registered under this Act, is permitted in this state provided:

- a. That all officers, employees and agents of such a partnership or corporation who will perform the practice of engineering or of land surveying within this state for such partnership or corporation are registered under this Act; and,
- b. Each person in responsible charge of the activities of any such partnership or corporation which activities constitute the practice of professional engineering and land surveying is a professional engineer or land surveyor registered in this state or a person authorized to practice professional engineering or land surveying as provided in this Act; and,

- c. That such partnership or corporation has been issued a certificate of authorization by the board as provided by subsection 4 of this section; and,
- d. Each such partnership or corporation shall be jointly and severally responsible with and for the conduct or acts of its agents, employees, or officers in respect to any professional engineering or land surveying services performed or to be executed in this state. No individual practicing professional engineering or land surveying shall be relieved of the responsibility for his conduct or acts performed by reason of his employment by or relationship with such partnership or corporation; and,
- e. All final drawings, specifications, plans, reports, or other engineering or land surveying papers or documents involving the practice of professional engineering or land surveyors as defined in this Act, when issued, shall be dated and bear the seals and signatures of the professional engineers or land surveyors registered under this Act by whom or under whose responsible charge they were prepared; and,

4. A partnership or corporation desiring a certificate of authorization or the renewal thereof shall file a written application with the board setting forth the names and addresses of all partners of such partnership or officers and directors of such corporation, and the names and addresses of all other employees of such partnership or corporation who are duly registered to practice professional engineering or land surveying in this state and who are or will be in responsible charge of any engineering or land surveying in this state by such partnership or corporation, together with such other information as the board may require.

In the event that during the term of any certificate of authorization issued hereunder there shall be a change in any of the information submitted on the application, such partnership or corporation shall file with the board a written report with respect thereto within thirty days after the effective date of such change. Upon the receipt of such application and of a fee not to exceed fifty dollars for the initial certificate or thirty dollars for each renewal thereof, unless the department finds an error in such application or that any facts exist which would entitle the board to suspend or revoke such certificate if issued to the applicant, the board shall issue to such partnership or corporation a certificate of authorization or a renewal thereof, which certificate of authorization shall not be transferable. The provisions with respect to issuance, expiration, renewal and reissuance of the certificates of registration of individuals contained in this Act shall be deemed to apply to certificates of authorization issued to partnerships and corporations under this subdivision. Each such partnership or corporation shall be subject to disciplinary proceedings and penalties, and certificates of authorization shall be subject to suspension or revocation for cause, in the same manner and to the same extent as is provided with respect to individual persons and their certificates of registration in sections 26, 29 and 31 of this Act. "Registrant" and "certificate of registration" in sections 26, 29 and 31 of this Act, and the provisions of such sections, shall for the purposes of such sections be deemed to include and apply respectively to any partnership or corporation holding a certificate of authorization issued under this Act and to such certificate of authorization."

In line 492 after the word "the" delete the word "direct"

In line 493 after the word "Any" insert the word "engineering"

In line 531 after the word "engineering" insert the words "and land surveying" and after the word "person" insert the word "regularly"

In line 535 after the word "employer" insert a period and delete the words "and does"

Delete all of lines 536 through 538.

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. 258 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 Rait requested a recorded vote, which request was granted.

#### ROLL CALL

The question being on the motion of Senator Hernettt that the committee report be adopted, the roll was called and there were ayes, 31; nays, 17; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Holand	Melland	Roen
Butler	Jacobson	Morgan	Ruemmele
Chesrown	Kelly, E.	Nasset	Schultz
Coughlin	Kelly, M.	Nothing	Sorlie
Forkner	Larson, G.	Pyle	Stafne
Geving	Lips	Redlin	Stroup
Goldberg	Litten	Ringsak	Wilhite
Hofstrand	Luick	Robinson	

Those voting in the negative were:

Berube	Kautzmann	Lowe	Sands
Christensen	Larsen, R.	Meschke	Torgerson
Decker	Larson, L.	Mutch	Trenbeath
Freed	Longmire	Rait	Wenstrom
Hernettt			

Absent and not voting:

Becker

So the motion was declared carried.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 380 has had the same under consideration and recommends that the same be amended as follows:

In the third line of the title delete the word "January" and insert in lieu thereof the words "August 5, 1964"

In the fourth line of the title delete the figures and comma "31, 1955"

In line 5 delete the words and figures "January 31, 1955" and insert in lieu thereof the word and figures "August 5, 1964"

In line 6 delete the word and figure "January 31" and insert in lieu thereof the word and figures "August 5, 1964"

In line 7 delete the figure and comma "1955,"

In line 104 delete the figure "\$300,000.00" and insert in lieu thereof the figure "\$150,000.00"

And renumber the lines accordingly.

And be rereferred to the Committee on Appropriations.

And when so amended recommends the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion prevailed.

## MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 10, 1967

Mr. Speaker: I have the honor to inform you that the Senate requests the return of Senate Concurrent Resolution "Y".

LEO LEIDHOLM, Secretary

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

## THIRTY-NINTH DAY

Bismarck, February 10, 1967

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. E. C. Schumacher, First Evangelical Free Church, Bismarck.

Our gracious Heavenly Father, we come into Thy presence through Jesus Christ our Lord. We acknowledge that Thou art the God who rules over the kingdom of men; that Thou art the source of all wisdom and might; and that Thou art the "God Who hath made and preserved us a nation."

We do humbly beseech Thee for wisdom and guidance that these Senators may make those decisions which are right and proper in Thy sight; that they may lead our State and our people on the path of righteousness; and that they may enact such legislation as will be for Thy glory and our good.

We ask these mercies in the Name of Jesus Christ our Lord, thanking Thee for the many and great blessings which Thou hast already bestowed upon us. In Jesus' Name. Amen.

Roll call: All Senators present except Senator Becker.

A quorum was declared by the President.

## CORRECTION AND REVISION

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 finds the same correct.

SENATOR LOWE, Chairman

Senator Lowe moved that the report be adopted, which motion prevailed.

## MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 10, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 63

Senate Bill No. 179

Senate Bill No. 194

Senate Bill No. 198

Senate Bill No. 199

Senate Bill No. 201

Senate Bill No. 212

Senate Bill No. 213

Senate Bill No. 228

Senate Bill No. 230

Senate Bill No. 255

Senate Bill No. 259

Senate Bill No. 264

Senate Bill No. 277  
 Senate Bill No. 278  
 Senate Bill No. 293  
 Senate Bill No. 303  
 Senate Bill No. 312  
 Senate Bill No. 324  
 Senate Bill No. 356  
 Senate Concurrent Resolution "FF"  
 Senate Concurrent Resolution "CCC"

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary  
 Senate Chamber  
 Bismarck, February 10, 1967

Mr. Speaker: I have the honor to return:  
 House Bill No. 507  
 Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary  
 Senate Chamber  
 Bismarck, February 10, 1967

Mr. Speaker: I have the honor to return:  
 House Bill No. 525  
 Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senator Lips moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the chair, pursuant to recess taken, the President presiding.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 44 has had the same under consideration and recommends that the same be amended as follows:

In line 228 of the engrossed bill place triple parentheses before the word "this" and after the word "chapter" and insert before the words "the term" the following language, "subsection 9 of section 39-06-03 and sections 39-06-31 and 39-06-32 of the North Dakota Century Code"

And renumber the lines accordingly

And when so amended recommends the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 166 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 196 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin 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 Industry, Business and Labor to whom was referred Senate Bill No. 266 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. 280 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. 283 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 Bill No. 319 has had the same under consideration and recommends that the same be amended as follows:

In line 4 delete the following material: "under the control and supervision of the state board of"

In line 5 delete the following material: "higher education, and shall be"

After line 9 and before line 10 insert the following new section:

"SECTION 2. ADVISORY TRANSPORTATION COUNCIL — COMPOSITION.) There is hereby established a transportation council which shall serve in an advisory capacity to the Upper Great Plains Transportation Institute. The director of the institute shall serve as the executive secretary of the council and it shall elect its own chairman. The council membership shall consist of one representative from and appointed by the following organizations:

1. The Greater North Dakota Association.
2. The Public Service Commission.
3. The North Dakota Farm Bureau.
4. The North Dakota Farmers Union.
5. The Livestock Industry Council.
6. The North Dakota Wheat Commission.
7. The North Dakota Economic Development Commission.
8. The North Dakota Farmers Grain Dealers Association.
9. The North Dakota Railway Lines.
10. The North Dakota Motor Carriers Association.
11. A traffic counsel selected by the members of the council appointed by the above-named organizations.

Members of the council shall serve without pay, but they may receive reimbursement for actual and necessary expenses incurred in the performance of their duties, if authorized by the director.

The council shall consult with the institute in matters of policy affecting the administration of this Act and in the development of transportation in the state of North Dakota. The council shall meet at the call of the executive director or upon the written request of three or more members of the council."

In line 13 delete the word "problems" and insert in lieu thereof the words "marketing factors"

In line 15 after the word "transportation" insert a period

In line 16 delete the words "of commodities" and insert in lieu thereof the following material: "Research areas shall include the study of commodity movements"

In line 17 delete the words "disadvantages connected with such" and insert in lieu thereof the words "factors affecting the marketing of"

In line 18 delete the word "location" and insert in lieu thereof the words "area products"

In line 22 after the word "agencies" insert the following material: ", shipper and producer groups, and carriers," and after the word "states" insert a comma

And renumber the lines and sections accordingly.

And when so amended recommends the same do pass and be re-referred to the Committee on Appropriations.

SENATOR HOLLAND, Chairman

Senator Holland moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 327 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Beck 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. 340 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 Political Subdivisions to whom was referred Senate Bill No. 341 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin 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. 377 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 Political Subdivisions to whom was referred Senate Bill No. 383 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman



Senator Redlin 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. 394 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. 395 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 Concurrent Resolution "KK" has had the same under consideration and recommends that the same do pass.

And be rereferred 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 Industry, Business and Labor to whom was referred Senate Concurrent Resolution "DDD" has had the same under consideration and recommends that the same do pass.

And be rereferred to Legislative Research Resolutions Committee.

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 Senate Concurrent Resolution "GGG" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LONGMIRE, Chairman

Senator Larsen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Concurrent Resolution "KKK" 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.

Senator Longmire moved that Senate Concurrent Resolution "KKK" be re-referred to the Legislative Research Resolutions Committee, which motion prevailed.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred House Bill No. 535 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 Social Welfare and Veterans Affairs to whom was referred House Bill No. 538 has had the same under consideration and recommends that the same be amended as follows:

In line 40 after the word "If" delete the following words "the written consent or"

In line 73 delete the word "set" and insert in lieu thereof the following: "twenty-five dollars"

In line 74 delete the following words "by the board of administration"

And renumber the lines accordingly.

And when so amended 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 Transportation 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 90 delete the words "three dollars" and insert in lieu thereof "one dollar and fifty cents"

And when so amended recommends the same do pass.

SENATOR HOLAND, Chairman

Senator Holand 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. 548 has had the same under consideration and recommends that the same do pass.

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 Transportation to whom was referred House Bill No. 619 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand 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. 629 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 Transportation to whom was referred House Bill No. 645 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 10, 1967

Mr. President: I have the honor to transmit:

House Bill No. 558

House Bill No. 711

House Bill No. 746  
 House Bill No. 759  
 House Bill No. 794  
 House Bill No. 828  
 House Bill No. 833  
 House Bill No. 835  
 House Bill No. 846  
 House Bill No. 871  
 House iBill No. 879  
 House Bill No. 917  
 House Bill No. 937  
 House Bill No. 938

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

### CONSIDERATION OF AMENDMENTS

Senator Lips moved that the rules be suspended and that the reading of the amendments to Senate Bills Nos. 171, 318, 360, Senate Concurrent Resolution "M", Senate Bills Nos. 17, 180, 281 and House Bill No. 528, be dispensed with, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 171 as recommended by the Committee on Appropriations, and printed on pages 413 and 414 of the Senate Journal, be adopted, which motion prevailed.

Senator Morgan moved that the amendments to Senate Bill No. 318 as recommended by the Committee on Agriculture, and printed on page 414 of the Senate Journal, be adopted, which motion prevailed.

Senator Morgan moved that the amendments to Senate Bill No. 360 as recommended by the Committee on Agriculture, and printed on pages 414 and 415 of the Senate Journal, be adopted, which motion prevailed.

Senator Morgan moved that the amendments to Senate Concurrent Resolution "M" as recommended by the Committee on Agriculture, and printed on page 415 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 17 as recommended by the Committee on Appropriations, and printed on pages 425 and 426 of the Senate Journal, be adopted.

Senator Meschke requested a recorded vote, which request was granted.

### ROLL CALL

The question being on the motion of Senator Sorlie to adopt the amendments to Senate Bill No. 17, the roll was called and there were ayes, 41; nays, 4; absent and not voting, 4.

Those voting in the affirmative were:

Beck	Jacobson	Luick	Ruemmele
Chesrown	Kautzmann	Melland	Sands
Coughlin	Kelly, E.	Morgan	Schultz
Decker	Kelly, M.	Mutch	Sorlie
Forkner	Larsen, R.	Nasset	Stafne
Freed	Larson, G.	Nothing	Stroup
Geving	Lips	Pyle	Torgerson
Goldberg	Litten	Redlin	Trenbeath
Hernett	Longmire	Robinson	Wenstrom
Hofstrand	Lowe	Roen	Wilhite
Holand			

Those voting in the negative were:

Christensen      Larson, L.      Meschke      Rait

Absent and not voting:

Becker      Berube      Butler      Ringsak

So the motion was declared carried.

Senator Sorlie moved that Senate Bill No. 17 be further amended as follows:

In line 1 of the title delete the words "public school" and insert in lieu thereof "state board"

In line 2 of the title delete the word "vocational" and insert in lieu thereof "public school"

Which motion prevailed.

Senator Chesrown moved that the amendments to Senate Bill No. 180 as recommended by the Committee on Judiciary, and printed on pages 426 and 427 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that Senate Bill No. 180 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 281 as recommended by the Committee on Appropriations, and printed on page 427 of the Senate Journal, be adopted, which motion prevailed.

Senator Kautzmann moved that Senate Bill No. 281 be further amended as follows:

In line 2, delete the comma after the word "Abercrombie" and insert in lieu thereof the word "and", delete the comma after the word "battlefield" and the words "and the"

In line 3 delete the words "historic portion of Fort Lincoln state park"

In line 8 delete the figure "61,000.00" and insert in lieu thereof the figure "41,000.00"

In line 11 after the word "battlefield" delete the comma and insert the word "and" and after the word "Rice" delete the following ", and the historic"

In line 12 delete the words "portion of Fort Lincoln State Park,"

Delete all of line 17

In line 19 delete the figure "61,000.00" and insert in lieu thereof the figure "41,000.00"

Renumber the lines accordingly.

Which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 528 as recommended by the committee on appropriations, and printed on page 427 of the Senate Journal, be adopted, which motion prevailed.

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 10, 1967

Mr. President: I have the honor to return Senate Concurrent Resolution "Y", which the Senate has requested.

ROY GILBREATH, Chief Clerk

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 154.** A Bill for an Act to amend and reenact section 23-15-04 of the North Dakota Century Code relating to fireworks; and providing for licensing of distributors and retailers, and declaring an emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, on page 388 of the Senate Journal, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beck	Holand	Lowe	Ringsak
Chesrown	Jacobson	Luick	Robinson
Christensen	Kautzmann	Melland	Roen
Coughlin	Kelly, E.	Meschke	Sands
Decker	Kelly, M.	Morgan	Sorlie
Forkner	Larsen, R.	Mutch	Stafne
Freed	Larson, G.	Nasset	Stroup
Geving	Larson, L.	Nothing	Torgerson
Goldberg	Lips	Pyle	Trenbeath
Hernett	Litlen	Rait	Wenstrom
Hofstrand	Longmire	Redlin	Wilhite

Absent and not voting:

Becker	Butler	Ruemmele	Schultz
Berube			

So the bill passed and the title was agreed to, and the emergency clause carried.

**Senate Bill No. 165.** A Bill for an Act to amend and reenact sections 15-40-18 and 15-40-19, subsection 4 of section 57-01-05, subsection 11 of section 57-01-06, and section 57-15-24 of the North Dakota Century Code, relating to sales ratio studies, manner of certifying per-pupil payments, and the duties of the state supervisor of assessments, and to repeal section 57-01-08, relating to county equalization fund payments and the sales ratio study.

Was read the second time.

Senator Lips moved that Senate Bill No. 165 be placed at the foot of the calendar, which motion prevailed.

**Senate Bill No. 211.** A Bill for an Act to amend and reenact section 34-12-08 of the 1965 Supplement to the North Dakota Century Code relating to labor management relations empowering the commissioner of labor to initiate mandamus proceedings.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, on page 390 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Jacobson	Melland	Roen
Chesrown	Kautzmann	Meschke	Ruemmele
Christensen	Kelly, E.	Morgan	Sands
Coughlin	Kelly, M.	Mutch	Schultz
Decker	Larsen, R.	Nasset	Sorlie
Forkner	Larson, G.	Nothing	Stafne
Freed	Larson, L.	Pyle	Stroup
Geving	Lips	Rait	Torgerson
Goldberg	Litlen	Redlin	Trenbeath
Hernett	Longmire	Ringsak	Wenstrom
Hofstrand	Lowe	Robinson	Wilhite
Holand	Luick		

Absent and not voting:

Becker	Berube	Butler
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So the bill passed and the title was agreed to.

**Senate Bill No. 224.** A Bill for an Act to permit restricted changes in school district boundaries with retention of equivalent taxable valuation by the district involved and retention of substantially

similar district boundaries, and to amend and reenact section 15-40-17.1 of the North Dakota Century Code, relating to the tuition of non-resident students who are living and employed on installations of the federal government.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 396 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Jacobson	Melland	Roen
Chesrown	Kautzmann	Meschke	Ruemmele
Christensen	Kelly, E.	Morgan	Sands
Coughlin	Kelly, M.	Mutch	Schultz
Decker	Larsen, R.	Nasset	Sorlie
Forkner	Larson, G.	Nothing	Stafne
Freed	Larson, L.	Pyle	Stroup
Geving	Lips	Rait	Torgerson
Goldberg	Litten	Redlin	Trenbeath
Hernett	Longmire	Ringsak	Wenstrom
Hofstrand	Lowe	Robinson	Wilhite
Holand	Luick		

Absent and not voting:

Becker	Berube	Butler
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So the bill passed and the title was agreed to.

Senator Chesrown moved that Senate Bill No. 224 be amended as follows:

In line 4 of the title delete the words "sections 15-40-17 and" insert in lieu thereof the word "section".

Which motion prevailed.

**Senate Bill No. 239.** A Bill for an Act to create and enact section 43-13-30 of the North Dakota Century Code, relating to reports and testimony accepted, nondiscrimination and freedom of choice of ocular practitioner.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 397 of the Senate Journal and from the floor, the roll was called and there were ayes, 32; nays, 12; absent and not voting, 5.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Ruemmele
Chesrown	Holand	Luick	Sands
Christensen	Kelly, E.	Melland	Schultz
Coughlin	Kelly, M.	Morgan	Sorlie
Decker	Larsen, R.	Mutch	Stroup
Forkner	Larson, G.	Nothing	Torgerson
Freed	Larson, L.	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Those voting in the negative were:

Geving	Lips	Pyle	Roen
Goldberg	Litten	Rait	Stafne
Jacobson	Nasset	Robinson	Trenbeath

Absent and not voting:

Becker	Butler	Kautzmann	Meschke
Berube			

So the bill passed and the title was agreed to.

**Senate Bill No. 299.** A Bill for an Act to create and enact section 15-27-20 and to amend and reenact section 15-40-15 of the North Dakota Century Code, relating to students affected by attachment and reorganization of school districts who historically attended schools in bordering states and reciprocal agreements of the superintendent of public instruction with educational agencies of other states.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 397 of the Senate Journal, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Beck	Holand	Melland	Roen
Chesrown	Kelly, E.	Meschke	Ruemmele
Christensen	Kelly, M.	Morgan	Sands
Coughlin	Larsen, R.	Mutch	Schultz
Decker	Larson, G.	Nasset	Sorlie
Forkner	Larson, L.	Nething	Stafne
Freed	Lips	Pyle	Stroup
Geving	Litten	Rait	Torgerson
Goldberg	Longmire	Redlin	Trenbeath
Hernett	Lowe	Ringsak	Wenstrom
Hofstrand	Luick	Robinson	Wilhite

Those voting in the negative were:

Jacobson

Absent and not voting:

Becker	Berube	Butler	Kautzmann
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So the bill passed and the title was agreed to.

**Senate Bill No. 316.** A Bill for an Act authorizing the State Department of Health, Mental Health and Retardation Division, Jamestown State Hospital, of the State of North Dakota, to sell, convey and transfer to the United States of America, certain described real property for the purpose of correcting a description of a certain transmission line easement, provide land for the Jamestown Substation, and declaring an emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 391 of the Senate Journal, and 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:

Beck	Holand	Melland	Roen
Chesrown	Jacobson	Meschke	Ruemmele
Christensen	Kelly, E.	Morgan	Sands
Coughlin	Kelly, M.	Mutch	Schultz
Decker	Larsen, R.	Nasset	Sorlie
Forkner	Larson, G.	Nething	Stafne
Freed	Larson, L.	Pyle	Stroup
Geving	Lips	Rait	Torgerson
Goldberg	Litten	Redlin	Trenbeath
Hernett	Lowe	Ringsak	Wenstrom
Hofstrand	Luick	Robinson	Wilhite

Absent and not voting:

Becker	Butler	Kautzmann	Longmire
Berube			

So the bill passed and the title was agreed to, and the emergency clause carried.

**Senate Bill No. 321.** A Bill for an Act to amend and reenact sections 15-34-09.1 and 15-34-09 of the 1963 Supplement to the

North Dakota Century Code, relating to levy for transportation and maintenance of pupils.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 398 of the Senate Journal, the roll was called and there were ayes, 32; nays, 13; absent and not voting, 4.

Those voting in the affirmative were:

Beck	Holand	Lowe	Ruemmele
Chesrown	Jacobson	Melland	Sands
Coughlin	Kelly, E.	Nasset	Schultz
Decker	Larsen, R.	Nothing	Stafne
Freed	Larson, G.	Pyle	Stroup
Geving	Lips	Redlin	Torgerson
Goldberg	Litten	Ringsak	Wenstrom
Hofstrand	Longmire	Roen	Wilhite

Those voting in the negative were:

Christensen	Larson, L.	Morgan	Robinson
Forkner	Luick	Mutch	Sorlie
Hernett	Meschke	Rait	Trenbeath
Kelly, M.			

Absent and not voting:

Becker	Berube	Butler	Kautzmann
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So the bill passed and the title was agreed to.

**Senate Bill No. 307.** A Bill for an Act making an appropriation to the Devils Lake public school district number one of Ramsey and Benson counties for the construction of vocational shops and facilities at the Lake Region junior college, Devils Lake, North Dakota.

Was read the second time.

Senator Hofstrand moved that Senate Bill No. 307 be amended as follows:

In line 6, delete the figure \$500,000.00" and insert in lieu thereof the figure "\$250,000.00".

Which motion prevailed.

Senator Hofstrand moved that the rules be suspended, that Senate Bill No. 307 be deemed properly engrossed and placed on second reading and final passage, as amended, which motion prevailed.

Senator Holand moved the previous question, which motion prevailed.

#### ROLL CALL

The question being on the final passage of Senate Bill No. 307 as amended from the floor, the roll was called and there were ayes, 21; nays, 24; absent and not voting, 4.

Those voting in the affirmative were:

Beck	Longmire	Redlin	Schultz
Hofstrand	Lowe	Robinson	Sorlie
Jacobson	Mutch	Roen	Torgerson
Kelly, M.	Nothing	Ruemmele	Trenbeath
Larson, L.	Rait	Sands	Wenstrom
Lips			

Those voting in the negative were:

Chesrown	Geving	Larson, G.	Nasset
Christensen	Goldberg	Litten	Pyle
Coughlin	Hernett	Luick	Ringsak
Decker	Holand	Melland	Stafne
Forkner	Kelly, E.	Meschke	Stroup
Freed	Larsen, R.	Morgan	Wilhite



Absent and not voting:

Becker                      Derube                      Butler                      Kautzmann

So the bill was lost.

#### MOTION

Senator Ringsak moved that the Senate reconsider the action by which Senate Concurrent Resolution "Y" was adopted on a voice vote, which motion prevailed.

Senator Ringsak moved that Senate Concurrent Resolution "Y" be placed at the head of the calendar, which motion prevailed.

#### SECOND READING OF A SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution "Y".** A Concurrent Resolution for the ratification of a proposed amendment to the Constitution of the United States, relating to succession to the Presidency and Vice Presidency and to cases where the president is unable to discharge the powers and duties of his office.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beck	Holand	Luick	Roen
Chesrown	Jacobson	Melland	Ruemmele
Christensen	Kelly, E.	Meschke	Sands
Coughlin	Kelly, M.	Morgan	Schultz
Decker	Larsen, R.	Nasset	Sorlie
Forkner	Larson, G.	Nething	Stafne
Freed	Larson, L.	Pyle	Stroup
Geving	Lips	Rait	Torgerson
Goldberg	Litten	Redlin	Trenbeath
Hernett	Longmire	Ringsak	Wenstrom
Hofstrand	Lowe	Robinson	Wilhite

Absent and not voting:

Becker                      Butler                      Kautzmann                      Mutch  
Berube

So the resolution was declared adopted.

Senator Ringsak moved that the vote by which Senate Concurrent Resolution "Y" was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### FIRST READING OF HOUSE BILLS

**House Bill No. 522.** For an Act to provide for payment of expenses to certain state officers, judges of district court and supreme court judges, making an appropriation, and declaring an emergency.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 537.** For an Act to amend and reenact sections 25-09-04, 25-09-05, 25-09-06, 25-09-07, 25-09-08, and 25-09-11 of the North Dakota Century Code, relating to charges for the care and treatment of residents of the Grafton state school, methods of determining actual liability, and disposition of revenue, and to repeal section 25-09-06.1, relating to limitations on certain claims.

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 relating to the establishment of a milk stabilization board to regulate prices and trade

practices within the fluid milk industry which industry is declared to be within the police power, making an appropriation, and providing a penalty.

Was read the first time and referred to the Committee on Agriculture.

**House Bill No. 670.** A Bill for an Act to amend and reenact subsection 1 of section 57-02-12 of the North Dakota Century Code, relating to the listing of personal property and to provide a consignee with a lien for the amount of tax on consigned merchandise assessed to him.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 674.** A Bill for an Act to create and enact sections 29-01-06.1 and 29-11-10.1 of the North Dakota Century Code, relating to the trial of a defendant under a multiple count indictment or information, and to amend and reenact section 29-11-10, and subsections 1 and 2 of section 29-14-04 of the North Dakota Century Code, relating to charges of offenses and grounds for motion to quash.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 695.** A Bill for an Act to amend and reenact section 57-19-07 of the North Dakota Century Code relating to tax collections, and to amend and reenact section 57-19-08 of the North Dakota Century Code relating to personal liability.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 752.** A Bill for an Act to provide for municipal parking authorities.

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 section 57-12-01.1 of the 1965 Supplement to the North Dakota Century Code, relating to spot checks of real and personal property assessments.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 774.** A Bill for an Act to amend and reenact subsection 3 of section 15-35-02 of the 1965 Supplement to the North Dakota Century Code, relating to admission of light in elementary and high schools, and declaring an emergency.

Was read the first time and referred to the Committee on Education.

**House Bill No. 776.** A Bill for an Act to amend and reenact section 59-03-02 of the North Dakota Century Code, relating to the purposes for which express trusts are created, and to provide a method of holding real property in trust with certain limited powers.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 778.** A Bill for an Act to amend and reenact section 57-38-38 of the 1965 Supplement to the North Dakota Century Code, relating to notice of federal audit of return, consent for future audit, penalties, and to provide for an effective date.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 779.** A Bill for an Act to amend and reenact section 64-02-10 of the North Dakota Century Code, relating to the fees for inspection of weighing and measuring devices.

Was read the first time and referred to the Committee on Agriculture.

**House Bill No. 781.** A Bill for an Act to make a portion of excise taxes levied on aviation gasoline and jet motor fuel used by aircraft not refundable, to provide for the allocation and distribution of the proceeds, to make an appropriation for administrative expense, and to repeal chapter 57-56 of the North Dakota Century Code, relating to a special excise tax on aviation fuels.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 792.** A Bill for an Act to amend and reenact section 11-27-01 of the North Dakota Century Code, relating to the sale of property by boards of county commissioners, and to repeal section 57-12-09 of the 1965 Supplement to the North Dakota Century Code, relating to notice of increased assessments to real estate.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 821.** A Bill for an Act to amend and reenact section 36-11-01 of the North Dakota Century Code, relating to livestock running at large, and providing penalties.

Was read the first time and referred to the Committee on Agriculture.

**House Bill No. 867.** A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to exemption for nonresident individual.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 883.** A Bill for an Act to amend and reenact sections 57-23-04, 57-23-05 and 57-23-08 of the North Dakota Century Code, relating to property tax abatement procedures.

Was read the first time and referred to the Committee on Finance and Taxation.

Senator Lips moved that the Senate recess until 12:30 p.m., February 11, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary



"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### THIRTY-NINTH DAY AFTER RECESS AND FORTIETH DAY

Bismarck, February 11, 1967

The Senate convened at 12:30 p.m., pursuant to recess taken, the President presiding.

### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 11, 1967

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "Y"

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 17  
Senate Bill No. 171  
Senate Bill No. 180  
Senate Bill No. 281  
Senate Bill No. 318  
Senate Bill No. 360

And find the same correctly engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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 WENSTROM, Chairman

Senator Wenstrom 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. 22  
Senate Bill No. 56  
Senate Bill No. 59  
Senate Bill No. 62  
Senate Bill No. 85

And find the same correctly Enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 83 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 section 55-08-06.1 of the North Dakota Century Code, relating to state park motor vehicle permits and fees and to amend and reenact section 55-08-06 of the North Dakota Century Code, relating to permit and admission fees to state parks.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

("SECTION 1. AMENDMENT.) Section 55-08-06 of the 1965 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

55-08-06. PERMITS FOR MOTOR VEHICLES.) No motor vehicle shall enter or be permitted to enter any state park, state recreational area or reserve over fifty acres in area unless it has affixed to its windshield in the lower right corner thereof a permit issued as provided in this section, provided, however, that this shall not apply to any motor vehicles entering any state park for the purpose of parking thereon during the performance of any historic drama. The director of state parks shall procure permits in such form as he shall prescribe for each calendar year which by appropriate language shall grant permission to use any state park, state recreational area or reserve over fifty acres in area. Permits for each calendar year shall be provided and placed on sale before October first next preceding, and may be affixed and used on or at any time after said date until the end of the calendar year for which issued. Such permits in each category shall be numbered consecutively for each year of issue. A fee of two dollars shall be charged for each permit issued, except that permits of appropriate special design may be sold individually at fifty cents or in lots of ((twenty-five)) ten or more to any organization at twenty-five cents per permit covering the use of state parks, state recreational area or reserves under such conditions as the director may prescribe for a designated period of not more than ((two)) three days. The fees collected shall be deposited in the state park fund in the state treasury.

SECTION 2.) Section 55-08-06.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

55-08-06.1. EXCEPTIONS TO MOTOR VEHICLE PERMITS AND FEES AUTHORIZED.) The director of state parks, upon specific approval by the state park advisory council, is authorized to except all or any part of any state park, state recreational area or reserve from the requirement of the motor vehicle permit and fee, for any period, when in his judgment and the judgment of the state park advisory council, it is desirable to do so; provided, however, that no further exceptions can be made after state park revenue bonds are issued and while such bonds are outstanding."

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. 163 has had the same under

consideration and recommends that the same be indefinitely postponed.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 172 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 173 has had the same under consideration and recommends that the same be amended as follows:

In line 118 after the word "be" delete "subject to"

Delete all of lines 119, 120 and 121 and insert in lieu thereof the following:

"exempt from taxation as is property under provision of section 57-02-08 of the North Dakota Century Code"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 180 has had the same under consideration and recommends that the same be amended as follows:

In line 80 delete the words "twenty-five" and insert in lieu thereof "ten"

And when so amended return to the Senate without recommendation.

Statement of the Purpose of the Amendment:

The committee reduced the appropriation to \$10,000.00 because it considers this new council as a substitute for the peace officers commission which would be automatically repealed upon passage of this bill.

SENATOR SORLIE, Chairman

Senator Luick moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 183 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 was lost.

Senator Lips moved that Senate Bill No. 183 be placed on the calendar, which motion prevailed.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign  
 Senate Bill No. 22  
 Senate Bill No. 56  
 Senate Bill No. 59  
 Senate Bill No. 62  
 Senate Bill No. 85

And the President signed the same in the presence of the Senate.

## MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 11, 1967

Mr. President: I have the honor to transmit:

House Bill No. 514  
 House Bill No. 609  
 House Bill No. 659  
 House Bill No. 686  
 House Bill No. 698  
 House Bill No. 704  
 House Bill No. 715  
 House Bill No. 726  
 House Bill No. 757  
 House Bill No. 765  
 House Bill No. 782  
 House Bill No. 784  
 House Bill No. 823  
 House Bill No. 838  
 House Bill No. 843  
 House Bill No. 844  
 House Bill No. 845  
 House Bill No. 852  
 House Bill No. 862  
 House Bill No. 864  
 House Bill No. 865  
 House Bill No. 904  
 House Bill No. 911  
 House Concurrent Resolution "M"  
 House Concurrent Resolution "Z"  
 House Concurrent Resolution "Q-1"

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 11, 1967

Mr. President: I have the honor to transmit:

House Bill No. 575  
 House Bill No. 592

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

## REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 200 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 235 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. 246 has had the same under consideration and recommends that the same be amended as follows:



In line 13 after the word "commissioner" insert triple parentheses before and after the word "shall" and insert in lieu thereof the word "may"

In line 16 after the word "commissioner" insert triple parentheses before and after the word "shall" and insert in lieu thereof the word "may"

In line 19 after the word "commissioner" insert triple parentheses before and after the word "shall" and insert in lieu thereof the word "may"

In line 22 after the word "commissioner" insert triple parentheses before and after the word "shall" and insert in lieu thereof the word "may"

In line 25 after the word "commissioner" insert triple parentheses before and after the word "shall" and insert in lieu thereof the word "may"

In line 28 after the word "commissioner" insert triple parentheses before and after the word "shall" and insert in lieu thereof the word "may"

In line 32 after the word "exceeding" delete the word "twenty-five" and insert in lieu thereof the word "forty"

In line 33 insert triple parentheses before and after the word "shall" in lieu thereof the word "may"

In line 35 after the word "over" delete the word "twenty-five" and insert in lieu thereof the word "forty"

In line 36 after the word "commissioner" insert triple parentheses before and after the word "shall" and insert in lieu thereof the word "may"

Renumber the lines accordingly

And when so amended recommends the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 251 has had the same under consideration and recommends that the same be amended as follows:

In line 18 after the word "to" delete the word "twenty-five" and insert in lieu thereof "five"

And when so amended recommends the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 274 has had the same under consideration and recommends that the same be amended as follows:

In line 8 delete the triple parentheses before and after the word "inundated"

In line 9 after the word "easement" delete the words "to the state or"

In line 10 delete "any of its agencies or political subdivisions or"

In line 16 insert triple parentheses after the word "the"

In line 17 insert triple parentheses after the word "the"

In line 18 insert triple parentheses around the word "its" and insert "any of its agencies or"

In line 43 after the period insert the following. "Such accumulated fund shall not, at any time, exceed the amount which may be produced by a two-mill levy."

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. 287 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 Bill No. 295 has had the same under consideration and recommends that the same be amended as follows:

In line 59 after the period delete the word "In"

Delete all of lines 60 through 65.

In line 104 after the period delete the words "The provisions of this"

Delete all of lines 105 and 106.

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 Education to whom was referred Senate Bill No. 364 has had the same under consideration and recommends that the same be amended as follows:

In line 10 following "guaranteed" insert "principal balance"

In line 37 following the word "by" insert "the private lending agency and by"

In line 42 following "are" insert "found by private lending agency and by the bank to be"

In line 56 after "applications" insert "after action thereon by the private lending agency"

In line 59 following the first right-hand triple parenthesis insert "principal balance of which the"

In line 91 following "guaranteeing" insert "principal balances of"

In line 100 following "of" insert "principal balances of"

In line 110 following "that" insert "any"; following "guaranteed" insert "principal balance of"

In line 115 change the period to a comma and insert "not exceeding the unpaid principal balance thereon."

SECTION 6. Section 15-62-08 of the North Dakota Century Code is hereby created and enacted to read as follows:

"15-62-08. Whenever payment of the guaranteed principal balance of any loan is demanded of the bank the evidence of the loan shall be tendered to the bank, including good title to the loan note, so that the loan may be collected by the bank as it may determine according to law. Neither minority nor any statute of limitations may be used as a defense against collection of any loan."

In line 116 delete "6" and insert "7" in lieu thereof; delete "08" and insert "09" in lieu thereof.

In line 119 delete "08" and insert "09" in lieu thereof.

In line 128 following "guaranteeing" insert "principal balances of"

In line 130 delete "7" and insert "8" in lieu thereof

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No 369 has had the same under consideration and recommends that the same be amended as follows:

In line 17 after the first comma delete "a unitization or pooling agreement,"

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.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 370 has had the same under consideration and recommends that the same be amended as follows:

In line 1 of the title after the word "cities" delete the words "of population of ten thousand or more"

In line 2 after the word "city" delete the words "having a population"

In line 3 delete the following: "of ten thousand or more"

Re-number the lines accordingly

And when so amended recommends the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 372 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 Appropriations to whom was referred Senate Bill No. 388 has had the same under consideration and recommends that the same be returned to the Senate without recommendation.

SENATOR SORLIE, Chairman

Senator Larsen (Richard) 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. 390 has had the same under consideration and recommends that the same be amended as follows:

In line 8 after the comma delete the words "as well as to provide financial assistance for"

In line 9 delete the following words "approved programs,"

Delete lines 24 through 37

In line 53 after the word "compensation" delete the comma and insert in lieu thereof a period and delete the words "but may"

Delete lines 54 and 55.

In line 67 after the first period delete the words "GRANTS — PURPOSE" and insert in lieu thereof "DUTIES OF THE DIVISION OF VOCATIONAL REHABILITATION" and after the parenthesis insert the following "1."

In line 70 after the period delete the words "The purpose of grants-in-aid shall be:"

After line 70 insert the following "2. Other duties of the Division"

In line 71 delete the "1" and insert in lieu thereof "a"

In line 75 delete the "2" and insert in lieu thereof "b"

In line 77 delete the "3" and insert in lieu thereof "c"

In line 79 delete the "4" and insert in lieu thereof "d"

In line 81 after the period delete the words "Grants-in-aid under the provisions of this Act"

Delete lines 82, 83 and 84.

In line 85 after the first period delete the word "ELIGIBLE" and after the word "ORGANIZATIONS" insert the following "ELIGIBLE FOR LICENSURE"

In line 91 delete the word "established" and insert in lieu thereof the word "recommended" and after the word "committee" insert the following "and established by the Division of Vocational Rehabilitation"

In line 93 delete the word "ELIGIBILITY" and insert in lieu thereof the word "LICENSURE" and after the word "for" delete the following words "grants-in-aid" and insert in lieu thereof the word "licensure"

In line 131 after the word "sources" insert a period and delete the following words "and promote public support for"

Delete line 132

Delete lines 140 through 165

And renumber the lines and sections accordingly.

And when so amended recommend the same do pass.

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Concurrent Resolution "I-I" has had the same under consideration and recommends that the same be amended as follows:

In line 21 after the word "the" insert "lack of" and after the word "drainage" delete the word "moratorium"

In line 33 after the word "wetlands" insert a semicolon

Delete all of line 34.

In line 37 delete "for migratory bird conservation"

In line 45 delete the comma and insert in lieu thereof a period and delete the remainder of the line.

Delete all of line 46.

After line 52 insert the following:

"BE IT FURTHER RESOLVED, that the secretary of state transmit copies of this resolution to the United States Department of Interior, the United States Department of Agriculture, and to each member of the North Dakota congressional delegation."

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.

#### CONSIDERATION OF AMENDMENTS

Senator Lips moved that the rules be suspended and that the reading of the amendments to Senate Bills No. 1, 190, 214, 380, House Bills Nos. 515 and 553 be dispensed with, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 1 as recommended by the Committee on Appropriations, and printed on pages 439 to 444 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 190 as recommended by the Committee on Social Welfare and Veterans Affairs, and printed on page 447 of the Senate Journal, be adopted, which motion prevailed.

Senator Hernettt moved that the amendments to Senate Bill No. 214 as recommended by the Committee on Industry, Business and Labor, and printed on pages 448 to 450 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 380 as recommended by the Committee on Social Welfare and Veterans Affairs, and printed on page 450 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 515 as recommended by the Committee on Appropriations, and printed on pages 445 and 446 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 553 as recommended by the Committee on Appropriations, and printed on page 446 of the Senate Journal, be adopted, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 11, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 22

Senate Bill No. 56

Senate Bill No. 59

Senate Bill No. 62

Senate Bill No. 85

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

#### MOTION

Senator Lips moved that House Bills Nos. 506, 563, 589, 519, 530, and Senate Bill No. 165, be placed at the foot of the calendar, which motion prevailed.

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 191.** For an Act to create and enact section 44-08-01.1 of the North Dakota Century Code, relating to the requiring of political subdivisions to accept only sealed bids whenever bids are required by law or administrative decision.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Beck	Holand	Lowe	Robinson
Chesrown	Jacobson	Luick	Roen
Christensen	Kautzmann	Melland	Ruemmele
Coughlin	Kelly, M.	Meschke	Schultz
Decker	Larsen, R.	Morgan	Sorlie
Forkner	Larsen, G.	Nething	Stafne
Freed	Larsen, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath

Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite
Hofstrand			

Absent and not voting:

Becker	Butler	Mutch	Sands
Berube	Kelly, E.	Nasset	Stroup

So the bill passed and the title was agreed to.

**Senate Bill No. 244.** A Bill for an Act to amend and reenact section 6-01-21.1 of the North Dakota Century Code, relating to county agencies, examinations and fees.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Chesrown	Jacobson	Luick	Roen
Christensen	Kautzmann	Melland	Ruemmele
Coughlin	Kelly, M.	Meschke	Sands
Decker	Larsen, R.	Morgan	Schultz
Forkner	Larson, G.	Nothing	Sorlie
Freed	Larson, L.	Pyle	Stafne
Geving	Lips	Rait	Torgerson
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Becker	Holand	Mutch	Stroup
Berube	Kelly, E.	Nasset	Trenbeath
Butler			

So the bill passed and the title was agreed to.

**Senate Bill No. 245.** A Bill for an Act to amend and reenact section 6-01-21.2 of the North Dakota Century Code, relating to municipal agencies, park boards, school districts, examinations, fees, and alternative adults.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 1; absent and not voting, 8.

Those voting in the affirmative were:

Beck	Hofstrand	Longmire	Robinson
Chesrown	Holand	Lowe	Roen
Christensen	Jacobson	Luick	Ruemmele
Coughlin	Kautzmann	Melland	Sands
Decker	Kelly, M.	Morgan	Schultz
Forkner	Larsen, R.	Nothing	Sorlie
Freed	Larson, G.	Pyle	Stafne
Geving	Larson, L.	Rait	Torgerson
Goldberg	Lips	Redlin	Wenstrom
Hernett	Litten	Ringsak	Wilhite

Those voting in the negative were:

Meschke

Absent and not voting:

Becker	Bulter	Mutch	Stroup
Berube	Kelly, E.	Nasset	Trenbeath

So the bill passed and the title was agreed to.

**Senate Bill No. 332.** A Bill for an Act to amend and reenact section 21-03-11 of the North Dakota Century Code relating to when general obligation bond elections are to be held.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Chesrown	Jacobson	Luick	Roen
Christensen	Kautzmann	Melland	Ruemmele
Coughlin	Kelly, M.	Meschke	Sands
Decker	Larsen, R.	Morgan	Schultz
Forkner	Larson, G.	Nothing	Sorlie
Freed	Larson, L.	Pyle	Stafne
Geving	Lips	Rait	Torgerson
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Becker	Holand	Mutch	Stroup
Berube	Kelly, E.	Nasset	Trenbeath
Bulter			

So the bill passed and the title was agreed to.

**Senate Bill No. 343.** A Bill for an Act to amend and reenact sections 21-09-01 and 21-09-05 of the North Dakota Century Code, changing the title of "The 1965 Bond Validating Act" to "The 1967 Bond Validating Act", and relating to the application of chapter 21-09 of the North Dakota Century Code to bonds issued and proceedings taken prior to July 1, 1967.

Was 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, 0; absent and not voting, 10.

Those voting in the affirmative were:

Beck	Hofstrand	Luick	Roen
Chesrown	Jacobson	Melland	Ruemmele
Christensen	Kautzmann	Meschke	Sands
Coughlin	Kelly, M.	Morgan	Schultz
Decker	Larsen, R.	Nothing	Sorlie
Forkner	Larson, G.	Pyle	Stafne
Freed	Larson, L.	Rait	Torgerson
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Hernett	Longmire	Robinson	

Absent and not voting:

Becker	Holand	Mutch	Stroup
Berube	Kelly, E.	Nasset	Trenbeath
Butler	Low		

So the bill passed and the title was agreed to.

## MOTION

Senator Lips moved that the rules be suspended and that Senate Bills Nos. 17, 166, 171, 196, 281, 283, 318, 327, 341, 360, 383, and Senate Concurrent Resolution "M", be placed at the head of the calendar, which motion prevailed.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 17.** A Bill for an Act making an appropriation to the state board of public school education for the administration and supervision of grants for vocational agriculture, vocational home economics, office and distributive education, trade and industrial education, and manpower development and training.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill as amended, on page 425 of the Senate Journal, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Beck	Holand	Luick	Roen
Chesrown	Jacobson	Melland	Ruemmele
Christensen	Kautzmann	Meschke	Sands
Coughlin	Kelly, M.	Morgan	Schultz
Decker	Larsen, R.	Nothing	Sorlie
Forkner	Larson, G.	Pyle	Stafne
Freed	Larson, L.	Rait	Torgerson
Geving	Lips	Redlin	Trenbeath
Goldberg	Litten	Ringsak	Wenstrom
Hernett	Longmire	Robinson	Wilhite
Hofstrand	Lowe		

Absent and not voting:

Becker	Butler	Mutch	Stroup
Berube	Kelly, E.	Nasset	

So the bill passed and the title was agreed to.

**Senate Bill No. 166.** A Bill for an Act to amend and reenact subsection 2 of section 40-22-01 of the 1965 Supplement to the North Dakota Century Code, relating to permitting expense of decorative street lighting to be defrayed by special assessments.

Was 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, 3; absent and not voting, 7.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Roen
Chesrown	Holand	Luick	Ruemmele
Christensen	Jacobson	Melland	Sands
Coughlin	Kautzmann	Meschke	Sorlie
Decker	Kelly, M.	Morgan	Stafne
Forkner	Larson, G.	Nothing	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Hernett	Longmire	Robinson	

Those voting in the negative were:

Larsen, R.	Rait	Schultz
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Absent and not voting:

Becker	Butler	Mutch	Stroup
Berube	Kelly, E.	Nasset	

So the bill passed and the title was agreed to.

**Senate Bill No. 171.** A Bill for an Act providing an appropriation for the North Dakota state fair association.

Was read the second time.

Senator Coughlin moved that Senate Bill No. 171 be laid over one legislative day, which motion prevailed.

**Senate Bill No. 196.** A Bill for an Act to create and enact a new subsection 7 of section 57-15-10 of the North Dakota Century Code, relating to exceptions to tax levy limitations in cities and villages, to permit a tax levy for the purpose of establishing, maintaining and operating municipal ambulance service if favorably voted upon by the voters of the municipality.

Was read the second time.



## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 1; absent and not voting, 8.

Those voting in the affirmative were:

Beck	Hofstrand	Longmire	Ringsak
Chesrown	Holand	Lowe	Robinson
Christensen	Jacobson	Luick	Roen
Coughlin	Kautzmann	Melland	Ruemmele
Decker	Kelly, M.	Meschke	Sands
Forkner	Larsen, R.	Morgan	Sorlie
Freed	Larson, G.	Nething	Stafne
Geving	Larson, L.	Pyle	Trenbeath
Goldberg	Lips	Rait	Wenstrom
Hernett	Liitten	Redlin	Wilhite

Those voting in the negative were:

Schultz

Absent and not voting:

Becker	Butler	Mutch	Stroup
Berube	Kelly, E.	Nasset	Torgerson

So the bill passed and the title was agreed to.

**Senate Bill No. 281.** A Bill for an Act to transfer certain historical sites now under the control of the state park service to the state historical board, and making an appropriation.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill as amended, on page 427 of the Senate Journal, the roll was called and there were ayes, 34; nays, 7; absent and not voting, 8.

Those voting in the affirmative were:

Beck	Holand	Lowe	Roen
Chesrown	Jacobson	Luick	Sands
Coughlin	Kautzmann	Melland	Schultz
Decker	Kelly, M.	Morgan	Sorlie
Forkner	Larsen, R.	Nething	Stafne
Geving	Larson, G.	Pyle	Torgerson
Goldberg	Lips	Ringsak	Wenstrom
Hernett	Liitten	Robinson	Wilhite
Hofstrand	Longmire		

Those voting in the negative were:

Christensen	Larson, L.	Rait	Ruemmele
Freed	Meschke	Redlin	

Absent and not voting:

Becker	Butler	Mutch	Stroup
Berube	Kelly, E.	Nasset	Trenbeath

So the bill passed and the title was agreed to.

Senator Freed: Mr. President. Members of the Senate. I would like to explain my vote on this bill. I am not here to say where or in which one of these two departments these sites should belong. In fact, I do not believe the prior legislature knew either. They told these two organizations to get together. They did get together and agreed in writing, signed by both parties, that they should go to the State Parks Service. Now they are back again to the legislature asking that they be put back again. Therefore, I believe it is a matter of contract that they agreed to. That's why I voted against the bill.

**Senate Bill No. 283.** A Bill for an Act to amend and reenact section 51-10-14 of the 1965 Supplement to the North Dakota Century Code relating to unfair trade practices, providing for licensing of retailers, and providing penalties.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 28; nays, 14; absent and not voting, 7.

Those voting in the affirmative were:

Chesrown	Hofstrand	Lips	Robinson
Christensen	Jacobson	Longmire	Ruemmele
Coughlin	Kautzmann	Lowe	Sorlie
Decker	Kelly, M.	Luick	Torgerson
Forkner	Larsen, R.	Meschke	Trenbeath
Freed	Larson, G.	Nething	Wenstrom
Hernett	Larson, L.	Rait	Wilhite

Those voting in the negative were:

Beck	Litten	Redlin	Sands
Geving	Melland	Ringsak	Schultz
Goldberg	Morgan	Roen	Stafne
Holand	Pyle		

Absent and not voting:

Becker	Butler	Mutch	Stroup
Berube	Kelly, E.	Nasset	

So the bill passed and the title was agreed to.

## MOTION

Senator Lips requested a call of the Senate, which request was granted, and a call of the Senate was ordered.

The Assistant Sergeant-at-Arms reported that Senators Becker, Berube, Butler, Nasset, Earl Kelly and Stroup were at their homes and that Senator Mutch cannot be located.

Senator Lips moved that the call of the Senate be dispensed with, which motion prevailed.

Senator Lips moved that Senate Concurrent Resolution "XX" be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Lips moved that the rules be suspended and that Senate Concurrent Resolution "XX" be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A  
SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution "X-X".** A Concurrent Resolution requesting the Congress of the United States to propose to the people an amendment to the Constitution expressly prohibiting the government of the United States from engaging in enterprise in competition with its citizens, the supreme law of the land, and repealing the 16th amendment.

Was read the second time.

Senator Lips moved that Senate Concurrent Resolution "XX" be indefinitely postponed.

Senator Ringsak: Mr. President. I rise on a point of personal privilege and would like my remarks recorded in the Journal. The State and Federal Government Committee met this morning and had a hearing on Senate Concurrent Resolution "XX". After the hearing we had an executive session and we worked this resolution over, and as a result we had ten Senators on my committee moving for indefinite postponement. One Senator moved for do pass and asked the right to sign the minority report. That was the Honorable Senator Mutch. Before we had the report typed up he left the Senate and Senator Stroup had been called home so that there were two people not able to sign the report. I want the record to show that we did act on this report in our committee.

## MOTION

Senator Robinson moved that action on Senate Concurrent Resolution "XX" be deferred until all 49 Senators are present in the Senate.

Senator Forkner: Mr. President. I rise on a point of personal privilege. I do not know why we have to have this situation in the Senate that we have had ever since we started in November — this situation started in November and it has continued ever since. They have the same resolution in the House. I feel that there isn't any necessity to move this resolution on at the present time. I feel there are only one or two members of this body that are pushing this thing the way we are pushing it. I am not naming names. I know I am doing this at jeopardy to myself. I am not a member of the John Birch Society. I am not 100% against the Liberty Amendment but I don't see this persecution in my book and I have just about had enough.

The question was on the motion of Senator Robinson, which motion was declared lost.

Senator Ringsak requested a recorded roll call vote, which request was granted.

## ROLL CALL

The question being on the motion of Senator Lips that Senate Concurrent Resolution "XX" be indefinitely postponed, the roll was called and there were ayes, 40; nays, 2; absent and not voting, 7.

Those voting in the affirmative were:

Chesrown	Jacobson	Luick	Roen
Christensen	Kautzmann	Melland	Ruemmele
Decker	Kelly, M.	Meschke	Sands
Forkner	Larsen, R.	Morgan	Schultz
Freed	Larson, G.	Nothing	Sorlie
Geving	Larson, L.	Pyle	Stafne
Goldberg	Lips	Rait	Torgerson
Hernett	Litten	Redlin	Trenbeath
Hofstrand	Longmire	Ringsak	Wenstrom
Holand	Lowe	Robinson	Wilhite

Those voting in the negative were:

Beck Coughlin

Absent and not voting:

Becker	Butler	Mutch	Stroup
Berube	Kelly, E.	Nasset	

So the motion was declared carried.

## SIGNING OF BILLS

The Secretary announced that the President was about to sign House Bill No. 575  
House Bill No. 592

And the President signed the same in the presence of the Senate.

Senator Schultz moved that the absent Senators be excused, which motion prevailed.

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

## FORTIETH DAY

Bismarck, February 11, 1967

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. John L. MacMullen, Pastor of the Charles Wesley Burns Methodist Church, Mandan.

Almighty and Everlasting God, Who when the earth was waste and void, didst send forth Thy creative spirit, bringing order out

of chaos, and light from darkness; and Who in the fullness of time didst send forth Thy Son to be the Light of Men: Send out anew, we beseech Thee, the life-giving breath of Thy Word upon this dark world of sin disordered, and cause the truth of Christ to dawn upon all nations that they may no longer stumble in the night of ignorance, but walk at liberty in Thy truth as in the daytime.

Defend our land, O Lord God Almighty, from the hidden power and the open shame of great national sins.

From vainglory and selfish luxury, from falsehood and civic corruption, from cruelty and violence, from covetousness which is idolatry, from impurity which defiles the temple of Thy Spirit, from intemperance which is the mother of many crimes and miseries, and from all godlessness and contempt of Thy Word, — save us, O Lord, and our children, and our children's children, in the land which Thou hast blessed with the light of pure religion.

We would ask Thy special blessing upon these who are here gathered within these sacred walls. May Thy wisdom be their portion as they deliberate and decide the great issues of our fair State. May they ever be reminded of the fallacy of depending entirely upon man's wisdom alone — for man alone, does not, nor can know the future. Bless the activities of this day and may Thy name be glorified. We pray in the name of Jesus Christ our Lord.

Amen.

Roll call: All Senators present except Senators Becker, Berube, Butler, Earl Kelly, Longmire, Mutch, Nasset, and Stroup.

A quorum was declared by the President.

#### CORRECTION AND REVISION

**Mr. President:** Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-eighth day after recess and the thirty-ninth day and recommends that the same be corrected as follows:

On page 443, in line 42, correct the spelling of the word "actual".

On page 456, delete all of line 29.

And when so corrected recommends that the same be approved.

**SENATOR LOWE, Chairman**

**Senator Lowe** moved that the report be adopted, which motion prevailed.

#### MOTION

**Senator Lips** announced that the Honorable Karl Mundt, United States Senator from South Dakota was in the chambers and moved that a committee of two be appointed to escort the Senator to the rostrum, which motion prevailed.

The President appointed as such committee, Senators Lips and Sorlie and the Honorable Karl Mundt was escorted to the rostrum and invited to address the Senate.

**Senator Mundt:** Thank you very much, Mr. President. Fellow Senators and guests in the gallery. It is good to be in North Dakota and it is an unexpected pleasure to have the opportunity to talk to fellow Senators involved in exactly the same kind of work we are involved in down in Washington. I notice that your body in the legislature is like the body in Washington. They have a smaller group in the Senate than they have in the House, and I have been told there are other differences which don't prevail because I belong to a very small group in the Senate, the minority party, so I can sympathize with the five or six Democrats wherever you are in the Senate, because I know something about that. Don't be discouraged — I have been in politics for 28 years in the Senate and House, and in those 28 years only four of them have been in

the majority. So don't become disillusioned. If you want to know what to do about it, I will tell you. I am a specialist because I have been a member of the opposition for a long time.

It is said in Washington that the United States Senate is the most exclusive group in the world. This is some of the frivolities that the press sometimes engages in, and the reason why they say it is pretty exclusive is that there are a 100 Senators — according to the number of states — no way we can get more members without bringing in new states and there are no states knocking at the door. It would take a constitutional revolution to increase the number of Senators per state, so we are pretty well fixed, and I can testify from previous experience it is a hard group to get into. I can also state it is a hard place to stay in after you get there — to get there and to stay there.

You have wonderful chambers. I have been here before for a meeting which was under the auspices of the governor at that time. I have never spoken from this position before — this is a real acoustical marvel — a wonderful place for the Senators to engage in a long filibuster — you don't have to raise your voice — sound equipment is very effective. Your desks are arranged in a very convenient manner. I know that the folks in the legislature down in Pierre don't have these conveniences and certainly must be most envious of you. It looks like you might be engaged in a federal project — this is about the way the federal budget looks — this prodigious document on the desk here. I know you must be putting in some overtime here working for the people of the State of North Dakota.

The congressmen from North Dakota and South Dakota work together pretty much on even terms, and I work especially well with one from North Dakota — one I have known for a long time because he serves as the ranking member of the most important committee — the Senate Committee on Appropriations. He serves as the ranking member. The chairman is a very delightful man — the Honorable Carl Hayden, who comes from Arizona. Carl Hayden has been on the Senate Appropriations Committee as long as Arizona has been in the Union — they came in together in 1912. We hear about the history of Japan, the problems of the Orient, the problems of Europe, and we have in this country a man who is chairman of the most important committee in the United States Congress and who has been there throughout the lifetime of his state's membership in the Union — this is refreshing and encouraging to all of us. Milt Young from North Dakota is a ranking member — second in command and it is my privilege and honor to serve as the next in command because I am the second ranking member, which gives us a sort of one-two punch when it comes to something important involving our states, certain projects, programs and policies and expenditures, because I think we have never disagreed on the votes we have cast, and we belong to several sub-committees together, and sit there day after day on the full committee.

It was my pleasure to second the motion he made on Garrison. He was kind enough to second the motion which I made on Oahe. These are important programs for prairie states like yours and mine — where we have this agricultural paradise except at times when there is a shortage of water — we have got the soil and the brilliant sunshine — sometimes we don't get water in the amount needed so we can get the optimum result in the proper form. This we believe and hope irrigation will make possible and you are out in front and if you never get it, we are not going to get it, but if you get it we are second in line. We have been working together on programs of this kind.

One of the problems we have is a tax sharing program of federal funds to the state government — for the state government to util-

ize and to again share with the counties, municipalities and the schools. This tax has to come from individuals in terms of income — there is a limit to how far you can go on sales tax, ad valorem tax, whether it be on gold or oil — this is based on accelerated income — this is the place where most of the money has to come from — this is a problem of this session — we have a two year session in the 90th Congress and before the end of this congress there will be a real debate down there and the forces are pretty evenly divided, and they are not cut exactly down the middle. There are many who support some kind of a tax sharing program. It should not be like the highway beautification program — that the states should have nothing to say about it at all. I spoke in North Dakota at an Isaak Walton League meeting — a conservation group — I pleaded for preservation of our American resources — it was embarrassing for me when the highway beautification bill came up — I had to vote against it. I had difficulty explaining my vote against it. I voted against it because of an amendment to the bill — some persuasive member of the legislature made a speech in which it was stated that we had to have this veto clause which gave the federal government authority to veto any action of the state legislature which in any way might not comport with the standards of beautification set down in Washington. This is why I voted against this bill — for congress to give an appointive secretary of congress, veto authority to override and to overrule any legislative action that you take, and I did not like the concept — I did not like the precedent.

There is some discussion going on in Houston, Texas, today, while I am visiting here in Bismarck, by lawyers of this land about recommendations for a change in our electoral college system. It should be changed. Until it is changed we are going to have presidents of the United States elected by states who have the most electoral votes — who will not pay any attention to North Dakota or South Dakota when they can get New York — and California — if they get 51 percent of the vote — they will still get the entire electoral vote from that state — it is unfair discrimination against the smaller states. We have Senate Resolution 22 which provides that we count the votes the way they are voted — until we do that they will not pay any attention to North Dakota or South Dakota when they can get states like New York and California.

We have to protect our interests, to protect our rights, to preserve our freedoms — to be sure that we are not directed from afar — we have this right to exercise fully and freely in my opinion as if we lived back there on the wrong side of the Hudson river or the wrong side of the Potomac. It has been a privilege to visit with you members of this important body.

We need your advice, your judgment, your memorialization, your letters, your visitations. It was wonderful of you to let me come here and to detain you from the backwater this late in the afternoon. Thank you.

Senator Lips moved that the remarks of Senator Mundt be printed in the journal, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

**House Bill No. 558.** For an Act to amend and reenact section 57-02-21 of the North Dakota Century Code, providing that persons over the age of sixty-five with an income of less than three thousand dollars per annum shall be exempt from the personal property tax, and providing a penalty for a false statement.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 711.** A Bill for an Act to create and enact sections 19-05-17, 19-05-18, and 19-05-19 of the North Dakota Century Code

and to amend and reenact sections 19-05-01, 19-05-02, 19-05-03, 19-05-04, 19-05-05, 19-05-06, 19-05-07, 19-05-08, 19-05-09, 19-05-10, 19-05-11, 19-05-12, 19-05-13, 19-05-14, 19-05-15 and 19-05-16 of the North Dakota Century Code, relating to definition, sale, and the administration of the taxation of oleomargarine.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 746.** A Bill for an Act to allow courts to award prevailing plaintiff's attorney fees against the defendant in a tort action.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 759.** A Bill for an Act to create and enact section 11-10-11.1 of the North Dakota Century Code, relating to every county having at least one deputy sheriff or office deputy sheriff.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 794.** A Bill for an Act to provide for the qualification and licensing of insurance agents; and providing a penalty; and to repeal sections 26-10-13, 26-17-01, 26-17-03, 26-17-04, and 26-17-05 of the North Dakota Century Code relating to licensing, liability, suspension and revocation of licenses, and review of the commissioner's orders.

Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 828.** A Bill for an Act to amend and reenact section 39-08-01 of the North Dakota Century Code, relating to the prohibition of driving while under the influence of intoxicating liquor or narcotic drugs, and the penalty therefor.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 833.** A Bill for an Act creating and enacting sections 57-38-58, 57-38-59, 57-38-60, 57-38-61, 57-38-62, 57-38-63, and 57-38-64 of the North Dakota Century Code, relating to withholding of income taxes from wages of nonresident employees, declaration and payment of estimated income, amendment of declaration, and providing an effective date and penalties.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 835.** A Bill for an Act to amend and reenact subsection 6 of section 57-38-18, sections 57-38-26 and 57-38-27, and subsections 1 and 4 of section 57-38-31, of the North Dakota Century Code, relating to income tax deductions and exemptions under the state income tax law.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 846.** A Bill for an Act authorizing the state board of higher education to enter into an agreement with the North Dakota 4-H Club Foundation, Incorporated, to allow such foundation to build a 4-H Center on lands of the North Dakota state university of agriculture and applied science, with title to such center passing to the state upon completion of the construction of the building.

Was read the first time and referred to the Committee on Education.

**House Bill No. 871.** A Bill for an Act to create and enact a new subsection to section 57-02-08 of the North Dakota Century Code, relating to property tax exemptions.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 879.** A Bill for an Act to amend and reenact section 57-05-01 of the North Dakota Century Code, relating to the assessment of railroad property by the state board of equalization.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 917.** A Bill for an Act to amend chapter 57-38 of the North Dakota Century Code by creating and enacting a new section thereto, relating to the election of a corporation to have its undistributable taxable income included in the gross income of its shareholders; and to provide an effective date.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 937.** A Bill for an Act to amend and reenact section 57-03-05 of the North Dakota Century Code, relating to the assessment of grains stored in commercial elevators, warehouses, and granaries.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 938.** A Bill for an Act to allow municipalities to discontinue municipal parking lots when a higher and better use for the property exists.

Was read the first time and referred to the Committee on Political Subdivisions.

Senator Lips moved that the Senate recess until 12:30 p.m., February 13, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary



"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### FORTIETH DAY AFTER RECESS AND FORTY-FIRST DAY

Bismarck, February 13, 1967

The Senate convened at 12:30 p.m., pursuant to recess taken, the President presiding.

#### REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 1  
Senate Bill No. 190  
Senate Bill No. 214  
Senate Bill No. 380

And find the same correctly Engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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. 2

And find the same correctly enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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. 2

And the President signed the same in the presence of the Senate.

#### MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 13, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 154  
Senate Bill No. 211  
Senate Bill No. 224  
Senate Bill No. 239  
Senate Bill No. 299  
Senate Bill No. 316  
Senate Bill No. 321

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber  
Bismarck, February 13, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 575

House Bill No. 592

Which the President has signed.

LEO LEIDHOLM, Secretary

Senate Chamber  
Bismarck, February 13, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 545

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

Senator Lips moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the chair, pursuant to recess taken, the President presiding.

#### MESSAGE TO THE SENATE

House Chamber  
Bismarck, February 13, 1967

Mr. President: I have the honor to inform you that the House requests the return of House Concurrent Resolution "L".

ROY GILBREATH, Chief Clerk

#### RECOGNITION

Senator Roen: I rise on a point of personal privilege and request that my remarks be printed in the Journal. Mr. President, today we have with us the State President of the North Dakota Business and Professional Women's Clubs, and she is here today for a special program honoring our beloved Dagny Olson. While I have been here in the Senate and House I have heard many seconding speeches on the nomination of Miss Dagny Olson. Personally, over the years that I have been here, and I have been here now several sessions, we appreciate her more each session. I hope that she doesn't get tired and quit for several more sessions. We are all happy to honor Dagny today, and I move, Mr. President, that a committee of two be appointed to escort Miss Betty Svihovec, State President of the Business and Professional Women to the rostrum for the purpose of making a presentation.

The question being on the motion of Senator Roen, which motion prevailed.

The President appointed as such committee, Senators Roen and Ringsak, and Miss Betty Svihovec was escorted to the rostrum and invited to address the Senate.

Miss Svihovec: Mr. President. Members of the Senate. It is my honor today to pay tribute to a wonderful woman, Miss Dagny Olson. She has served as past president of the North Dakota Federation of Business and Professional Women. She is Chairman of the Governor's Commission on the Status of Women and she is serving as National Legislation Chairman of the Business and Professional Women's Club. I would like to read a resolution adopted by the North Dakota Federation honoring this wonderful girl.

#### THE NORTH DAKOTA FEDERATION OF BUSINESS AND PROFESSIONAL WOMEN'S CLUBS RESOLUTION

WHEREAS, Dagny Olson is serving as National Legislative Chairman of the National Federation of Business and Professional Women's Clubs, Inc., and

WHEREAS, Dagny Olson is Chairman of the Governor's Commission on the Status of Women, and

WHEREAS, Dagny Olson has served as Desk Reporter for the North Dakota Senate for nine regular sessions and one special session,

WHEREAS, Dagny Olson has contributed many hours of service and inspiration to the Federation, and

WHEREAS, the North Dakota Federation of Business and Professional Women's Clubs desire to show their appreciation and gratitude,

NOW, THEREFORE, BE IT RESOLVED THAT the North Dakota Federation of Business and Professional Women's Clubs, Inc., has today given a State Flag to the Senate Chamber in recognition of her many years of service to the Federation and State,

BE IT FURTHER RESOLVED, that a copy of this resolution be made a part of the Senate's official proceedings of the Fortieth Legislative Assembly.

Passed and adopted this 13th day of February, 1967.

Signed: BETTY SVIHOVEC,  
State President

Senator Roen: I move that the Sergeant-at-Arms bring forward the North Dakota flag presented in honor of Miss Olson. (The flag was then brought forward and placed on the rostrum.)

Miss Olson:

"Mr. President, members of the Senate and all you wonderful Business and Professional Club women:

"I could say that I am speechless, but the members of this Senate wouldn't believe me. I have been complaining for three or four sessions that we do not have a North Dakota flag in the Senate I complained to the right group and I want to thank you from the bottom of my heart. I want you women to know that of the men who are serving today in the Senate, there is not one that was here when I first started. The second generation is now coming up and to you Senator Roen, I am going to be here as long as you are.

"Thank you very much for this honor and I know that you are very busy today but I want to say, if you men want a job done — get a Business and Professional Women's Group in your town and you will get the job done.

"Thank you so much."

#### RECOGNITION OF SENATOR YOUNG

Senator Holand announced that United States Senator Milton R. Young was in the Senate chambers and moved that a committee of three be appointed to escort the Honorable Senator to the rostrum, which motion prevailed.

The President appointed as such committee, Senators Holand, Lips and Meschke, and Senator Young was escorted to the rostrum and invited to address the Senate.

Senator Milton R. Young:

"Mr. President, and members of the Senate: I always enjoy coming back to this chamber where I spent some of the happiest and best days of my life. I am deeply appreciative of the nice resolution you recently passed in my behalf. This is something I will always treasure greatly.

"Many able and great personalities have served in this Senate. Your membership today would compare favorably with any time in our history.

"Many of the members of this Senate have gone on to serve in very high positions in the State and Federal governments as well

as in every other line of endeavor. Permit me to mention just two. Thomas Whelan, who was a member of this body when I first came here, later became the first and only North Dakotan to serve as United States Ambassador. Just two weeks ago Idar Rimstad of Hampden and Grand Forks, who served as clerk in this body during the 1939 session, was confirmed by the United States Senate for the position of Deputy Under Secretary of State. This is one of the five most powerful positions in the State Department.

"Even though it has been a long while since I was a member of this Senate, it seems like only yesterday. It is hard to realize that there is not a single member here now who served here when I left in 1945.

"I am reminded of the story I once heard about an old fellow about a hundred years old who claimed he didn't have an enemy in the world. He had outlived them all! I wish I could say as much. Unfortunately, in your business and mine we have to constantly take positions on important issues and, as a result, you just can't help but incur criticism and sometimes bitter enemies.

"I have enjoyed my work as a legislator and I believe I have made many friends too. This is one of the many reasons why I like politics.

"One never likes to make enemies, but sometimes it can't be helped. There is some truth, though, to the old saying that sometimes one is fortunate in the enemies he makes!

"The rules of both Houses of Congress are much the same as yours, but I believe Congress follows the seniority system even more closely than you do. This system is not without its faults, but I know of no other system that would assure equity to members from states with small populations. If we followed any other system that I know of the big populous and powerful states would control all of the chairmanships and other important positions. This would give them an even more powerful influence on all important decisions.

"This is the first time I have been the ranking Republican on a major standing committee. As you know, I am now the ranking Republican on the Senate Appropriations Committee, and would be chairman if the Republicans ever gain control of the United States Senate again. If I had sought membership on any other committee of the Senate, with the exception of the Foreign Relations and Agriculture Committees, I would have attained a ranking position years ago.

"After serving twenty-two years on the Senate Agriculture Committee, I am still the second ranking Republican. The Chairman of this Committee, as you know, is Senator Ellender of Louisiana who is 76 years of age. The next ranking Democrat is Senator Holland of Florida who is 74, and the ranking Republican ahead of me is Senator Aiken of Vermont who is also 74. He is the kind of a person who is apt to be re-elected for many years to come, and I hope he is.

"Some day my tenure in the United States Senate will come to an end — either voluntarily or otherwise. There undoubtedly are many people who are wondering what my plans are for the future. I don't know of anyone more entitled to know than you. Frankly, I am not sure myself, but will make this decision not later than the first of the year.

"This decision would have to depend on what the people of North Dakota think of my running for another term, what my health situation is at the time and, too, what chances I would have of raising adequate campaign funds. After a recent check-up the doctors found me to be disgustingly healthy. There is some indication already that public opinion concerning my running for another

term would be something less than unanimous. Frankly, the events of recent months have caused me to give serious consideration to running again.

"It has been wonderful to be with you again, and I hope I will get a chance to visit with each one of you personally."

Senator Holand moved that the remarks of Senator Young be printed in the Journal, which motion prevailed.

#### RECOGNITION OF CONGRESSMAN ANDREWS

Senator Morgan announced that Congressman Andrews and his wife, Mary, were in the chambers and moved that a committee of two be appointed to escort the Congressman and his wife to the rostrum.

The question being on the motion of Senator Morgan, which motion prevailed.

The President appointed as such committee, Senators Morgan and Pyle, and Congressman Andrews and wife were escorted to the rostrum and Congressman Andrews was invited to address the Senate.

Congressman Andrews: Mr. President, Members of the Senate. I appreciate the kind remarks of my neighbor, Ken Morgan, but I suspect that a large portion of the margin I got reelected on was due to the fact that so many of you who are sitting here in the Senate from the eastern district of North Dakota, were out on the campaign trail and lined up quite a few votes that just happened to slip over to my part of the ballot, so I benefited by your hard work. I am very grateful to you.

It is a pleasure to be back in North Dakota. I have been traveling over the state for the last week — been in Jamestown, Carrington, New Rockford, Lakota and Devils Lake, and many other spots while you have been down here tied up with your business. I can tell you that the people back home are very much interested in your work and very happy with the things you are doing here.

Actually, those of us who serve in legislatures in this nation have a very special responsibility. We have heard a lot in the last few weeks of one individual congressman, Adam Clayton Powell, and actually the importance of this is not the importance of one individual, but the importance of the entire system of government that we are proud to hale as our nation of the United States. How tragic it would be if the people of America would think that getting by is good enough. How tragic if the people of America began to think that those of us who serve in the legislatures throughout this land, as well as in the Congress, were anything less than completely honest in our discharge of our duties. This is why there is no penalty that is too severe for an individual who breaks this trust. This is why I think that we have to make sure that there are very, very few who do this, because tragically we have coyotes on the trail — those who have nothing else to talk about, but have the habit of braying about people in public office as though they are doing something that isn't exactly right. How important it is that we restore the confidence of the American people in their government, because whether this diabolical plot to tear down the confidence in our government comes from the far left, or from the far right, it is devastating in its influence on America, and probably the most tragic thing that can happen in this nation of ours. We are members of a very select group. Members of certainly a very responsible group, but members that must always remember that it is not our vote we cast, it is the vote of the people we are privileged to represent. This is why it is such a great privilege to address those of you in the Senate of the State we all think so much of. This is why it is always enjoyable to come back to North Dakota, if for only a week at a time. I have

to leave on the three o'clock plane along with Senator Young. I had thought I could stretch my stay in North Dakota, but I was transferred to a different sub-committee, appropriations sub-committee that deals with state department, justice department, commerce department, and will have J. Edgar Hoover testifying in secret session starting tomorrow. Therefore I will not have the opportunity to visit with you as much as I would like. Once again I would like to say to you, thanks so much for the many courtesies in the past. I certainly appreciate the privilege of being with you here today. Thank you.

Senator Morgan moved that the remarks of Congressman Andrews be printed in the Journal, which motion prevailed.

#### RECOGNITION OF FORMER SENATOR RILIE MORGAN

Senator Ringsak announced that former Senator Rilie Morgan of Walsh County was in the chambers and requested that he be recognized by the Senate, which request was granted.

#### MOTION

Senator Lips moved that House Concurrent Resolution "L" be returned to the House as requested, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 13, 1967

Mr. Speaker: I have the honor to return House Concurrent Resolution "L" which the House has requested.

LEO LEIDHOLM, Secretary

#### REPORT OF A STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Resolution No. 2

Was delivered to the Secretary of State at the hour of 1:00 o'clock p.m., February 13, 1967.

SENATOR WENSTROM, Chairman

#### MESSAGES FROM THE HOUSE

House Chamber  
Bismarck, February 13, 1967

Mr. President: I have the honor to transmit:

House Bill No. 520

House Bill No. 526

House Bill No. 529

House Bill No. 914

House Concurrent Resolution "P"

House Concurrent Resolution "S"

House Concurrent Resolution "E-1"

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

House Chamber  
Bismarck, February 13, 1967

Mr. President: I have the honor to return:

Senate Bill No. 22

Senate Bill No. 56

Senate Bill No. 59

Senate Bill No. 62

Senate Bill No. 85

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

## REPORT OF A STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 22  
 Senate Bill No. 56  
 Senate Bill No. 59  
 Senate Bill No. 62  
 Senate Bill No. 85

Were delivered to the Governor for his approval at the hour of 3:38 o'clock p.m., February 13, 1967.

SENATOR WENSTROM, Chairman

## MOTION

Senator Lips moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the chair, pursuant to recess taken, the President presiding.

## REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 33 has had the same under consideration and a majority recommends that the same be indefinitely postponed.

For the majority:

Senator Ringsak  
 Senator Morgan  
 Senator Jacobson  
 Senator Sands  
 Senator Freed  
 Senator Goldberg  
 Senator Holand  
 Senator Forkner  
 Senator Mutch

SENATOR RINGSAK, Chairman

Senator Ringsak moved that the report be adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 33 has had the same under consideration and a minority recommends that the same be amended as follows:

In the first line of the title delete the figure "54-23" and insert in lieu thereof the figure "54-53"

In the twelfth line of the title delete the figures and commas "20-02-01, 20-02-04,"

In the thirteenth line of the title delete the figure and comma "20-02-05,"

In line 1 delete the figure "54-23" and insert in lieu thereof the figure "54-53"

In line 3 delete the figure "54-23" and insert in lieu thereof the figure "54-53"

In line 5 delete the figure "54-23-01" and insert in lieu thereof the figure "54-53-01"

In line 24 delete the figure "54-23-02" and insert in lieu thereof the figure "54-53-02"

In line 42 delete the figure "54-23-03" and insert in lieu thereof the figure "54-53-03"

In line 59 delete the figure "54-23-04" and insert in lieu thereof the figure "54-53-04"

In line 84 delete the figure "54-23-06" and insert in lieu thereof the figure "54-53-06"

In line 103 delete the figure "54-23-05" and insert in lieu thereof the figure "54-53-05"

In line 116 delete the figure "54-23-06" and insert in lieu thereof the figure "54-53-06"

In line 163 delete the figure "54-23" and insert in lieu thereof the figure "54-53"

In line 210 delete the figure "54-23" and insert in lieu thereof the figure "54-53"

In line 234 delete the figure "54-23" and insert in lieu thereof the figure "54-53"

Delete lines 254 through 380 and insert in lieu thereof the following section:

"SECTION 5. STATE GAME AND FISH DEPARTMENT A DIVISION OF THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION — POWERS AND DUTIES OF COMMISSIONER.) The state game and fish department shall be a division of the department of natural resources and conservation established pursuant to chapter 54-53 of the North Dakota Century Code. The state game and fish department shall be subject to the provisions of such chapter, except that no powers or duties set forth in chapter 54-53 of the North Dakota Century Code shall apply to the state game and fish department which are in direct conflict with the powers or duties set forth in sections 20-02-01, 20-02-04, and 20-02-05 of the North Dakota Century Code."

In line 434 delete the figure "54-23" and insert in lieu thereof the figure "54-53"

In line 527 delete the figure "54-23" and insert in lieu thereof the figure "54-53"

In line 620 delete the figure "54-23" and insert in lieu thereof the figure "54-53"

In line 641 delete the figure "54-23" and insert in lieu thereof the figure "54-53"

In line 844 delete the figure "54-23" and insert in lieu thereof the figure "54-53"

In line 875 delete the figure "54-23" and insert in lieu thereof the figure "54-53"

In line 900 delete the figure "54-23" and insert in lieu thereof the figure "54-53"

And renumber the sections and lines accordingly.

For the minority:

Senator Meschke

Senator Stroup

And when so amended recommends the same do pass.

SENATOR RINGSACK, Chairman

Senator Meschke moved that the report of the minority be substituted for that of the majority.

Senator Meschke requested a recorded vote, which request was granted.

#### ROLL CALL

The question being on the motion of Senator Meschke, the roll was called and there were ayes, 8; nays, 39; absent and not voting, 2.

Those voting in the affirmative were:

Berube	Decker	Melland	Rait
Christensen	Larson, L.	Meschke	Stroup

Those voting in the negative were:

Beck	Hofstrand	Lowe	Roen
Becker	Holand	Luick	Ruemmele



Butler	Jacobson	Morgan	Sands
Chesrown	Kautzmann	Mutch	Schultz
Coughlin	Kelly, E.	Nasset	Sorlie
Forkner	Kelly, M.	Nething	Stafne
Freed	Larson, G.	Pyle	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Hernett	Longmire	Robinson	
Absent and not voting:			
Larsen, R.	Torgerson		

So the motion was declared lost.

The question being on the motion of Senator Ringsak, that the report of the majority be adopted, which motion prevailed.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 36 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSAK, Chairman

Senator Ringsak 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. 53 has had the same under consideration and recommends that the same be amended as follows:

In line 2 of the title delete "and 26-23-06" and insert in lieu thereof "26-23-06 and 26-23-07"

In line 35 after the period delete "The commissioner" and insert in lieu thereof the following: "The commissioner shall prescribe the kind or kinds of blanket bond coverage, with or without deductible provisions, available through the fund, the procedure to be followed in obtaining such blanket bond coverage, and the forms upon which blanket bond coverage shall be requested. Public employees required to be bonded by law may be included in such blanket bond coverage, and such blanket bond coverage may be greater but not less than the maximum bond as provided in the law for such positions. Such blanket bond shall fulfill statutory bonding requirements for any position."

In line 64 insert triple parentheses before the word "Such" and after the word "premium" and insert in lieu thereof "Premiums"

After line 95 add the following:

SECTION 6. AMENDMENT.) Section 26-23-07 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

26-23-07. EFFECT OF FAILURE TO REPORT ELECTION OR APPOINTMENT OF PUBLIC EMPLOYEE OR FOLLOW PROCEDURE PRESCRIBED BY COMMISSIONER AND TO PAY BOND PREMIUM.) Unless the report required by section 26-23-05 shall be made in the case of an individual bond or the procedure prescribed by the commissioner is followed in the case of a blanket bond and the premium required by section 26-23-06 shall be paid within ten days after the service of a public employee has begun, the officer whose duty it is to make such report or follow such procedure and pay such premium, during the term of such default, shall be liable by force of this chapter as a surety on the bond of such public employee with the same effect and to the same extent as if such bond had been signed, approved, and filed as otherwise required by law. In addition thereto, any officer guilty of such default shall be liable to punishment as for a misdemeanor. No compensation shall be paid to any public employee unless his appointment or election has been reported or the procedure pre-

scribed by the commissioner is followed, as the case may be, and the premium payment for such employee or blanket bond shall have been made to the commissioner or a bond shall have been filed in lieu thereof as provided in this chapter.

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR RINGSACK, Chairman

Senator Ringsack 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 be amended as follows:

In line 12 after the word "the" insert the word "public"

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

Senator Roen 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. 96 has had the same under consideration and recommends that the same be amended as follows:

In line 1 of the title delete the following "19-10-02, 19-10-07, 19-10-08, and insert in lieu thereof "19-10-10"

In line 2 of the title delete the following "10-10-21, and 19-10-22" and insert in lieu thereof "and 19-10-21"

In line 4 of the title delete the following "; and to repeal" and insert in lieu thereof a period.

Delete lines 5, 6 and 7 of the title.

Delete all of lines 1 through 31 of the bill and insert in lieu thereof the following:

"SECTION 1. AMENDMENT.) Section 19-10-10 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

19-10-10. SPECIFICATIONS FOR PETROLEUM PRODUCTS — TESTS USED.) Specifications for gasoline, kerosene, tractor fuel, diesel oil, heating oil, lubricating oils, lubricating greases, hydraulic fluids and liquefied petroleum gases including propane, propylene, normal butane or isobutane, and butylene shall be determined by the department and shall be based upon nationally recognized standards. When so determined by the department and adopted and promulgated as regulations and orders of the department in accordance with the provisions of chapter 28-32, such specifications shall be the specifications for such petroleum products sold in this state and official tests of such petroleum products shall be based upon test specifications so determined, adopted and promulgated.

Delete all of lines 94 through 122.

Renumber the sections and lines accordingly.

And when so amended recommends the same do pass.

SENATOR RINGSACK, Chairman

Senator Ringsack moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 112 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 155 has had the same under consideration and the majority recommends that the same be indefinitely postponed.

For the majority:

Senator Becker  
 Senator Chesrown  
 Senator Nething  
 Senator Rait  
 Senator Hernet  
 Senator Lowe  
 Senator Hofstrand

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 155 has had the same under consideration and the minority recommends that the same be amended as follows:

In the first line of the title after the word "to" insert the following "create and enact subsection 6 of section 57-38-22.1 of the North Dakota Century Code, relating to deductions on individual income tax returns, and to"; after the word "subsection" insert the following "8 of section 57-38-21 and subsections 7 and"

In the third line of the title after the word "owed" insert the words "and relating to domestic dividends deductions"

After the enacting clause insert the following new section:

"SECTION 1.) Subsection 6 of section 57-38-22.1 of the 1965 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

6. In the case of dividends received from corporations or cooperative associations and in lieu of taxes collected under Chapter 57-35 of the North Dakota Century Code, the individual may deduct the total amount of such dividends if such dividends were subjected to the North Dakota corporate income tax at the same rate or a rate in excess of the rate the individual will be subjected to if the amount of the dividends in such individual's net income were excluded; and if the rate imposed against such income of the individual is in excess of the corporate rate applied against the dividends of a corporation under the North Dakota income tax law, the individual may deduct only such amount of dividends represented by the proportion that the rate imposed at the corporate level bears to the rate imposed at the individual level."

In line 1 after the word "Subsection" insert the words "8 of section 57-38-21 and subsection 7 and"

In line 2 delete the word "is and insert in lieu thereof the word "are"

And renumber the lines and sections accordingly.

For the minority:

Senator Decker  
 Senator Butler  
 Senator Wilhite  
 Senator Torgerson

And when so amended recommends the same do pass.

SENATOR DECKER, Chairman

Senator Decker moved that the report of the minority be substituted for that of the majority, which motion was prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 158 has had the same under consideration and recommends that the same be amended as follows:

In line 7 after the period put triple parentheses before the word "The" and after the comma and insert in lieu thereof the following: "The regional commission membership shall consist of five members, namely, one from the board of county commissioners, two from the rural region affected, and two from the municipality, the members from each to be appointed by the respective governing boards."

In line 8 put triple parentheses before the word "their" and after the word "the" and insert in lieu thereof "The"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin 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. 174 has had the same under consideration and recommends that the same be amended as follows:

In line 14 after the word "crops" insert the following: "shall be twelve o'clock noon, October 31"

In line 14 insert triple parentheses before the word "in" and delete the triple parentheses after the word "in"

In line 34 after the period insert the following: "All policies issued for the 1967 growing crops shall expire in accordance with the provisions of this Act."

In line 55 after the period insert the following: "Compensation paid for policies covering 1967 growing crops shall be in accordance with the provisions of this Act."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak 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 be indefinitely postponed.

SENATOR RINGSAK, Chairman

Senator Ringsak moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 205 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 amend and reenact subsection 4 of section 57-01-05 and section 57-02-12, relating to sales ratio studies and manner of listing personal property, and to provide that each county shall have a county supervisor of assessments, prescribing the duties thereof, and procedures.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. COUNTY SUPERVISOR OF ASSESSMENTS.) Prior to October 1, 1967, the board of county commissioners of each county in this state shall appoint a county supervisor of assessments who shall be a qualified appraiser trained and experienced in property appraisals and familiar with assessment and

equalization procedures and techniques. The county supervisor of assessments shall serve at the pleasure of the board of county commissioners and may be employed on a full- or part-time basis.

**SECTION 2. BOND — OATH OF OFFICE.)** Each county supervisor of assessments and his deputy or agent, before entering upon his duties shall take and subscribe the oath required of public officials and shall give bond in such sum as may be prescribed by the board of county commissioners for the faithful performance of the duties of his office. County supervisors of assessments and their deputies or agents shall be bonded through the state bonding fund.

**SECTION 3. DEPUTIES, CLERKS, AND AGENTS.)** The county supervisor of assessments, within budgetary limits prescribed by the board of county commissioners, may appoint such full- or part-time deputies and clerks as may be necessary for the proper performance of the duties of his office and, upon approval of the board of county commissioners, may appoint an assessor for each county commissioner district in the county who shall act as the agent of the county supervisor of assessments. Such deputies, clerks, or agents shall hold office at the pleasure of the county supervisor of assessments and shall be under his supervision and control. They shall receive such compensation as may be authorized by the board of county commissioners.

**SECTION 4. PAYMENT OF EXPENSES — MILL LEVY.)** A county supervisor of assessments and his deputies and clerks shall receive mileage as provided in section 11-10-15 and their actual and necessary traveling expenses at the rate and in the same manner as provided for other county officials. The board of county commissioners shall furnish to the county supervisor of assessments and his staff suitable office space and supplies as may be necessary for the proper discharge of the duties of his office. The salary and expenses of the county supervisor of assessments, his clerks and deputies, and the expense of his office shall be paid from the general fund of the county except that at the discretion of the board of county commissioners an additional mill levy of not to exceed three mills may be levied in the year 1967 and subsequent years for the purpose of paying the salary and expense, which mill levy shall be in addition to the mill levy limitations prescribed by law.

**SECTION 5. POWERS AND DUTIES OF COUNTY SUPERVISOR.)** The county supervisor of assessments shall succeed to all the powers and duties of assessors of townships, villages, cities, and unorganized districts within such county thirty days after his appointment, except that any city may at its option by resolution of its governing body employ a full-time city supervisor of assessments to assess all property within the boundaries of such city. The salary and other expense of a city supervisor of assessments in the performance of his duties shall be paid by the city he serves, and one-half of the revenues raised from the mill levy imposed upon taxable property within a city employing a city assessor for the support of a county assessor, shall be returned by the county to such city to aid in paying the salary and other expenses of a city supervisor of assessments.

**SECTION 6. JOINT COUNTY SUPERVISOR OF ASSESSMENTS.)** The respective boards of county commissioners of two or more counties may by agreement and resolutions of the respective boards of county commissioners employ a joint county supervisor of assessments who shall act as county supervisor of assessments for each of the counties participating in such agreement. The salary and expense of such joint county supervisor of assessments and that of his office and staff shall be prorated among the counties participating in accordance with the assessed valuation of the

counties concerned or upon such other basis as may be agreed upon by the respective boards of county commissioners. The respective boards of county commissioners, acting jointly, shall appoint such joint county supervisor of assessments on the same basis and in the same manner as a county supervisor of assessments may be appointed for a single county. Such joint county supervisor of assessments may be discharged upon the resolution of the board of county commissioners of any county participating in the agreement. Any participating county may withdraw from such joint agreement upon resolution of the board of county commissioners and by giving written notice to the boards of county commissioners of the other participating counties at least one year in advance of the withdrawal date. The joint county supervisor of assessments shall have all the powers and duties of the county supervisor of assessments of a single county and shall keep all records of assessment for each county entirely separate from the records of other counties which he serves.

**SECTION 7. ASSUMPTION OF CERTAIN DUTIES OF COUNTY AUDITOR.)** The county supervisor of assessments shall succeed to all the powers and duties of the county auditor pertaining to the assessment of property described in chapter 57-14 of the North Dakota Century Code, and shall succeed to all the powers and duties of the county auditor pertaining to the administration and enforcement of the mobile homes tax prescribed in chapter 57-55 of the North Dakota Century Code.

**SECTION 8. ABOLISHMENT OF LOCAL ASSESSOR.)** The offices of township assessor, village assessor, city assessor and district assessor are hereby abolished except as provided in this Act, and the county supervisor of assessments shall succeed to all the duties and powers that were vested in those offices except where inconsistent with this Act.

**SECTION 9. CORRECTION OF ASSESSMENTS.)** At any time prior to the submission of the completed assessment rolls to the county auditor, the county supervisor of assessments may make corrections in such assessments previously made by him and may change such assessments when in his judgment the original assessment has been erroneous. If the supervisor shall increase any assessments, he shall give notice in writing to the taxpayer and to the local board of equalization by regular mail at least seven days prior to a meeting of the county board for a hearing for such increase.

**SECTION 10. AMENDMENT.)** Subsection 4 of section 57-01-05 of the 1965 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

4. He shall make sales ratio and other studies of property assessments in the various counties ((,)) and cities ((, and villages)) of this state for the purpose of properly advising the various ((assessors)) supervisors of assessments in the state and for the purpose of recommending to the tax commissioner changes to be made by the state board of equalization in the performance of the equalization powers and duties prescribed for it by section 57-13-14. In any sales ratio study according to Section 57-01-06 of the North Dakota Century Code the county or city supervisors of assessments shall be responsible for compiling each sale of property made in such county or city, and in conjunction with the county commissioners shall analyze such sales for the purpose of advising the state supervisor of assessments as to the value of using such sales in any sales ratio study. Such compilations shall be forwarded to the state supervisor of assessments with the findings of the county or city supervisor of assessments and the board of county commissioners. In any county ((,)) or city ((, or

village,))) or any part thereof where the number of sales of properties is insufficient for making a sales ratio study, the county or city supervisor of assessments in cooperation with the state supervisor of assessments or his assistants shall make appraisals of properties in order to determine the ratio of market value to assessment value.

SECTION 11. AMENDMENT.) Section 57-02-12 of the 1965 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-02-12. MANNER OF LISTING PERSONAL PROPERTY — PENALTY.) On or before the fifteenth day of March in each year and every year, the county supervisor of assessments or city supervisor of assessments shall mail personal property listing blanks, in a form prescribed by the state tax commission, to each owner of personal property located in the county. Personal property shall be listed in triplicate for taxation by the following persons and in the following manner:

1. Every person of full age and sound mind shall list all taxable personal property of which he is the owner, or which is in his possession, or under his control as guardian, parent, husband, trustee, executor, administrator, receiver, accounting officer, partner, agent, or corporation official.
2. Every person required to list property, (((when called upon by the assessor, shall))) upon receiving the personal property listing blank shall on or before the fifteenth day of April of each and every year make out and deliver to the (((assessor a statement, verified by oath,))) county supervisor of assessments or city supervisor of assessments, as the case may be, the list of all the personal property in his possession or under his control which he is required to list for taxation. (((Such sworn statement shall be in such form and shall contain such classifications of property as the tax commissioners may prescribe, subject to the supervision of the state board of equalization. Included upon such statement shall be a classification for farm machinery acquired subsequent to the last listing date.))) It shall be the responsibility of each taxpayer to obtain such listing blanks should they not be mailed to him as provided herein.
3. The (((assessor))) county supervisor of assessments or city supervisor of assessments, as the case may be, shall determine the true and full value of each item of personal property listed for taxation and which is not exempt from taxation and shall add omitted property so that when completed the assessment shall include all the personal property of the taxpayer subject to taxation in (((his))) the assessment district. Copies of such personal property listing forms together with the assessed valuation thereon shall be mailed to the taxpayer and to the local board of equalization at least ten days prior to the meeting of such board by ordinary mail. In case any person whose duty it is to list property (((with the assessor))) shall fail, neglect, or refuse to list property (((which it is his duty to list, the assessor, as a penalty for such refusal or omission, shall assess such property in an amount twenty-five percent in excess of its true valuation))) and deliver such list to the county supervisor of assessments or city supervisor of assessments, as the case may be, the supervisor of assessments shall list such property required by law and shall add to such assessment ten percent of the assessment but the amount so added shall in no case be less than one hundred dollars. In such case, he shall report to the (((local board of review))) county board of equalization the name of the taxpayer, the property with respect to which he has made such additional assessment

by way of penalty, and the amount of the assessment in excess of actual value. The Board of County Commissioners, for good cause shown, may waive the penalty provided in this subsection. The county supervisor of assessments or city supervisor of assessments, as the case may be, shall make such spot checks upon the property of taxpayers as he may deem necessary to properly verify the accuracy of the personal property listing, which spot checks shall not be less than two percent of the total personal property forms filed with such assessor.

4. Any item of personal property that is held under a lease or rental agreement shall be assessed in the assessment district where it is ordinarily kept by the person in possession of it but it shall be listed and assessed to its owner unless the person in possession does not disclose to the assessor the name of the owner, in which case it shall be assessed to the person in possession of it under the lease or rental agreement. Such personal property shall not be assessed as a part of a stock of merchandise held for sale but shall be assessed in such other classification as is appropriate.
5. Any person, officer, or employee of a corporation or association, fiduciary, or member or employee of a partnership, who with intent to evade any requirement of this section or to make, sign, or verify any property tax listing or to supply any information required by law, or who with like intent shall make, render, sign, or verify any false or fraudulent information shall be liable to a penalty of not more than one hundred dollars or thirty days in jail to be recovered by the county state's attorney or the attorney general in the name of the state by action in any court of competent jurisdiction. He shall also be guilty of a misdemeanor and shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days in the county jail or by both such fine and imprisonment.

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 206 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 207 has had the same under consideration and recommends that the same be amended as follows:

In line 7 of the title after the word "Code" insert the following:  
 "relating to allocation of fuel tax"

And when so amended recommends the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin 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 indefinitely postponed.

SENATOR RINGSAK, Chairman



Senator Ringsak moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 222 has had the same under consideration and recommends that the same be amended as follows:

In line 12 delete the word "in" and the words "with a"

In line 13 delete the words "population over forty-five thousand" and insert in lieu thereof the words "when authorized by a majority vote of the electors of such cities upon the submission of such question at a regularly scheduled or special election called for such purpose pursuant to a resolution approved by the governing body of such cities, may increase"

In line 14 delete the word "shall"; and following the word "not" insert the word "to"; and following the word "mills" insert the words "in the case of cities with a population of more than five thousand, and not to exceed thirty-six mills in the case of cities with a population of five thousand or less"

And renumber the lines accordingly

And when so amended recommends the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 238 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 240 has had the same under consideration and recommends that the same be amended as follows:

In line 6 insert triple parentheses around the word "COMPENSATION" and insert in lieu thereof "SERVICE FEES"

In line 15 delete the triple parentheses after the word "each"

In line 19 delete the triple parentheses after the word "cents" and insert a period and delete the remainder of the line.

Delete all of lines 20 through 24.

In line 26 insert a period after the word "licenses" and insert triple parentheses before the word "and" and after the word "fees" and insert the following "Such agent shall charge the purchaser of any hunting, fishing or trapping license a service fee of fifteen cents for any license costing less than four dollars and a service fee of twenty-five cents for any license costing four dollars or more. Service fees shall be retained by the agent."

In line 27 insert triple parentheses before the word "retained" and after the word "this"

In line 28 insert triple parentheses before the word "section" and delete the triple parentheses before the period and delete the remainder of the line.

Delete all of lines 29 through 34.

In line 35 delete "sioner therefor."

In line 44 insert triple parentheses before the word "transmitted" and after the word "or" and insert in lieu thereof "and service fees"

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 Finance and Taxation to whom was referred Senate Bill No. 271 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted.

Senator Meschke requested a recorded vote, which request was granted.

#### ROLL CALL

The question being on the motion of Senator Becker, the roll was called and there were ayes, 42; nays, 6; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hofstrand	Luick	Ruemmele
Becker	Holand	Melland	Sands
Butler	Jacobson	Morgan	Schultz
Chesrown	Kautzmann	Mutch	Sorlie
Coughlin	Kelly, E.	Nasset	Stafne
Decker	Kelly, M.	Nething	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Lips	Ringsak	Trenbeath
Geving	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Hernett	Low		

Those voting in the negative were:

Berube	Larson, L.	Rait	Redlin
Christensen	Meschke		

Absent and not voting:

Larsen, R.

So the motion was declared carried.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 272 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted.

Senator Meschke requested a recorded vote, which request was granted.

#### ROLL CALL

The question being on the motion of Senator Becker, the roll was called and there were ayes, 26; nays, 20; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Goldberg	Longmire	Stafne
Butler	Hernett	Melland	Stroup
Chesrown	Jacobson	Morgan	Torgerson
Coughlin	Kautzmann	Nething	Trenbeath
Decker	Larson, G.	Redlin	Wenstrom
Forkner	Lips	Ringsak	Wilhite
Freed	Litten		

Those voting in the negative were:

Becker	Kelly, E.	Meschke	Roen
Berube	Kelly, M.	Nasset	Ruemmele
Christensen	Larson, L.	Pyle	Sands
Geving	Low	Rait	Schultz
Holand	Luick	Robinson	Sorlie

Absent and not voting:

Hofstrand      Larsen, R.      Mutch

So the motion was declared carried.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 275 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 material:

"For an Act to create and enact section 54-52-25 of the North Dakota Century Code, relating to the North Dakota state employees' retirement system and to amend and reenact section 54-52-03, subsection 6 of section 54-52-04, and sections 54-52-13, 54-52-16, and 54-52-22 of the North Dakota Century Code, relating to the North Dakota state employees' retirement system.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:**

- 1 SECTION 1. AMENDMENT.) Section 54-52-03  
 2 of the 1965 Supplement to the North Dakota Century Code  
 3 is hereby amended and reenacted to read as follows:  
 4 54-52-03. GOVERNING AUTHORITY.) (((There is hereby  
 5 created a))) A state agency is hereby created to consti-  
 6 tute the governing authority of the system to consist  
 7 of a board of five persons known as the retirement  
 8 board. No more than one member of the board shall be  
 9 in the employ of a single department, institution or agency  
 10 of the state.
- 11 1. One member of the board shall be appointed by  
 12 the governor to serve a term of five years.  
 13 The appointee shall be a North Dakota citizen  
 14 who is not a state employee and who by experience  
 15 is familiar with money management. The citizen  
 16 member shall be chairman of the board.
  - 17 2. One member of the board shall be appointed by  
 18 the attorney general from his legal staff and  
 19 shall serve a term of five years.
  - 20 3. Three board members shall be elected from among  
 21 the state employees. The initial elected members  
 22 shall be elected for terms which shall expire  
 23 two years, three years, and four years after the  
 24 date of establishment. Future members shall be  
 25 elected to a five-year term, pursuant to an  
 26 election called for by the board.
  - 27 4. Members of the board shall receive a honorarium  
 28 of twenty-five dollars for each month during  
 29 which the board has been in session. This shall  
 30 be in addition to any other pay or allowance due  
 31 the member, plus an allowance for expenses they  
 32 may incur through service on the board.
  - 33 5. A board member shall serve a five-year term and  
 34 until his successor qualifies. Each board member  
 35 shall be entitled to one vote, and three of the  
 36 five board members shall constitute a quorum.  
 37 Three votes shall be necessary for resolution or  
 38 action by the board at any meeting.
  - 39 6. The state auditor and the state examiner shall  
 40 be ex-officio, nonvoting, and advisory members of  
 41 the board.
- 42 SECTION 2. AMENDMENT.) Subsection 6 of  
 43 section 54-52-04 of the 1965 Supplement to the North  
 44 Dakota Century Code is hereby amended and reenacted to  
 45 read as follows:
- 46 6. The board shall select the funding agent or  
 47 agents and establish an investment agreement  
 48 contract. The contract shall authorize the  
 49 funding agent or agents to hold and invest

50 moneys for the system. No moneys of the system  
 51 shall be invested by the board. Said moneys  
 52 shall be placed for investment only with a firm  
 53 or firms whose primary endeavor is money management,  
 54 and only after a trust agreement or contract  
 55 has been executed. All securities, agreements,  
 56 contracts, or instruments of value shall be  
 57 delivered to the Bank of North Dakota, or  
 58 its agents. Except for dispensing money to  
 59 the funding agent or agents, the board shall  
 60 expend money only for administrative purposes  
 61 by preparing an appropriate voucher and submit-  
 62 ting such vouchers to the department of accounts  
 63 and purchases and as limited by the appropriation  
 64 first made by the legislative assembly.

65 SECTION 3. AMENDMENT.) Section 54-52-13  
 66 of the 1965 Supplement to the North Dakota Century Code  
 67 is hereby amended and reenacted to read as follows:

68 54-52-13. DEPOSIT OF MONEYS.) (((All moneys .  
 69 committed by an agency based on total payroll of partic-  
 70 ipating members, all moneys received as employee  
 71 contribution and all moneys received from grants, dona-  
 72 tions, legacies and devises for the benefit of such fund,  
 73 shall be paid into the Bank of North Dakota to the credit  
 74 of the board, which board shall disburse the same in  
 75 accordance with the plan adopted hereunder.))) All  
 76 moneys including, but not limited to, membership fees,  
 77 employers' contributions, employees' contributions, grants,  
 78 donations, legacies, and devises for the benefit of the  
 79 fund, shall be deposited in the state employees' retire-  
 80 ment fund with the state treasurer.

81 All of said moneys, not otherwise appropriated, are  
 82 hereby appropriated for the purpose of making investments  
 83 for the employees' retirement fund and to make payments  
 84 to beneficiaries under the program.

85 SECTION 4. AMENDMENT.) Section 54-52-16  
 86 of the 1965 Supplement to the North Dakota Century Code  
 87 is hereby amended and reenacted to read as follows:

88 54-52-16. INSURANCE CONTRACTS —  
 89 TRUST AGREEMENTS.) (((The))) For the purpose of  
 90 establishing the funding agent or agents the board may  
 91 enter into an insurance contract, agreement or purchase  
 92 an insurance policy or policies covering all or any  
 93 part of the retirement plan adopted, provided the assur-  
 94 ing company is a North Dakota corporation or authorized  
 95 to do business in the state of North Dakota, or may enter  
 96 into a contract with any qualified trust company or  
 97 companies, or combinations of insurance contracts and  
 98 trust contracts (((, for the purpose of carrying out  
 99 this chapter))).

100 SECTION 5. AMENDMENT.) Section 54-52-22  
 101 of the 1965 Supplement to the North Dakota Century Code  
 102 is hereby amended and reenacted to read as follows:

103 54-52-22. INTERPRETATION CLAUSE.) This  
 104 chapter shall not be construed so as to commit the state  
 105 of North Dakota, or the agency to any liability either  
 106 moral or legal to any benefits to any beneficiary under  
 107 the plan or plans resulting from enactment of this  
 108 chapter, nor as an exemption from any regulatory laws  
 109 of the state of North Dakota.

110 SECTION 6.) Section 54-52-25 of the  
 111 North Dakota Century Code is hereby created and enacted  
 112 to read as follows:

113 54-52-25. LIMITATION OF POWERS.) The

114 funding agent or agents selected by the board shall not  
 115 delegate any powers or duties to any person, partnership  
 116 or corporation. In the event the funding agent or agents  
 117 employ an investment counsel, such counsel shall be limited  
 118 to giving advice only and shall take no part directly or  
 119 indirectly in the purchase or sale of any securities of  
 120 the fund, and shall exercise no power of attorney regarding  
 121 any securities of the fund."

And when so amended recommends the same do pass.

SENATOR RINGSACK, Chairman

Senator Ringsack moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 292 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR REDLIN, Chirman

Senator Redlin 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. 298 has had the same under consideration and recommends that the same be amended as follows:

In line 25 after the word "subdivisions" delete the comma and insert in lieu thereof a colon and delete the remainder of the line.

Delete all of line 26.

In line 200 delete the colon and insert in lieu thereof a comma and the words "or state historical society;"

Delete all of lines 280 through 285.

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR RINGSACK, Chairman

Senator Ringsack moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 305 has had the same under consideration and recommends that the same be amended as follows:

In line 3 insert triple parentheses before the word "RIGHT" and after the parenthesis and delete the remainder of the line and insert in lieu thereof the following:

"ACQUISITION OF LAND BY EMINENT DOMAIN FOR FLOOD CONTROL OR MUNICIPAL OR INDUSTRIAL WATER SUPPLY.) Prior to the acquisition of any land by eminent domain by the state or any of its agencies or political subdivision for any dam or reservoir area for flood control or municipal or industrial water supply purposes the acquiring entity shall, by registered mail, notify each landowner of such intent to acquire and shall also publish a notice of intent to acquire in each official county newspaper in which such land is located. Any person or legal entity owning land subject to such acquisition may appeal to the district court for relief. Such appeal shall be taken and perfected within thirty days from and after the return of receipt of such notice of intent mailed by registered letter. The appellant must file with the clerk of court and serve upon the acquiring entity a notice of appeal. The court shall hear such appeal not less than ten days nor more than thirty days after the filing of such appeal with the clerk, the day of hearing to be fixed by the court, but such time for hearing may be extended by the court for good cause for a period not to exceed thirty days. The case shall be tried in all respects as a court case without a jury

and costs shall be allowed and taxed as costs are taxed in such courts in civil actions and upon like notice. Where such appeal is perfected, the district court upon the hearing may try and determine the question as to whether, in the first instance, there is sufficient cause to acquire the land by eminent domain and also if the purchase price is sufficient."

Delete all of lines 4 through 7.

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 Senate Bill No. 311 has had the same under consideration, and recommends that the same do pass.

SENATOR RINGSACK, Chairman

Senator Ringsack moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 319 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Luick moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 335 has had the same under consideration and recommends that the same be amended as follows:

In line 1 of the title delete "any" and insert in lieu thereof "full time"

In line 2 of the title delete "which"

In line 3 after the word "employs" insert "full time"

In line 4 after the word "with" delete "two" and insert in lieu thereof "a" and after the word "and" delete "two" and insert in lieu thereof "a"

In line 5 delete "uniforms" and insert in lieu thereof "uniform" and after the period insert "The uniforms shall be blue in color."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 344 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 57-16-04 of the North Dakota Century Code, relating to excess mill levies of school districts.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

- 1 SECTION 1. AMENDMENT.) Section 57-16-04
- 2 of the North Dakota Century Code is hereby amended
- 3 and reenacted to read as follows:
- 4 57-16-04. INCREASE MAY BE FOR FIVE
- 5 YEARS — EXTENSION — DISCONTINUANCE.) The
- 6 governing board of the school district may submit the
- 7 question of authorizing an excess levy for the current

8 year and not to exceed four succeeding years. The  
 9 notice of election shall give the year or years for  
 10 which authorization is sought for an excess levy as  
 11 well as the percentage of excess which is to be voted  
 12 upon. Prior to the termination of the excess levy,  
 13 such levy may be extended for a term not to exceed the  
 14 original term of the increase upon the unanimous approval  
 15 by the governing board of the school district, and  
 16 further extensions may be made for the same number of  
 17 years prior to each termination date upon the unanimous  
 18 approval of the governing board of the school district.  
 19 The question of discontinuing such excess levy in any school  
 20 district shall be submitted to the electorate  
 21 at the next regular election upon the filing with the  
 22 school board of a petition containing the signatures  
 23 of not less than ten percent of the electors of the  
 24 district as determined by the number voting in such  
 25 school district at the most recent regular school  
 26 district election. The election shall be held in the  
 27 same manner and subject to the same conditions as pro-  
 28 vided in section 15-53-14 for elections for approval  
 29 of school district reorganization plans."

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

Senator Roen 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. 345 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

Senator Ringsack moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 349 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 350 has had the same under consideration and recommends that the same do pass.

In line 1 of the title after the word "for" insert the words "a conditional transfer" and delete the words "the transfer of five hundred thousand"

In line 2 of the title delete the words "dollars per quarter from sales tax collections" and in lieu thereof insert the words "of funds"

In line 3 of the title delete the words "until the aggregate amount reaches"

Delete all of line 4 of the title and insert in lieu thereof the words "and making an appropriation from the college building fund for the construction of college buildings."

In line 1 delete the words "SALES TAX COLLECTIONS" and insert in lieu thereof the word "FUNDS"

In line 2 delete the words "The state treasurer"

Delete all of lines 3 through 12 inclusive and insert in lieu thereof the following: "Commencing August 1, 1967, and in the years 1968, 1969, 1970, and 1971 at the same date, the director of the department of accounts and purchases shall determine as of the previous thirtieth day of June the unencumbered balance in the general fund

of the state. In the event the unencumbered balance in the general fund as of the close of business on the previous thirtieth day of June shall exceed ten million dollars, the director of accounts and purchases shall direct the state treasurer to transfer the amount by which such unencumbered balance exceeds ten million dollars to the college building fund in four equal installments to be made at the end of each calendar quarter of such fiscal year, except that the total amount the state treasurer shall be directed to transfer in each fiscal year shall not exceed two million dollars. Such funds shall be expended by the board of higher education for the construction, reconstruction, and equipping of buildings at state-operated institutions of higher learning in accordance with specific appropriations to be made by the legislative assembly.

SECTION 2. APPROPRIATION.) There is hereby appropriated out of any moneys in the college building fund the sum of \$8,843,153.00, or so much thereof as may be available in such fund, and from federal and private sources the sum of \$6,674,076.00 for the construction, reconstruction, and equipping of buildings and facilities at state-operated institutions of higher learning for purposes as follows and within the limitations of the costs hereafter stated:

NAME OF INSTITUTION AND TYPE OF FACILITY	STATE FUNDS	FEDERAL AND PRIVATE SOURCE FUNDS	TOTAL FUNDS
1. State College located at the city of Mayville in the county of Traill — A classroom building	\$320,000.00	\$155,000.00	\$475,000.00
2. North Dakota State University of Agri- culture and Applied Science located at the city of Fargo in the county of Cass — A biological science building	\$274,153.00	\$137,076.00	\$411,229.00
3. University of North Dakota and School of Mines located at the city of Grand Forks in the county of Grand Forks — A class- room building.	\$1,000,000.00	\$500,000.00	\$1,500,000.00
4. North Dakota State University of Agri- culture and Applied Science located at the city of Fargo in the county of Cass — A physical education classroom building	\$1,750,000.00	\$1,500,000.00	\$3,250,000.00
5. School of Science located at the city of Wahpeton in the county of Richland — A combination library - classroom building	\$42,000.00	\$280,000.00	\$700,000.00



6. University of North Dakota and School of Mines located at the city of Grand Forks in the county of Grand Forks — an auditorium building	\$1,000,000.00	\$2,000,000.00	\$3,000,000.00
7. State College located at the city of Valley City in the county of Barnes — A science building	\$500,000.00	\$250,000.00	\$750,000.00
8. State College located at the city of Dickinson in the county of Stark — Scott Gymnasium Renovation and Addition and Stadium	\$550,000.00	\$150,000.00	\$700,000.00
9. University of North Dakota and School of Mines located at the city of Grand Forks in the county of Grand Forks — Engineering Building	\$672,000.00	\$928,000.00	\$1,600,000.00
10. University of North Dakota and School of Mines located at the city of Grand Forks in the county of Grand Forks — Law Building	\$536,000.00	\$264,000.00	\$800,000.00
11. State College located at the city of Minot in the county of Ward — Classroom Building	\$400,000.00	\$200,000.00	\$600,000.00
12. School of Forestry located at the city of Bottineau in the county of Bottineau — Science Building	\$240,000.00	\$160,000.00	\$400,000.00
13. North Dakota State University of Agri- culture and Applied Science located at the city of Fargo in the county of Cass — Addition to Maintenance Building	\$225,000.00		\$225,000.00
14. State College located at the city			

of Valley City in the county of Barnes — Service and Storage Building	\$36,000.00		\$36,000.00
15. University of North Dakota and School of Mines located at the city of Grand Forks in the county of Grand Forks — Service Building	\$450,000.00		\$450,000.00
16. School of Science located at the city of Wahpeton in the county of Richland — Maintenance - Storage Building	\$150,000.00		\$150,000.00
17. State College located at the city of Dickinson in the county of Stark — Library Addition	\$300,000.00	\$150,000.00	\$450,000.00
18. School of Forestry located at the city of Bottineau in the county of Bottineau — Workshop - Garage - Storage Building	\$20,000.00		\$20,000.00

The construction of a specific building or facility shall not be commenced until the amount of funds indicated for such building or facility in the column "Federal and Private Source Fund" has been either actually received or irrevocably promised from such sources for such facilities and in no event shall any facility exceed the cost indicated in the column "Total Funds" except to the extent funds from the federal and private fund sources exceed the amount authorized for the specific building or facility. The board of higher education, in its discretion, may direct the construction of such buildings and facilities in a different order or priority than that listed in this section. The state funds herein appropriated shall remain available for expenditure for the purposes specified until July 1, 1974, except that upon the completion of the construction and equipping of an specific building or facility, any unexpended state funds specifically appropriated and designated herein for such building or facility shall revert to the college building fund."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 354 has had the same under consideration and recommends that the same be amended as follows:

In line 17 delete the triple parentheses around the period and delete the semicolon and insert in lieu thereof the following:

"4. Hunt geese without a valid stamp affixed to the nonresident hunting license, which stamp will be available from the commissioner or his agents for a fee of fifty cents. This stamp shall be

valid for no more than sixteen consecutive days, which may be designated by the purchaser at the time of purchase, but in no case may they include days before or after the regular goose season for which the nonresident license was issued."

Delete all of lines 18 through 20.

In line 22 delete "licenses" and insert in lieu thereof "stamps"

In line 40 after the word "with" delete the words "a permit" and insert in lieu thereof the word "tags"

In line 41 after the word "The" delete the word "permits" and insert in lieu thereof "tags"

In line 43 after the period delete the remainder of the line.

In line 44 delete the words "such permits"

In line 45 after the word "waterfowl" delete "without a permit" and insert in lieu thereof "not properly tagged"

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. 359 has had the same under consideration and recommends that the same be amended as follows:

In line 13 delete "In the case of a gift, or any" and insert in lieu thereof "Any"

In line 27 after the period delete the remainder of the line and insert in lieu thereof: "The copies shall be accumulated by the county auditor and forwarded to the assessor and state tax commissioner"

Delete all of line 28

In line 29 delete "person"

At the end of line 63 insert the following:

"14. If such a transfer is of minerals or oil leases."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 361 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 376 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 380 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SORLIE, Chairman

Senator Melland moved that the report be adopted, which motion was lost.

Senator Torgerson moved that Senate Bill No. 380 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 387 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 392 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted.

Senator Meschke requested a recorded vote, which request was granted.

#### ROLL CALL

The question being on the motion of Senator Becker, the roll was called and there were ayes, 35; nays, 11; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Schultz
Becker	Holand	Melland	Sorlie
Butler	Jacobson	Nasset	Stafne
Chesrown	Kautzmann	Nething	Stroup
Coughlin	Kelly, M.	Pyle	Torgerson
Decker	Larson, G.	Redlin	Trenbeath
Forkner	Lips	Ringsak	Wenstrom
Freed	Litten	Roen	Wilhite
Goldberg	Longmire	Sands	

Those voting in the negative were:

Berube	Kelly, E.	Meschke	Robinson
Christensen	Larson, L.	Morgan	Ruemmele
Geving	Luick	Rait	

Absent and not voting:

Hofstrand	Larsen, R.	Mutch
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So the motion was declared carried.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 393 has had the same under consideration and recommends that the same be amended as follows:

Delete all of line 11

Following line 96 and before line 97 insert the following new subdivision:

"i. Reduced by 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 was received by the taxpayer as income during the income year if such corporation has reported the name and address of each North Dakota resident owning stock and the amount of dividends or income paid each such person during the year, provided, that 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 subtracted. The commissioner is hereby authorized to prescribe rules and regulations to implement this subdivision to avoid injustice to taxpayers, to prevent duplication of deductions and to elimin-

ate taxation of income not fairly and properly taxable under this chapter."

Following line 148 and before line 149 insert the following new subdivision:

"g. Reduced by dividends or income received by any person from stock or interest in any corporation, the income of which has been assessed and paid by a corporation under this chapter, received by the taxpayer and included in the gross income within 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, but when only part of the income of any corporation shall have been assessed and income tax paid under this chapter, only a corresponding part of the dividends or income received therefrom shall be deducted."

In line 183 delete the figures "57-38-29" and insert in lieu thereof "57-38-28"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BECKER, Chairman

Senator Becker 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. 397 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

Senator Ringsack moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 398 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker 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 be amended as follows:

In line 28 following the comma insert the following: "and then only if such country is relying solely on overland crude for supplying its own domestic needs,"

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 Concurrent Resolution "NN" 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 Concurrent Resolution "QQ" has had the same under consideration and recommends that the same be amended as follows:

In line two of the title after the word "and" insert the following "Library Services generally in the State of North Dakota and"

In line 16 after the word "and" insert "Library Services generally in the State of North Dakota and"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

#### MOTIONS

Senator Holand moved that Senate Bill No. 93 be returned to the Senate from the Committee on Political Subdivisions, which motion prevailed.

Senator Holand requested unanimous consent of the Senate to withdraw Senate Bill No. 93, which request was granted.

Senator Ringsak moved that Senate Bill No. 141 be returned to the Senate from the Committee on Finance and Taxation, which motion prevailed.

Senator Ringsak requested unanimous consent of the Senate to withdraw Senate Bill No. 141, which request was granted.

Senator Nothing moved that Senate Bill No. 250 be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Nothing requested unanimous consent of the Senate to withdraw Senate Bill No. 250, which request was granted.

Senator Schultz moved that the absent Senators be excused, which motion prevailed.

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

#### FORTY-FIRST DAY

Bismarck, February 13, 1967

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. Philip Hink, First Lutheran, Bismarck.

O Lord our God, again we pause for a word of prayer before turning to the duties of the day. We pray for the members of this body in their several responsibilities. Help them in their offices, in committees, and above all, as they meet here in legislative session.

Turn their thoughts to Thee and open their hearts to Thy Spirit that they may have wisdom in their decisions, understanding in their thinking, love in their attitudes, and mercy in their judgments.

These things we pray, in Jesus Name. Amen.

Roll call: All Senators present except Senator Larsen.

A quorum was declared by the President.

#### CORRECTION AND REVISION

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 finds the same correct.

SENATOR LOWE, Chairman

Senator Lowe moved that the report be adopted; which motion prevailed.

Senator Lips moved that the Senate recess until 1:00 p.m., February 14, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary

"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### FORTY-SECOND DAY AFTER RECESS AND FORTY-THIRD DAY

Bismarck, February 14, 1967

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

#### FIRST READING OF HOUSE BILLS AND HOUSE CONCURRENT RESOLUTIONS

**House Bill No. 514.** For an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the State Highway Department and to authorize expenditures for highway project construction costs.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 609.** For an Act to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to the salaries of judges of the supreme court and district courts.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 659.** A Bill for an Act to amend and reenact section 54-03-21 of the North Dakota Century Code, relating to conflicts of interest of the members of the legislative assembly.

Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 686.** A Bill for an Act to amend and reenact section 27-16-03 of the North Dakota Century Code, relating to juvenile commissioners and compensation therefor.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 698.** A Bill for an Act to create and enact section 11-16-15 of the North Dakota Century Code, relating to a state's attorney's inquiry into felonies and misdemeanors.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 704.** A Bill for an Act to amend and reenact section 57-22-29 of the 1965 Supplement to the North Dakota Century Code, relating to contracts for personal property tax collection and validating contracts for the collection of personal property taxes.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 715.** A Bill for an Act to amend and reenact section 18-11-13, 18-11-16, 40-45-06, and 40-46-08 of the North Dakota Century Code, relating to investments of surplus funds in the cities' employees' pension fund, policemen's pension fund and alternate firemen's association general fund and state fund.

Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 726.** A Bill for an Act to amend and reenact section 4-08-15 of the 1965 Supplement to the North Dakota Century Code, relating to levy for county agents work.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 757.** A Bill for an Act to amend and reenact sections 18-01-01, 18-01-04, 18-01-05, 26-24-03 and 54-12-01 of the North Dakota Century Code, and to repeal subsection 10 of section 26-01-02 of the North Dakota Century Code, providing for the transfer of the office of state fire marshal from the insurance commissioner to the attorney general, and providing for its operation in conjunction with the bureau of criminal identification and apprehension.

Was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 765.** A Bill for an Act to amend section 39-21-08 of the 1965 Supplement to the North Dakota Century Code, by the creation of subsection 5, relating to the lighting equipment required on certain vehicles.

Was read the first time and referred to the Committee on Transportation.

**House Bill No. 782.** 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, providing limitations thereon, and to repeal sections 10-06-01, 10-06-02, 10-06-03, and 10-06-05 of the North Dakota Century Code, relating to the prohibition of corporate farming.

Was read the first time and referred to the Committee on Agriculture.

**House Bill No. 784.** A Bill for an Act to amend and reenact section 35-20-11 of the North Dakota Century Code, providing a summary method for foreclosure of special liens.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 823.** A Bill for an Act to amend and reenact section 39-08-18 of the North Dakota Century Code, relating to open liquor containers and drinking alcoholic beverages in motor vehicles, and providing a penalty.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 838.** A Bill for an Act to provide for the apportionment of personal property belonging to a single coal mining company operating in two or more counties.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 843.** A Bill for an Act to amend and reenact section 26-27-14 of the North Dakota Century Code, relating to licensing of sales representatives.

Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 844.** A Bill for an Act to amend and reenact section 26-27.1-18 of the North Dakota Century Code, relating to licensing of sales representatives.

Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 845.** A Bill for an Act to amend and reenact section 26-26-14 of the North Dakota Century Code, relating to licensing of sales representatives.

Was read the first time and referred to the Committee on Industry, Business and Labor.



**House Bill No. 852.** A Bill for an Act to amend and reenact sections 37-17-03 and 37-17-04 of the North Dakota Century Code relating to the appointment of a civil defense director and a civil defense advisory committee.

Was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 862.** A Bill for an Act to amend and reenact section 39-09-02 of the North Dakota Century Code, relating to motor vehicle speed limitations, and providing a termination date.

Was read the first time and referred to the Committee on Transportation.

**House Bill No. 864.** A Bill for an Act relating to the issuance by the state engineer of perfected water permits for water taken from wells.

Was read the first time and referred to the Committee on Natural Resources.

**House Bill No. 865.** A Bill for an Act relating to the issuance by the state engineer of perfected water permits for water taken from wells.

Was read the first time and referred to the Committee on Natural Resources.

**House Bill No. 904.** A Bill for an Act to amend and reenact section 13-04-01 of the 1965 Supplement to the North Dakota Century code, relating to bank installment loans.

Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 911.** A Bill for an Act to amend and reenact sections 40-24-11 and 40-24-12 of the 1965 Supplement to the North Dakota Century Code, relating to the regulations in certifying special assessments and furnishing statements thereof.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Concurrent Resolution "M".** A concurrent resolution urging the Congress of the United States to pass enabling legislation authorizing the remittance of up to ten percent of federal income taxes paid by each state to the state where such revenue originates.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Concurrent Resolution "Z".** A Concurrent Resolution urging the legislature of the state of Minnesota to amend certain laws regarding compulsory inspection of North Dakota-graded grain before warehousing in Minnesota public terminal warehouses.

Was read the first time and referred to the Committee on Agriculture.

**House Concurrent Resolution "Q-1".** A Concurrent Resolution requesting the Congress of the United States to direct the Interstate Commerce Commission to investigate the carload freight rates applicable to small grains and to prescribe such rates, charges, rules, and regulations as it shall find reasonable and otherwise lawful in the premises.

Was read the first time and referred to the Committee on Transportation.

#### CONSIDERATION OF AMENDMENTS

Senator Lips moved that the rules be suspended and that the reading of the amendments to Senate Bills Nos. 44, 83, 173, 180, 246, 251, 274, 295, 319, 364, 369, 370, 390, House Bills Nos. 538 and 544, and Senate Concurrent Resolution "II", be dispensed with, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 44 as recommended by the Committee on Transportation, and printed on page 452 of the Senate Journal, be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to Senate Bill No. 83, as recommended by the Committee on Natural Resources, and printed on page 468 of the Senate Journal, be adopted, which motion prevailed.

Senator Redlin moved that the amendments to Senate Bill No. 173, as recommended by the Committee on Political Subdivisions, and printed on page 469 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 180 as recommended by the Committee on Appropriations, and printed on page 469 of the Senate Journal, be adopted, which motion prevailed.

Senator Redlin moved that the amendments to Senate Bill No. 246 as recommended by the Committee on Political Subdivisions, and printed on page 471 of the Senate Journal, be adopted, which motion prevailed.

Senator Redlin moved that the amendments to Senate Bill No. 251 as recommended by the Committee on Political Subdivisions, and printed on page 471 of the Senate Journal, be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to Senate Bill No. 274 as recommended by the Committee on Natural Resources, and printed on page 471 of the Senate Journal, be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to Senate Bill No. 295 as recommended by the Committee on Natural Resources and printed on page 472 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 319 as recommended by the Committee on Transportation, and printed on pages 453 and 454 of the Senate Journal, be adopted, which motion prevailed.

Senator Goldberg moved that Senate Bill No. 319 be further amended as follows:

Immediately following line 24 of the amendments to Senate Bill No. 319 insert the following material:

"11. The North Dakota Aeronautics Commission"

In line 25 of the amendments to Senate Bill No. 319 delete the numeral "11" and insert in lieu thereof the numeral "12"

And renumber the lines accordingly.

Which motion prevailed.

Senator Roen moved that the amendments to Senate Bill No. 364 as recommended by the Committee on Education, and printed on page 472 of the Senate Journal, be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to Senate Bill No. 369 as recommended by the Committee on Natural Resources, and printed on page 473 of the Senate Journal, be adopted, which motion prevailed.

Senator Redlin moved that the amendments to Senate Bill No. 370 as recommended by the Committee on Political Subdivisions, and printed on page 473 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to Senate Bill No. 390 as recommended by the Committee on Social Welfare and

Veterans Affairs, and printed on pages 473 and 474 of the Senate Journal, be adopted, which motion prevailed.

Senator Longmire moved that the amendments to House Bill No. 538 as recommended by the Committee on Social Welfare and Veterans Affairs, and printed on page 456 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to House Bill No. 544 as recommended by the Committee on Transportation, and printed on page 456 of the Senate Journal, be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to Senate Concurrent Resolution "I-I" as recommended by the Committee on Natural Resources, and printed on page 474 of the Senate Journal, be adopted, which motion prevailed.

Senator Lips moved that the reading of the amendments to Senate Bills Nos. 53, 61, 96, 155, 158, 174, 205, 207, 222, 240, 275, 298, 305, 335, 344, 350, 354, 359, 393, Senate Concurrent Resolutions "W" and "Q-Q" be dispensed with, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 53 as recommended by the Committee on State and Federal Government, and printed on pages 495 and 496 of the Senate Journal, be adopted, which motion prevailed.

Senator Roen moved that the amendments to Senate Bill No. 61 as recommended by the Committee on Education, and printed on page 496 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 96 as recommended by the Committee on State and Federal Government, and printed on page 496 of the Senate Journal, be adopted, which motion prevailed.

Senator Becker moved that the amendments to Senate Bill No. 155 as recommended by the Committee on Finance and Taxation, and printed on page 497 of the Senate Journal, be adopted, which motion prevailed.

Senator Decker moved that Senate Bill No. 155 be further amended as follows:

Following the new section 1 of the bill as engrossed and before the repeal section insert the following new section:

"SECTION 2. LEGISLATIVE INTENT.) It is hereby declared to be the intent of the legislative assembly that cooperatives shall be taxed at the same rate and in the same manner as corporations and that patronage dividends of cooperatives and dividends of corporations shall be treated in the same manner for state tax purposes."

And renumber the lines accordingly.

Which motion prevailed.

Senator Redlin moved that the amendments to Senate Bill No. 158 as recommended by the Committee on Political Subdivisions, and printed on pages 497 and 498 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 174 as recommended by the Committee on State and Federal Government, and printed on page 498 of the Senate Journal, be adopted, which motion prevailed.

Senator Becker moved that the amendments to Senate Bill No. 205 as recommended by the Committee on Finance and Taxation, and printed on pages 498 to 502 of the Senate Journal, be adopted, which motion prevailed.

Senator Redlin moved that the amendments to Senate Bill No. 207 as recommended by the Committee on Political Subdivisions,

and printed on page 503 of the Senate Journal, be adopted, which motion prevailed.

Senator Redlin moved that the amendments to Senate Bill No. 222 as recommended by the Committee on Political subdivisions, and printed on page 503 of the Senate Journal, be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to Senate Bill No. 240 as recommended by the Committee on Natural Resources, and printed on page 503 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 275 as recommended by the Committee on State and Federal Government, and printed on pages 505 to 507 of the Senate Journal, be adopted, which motion prevailed.

Senator Holand moved that the amendments to Senate Bill No. 298 as recommended by the Committee on State and Federal Government, and printed on page 507 of the Senate Journal, be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to Senate Bill No. 305 as recommended by the Committee on Natural Resources, and printed on pages 507 and 508 of the Senate Journal, be adopted, which motion prevailed.

Senator Redlin moved that the amendments to Senate Bill No. 335 as recommended by the Committee on Political Subdivisions, and printed on page 508 of the Senate Journal, be adopted, which motion prevailed.

Senator Roen moved that the amendments to Senate Bill No. 344 as recommended by the Committee on Education, and printed on page 508 of the Senate Journal, be adopted, which motion prevailed.

Senator Roen moved that the amendments to Senate Bill No. 350 as recommended by the Committee on Education, and printed on pages 509 to 512 of the Senate Journal, be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to Senate Bill No. 354 as recommended by the Committee on Natural Resources, and printed on pages 512 and 513 of the Senate Journal, be adopted, which motion prevailed.

Senator Redlin moved that the amendments to Senate Bill No. 359 as recommended by the Committee on Political Subdivisions, and printed on page 513 of the Senate Journal, be adopted, which motion prevailed.

Senator Becker moved that the amendments to Senate Bill No. 393 as recommended by the Committee on Finance and Taxation, and printed on pages 514 and 515 of the Senate Journal, be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to Senate Concurrent Resolution "W" as recommended by the Committee on Natural Resources, and printed on page 515 of the Senate Journal, be adopted, which motion prevailed.

Senator Roen moved that the amendments to Senate Concurrent Resolution "Q-Q" as recommended by the Committee on Education, and printed on page 515 and 516 of the Senate Journal, be adopted, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 14, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 17

Senate Bill No. 166

Senate Bill No. 191  
 Senate Bill No. 196  
 Senate Bill No. 244  
 Senate Bill No. 245  
 Senate Bill No. 281  
 Senate Bill No. 283  
 Senate Bill No. 332  
 Senate Bill No. 343

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 14, 1967

Mr. President: I have the honor to return:

Senate Concurrent Resolution "Z"

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Concurrent Resolution "HH" has had the same under consideration and recommends that the same do pass.

And be rereferred to the Legislative Research Resolutions Committee.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Concurrent Resolution "SS" has had the same under consideration and recommends that the same do pass.

And be rereferred to the Legislative Research Resolutions Committee.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Concurrent Resolution "TT" has had the same under consideration and recommends that the same do pass.

And be rereferred to the Legislative Research Resolutions Committee.

SENATOR BECKER, Chairman

Senator Becker 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 "AAA" has had the same under consideration and recommends that the same be amended as follows:

In line 5 after the word "to" delete "the legality of"

Renumber the lines accordingly.

And when so amended recommends the same do pass and be rereferred to the Legislative Research Resolutions Committee.

SENATOR RINGSACK, Chairman

Senator Ringsack moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 560 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 561 has had the same under consideration and recommends that the same be amended as follows:

In the title after the word "made" add ", and declaring an emergency."

On line 71 after the word "first" add the following language: ", on or before February first payments equal to one-fourth of the total payments made to each respective equalization fund"

On line 72 delete the word ((March)) and add the word "April"

On line 80 after "December fifteenth," add "February fifteenth,"

After the word "and" delete the word ((March)) and add "April"

Add the following emergency clause:

SECTION 4. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 579 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 591 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

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 do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 602 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 631 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 632 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 642 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 656 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 701 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 763 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 768 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 840 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 882 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker 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 BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Senator Schultz moved that the absent Senators be excused, which motion prevailed.

Senator Lips moved that the Senate adjourn, which motion prevailed.

## FORTY-THIRD DAY

Bismarck, February 14, 1967

The Senate convened at 2:00 p.m., the President presiding.  
 Prayer by Chaplain Rev. Charles Hill, United Church, Bismarck.  
 Roll call: All Senators present except Senator Ringsak.  
 A quorum was declared by the President.

## CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fortieth day after recess and forty-first day and recommends that the same be corrected as follows:

On page 497, line 6 from the bottom of the page, delete the name "DECKER" and insert in lieu thereof the name "BECKER"

On page 497, line 4 from the bottom of the page delete the word "was"

On page 509, in line 43, delete the words "do pass" and insert in lieu thereof the words "be amended as follows:"

And when so corrected recommends that the same be approved.

SENATOR LOWE, Chairman

Senator Lowe moved that the report be adopted, which motion prevailed.

SECOND READING OF SENATE BILLS  
 AND A SENATE CONCURRENT RESOLUTION

**Senate Bill No. 318.** A Bill for an Act authorizing the state of North Dakota to exchange certain state-owned real property adjacent to the state hospital of North Dakota at Jamestown, North Dakota.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, on page 414 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Bulter	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nething	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Willhite

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

**Senate Bill No. 327.** A Bill for an Act directing the board of administration to develop and supervise communication systems for state agencies, state institutions and political subdivisions; creating a communications advisory committee; defining duties; establishing procedures for financing; authorizing cancellation of existing services; setting forth fees to be paid by counties; authorizing transfer of appropriations; acceptance of federal funds and issuance of rules; and making an appropriation.

Was read the second time.



## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Roen
Becker	Hofstrand	Lowe	Ruemmele
Berube	Holand	Luick	Sands
Bulter	Jacobson	Melland	Schultz
Chesrown	Kautzmann	Meschke	Sorlie
Christensen	Kelly, E.	Morgan	Stafne
Coughlin	Kelly, M.	Nasset	Stroup
Decker	Larsen, R.	Nothing	Torgerson
Forkner	Larson, G.	Pyle	Trenbeath
Freed	Larson, L.	Rait	Wenstrom
Geving	Lips	Redlin	Wilhite
Goldberg	Litten	Robinson	

Those voting in the negative were:

Mutch

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

**Senate Bill No. 341.** A Bill for an Act to amend and reenact section 40-24-04 and 40-24-05 of the North Dakota Century Code, relating to the length of time for which special assessment warrants for sewer and water may extend.

Was 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:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nothing	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

**Senate Bill No. 360.** A Bill for an Act to authorize the state department of health to sell and convey certain land owned by the State of North Dakota, which land was formerly used for agricultural purposes, setting forth the procedures to be followed in arranging for the sale, and declaring an emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, on page 414 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Roen
Becker	Holand	Luick	Ruemmele
Berube	Jacobson	Melland	Sands

Butler	Kautzmann	Meschke	Schultz
Chesrown	Kelly, E.	Morgan	Sorlie
Christensen	Kelly, M.	Mutch	Stafne
Coughlin	Larsen, R.	Nasset	Stroup
Decker	Larson, G.	Nething	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Robinson	
Absent and not voting:			
Forkner	Ringsak		

So the bill passed and the title was agreed to, and the emergency clause carried.

**Senate Bill No. 383.** A Bill for an Act relating to the responsibilities of a professional engineer in connection with municipal construction or improvement projects.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 26; nays, 22; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Jacobson	Pyle	Schultz
Christensen	Kelly, M.	Rait	Sorlie
Coughlin	Litten	Redlin	Stroup
Decker	Luick	Robinson	Torgerson
Geving	Morgan	Ruemmele	Trenbeath
Hernett	Mutch	Sands	Wilhite
Hofstrand	Nasset		

Those voting in the negative were:

Becker	Goldberg	Larson, L.	Meschke
Berube	Holand	Lips	Nething
Butler	Kautzmann	Longmire	Roen
Chesrown	Kelly, E.	Lowe	Stafne
Forkner	Larsen, R.	Melland	Wenstrom
Freed	Larson, G.		

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

Senator Sands moved that the vote by which Senate Bill No. 383 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion lost.

**Senate Concurrent Resolution "M".** A Concurrent Resolution urging the Corps of Engineers to construct and maintain at federal expense additional bank stabilization works on the Missouri River, North Dakota.

Was read the second time.

Senator Larson (Burleigh) moved that Senate Concurrent Resolution "M" be adopted, which motion prevailed.

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 14, 1967

Mr. President: I have the honor to transmit:

House Bill No. 638  
 House Bill No. 640  
 House Bill No. 661  
 House Bill No. 766  
 House Bill No. 767

House Bill No. 785  
 House Bill No. 800  
 House Bill No. 802  
 House Bill No. 827  
 House Bill No. 841  
 House Bill No. 842  
 House Bill No. 870  
 House Bill No. 913  
 House Bill No. 925  
 House Bill No. 928  
 House Bill No. 933

House Concurrent Resolution "Y"

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

### SECOND READING OF HOUSE BILLS

**House Bill No. 547.** For an Act to create and enact chapter 39-16.1 and to amend and reenact section 39-16-05 of the North Dakota Century Code, relating to the financial responsibility of owners and operators of motor vehicles and the suspension of licenses, and to repeal subsection 9 of section 39-16-01 and sections 39-16-12, 39-16-13, 39-16-14, 39-16-15, 39-16-16, 39-16-17, 39-16-18, 39-16-19, 39-16-20, 39-16-21, 39-16-22, 39-16-23, 39-16-24, 39-16-25, 39-16-26, 39-16-27, and 39-16-28 of the North Dakota Century Code, relating to proof of financial responsibility.

Was 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:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Schultz
Chesrown	Kautzmann	Meschke	Sorlie
Christensen	Kelly, E.	Morgan	Stafne
Coughlin	Kelly, M.	Mutch	Stroup
Decker	Larsen, R.	Nasset	Torgerson
Forkner	Larson, G.	Nothing	Trenbeath
Freed	Larson, L.	Pyle	Wenstrom
Geving	Lips	Raitt	Wilhite
Goldberg	Litten	Redlin	

Absent and not voting:

Ringsak Sands

So the bill passed and the title was agreed to.

**House Bill No. 559.** For an Act to amend and reenact subsection 4 of section 39-21-32 of the 1965 Supplement to the North Dakota Century Code relating to brake equipment required on motor vehicles.

Was 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, 1; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie

Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nething	Torgerson
Freed	Larson, L.	Pyle	Wenstrom
Geving	Lips	Rait	Wilhite
Goldberg	Lütten	Redlin	

Those voting in the negative were:

Trenbeath

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

**House Bill No. 570.** A Bill for an Act to amend and reenact section 39-04-06 of the North Dakota Century Code relating to the elimination of the term thirty days after notification by regular mail.

Was 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:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nething	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Lütten	Redlin	Wilhite

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

**House Bill No. 571.** A Bill for an Act to amend and reenact subsection 1 of section 39-21-29 of the North Dakota Century Code relating to . . . motor vehicle equipment.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 6; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Jacobson	Melland	Roen
Butler	Kelly, E.	Meschke	Sands
Christensen	Kelly, M.	Morgan	Schultz
Coughlin	Larsen, R.	Mutch	Sorlie
Decker	Larson, G.	Nasset	Stafne
Forkner	Larson, L.	Nething	Stroup
Geving	Lips	Pyle	Torgerson
Goldberg	Lütten	Rait	Trenbeath
Hernett	Longmire	Redlin	Wenstrom
Hofstrand	Lowe	Robinson	Wilhite
Holand	Luick		

Those voting in the negative were:

Becker	Chesrown	Kautzmann	Ruemmele
Berube	Freed		

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

**House Bill No. 572.** A Bill for an Act to amend and reenact subsection 3 of section 39-21-30 of the North Dakota Century Code relating to . . . motor vehicle equipment.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 9; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Jacobson	Lowe	Redlin
Butler	Kelly, E.	Luick	Robinson
Christensen	Kelly, M.	Melland	Roen
Coughlin	Larsen, R.	Morgan	Schultz
Decker	Larson, G.	Mutch	Sorlie
Forkner	Larson, L.	Nasset	Stafne
Geving	Lips	Nothing	Stroup
Goldberg	Litten	Pyle	Wenstrom
Hernett	Longmire	Rait	Wilhite
Holand			

Those voting in the negative were:

Becker	Freed	Kautzmann	Torgerson
Berube	Hofstrand	Ruemmele	Trenbeath
Chesrown			

Absent and not voting:

Meschke	Ringsak	Sands
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So the bill passed and the title was agreed to.

**House Bill No. 573.** A Bill for an Act to amend and reenact section 39-02-03 of the North Dakota Century Code, relating to the powers and duties of the motor vehicle registrar.

Was 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:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nothing	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

**House Bill No. 648.** A Bill for an Act to amend and reenact subdivision h of subsection 2 of section 39-04-18 of the North Dakota Century Code, relating to the change of date of the harvest of agricultural products.

Was 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:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen

Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nething	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

**House Bill No. 665.** A Bill for an Act to amend and reenact section 39-04-17 of the North Dakota Century Code, relating to a certificate of the notary public showing compliance with the motor vehicle registration laws.

Was 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:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nething	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to.

**House Bill No. 506.** 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, on page 393 of the Senate Journal, the roll was called and there were ayes, 37; nays, 11; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Goldberg	Lips	Pyle
Becker	Hernett	Litten	Rait
Berube	Holand	Longmire	Redlin
Bulter	Jacobson	Lowe	Sands
Chesrown	Kautzmann	Luick	Sorlie
Christensen	Kelly, E.	Melland	Stroup
Coughlin	Larsen, R.	Meschke	Trenbeath
Decker	Larson, G.	Nasset	Wenstrom
Freed	Larson, L.	Nething	Wilhite

Those voting in the negative were:

Forkner	Morgan	Roen	Stafne
Hofstrand	Mutch	Ruemmele	Torgerson
Kelly, M.	Robinson	Schultz	

**Absent and not voting:**

Ringsak

So the bill passed and the title was agreed to.

**House Bill No. 563.** For an Act to amend and reenact sections 27-16-06, 27-16-18, and 27-16-31 of the North Dakota Century Code, relating to the confidentiality of juvenile court records and hearings and the publication of names of certain juvenile offenders.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 6; absent and not voting, 2

Those voting in the affirmative were:

Beck	Jacobson	Luick	Roen
Becker	Kautzmann	Melland	Ruemmele
Chesrown	Kelly, E.	Morgan	Sands
Coughlin	Kelly, M.	Mutch	Schultz
Decker	Larsen, R.	Nasset	Sorlie
Forkner	Larson, G.	Nething	Stroup
Freed	Lips	Pyle	Torgerson
Geving	Litten	Rait	Trenbeath
Hernett	Longmire	Redlin	Wenstrom
Hofstrand	Lowe	Robinson	Wilhite
Holand			

Those voting in the negative were:

Bulter	Goldberg	Meschke	Stafne
Christensen	Larson, L.		

**Absent and not voting:**

Berube Ringsak

So the bill passed and the title was agreed to.

**MOTION**

Senator Lips moved that the vote by which Senate Bills Nos. 318, 327, 341, 360, Senate Concurrent Resolution "M", House Bills Nos. 547, 559, 570, 571, 572, 573, 648, 665, 506 and 563, were passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Lips moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the chair, the President presiding.

**MESSAGES TO THE HOUSE**

Senate Chamber

Bismarck, February 14, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 318  
Senate Bill No. 327  
Senate Bill No. 341  
Senate Bill No. 360  
Senate Concurrent Resolution "M"

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 14, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 547  
House Bill No. 559  
House Bill No. 563  
House Bill No. 570

House Bill No. 571  
House Bill No. 572  
House Bill No. 573  
House Bill No. 648  
House Bill No. 665

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber  
Bismarck, February 14, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 506

Which the Senate has amended.

LEO LEIDHOLM, Secretary

SECOND READING OF HOUSE BILLS

**House Bill No. 589.** A Bill for an Act to amend and reenact section 40-11-12 of the North Dakota Century Code, relating to the commitment of guilty persons.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 21; nays, 28; absent and not voting, 0.

Those voting in the affirmative were:

Decker	Lips	Meschke	Sands
Geving	Litton	Nething	Schultz
Hernett	Longmire	Pyle	Stafne
Kelly, E.	Lowe	Redlin	Trenbeath
Larsen, R.	Melland	Ruemmele	Wilhite
Larson, G.			

Those voting in the negative were:

Beck	Forkner	Kelly, M.	Ringsak
Becker	Freed	Larson, L.	Robinson
Berube	Goldberg	Luick	Roen
Butler	Hofstrand	Morgan	Sorlie
Chesrown	Holand	Mutch	Stroup
Christensen	Jacobson	Nasset	Torgerson
Coughlin	Kautzmann	Rait	Wenstrom

So the bill lost.

**House Bill No. 519.** For an Act making an appropriation for the operation, maintenance and miscellaneous expenses of the Poultry Improvement Board.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 12; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Holand	Longmire	Redlin
Becker	Jacobson	Lowe	Ringsak
Berube	Kautzmann	Luick	Robinson
Chesrown	Kelly, E.	Melland	Ruemmele
Christensen	Kelly, M.	Meschke	Sands
Coughlin	Larsen, R.	Morgan	Sorlie
Decker	Larson, L.	Mutch	Stroup
Forkner	Lips	Nasset	Torgerson
Geving	Litton	Nething	Wenstrom
Hernett			



Those voting in the negative were:

Butler	Hofstrand	Rait	Stafne
Freed	Larson, G.	Roen	Trenbeath
Goldberg	Pyle	Schultz	Wilhite

So the bill passed and the title was agreed to.

**House Bill No. 530.** For an Act making an appropriation to meet the extraordinary expenses of law enforcement arising by reason of the location of Indian reservations.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 9; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Ruemmele
Becker	Holand	Lowe	Sands
Berube	Jacobson	Luick	Schultz
Chesrown	Kautzmann	Melland	Sorlie
Christensen	Kelly, E.	Morgan	Stafne
Coughlin	Kelly, M.	Nasset	Stroup
Decker	Larsen, R.	Nothing	Torgerson
Forkner	Larson, L.	Pyle	Trenbeath
Freed	Lips	Rait	Wenstrom
Geving	Litten	Robinson	Wilhite

Those voting in the negative were:

Butler	Larson, G.	Mutch	Ringsak
Goldberg	Meschke	Redlin	Roen
Hofstrand			

So the bill passed and the title was agreed to.

#### MOTION

Senator Lips moved that Senate Bill No. 165 be placed at the foot of the calendar, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 528.** For an Act making an appropriation for salaries and expenses of the Governor's Council on Human Resources.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 427 of the Senate Journal, the roll was called and there were ayes, 35; nays, 14; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hernett	Larson, L.	Rait
Becker	Hofstrand	Lips	Redlin
Berube	Holand	Litten	Ruemmele
Chesrown	Jacobson	Longmire	Sorlie
Christensen	Kautzmann	Lowe	Stafne
Decker	Kelly, E.	Luick	Stroup
Forkner	Kelly, M.	Melland	Trenbeath
Freed	Larsen, R.	Meschke	Wenstrom
Geving	Larson, G.	Nothing	

Those voting in the negative were:

Butler	Mutch	Robinson	Schultz
Coughlin	Nasset	Roen	Torgerson
Goldberg	Pyle	Sands	Wilhite
Morgan	Ringsak		

So the bill passed and the title was agreed to.

**House Bill No. 535.** For an Act to make an appropriation to the board of administration for the purpose of making minor remodeling changes and hiring additional attendants at the San Haven in-

stitution to permit the immediate transfer of mentally deficient residents from the Grafton state school to San Haven, 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, 49; nays, 0; absent and not voting 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Schultz
Chesrown	Kelly, E.	Morgan	Sorlie
Christensen	Kelly, M.	Mutch	Sands
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

So the bill passed and the title was agreed to and the emergency clause carried.

**House Bill No. 548.** For an Act to amend and reenact sections 19-01-02 and 19-08-04 of the North Dakota Century Code, relating to the powers and duties of the state laboratories commission, and to the inspection and chemical analysis of beverages.

Was 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:

Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nothing	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite

Absent and not voting:

Roen

So the bill passed and the title was agreed to.

**House Bill No. 619.** A Bill for an Act to require the highway department to place all new signs which preclude the cultivation of the right-of-way alongside of existing highway signs, right-of-way posts, and natural obstructions to require the relocation of all existing such signs when requested, wherever such are not already located alongside of existing highway signs and right-of-way posts.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 12; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Jacobson	Lowe	Robinson
Berube	Kautzmann	Luick	Sands

Chesrown	Kelly, E.	Melland	Schultz
Coughlin	Kelly, M.	Morgan	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Geving	Lips	Pyle	Torgerson
Hofstrand	Litten	Redlin	Trenbeath
Holand	Longmire	Ringsak	Wenstrom

Those voting in the negative were:

Beck	Freed	Larson, L.	Rait
Butler	Goldberg	Meschke	Ruemmele
Christensen	Hernett	Mutch	Wilhite

Absent and not voting:  
Roen

So the bill passed and the title was agreed to.

**House Bill No. 629.** A Bill for an Act to amend and reenact section 37-18-04 of the North Dakota Century Code, relating to the duties and functions of the Commissioner of the Department of Veterans Affairs, and to create a new section under chapter 37-18 pertaining to the keeping and maintaining of records of veterans, and providing that such records and information contained therein be kept confidential, except for certain purposes.

Was 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:

Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nothing	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite

Absent and not voting:  
Roen

So the bill passed and the title was agreed to.

**House Bill No. 645.** A Bill for an Act to amend and reenact subsection 2 of section 24-12-02 of the North Dakota Century Code relating to the obstruction of highways and to authorize any official having jurisdiction over a highway to order work or improvement thereon.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup

Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

So the bill passed and the title was agreed to.

#### MOTION

Senator Lips moved that the vote by which House Bills Nos. 519, 530, 528, 535, 548, 619, 629, 645, were passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 14, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 519  
House Bill No. 530  
House Bill No. 535  
House Bill No. 548  
House Bill No. 619  
House Bill No. 629  
House Bill No. 645

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 14, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 528

Which the Senate has amended.

LEO LEIDHOLM, Secretary

#### SECOND READING OF A SENATE BILL

**Senate Bill No. 1.** For an Act to appropriate money for the expenses of the executive department of the state government, and for all subdivisions thereof, and for public schools, specifying the amount and time for which such appropriations shall be available, and repealing all Acts, or parts of Acts, insofar as the same shall relate to appropriations conflicting herewith or to appropriations for the same matters or purposes provided for herein and declaring an emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 439 of the Senate Journal, the roll was called and there were ayes, 41; nays, 8; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Longmire	Ruemmele
Becker	Holand	Lowe	Sands
Butler	Jacobson	Lujck	Schultz
Chesrown	Kautzmann	Melland	Sorlie
Coughlin	Kelly, E.	Nasset	Stafne
Decker	Kelly, M.	Nething	Stroup
Forkner	Larsen, R.	Pyle	Torgerson
Freed	Larson, G.	Redlin	Trenbeath
Geving	Lips	Robinson	Wenstrom
Goldberg	Litten	Roen	Wilhite
Hernett			

Those voting in the negative were:

Berube	Larson, L.	Morgan	Rait
Christensen	Meschke	Mutch	Ringsak

So the bill passed and the title was agreed to.

Senator Ringsak: Mr. President. I rise to explain my vote on Senate Bill No. 1. I cast a "no" vote on Senate Bill No. 1 because of my feeling toward the Tax Commissioner's budget in Senate Bill No. 1. I certainly respect all the hard work the Appropriations Committee has done and if it were not for this one section of it, I would have voted "yes".

#### MOTION

Senator Lips moved that Senate Bill No. 1 be reprinted, which motion prevailed.

#### SECOND READING OF A SENATE BILL

**Senate Bill No. 172.** A Bill for an Act to create and enact subsection 12 of section 57-02-05 and subsection 23 of section 57-02-08 of the North Dakota Century Code, relating to exempting improvements for public parking facilities, and to amend and reenact subsections 10 and 11 of section 57-02-05 and subsection 22 of section 57-02-08 of the North Dakota Century Code, relating to property classified as personal property and exemptions from taxation respectively.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Decker	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

So the bill passed and the title was agreed to.

#### MOTION

Senator Lips moved that Senate Bill No. 183 be placed at the foot of the calendar, which motion prevailed.

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 190.** For an Act relating to the Profession of Psychology, providing for the Licensing and Regulation of Psychologists, and Creating a State Board of Examiners, Prescribing its Powers and Duties, and Providing Penalties for Violations.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 447 of the Senate Journal, the roll was called and there were ayes, 44; nays, 5; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Goldberg	Lips	Rait
Becker	Hernett	Litten	Redlin
Berube	Hofstrand	Longmire	Ruemmele

Butler	Holand	Lowe	Schultz
Chesrown	Jacobson	Luick	Sorlie
Christensen	Kautzmann	Melland	Stafne
Coughlin	Kelly, E.	Meschke	Stroup
Decker	Kelly, M.	Mutch	Torgerson
Forkner	Larsen, R.	Nasset	Trenbeath
Freed	Larson, G.	Nothing	Wenstrom
Geving	Larson, L.	Pyle	Wilhite

Those voting in the negative were:

Morgan	Robinson	Roen	Sands
Ringsak			

So the bill passed and the title was agreed to.

**Senate Bill No. 214.** A Bill for an Act to regulate the practice of engineering and land surveying; provide for the registration of qualified persons as engineers and land surveyors, and the certification of engineers-in-training; define the terms "engineer," "professional engineer," "engineer-in-training," "landsurveyor" and "practice of engineering"; create a state board of registration for professional engineers and land surveyors and provide for the appointment and compensation of its members; fix the term of members of the board and define its powers and duties; set forth the minimum qualifications and other requirements for registration as a professional engineer, land surveyor and certification as an engineer-in-training; establish registration fees with expiration and renewal requirements; impose certain duties upon the state and political subdivision thereof in connection with public work, and provide for the enforcement of this Act and penalties for its violation; and to repeal Chapter 43-19 and Chapter 43-24 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, on page 448 of the Senate Journal, the roll was called and there were ayes, 41; nays, 6; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Goldberg	Larson, L.	Nothing
Becker	Hernett	Lips	Pyle
Berube	Hofstrand	Litten	Rait
Butler	Holand	Longmire	Redlin
Chesrown	Jacobson	Lowe	Ringsak
Christensen	Kautzmann	Luick	Robinson
Coughlin	Kelly, E.	Melland	Stafne
Decker	Kelly, M.	Meschke	Stroup
Forkner	Larsen, R.	Morgan	Trenbeath
Freed	Larson, G.	Nasset	Wenstrom
Geving			

Those voting in the negative were:

Mutch	Ruemmele	Schultz	Sorlie
Roen	Sands		

Absent and not voting:

Torgerson	Wilhite
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So the bill passed and the title was agreed to.

**Senate Bill No. 235.** A Bill for an Act to amend and reenact subsection 11 of section 61-16-11 of the 1965 Supplement to the North Dakota Century Code, relating to powers and duties of board of commissioners.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Roen
Becker	Holand	Luick	Robinson
Berube	Jacobson	Melland	Ruemmele
Bufler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nething	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

So the bill passed and the title was agreed to.

Senator Lips moved that the vote by which Senate Bills Nos. 1, 172, 190, 214 and 235 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 14, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 1  
Senate Bill No. 172  
Senate Bill No. 190  
Senate Bill No. 214  
Senate Bill No. 235

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senator Lips moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair, pursuant to recess taken, the President presiding.

## MESSAGE FROM THE HOUSE

House Chamber  
Bismarck, February 14, 1967

Mr. President: I have the honor to transmit:

House Bill No. 580  
House Bill No. 641  
House Bill No. 669  
House Bill No. 719  
House Bill No. 788  
House Bill No. 791  
House Bill No. 804  
House Bill No. 807  
House Bill No. 822  
House Bill No. 830  
House Bill No. 859  
House Bill No. 877  
House Bill No. 906  
House Bill No. 932  
House Concurrent Resolution "G-1"

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

## SECOND READING OF SENATE BILLS

**Senate Bill No. 287.** A Bill for an Act authorizing the spearing of fish and to amend and reenact section 20-06-08 of the North Dakota Century Code, relating to licensing fish houses.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 8; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Redlin
Becker	Holand	Lowe	Robinson
Berube	Jacobson	Luick	Sands
Butler	Kautzmann	Melland	Schultz
Chesrown	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Trenbeath
Forkner	Larson, G.	Nething	Wenstrom
Freed	Lips	Pyle	Wilhite
Goldberg	Litten		

Those voting in the negative were:

Christensen	Larson, L.	Rait	Ruemmele
Geving	Meschke	Ringsak	Stroup

Absent and not voting:

Hofstrand	Roen	Torgerson
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So the bill passed and the title was agreed to.

**Senate Bill No. 388.** A Bill for an Act to amend and reenact section 1 of chapter 314 of the 1965 session laws, relating to the capitol grounds planning commission and authorization for the construction of legislative facilities through the use of assets of the capitol building fund, and providing for the appropriation of such funds.

Was read the second time.

Senator Robinson moved that Senate Bill No. 388 be amended as follows:

In line 2 of the title after the word "commission" insert a comma, insert triple parentheses before and after the word "and".

In line 3 of the title insert triple parentheses before the word "authorization" and after the word "the".

In line 4 of the title insert triple parentheses before the word "use" and after the word "fund".

In line 4 of the title insert triple parentheses before and after the word "the" and insert in lieu thereof the word "an".

In line 5 of the title insert triple parentheses before the word "of" and after the word "funds".

In line 33 delete the word "APPROPRIATIONS" and insert in lieu thereof the word "APPROPRIATION" and delete the word "LEGISLATIVE".

In line 34 delete the words "OFFICE BUILDING", and after the word "COMMISSION" insert a period.

Delete all of lines 35 through 53.

In line 54 delete the word "further".

In line 55 delete the figure "\$10,000.00" and insert in lieu thereof the word "\$5,000.00"

Delete all of lines 60 through 100.

Renumber the lines accordingly.

Which motion was declared lost.

Senator Robinson requested a recorded vote, which request was granted.



## ROLL CALL

The question being on the motion of Senator Robinson, the roll was called and there were ayes, 8; nays, 41; absent and not voting, 0.

Those voting in the affirmative were:

Geving	Mutch	Roen	Sorlie
Melland	Robinson	Schultz	Torgerson

Those voting in the negative were:

Beck	Hernett	Lips	Rait
Becker	Hofstrand	Litten	Redlin
Berube	Holand	Longmire	Ringsak
Butler	Jacobson	Lowe	Ruemmele
Chesrown	Kautzmann	Luick	Sands
Christensen	Kelly, E.	Meschke	Stafne
Coughlin	Kelly, M.	Morgan	Stroup
Decker	Larsen, R.	Nasset	Trenbeath
Forkner	Larson, G.	Nothing	Wenstrom
Freed	Larson, L.	Pyle	Wilhite
Goldberg			

So the motion was lost.

## ROLL CALL

The question being on the final passage of Senate Bill No. 388, the roll was called and there were ayes, 42; nays, 7; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hernett	Litten	Redlin
Becker	Hofstrand	Longmire	Ringsak
Berube	Holand	Lowe	Roen
Butler	Jacobson	Luick	Ruemmele
Chesrown	Kautzmann	Melland	Sands
Christensen	Kelly, E.	Meschke	Stafne
Coughlin	Kelly, M.	Nasset	Stroup
Decker	Larsen, R.	Nothing	Trenbeath
Forkner	Larson, G.	Pyle	Wenstrom
Freed	Larson, L.	Rait	Wilhite
Goldberg	Lips		

Those voting in the negative were:

Geving	Mutch	Schultz	Torgerson
Morgan	Robinson	Sorlie	

So the bill passed and the title was agreed to.

## SECOND READING OF HOUSE BILLS

**House Bill No. 515.** For an Act making an appropriation for the purpose of paying salaries and miscellaneous expenses of the Workmen's Compensation Bureau.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 3; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Jacobson	Luick	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Melland	Sorlie
Christensen	Kelly, M.	Morgan	Stafne
Coughlin	Larsen, R.	Nasset	Stroup
Decker	Larson, G.	Nothing	Torgerson
Forkner	Larson, L.	Pyle	Trenbeath
Freed	Lips	Rait	Wenstrom
Geving	Litten	Ringsak	Wilhite
Goldberg			

Those voting in the negative were:

Mutch                      Redlin                      Schultz

Absent and not voting:

Holand

So the bill passed and the title was agreed to.

**House Bill No. 553.** For an Act to create and enact section 54-16-04.1 of the North Dakota Century Code, relating to powers of the emergency commission, and providing for an effective date.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 446 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Robinson
Becker	Hofstrand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite

Absent and not voting:

Holand

So the bill passed and the title was agreed to.

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 171.** A Bill for an Act providing an appropriation for the North Dakota state fair association.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 413 of the Senate Journal, the roll was called and there were ayes, 31; nays, 16; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hofstrand	Luick	Robinson
Becker	Jacobson	Melland	Ruemmele
Berube	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Mutch	Schultz
Coughlin	Kelly, M.	Nasset	Trenbeath
Decker	Larson, G.	Nothing	Wenstrom
Forkner	Lips	Rait	Wilhite
Geving	Longmire	Redlin	

Those voting in the negative were:

Butler	Hernett	Lowe	Sorlie
Chesrown	Larsen, R.	Morgan	Stafne
Freed	Larson, L.	Pyle	Stroup
Goldberg	Litten	Ringsak	Torgerson

Absent and not voting:

Holand                      Roen

So the bill passed and the title was agreed to.

Senator Lips moved that the vote by which Senate Bills Nos. 287, 388, House Bills Nos. 515, 553 and Senate Bill No. 171 were passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

**Senate Bill No. 112.** For an Act to amend and reenact section 15-39-40 of the North Dakota Century Code, relating to teachers' insurance retirement fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

So the bill passed and the title was agreed to.

**Senate Bill No. 311.** A Bill for an Act to create and enact sections 54-10-13, 54-10-14, 54-10-15, 54-10-16, 54-10-17, 54-10-18, 54-10-19, 54-10-20, 54-10-21, 54-10-22, 54-10-23, and 54-10-24 and to amend and reenact sections 6-01-25, 11-30-03, 15-60-07, 57-50-01, 57-50-02, 57-50-04, 57-50-06, 57-50-07, 57-50-11.1, 57-52-02, subsection 4 of section 57-52-03, and sections 57-52-04, 57-52-05, 57-52-06, 57-52-07, 57-52-08, 57-52-09, 57-52-10, 57-52-11, 57-52-12, 57-52-13, 57-52-14, 57-52-15, 57-52-16, 57-52-17, 57-53-03, 57-53-05, 57-53-10, subsection 6 of section 57-54-03, and sections 57-54-04, 57-54-05, 57-54-06, 57-54-07, 57-54-09, 57-54-11, 57-54-12, 57-54-13, 57-54-15, 57-54-16, 57-54-17, 57-54-20, 57-54-22, subsection 7 of section 57-54.1-03, and sections, 57-54.1-07, 57-54.1-08, 57-54.1-09, 57-54.1-10, 57-54.1-11, 57-54.1-13, 57-56-02, and 57-56-03 of the North Dakota Century Code, relating to general governmental reorganization of the departments and offices of state examiner, state auditor, and state tax commissioner relating to their powers and duties relating to auditing of political subdivisions of this state and the collection and refund of special fuels tax and tax levy, motor vehicle fuel tax, importers for use tax, and aviation fuel tax, and to repeal sections 6-01-21.1, 6-01-21.2, 6-01-21.3, 6-01-21.4, 6-01-22, 6-01-23, 6-01-24, 6-01-26, 6-01-27, and 6-01-28 of the North Dakota Century Code, relating to the state examiner's auditing duties with respect to the state's political subdivisions and providing an effective date.

Was read the second time.

Senator Meschke moved that Senate Bill No. 311 be amended as follows:

Delete all of lines 1193 and 1194.

Senator Meschke requested a recorded vote, which request was granted.

#### ROLL CALL

The question being on the motion of Senator Meschke, the roll was called and there were ayes, 6; nays, 43; absent and not voting, 0.

Those voting in the affirmative were:

Berube	Larson, L.	Rait	Stafne
Christensen	Meschke		

Those voting in the negative were:

Beck	Hofstrand	Lowe	Roen
Becker	Holand	Luick	Ruemmele

Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Morgan	Schultz
Coughlin	Kelly, E.	Mutch	Sorlie
Decker	Kelly, M.	Nasset	Stroup
Forkner	Larsen, R.	Nething	Torgerson
Freed	Larson, G.	Pyle	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Hernett	Longmire	Robinson	

So the motion was lost.

#### ROLL CALL

The question being on the final passage of Senate Bill No. 311, the roll was called and there were ayes, 48; nays, 1; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nething	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite

Those voting in the negative were:

Mutch

So the bill passed and the title was agreed to.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 319

And find the same correctly Reengrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 319.** A Bill for an Act to establish the Upper Great Plains Transportation Institute and provide for its powers and duties and making an appropriation.

Was read the second time.

Senator Meschke moved that Senate Bill No. 319 be amended as follows:

Delete all of lines 24 and 25.

Renumber the lines and sections accordingly.

Which motion lost.

#### ROLL CALL

The question being on the final passage of Senate Bill No. 319, the roll was called and there were ayes, 39; nays, 9; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Goldberg	Litten	Robinson
Becker	Hernett	Longmire	Roen
Butler	Hofstrand	Lowe	Sorlie
Chesrown	Holand	Luick	Stafne

Christensen	Jacobson	Melland	Stroup
Coughlin	Kautzmann	Morgan	Torgerson
Decker	Kelly, E.	Nasset	Trenbeath
Forkner	Kelly, M.	Nething	Wenstrom
Freed	Larsen, R.	Pyle	Wilhite
Geving	Lips	Ringsak	

Those voting in the negative were:

Berube	Mutch	Redlin	Sands
Larson, L.	Rait	Ruemmele	Schultz
Meschke			

Absent and not voting:

Larson, G.

So the bill passed and the title was agreed to.

**Senate Bill No. 345.** A Bill for an Act to amend and reenact sections 21-10-02 and 21-10-05 of the North Dakota Century Code, relating to the state investment board powers and duties, and its director powers and duties.

Was 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:

Beck	Hernett	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nething	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite

Absent and not voting:

Hofstrand

So the bill passed and the title was agreed to.

**Senate Bill No. 361.** A Bill for an Act to amend and reenact section 57-36-06, subsection 1 of section 57-36-27, and subsection 2 of section 57-36-31 of the North Dakota Century Code, providing for an increase in the cigarette tax and allocating proceeds to cities and villages.

Was read the second time.

Senator Melland moved the previous question, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 12; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Goldberg	Litten	Pyle
Becker	Hernett	Longmire	Rait
Butler	Holand	Lowe	Schultz
Chesrown	Jacobson	Luick	Stafne
Christensen	Kautzmann	Melland	Stroup
Coughlin	Kelly, E.	Meschke	Torgerson
Decker	Kelly, M.	Morgan	Wenstrom
Freed	Larson, G.	Nasset	Wilhite
Geving	Lips	Nething	

Those voting in the negative were:

Berube	Larson, L.	Ringsak	Ruemmele
Forkner	Mutch	Robinson	Sands
Larsen, R.	Redlin	Roen	Sorlie

Absent and not voting:

Hofstrand	Trenbeath
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So the bill passed and the title was agreed to.

**Senate Bill No. 380.** A Bill for an Act to provide educational assistance to the North Dakota veterans who have served in the armed forces of the United States for a period of more than one hundred eighty days from and after August 5, 1964, and providing an appropriation therefor.

Was read the second time.

Senator Melland moved that Senate Bill No. 380 be amended as follows:

After line 59 and before line 60 insert the following material:

"SECTION 4. QUALIFIED VETERANS TO RECEIVE REIMBURSEMENT FOR TUITION PAID TO PRIVATE INSTITUTIONS OF HIGHER LEARNING IN THIS STATE.) Any veteran who qualifies pursuant to the provisions of this Act and who shall receive a certificate of such qualifications as determined and certified by the commissioner of veterans' affairs of the department of veterans' affairs and who shall be admitted and enrolled in a private, accredited, nonprofit, post high school, educational institution in this state, offering a baccalaureate degree, shall be reimbursed for fifty percent of the tuition paid at such institution for each semester or quarter during which such veteran shall have become enrolled within the limitations provided for in section 5 of this Act."

And renumber the lines and sections accordingly.

Which motion was lost.

#### ROLL CALL

The question being on the final passage of Senate Bill No. 380, as amended, on page 450 of the Senate Journal, the roll was called and there were ayes, 37; nays, 12; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Jacobson	Lowe	Roen
Becker	Kautzmann	Luick	Ruemmele
Berube	Kelly, E.	Meschke	Sands
Chesrown	Kelly, M.	Morgan	Schultz
Christensen	Larsen, R.	Nasset	Sorlie
Decker	Larson, G.	Nething	Torgerson
Forkner	Larson, L.	Redlin	Trenbeath
Freed	Lips	Ringsak	Westrom
Geving	Longmire	Robinson	Wilhite
Hofstrand			

Those voting in the negative were:

Butler	Hernett	Melland	Rait
Coughlin	Holand	Mutch	Stafne
Goldberg	Litten	Pyle	Stroup

So the bill passed and the title was agreed to.

#### MOTION

Senator Lips moved that Senate Bill No. 387 be placed at the foot of the calendar, which motion prevailed.

#### SECOND READING OF A SENATE BILL

**Senate Bill No. 397.** A Bill for an Act providing for the transfer of the Grand Forks Fair Grounds from the State of North Dakota, and the North Dakota State Fair Association, a defunct corporation,

to the County of Grand Forks, and for the purpose of clearing title to said described property by the State of North Dakota.

Was read the second time.

Senator Longmire moved that Senate Bill No. 397 be amended as follows:

In line 18 after the word "demise" insert the following words "to county of Grand Forks."

Which motion prevailed.

Senator Longmire moved that the rules be suspended and that Senate Bill No. 397 be deemed properly 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. 397 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:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

So the bill passed and the title was agreed to.

**MOTION**

Senator Lips moved that Senate Bill No. 398 be placed at the foot of the calendar, which motion prevailed.

**SECOND READING OF A  
SENATE CONCURRENT RESOLUTION**

**Senate Concurrent Resolution "N-N".** A Concurrent Resolution endorsing and supporting the construction of the authorized Pipestem Creek Dam and Reservoir, and urging an appropriation therefor.

Was read the second time.

Senator Melland moved that Senate Concurrent Resolution "NN" be adopted, which motion prevailed.

**SECOND READING OF A SENATE BILL**

**Senate Bill No. 165.** A Bill for an Act to amend and reenact sections 15-40-18 and 15-40-19, subsection 4 of section 57-01-05, subsection 11 of section 57-01-06, and section 57-15-24 of the North Dakota Century Code, relating to sales ratio studies, manner of certifying per-pupil payments, and the duties of the state supervisor of assessments, and to repeal section 57-01-08, relating to county equalization fund payments and the sales ratio study.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, as amended, on page 388 of the Senate Journal, the roll was called and there were ayes, 27; nays, 22; absent and not voting, 0.

Those voting in the affirmative were:

Becker	Kelly, E.	Morgan	Ruemmele
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Coughlin	Kelly, M.	Nasset	Sands
Decker	Larson, G.	Pyle	Schultz
Freed	Lips	Redlin	Sorlie
Geving	Longmire	Ringsak	Trenbeath
Jacobson	Lowe	Robinson	Wenstrom
Kautzmann	Luick	Roen	

Those voting in the negative were:

Beck	Goldberg	Litten	Rait
Berube	Hernett	Melland	Stafne
Butler	Hofstrand	Meschke	Stroup
Chesrown	Holand	Mutch	Torgerson
Christensen	Larsen, R.	Nething	Wilhite
Forkner	Larson, L.		

So the bill passed and the title was agreed to.

Senator Lips moved that the vote by which Senate Bills Nos. 112, 311, 319, 345, 361, 380, 397, Senate Concurrent Resolution "NN" and Senate Bill No. 165 were passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 44  
Senate Bill No. 83  
Senate Bill No. 173  
Senate Bill No. 180

And find the same correctly Engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 44.** A Bill for an Act to create and enact sections 39-01-01.1 and 39-06-33.1 of the North Dakota Century Code, providing for a declaration of legislative intent and the authority to suspend licenses for convictions of traffic violations resulting in the death or personal injury of another or serious property damage, and to provide the commissioner with the authority to suspend the licenses of juveniles, the courts with the authority to recognize out-of-state revocations and cancellations, the state toxicologist with the authority to perform blood tests on traffic fatalities and providing an appropriation therefor, and to require escorts for implementations of husbandry extending beyond their normal lanes of travel, and to amend and reenact subsections 2 and 9 of section 39-06-03, sections 39-06-04, 39-06-14, 39-06-19, 39-06-23, 39-06-24, 39-06-29, 39-06-30, 39-06-31, 39-06-32, 39-06-33, 39-06-37, 39-06-38, 39-06-39, and subsection 7 of section 39-06-40 of the North Dakota Century Code, relating to the issuance, suspension, expiration, renewal, and revocation of operator licenses and instructional permits and judicial proceedings relating thereto, and to repeal section 39-06-15 of the North Dakota Century Code, relating to appointments by the commissioner of agents to issue driver licenses.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 6; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hofstrand	Litten	Ringsak
Becker	Holand	Longmire	Roen



Berube	Jacobson	Lowe	Sands
Butler	Kautzmann	Luick	Schultz
Chesrown	Kelly, E.	Melland	Sorlie
Christensen	Kelly, M.	Meschke	Stafne
Coughlin	Larsen, R.	Morgan	Stroup
Decker	Larson, G.	Nasset	Trenbeath
Forkner	Larson, L.	Nothing	Wenstrom
Goldberg	Lips	Pyle	Wilhite
Hernett			

Those voting in the negative were:

Freed	Redlin	Ruemmele	Torgerson
Rait	Robinson		

Absent and not voting:

Geving	Mutch
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So the bill passed and the title was agreed to.

**Senate Bill No. 83.** For an Act to amend and reenact section 55-08-07 of the North Dakota Century Code, relating to permit and admission fees for state parks, and to repeal section 55-08-06 of the North Dakota Century Code, relating to permits for motor vehicles entering state parks.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 1; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nothing	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite

Those voting in the negative were:

Rait

So the bill passed and the title was agreed to.

**Senate Bill No. 173.** A Bill for an Act relating to the provision of off-street parking facilities by municipal action and by cooperation with public and private persons, firms and corporations; authorizing municipal and cooperative acquisition, construction, improvement, development, extension, financing, operation, maintenance and leasing of such facilities, and of usable commercial space above and below the same and adjacent thereto, and declaring an emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands

Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nething	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Littlen	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

So the bill passed and the title was agreed to, and the emergency clause carried.

**Senate Bill No. 180.** A Bill for an Act to provide for a combined law enforcement council and prescribing its duties and making an appropriation therefor and repealing Chapter 54-50 and Section 12-44-07 relating to peace officers commission and the duties of the grand jury.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 26; nays, 23; absent and not voting, 0.

Those voting in the affirmative were:

Becker	Kautzmann	Lowe	Rait
Butler	Kelly, M.	Melland	Redlin
Christensen	Larsen, R.	Meschke	Ringsak
Decker	Larson, L.	Morgan	Stafne
Freed	Lips	Nasset	Torgerson
Goldberg	Littlen	Nething	Wenstrom
Holand	Longmire		

Those voting in the negative were:

Beck	Hernett	Mutch	Schultz
Berube	Hofstrand	Pyle	Sorlie
Chesrown	Jacobson	Robinson	Stroup
Coughlin	Kelly, E.	Roen	Trenbeath
Forkner	Larson, G.	Ruemmele	Wilhite
Geving	Luick	Sands	

So the bill passed and the title was agreed to.

Senator Lips moved that the vote by which Senate Bills Nos. 44, 83, 173 and 180 were passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### MOTIONS

Senator Holand moved that Senate Bill No. 44 be reprinted, which motion prevailed.

Senator Lips moved that the Senate recess until 12:30 p.m., February 15, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary

# Journal of the Senate



## Fortieth Legislative Assembly

"Buy North Dakota Products"

### FORTY-THIRD DAY AFTER RECESS AND FORTY-FOURTH DAY

Bismarck, February 15, 1967

The Senate convened at 12:30 p.m., pursuant to recess taken, the President presiding.

#### REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 44

And find the same correctly Re-Engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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. 53  
Senate Bill No. 61  
Senate Bill No. 96  
Senate Bill No. 155  
Senate Bill No. 158  
Senate Bill No. 174  
Senate Bill No. 207  
Senate Bill No. 222  
Senate Bill No. 240  
Senate Bill No. 246  
Senate Bill No. 251  
Senate Bill No. 274  
Senate Bill No. 275  
Senate Bill No. 295  
Senate Bill No. 298  
Senate Bill No. 305  
Senate Bill No. 335  
Senate Bill No. 344

And find the same correctly engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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. 397

And find the same correctly Engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 53.** A Bill for an Act to create and enact section 26-23-02.1, and to amend and reenact sections 26-23-01, 26-23-02, 26-23-05, 26-23-06 and 26-23-07 of the North Dakota Century Code, relating to the definition of "fund", provision for blanket bond coverage, state bonding fund under management of commissioner of insurance, report of election or appointment of public employee, and premiums.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, on page 495 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beck	Jacobson	Melland	Roen
Becker	Kelly, E.	Meschke	Ruemmele
Berube	Kelly, M.	Morgan	Sands
Christensen	Larsen, R.	Mutch	Schultz
Coughlin	Larsen, G.	Nasset	Sorlie
Decker	Larsen, L.	Nothing	Stafne
Forkner	Lips	Pyle	Stroup
Freed	Litten	Rait	Torgerson
Geving	Longmire	Redlin	Trenbeath
Hernett	Lowe	Ringsak	Wenstrom
Hofstrand	Luick	Robinson	Wilhite
Holand			

Absent and not voting:

Butler	Chesrown	Goldberg	Kautzmann
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So the bill passed and the title was agreed to.

**Senate Bill No. 61.** For an Act to amend and reenact subdivision j and to create and enact subdivision k of subsection 1 of section 15-39-01 of the North Dakota Century Code, relating to the extension of the coverage of the teachers' insurance and retirement fund.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, on page 496 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beck	Jacobson	Melland	Roen
Becker	Kelly, E.	Meschke	Ruemmele
Berube	Kelly, M.	Morgan	Sands
Christensen	Larsen, R.	Mutch	Schultz
Coughlin	Larsen, G.	Nasset	Sorlie
Decker	Larsen, L.	Nothing	Stafne
Forkner	Lips	Pyle	Stroup
Freed	Litten	Rait	Torgerson
Geving	Longmire	Redlin	Trenbeath
Hernett	Lowe	Ringsak	Wenstrom
Hofstrand	Luick	Robinson	Wilhite
Holand			

Absent and not voting:

Butler	Chesrown	Goldberg	Kautzmann
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So the bill passed and the title was agreed to.

**Senate Bill No. 96.** A Bill for an Act to amend and reenact sections 19-10-10, 19-10-19, 19-10-20, and 19-10-21 of the North Dakota Century Code, relating to the powers and duties of the state laboratories department.

Was read the second time.

Senator Mutch moved that Senate Bill No. 96 be amended as follows:

In line 26 of the engrossed bill, delete the words "one-fortieth" and insert in lieu thereof the words "one-thirtieth".

Which motion prevailed.

Senator Mutch moved that the rules be suspended and that Senate Bill No. 96 be deemed properly re-engrossed and placed on second reading and final passage, as amended on page 496 of the Senate Journal, and from the floor, which motion prevailed.

#### ROLL CALL

The question being on the final passage of Senate Bill No. 96, as amended on page 496 of the Senate Journal, and from the floor the roll was called and there were ayes, 43; nays, 5; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hofstrand	Luick	Ruemmele
Becker	Holand	Melland	Sands
Butler	Jacobson	Morgan	Schultz
Chesrown	Kelly, E.	Mutch	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nothing	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Lips	Redlin	Trenbeath
Geving	Litten	Ringsak	Wenstrom
Goldberg	Longmire	Robinson	Wilhite
Hernett	Lowe	Roen	

Those voting in the negative were:

Berube	Larson, L.	Meschke	Rait
Christensen			

Absent and not voting:

Kautzmann

So the bill passed and the title was agreed to.

#### MOTION

Senator Lips moved that Senate Bill No. 155 be placed just ahead of Senate Bill No. 183 on the calendar, which motion prevailed.

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 158.** A Bill for an Act providing for regional planning and zoning commissions for areas adjacent to cities and repealing Chapter 11-34, and sections 58-03-11, 58-03-12, 58-03-13, 58-03-14, and 58-03-15 of the North Dakota Century Code and amending and reenacting section 11-33-20 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, on page 497 of the Senate Journal, the roll was called and there were ayes, 28; nays, 20; absent and not voting, 1.

Those voting in the affirmative were:

Berube	Hofstrand	Lips	Redlin
Butler	Holand	Litten	Ruemmele
Christensen	Jacobson	Longmire	Sands
Coughlin	Kelly, E.	Lowe	Schultz
Decker	Larsen, R.	Melland	Stafne
Goldberg	Larson, G.	Nothing	Wenstrom
Hernett	Larson, L.	Pyle	Wilhite

Those voting in the negative were:

Beck	Geving	Mutch	Roen
Becker	Kelly, M.	Nasset	Sorlie

Chesrown	Luick	Rait	Stroup
Forkner	Meschke	Ringsak	Torgerson
Freed	Morgan	Robinson	Trenbeath

Absent and not voting:  
Kautzmann

So the bill passed and the title was agreed to.

**Senate Bill No. 174.** A Bill for an Act to amend and reenact sections 26-22-11, 26-22-16 and 26-22-52 of the 1965 supplement to the North Dakota Century Code, relating to expiration dates on state hail insurance, compensation paid to assessors and county auditors for hail listings, and hail loss payments of less than one dollar, and declaring an emergency.

Was read the second time.

Senator Ringsak moved that Senate Bill No. 174 be amended as follows:

Delete all of the underlined language in lines 26 through and including 38 of the engrossed bill.

Which motion prevailed.

Senator Ringsak moved that the rules be suspended and that Senate Bill No. 174 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. 174, as amended, on page 498 of the Senate Journal, and from the floor, the roll was called and there were ayes, 19; nays, 29; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Forkner	Larson, L.	Ringsak
Berube	Freed	Luick	Ruemmele
Chesrown	Geving	Meschke	Stroup
Christensen	Hernett	Morgan	Wenstrom
Decker	Kelly, M.	Rait	

Those voting in the negative were:

Beck	Larsen, R.	Mutch	Sands
Butler	Larson, G.	Nasset	Schultz
Coughlin	Lips	Nothing	Sorlie
Goldberg	Litten	Pyle	Stafne
Hofstrand	Longmire	Redlin	Torgerson
Holand	Low	Robinson	Trenbeath
Jacobson	Melland	Roen	Wilhite
Kelly, E.			

Absent and not voting:

Kautzmann

So the bill lost.

#### REPORT OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 205

And find the same correctly Engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

#### SECOND READING OF A SENATE BILL

**Senate Bill No. 205.** A Bill for an Act to amend and reenact subsection 4 of section 57-01-05 and section 57-02-12, relating to

sales ratio studies and manner of listing personal property, and to provide that each county shall have a county supervisor of assessments, prescribing the duties thereof, and procedures.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, as amended, on page 498 of the Senate Journal, the roll was called and there were ayes, 44; nays, 4; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Hofstrand	Longmire	Ringsak
Berube	Holand	Lowe	Robinson
Butler	Jacobson	Luick	Roen
Chesrown	Kautzmann	Melland	Ruemmele
Christensen	Kelly, E.	Meschke	Sands
Coughlin	Kelly, M.	Morgan	Schultz
Decker	Larsen, R.	Nasset	Sorlie
Freed	Larson, G.	Nething	Stafne
Geving	Larson, L.	Pyle	Stroup
Goldberg	Lips	Rait	Trenbeath
Hernett	Litten	Redlin	Wilhite

Those voting in the negative were:

Beck	Forkner	Mutch	Torgerson
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Absent and not voting:

Wenstrom

So the bill passed and the title was agreed to.

**MOTION**

Senator Morgan moved that Senate Bill No. 205 be reprinted, which motion prevailed.

**MESSAGES TO THE HOUSE**

Senate Chamber

Bismarck, February 15, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 44  
 Senate Bill No. 83  
 Senate Bill No. 112  
 Senate Bill No. 165  
 Senate Bill No. 171  
 Senate Bill No. 173  
 Senate Bill No. 180  
 Senate Bill No. 287  
 Senate Bill No. 311  
 Senate Bill No. 319  
 Senate Bill No. 345  
 Senate Bill No. 361  
 Senate Bill No. 380  
 Senate Bill No. 388  
 Senate Bill No. 397  
 Senate Concurrent Resolution "N-N"

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 15, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 515  
 House Bill No. 553

Which the Senate has amended.

LEO LEIDHOLM, Secretary

## SECOND READING OF SENATE BILLS

**Senate Bill No. 207.** A Bill for an Act providing for the allocation of one-sixth of the state motor vehicle fuel tax to the municipalities of the state for the purpose of construction, reconstruction, maintenance and repair of the streets and public ways of said municipalities to be credited to said municipalities by apportionment according to population and amending and reenacting section 57-54-14 of the North Dakota Century Code, relating to allocation of fuel tax.

Was read the second time.

Senator Butler moved that Senate Bill No. 207 be amended as follows:

In line 1 of the title, delete the words "one-sixth" and insert in lieu thereof the words "one-seventh".

In line 7 of the title after the word "section", insert the figures "57-54-08," and after the figure "57-54-14" insert the following "and 57-54-15"

In line 1, delete the words "one-sixth" and insert in lieu thereof the words "one-seventh".

In line 3 delete the words "one-sixth" and insert in lieu thereof the words "one-seventh"

In line 23, delete the words "TWO-THIRDS" and insert in lieu thereof the words "FIVE-SEVENTHS"

In line 25, delete the words "two-thirds" and insert in lieu thereof the words "five-sevenths"

**SECTION 3. AMENDMENT.)** Section 57-54-08 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-54-15. Allocation of (((one-sixth))) one-seventh of motor fuel tax for county highways — Disbursement. — (((One sixth))) One-seventh of the motor fuel tax received by the state treasurer shall be credited to a "county highway aid fund." During the months of January, April, July and October of each year, the state treasurer upon warrant of the state auditor shall apportion and disburse all of the moneys of such county highway aid fund not previously disbursed, including interest received thereon, to the various counties of the state in the proportion which the number of motor vehicles registered in each county shall bear to the total number of motor vehicles registered in all of the counties of the state during the entire preceding calendar year as shown by the certificate of the registrar of motor vehicles. The moneys so received by each county shall be set aside in a separate fund under the jurisdiction and control of the board of county commissioners and shall be appropriated and applied solely by such counties in the construction, reconstruction, maintenance, and repair of the county highways, bridges, and culverts thereon, and city streets leading up to and connected with federal aid and state aid highways.

**SECTION 4. AMENDMENT.)** Section 47-04-15 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-54-08. Tax imposed on motor vehicle fuels. — There is hereby imposed a tax of (((six))) seven cents per gallon on all motor vehicle fuel sold or used in this state. The tax imposed by this section shall be collected by the dealer from the consumer on all sales. Sales of fuel in the original package may be made to a licensed dealer and he shall have the option of collecting the tax of (((six))) seven cents per gallon imposed by this chapter, but on sales in the original package to persons other than licensed dealers, the dealer shall be liable for the tax thereon.



Senator Ringsak moved that the proposed amendments to Senate Bill No. 207 be laid on the table, which motion prevailed.

Senator Longmire moved that Senate Bill No. 207 be taken off the table, which motion prevailed.

The question being on the motion of Senator Butler, which motion was lost.

#### ROLL CALL

The question being on the final passage of Senate Bill No. 207, as amended, on page 503 of the Senate Journal, the roll was called and there were ayes, 27; nays, 22; absent and not voting, 0.

Those voting in the affirmative were:

Coughlin	Larsen, R.	Nothing	Schultz
Decker	Larson, G.	Pyle	Stafne
Freed	Litten	Redlin	Stroup
Geving	Longmire	Robinson	Torgerson
Goldberg	Low	Roen	Wenstrom
Kelly, E.	Luick	Ruemmele	Wilhite
Kelly, M.	Melland	Sands	

Those voting in the negative were:

Beck	Forkner	Larson, L.	Nasset
Becker	Hernett	Lips	Rait
Berube	Hofstrand	Meschke	Ringsak
Butler	Holand	Morgan	Sorlie
Chesrown	Jacobson	Mutch	Trenbeath
Christensen	Kautzmann		

So the bill passed and the title was agreed to.

**Senate Bill No. 222.** A Bill for an Act to amend and reenact section 57-15-08 of the North Dakota Century Code, relating to tax levy limitations in cities.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 503 of the Senate Journal, the roll was called and there were ayes, 47; nays, 2; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Roen
Becker	Hofstrand	Low	Ruemmele
Berube	Holand	Luick	Sands
Butler	Jacobson	Melland	Schultz
Chesrown	Kautzmann	Meschke	Sorlie
Christensen	Kelly, E.	Morgan	Stafne
Coughlin	Kelly, M.	Nasset	Stroup
Decker	Larsen, R.	Nothing	Torgerson
Forkner	Larson, G.	Pyle	Trenbeath
Freed	Larson, L.	Rait	Wenstrom
Geving	Lips	Redlin	Wilhite
Goldberg	Litten	Ringsak	

Those voting in the negative were:

Mutch	Robinson
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So the bill passed and the title was agreed to.

**Senate Bill No. 240.** A Bill for an Act to amend and reenact section 20-03-21 of the North Dakota Century Code, relating to the issuance of game licenses.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 471 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Robinson
Becker	Hofstrand	Luick	Roen
Berube	Holand	Melland	Ruemmele
Butler	Jacobson	Meschke	Sands
Chesrown	Kautzmann	Morgan	Schultz
Christensen	Kelly, E.	Mutch	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite

Absent and not voting:

Larson, G.

So the bill passed and the title was agreed to.

**Senate Bill No. 246.** A Bill for an Act to amend and reenact section 40-09-06 of the North Dakota Century Code, relating to the salaries of city commissioners.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 471 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Roen
Becker	Hofstrand	Luick	Ruemmele
Berube	Holand	Melland	Sands
Butler	Jacobson	Meschke	Schultz
Chesrown	Kautzmann	Morgan	Sorlie
Christensen	Kelly, E.	Mutch	Stafne
Coughlin	Kelly, M.	Nasset	Stroup
Decker	Larson, G.	Nothing	Torgerson
Forkner	Larson, L.	Pyle	Trenbeath
Freed	Lips	Rait	Wenstrom
Geving	Litten	Redlin	Wilhite
Goldberg	Longmire	Robinson	

Those voting in the negative were:

Larsen, R. Ringsak

So the bill passed and the title was agreed to.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills and resolutions:

Senate Bill No. 350  
 Senate Bill No. 354  
 Senate Bill No. 359  
 Senate Bill No. 364  
 Senate Bill No. 369  
 Senate Bill No. 370  
 Senate Bill No. 390  
 Senate Bill No. 393  
 Senate Concurrent Resolution "W"  
 Senate Concurrent Resolution "II"  
 Senate Concurrent Resolution "QQ"

And find the same correctly Engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

SECOND READING OF SENATE BILLS

**Senate Bill No. 251.** A Bill for an Act to create and enact a new subsection 5 of section 21-03-07 of the North Dakota Century Code, relating to the issuance of general obligation bonds of cities or villages, by resolution of the governing body subject to protest by taxpayers, for the purpose of street improvements on arterial streets including federal and state highways and at intersections with streams, drains, and railways, and improvements incidental to urban renewal projects.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 471 of the Senate Journal, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nothing	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Wenstrom
Geving	Lips	Redlin	Wilhite
Goldberg	Litten		

Those voting in the negative were:

Mutch

Absent and not voting:

Roen                      Trenbeath

So the bill passed and the title was agreed to.

**Senate Bill No. 274.** A Bill for an Act to amend and reenact section 57-02-10 of the North Dakota Century Code relating to the tax exempt status of land upon which easements have been given for water, wildlife or highway projects and to create and enact section 61-01-23.1 of the North Dakota Century Code authorizing the board of county commissioners to levy a tax sufficient to remove obstructions from nonnavigable streams.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill as amended, on page 471 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Holand	Luick	Robinson
Becker	Jacobson	Melland	Roen
Berube	Kautzmann	Meschke	Ruemmele
Chesrown	Kelly, E.	Morgan	Sands
Christensen	Kelly, M.	Mutch	Schultz
Coughlin	Larsen, R.	Nasset	Sorlie
Decker	Larson, G.	Nothing	Stafne
Forkner	Larson, L.	Pyle	Stroup
Freed	Lips	Rait	Torgerson
Geving	Litten	Redlin	Trenbeath
Goldberg	Longmire	Ringsak	Wenstrom
Hernett	Lowe		

Absent and not voting:

Butler                      Hofstrand                      Wilhite

So the bill passed and the title was agreed to.

**Senate Bill No. 275.** A Bill for an Act to create and enact section 54-52-25 of the North Dakota Century Code, relating to the North Dakota state employees' retirement system and to amend and reenact section 54-52-03, subsection 6 of section 54-52-04, and sections 54-52-13, 54-52-16, and 54-52-22 of the North Dakota Century Code, relating to the North Dakota state employees retirement system.

Was read the second time.

Senator Becker moved that Senate Bill No. 275 be placed at the foot of the calendar, which motion prevailed.

**Senate Bill No. 295.** A Bill for an Act to create and enact subsection 16 of section 61-16-11 and to amend and reenact subsection 10 of section 61-16-11 and sections 61-16-07 and 61-16-15 of the North Dakota Century Code relating to the authority of the board of commissioners of a water management district to pledge security, the board members appointment, their authority to participate in outdoor recreation projects and the approval of such board prior to the construction of certain water impoundments.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill as amended, on page 472 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hernett	Luick	Roen
Becker	Hofstrand	Melland	Ruemmele
Berube	Holand	Meschke	Sands
Butler	Kautzmann	Morgan	Schultz
Chesrown	Kelly, E.	Mutch	Sorlie
Christensen	Larsen, R.	Nasset	Stafne
Coughlin	Larson, G.	Pyle	Stroup
Decker	Larson, L.	Rait	Torgerson
Forkner	Lips	Redlin	Trenbeath
Freed	Litten	Ringsak	Wenstrom
Geving	Longmire	Robinson	Wilhite
Goldberg	Lowe		

Absent and not voting:

Jacobson	Kelly, M.	Nothing
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So the bill passed and the title was agreed to.

**Senate Bill No. 298.** A Bill for an Act providing for the preservation of historic sites, structures, and antiquities of state and national significance, and authorizing transfers of such property.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill as amended, on page 507 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hofstrand	Luick	Robinson
Becker	Holand	Melland	Roen
Berube	Jacobson	Meschke	Ruemmele
Butler	Kelly, E.	Morgan	Sands
Chesrown	Kelly, M.	Mutch	Sorlie
Christensen	Larsen, R.	Nasset	Stafne
Coughlin	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett	Lowe		

Absent and not voting:

Decker Kautzmann Schultz

So the bill passed and the title was agreed to.

**Senate Bill No. 305.** A Bill for an Act to create and enact sections 61-01-27 and 61-02-76 of the North Dakota Century Code defining "right of way" and allowing the state water commission to release easements no longer needed by the state for water related projects and to amend and reenact section 61-04-15, 61-04-24 and 61-10-25 of the North Dakota Century Code relating to the transfer and forfeiture of water permits and the publication of notice of petition for the inclusion of land in an irrigation district.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill as amended, on page 507 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Christensen

So the bill passed and the title was agreed to.

**Senate Bill No. 335.** A Bill for an Act to require municipalities to furnish uniforms to full time policemen they employ.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 508 of the Senate Journal, the roll was called and there were ayes, 43; nays, 6; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hernett	Litten	Ringsak
Becker	Hofstrand	Longmire	Robinson
Berube	Holand	Lowe	Roen
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Stafne
Coughlin	Kelly, M.	Nasset	Stroup
Decker	Larsen, R.	Nothing	Torgerson
Freed	Larson, G.	Pyle	Wenstrom
Geving	Larson, L.	Rait	Wilhite
Goldberg	Lips	Redlin	

Those voting in the negative were:

Forkner	Mutch	Sorlie	Trenbeath
Luick	Ruemmele		

So the bill passed and the title was agreed to.

**Senate Bill No. 344.** A Bill for an Act to amend and reenact section 57-16-04 of the North Dakota Century Code, relating to excess mill levies of school districts.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill as amended, on page 508 of the Senate Journal, the roll was called and there were ayes, 38; nays, 11; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Jacobson	Lowe	Ruemmele
Becker	Kautzmann	Melland	Sands
Berube	Kelly, E.	Meschke	Schultz
Chesrown	Kelly, M.	Nasset	Sorlie
Christensen	Larsen, R.	Nething	Stroup
Coughlin	Larson, G.	Redlin	Torgerson
Decker	Larson, L.	Ringsak	Trenbeath
Geving	Lips	Robinson	Wenstrom
Hernett	Litten	Roen	Wilhite
Hofstrand	Longmire		

Those voting in the negative were:

Butler	Goldberg	Morgan	Rait
Forkner	Holand	Mutch	Stafne
Freed	Luick	Pyle	

So the bill passed and the title was agreed to.

**Senate Bill No. 350.** A Bill for an Act to provide for a conditional transfer of funds to the College Building Fund, and making an appropriation from the college building fund for the construction of college buildings.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, on page 509 of the Senate Journal, the roll was called and there were ayes, 33; nays, 15; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hofstrand	Lips	Ruemmele
Becker	Holand	Litten	Sands
Butler	Jacobson	Longmire	Schultz
Chesrown	Kautzmann	Lowe	Sorlie
Decker	Kelly, E.	Nasset	Stafne
Freed	Kelly, M.	Redlin	Stroup
Geving	Larsen, R.	Ringsak	Torgerson
Goldberg	Larson, G.	Roen	Trenbeath
Hernett			

Those voting in the negative were:

Christensen	Luick	Mutch	Robinson
Coughlin	Melland	Nething	Wenstrom
Forkner	Meschke	Pyle	Wilhite
Larson, L.	Morgan	Rait	

Absent and not voting:  
Berube

So the bill passed and the title was agreed to.

Senator Holand: Mr. President. I rise to explain my vote. I voted "yes" on this bill only for the purpose of keeping it alive. I don't feel at this time it is the answer to our college building program but I would like to see it go to the House for consideration, and to be taken into consideration in our final determination as to what should be done about college buildings.

Senator Longmire: I rise to explain my vote also. I take the same position as Senator Holand. I think some of the members of the Education Committee felt the same way, but I did feel it should be considered along with the building of public buildings.

## MOTION

Senator Lips moved that the vote by which Senate Bills Nos. 53, 61, 96, 158, 205, 207, 222, 240, 246, 251, 274, 295, 298, 305, 335, 344

and 350 were passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

### MESSAGES FROM THE HOUSE

House Chamber  
Bismarck, February 15, 1967

Mr. President: I have the honor to return:

Senate Bill No. 391

Which the House has indefinitely postponed.

ROY GILBREATH, Chief Clerk

House Chamber  
Bismarck, February 15, 1967

Mr. President: I have the honor to transmit:

House Bill No. 539

House Bill No. 540

House Bill No. 588

House Bill No. 634

House Bill No. 668

House Bill No. 736

House Bill No. 777

House Bill No. 799

House Bill No. 814

House Bill No. 860

House Bill No. 884

House Bill No. 900

House Concurrent Resolution "A"

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

### REPORT OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 96

And find the same correctly Reengrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

### FIRST READING OF HOUSE BILLS AND HOUSE CONCURRENT RESOLUTIONS

**House Bill No. 520.** 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. 526.** A Bill for an Act making an appropriation to the board of administration out of the permanent capitol building fund and the interest and income capitol fund and state highway fund for the purpose of constructing a new maintenance shop and capitol buildings and ground improvements, and declaring an emergency.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 529.** A Bill for an Act making an appropriation to the North Dakota Heritage Commission to plan and design a heritage center and authorizing a heritage center construction fund.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 914.** A Bill for an Act to provide that automobile liability insurance shall not be canceled without proper notice, with reason for cancellation to be provided, and for nonliability of parties.

Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Concurrent Resolution "P".** A concurrent resolution urging the president and the congress to review the fiscal relationships of the several states and the federal government.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Concurrent Resolution "S".** A Concurrent Resolution for the amendment of section 183 of the Constitution of the state of North Dakota, relating to the limit on the amount of indebtedness that may be incurred by any political subdivision, and providing an effective date.

Was read the first time and referred to the Committee on Political Subdivisions.

**House Concurrent Resolution "E-1".** A Concurrent Resolution directing the attorney general to petition the interstate commerce commission to alter the western boundary of the central standard time zone so that the mountain standard time zone in North Dakota would begin at the west bank of the Missouri River, in North Dakota.

Was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 580.** A Bill for an Act relating to a highway tax distribution fund, and to amend and reenact sections 39-04A-02, 39-04-39, 57-40.1-07, 57-52-11, 57-53-09, and 57-54-14, relating to motor vehicle and fuel taxes and to repeal sections 39-04-39.1 and 57-54-15 of the North Dakota Century Code, relating to use and fuels taxes.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 638.** A Bill for an Act to require residents and nonresidents to obtain a general game license before obtaining any specific license to hunt game birds or game animals.

Was read the first time and referred to the Committee on Natural Resources.

**House Bill No. 640.** A Bill for an Act to create and enact section 36-11-21 of the North Dakota Century Code, relating to fencing pits and oil well sites, and to constructing dikes around crude oil tanks by the operator, and providing for strict liability for loss or damage caused to livestock.

Was read the first time and referred to the Committee on Natural Resources.

**House Bill No. 641.** A Bill for an Act to amend and reenact subparagraph (2) of subdivision b of subsection 3 of section 39-04-39 of the North Dakota Century Code, relating to the distribution of motor vehicle registration fees.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 661.** A Bill for an Act to amend and reenact subsection 3 of section 57-15-14 of the North Dakota Century Code, relating to mill levies in high school districts.

Was read the first time and referred to the Committee on Education.

**House Bill No. 669.** A Bill for an Act to amend and reenact section 38-03-03 of the North Dakota Century Code, relating to clerical help of mine inspector.



Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 719.** A Bill for an Act making an appropriation for the completion of the compilation and publishing of the records of those who served in World War II and the Korean hostilities.

Was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 766.** A Bill for an Act to amend and reenact section 34-14-08 of the 1965 Supplement to the North Dakota Century Code, relating to the amount of wages assignable to the commissioner of labor for collection.

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 prevent unfair competition and unfair trade practices in the sale of cigarettes; to prohibit sales of cigarettes below cost; to protect and stabilize the collection of taxes on the sale of cigarettes and revenues from the licensing of persons engaged in the sale of cigarettes; to confer powers and impose duties on the State Tax Commissioner and on persons as herein defined, engaged in the sale of cigarettes at retail or wholesale; and providing remedies and imposing penalties for violations thereof.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 785.** A Bill for an Act to amend and reenact sections 60-03-02 and 60-03-04 of the North Dakota Century Code, relating to the agent for process, the licensing of roving grain and hay buyers, limiting the liability on the bond therefor and requiring the Public Service Commission to make orders upon defalcations on the bond.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 788.** A Bill for an Act to amend and reenact section 15-40-12 of the North Dakota Century Code, relating to state support for elementary and secondary education.

Was read the first time and referred to the Committee on Education.

**House Bill No. 791.** A Bill for an Act to amend and reenact section 20-02-31 of the North Dakota Century Code, relating to meetings and duties of the game and fish advisory board.

Was read the first time and referred to the Committee on Natural Resources.

**House Bill No. 800.** A Bill for an Act for the purpose of creating and establishing an educational television commission, designating membership, powers, and providing for an appropriation.

Was read the first time and referred to the Committee on Education.

**House Bill No. 802.** A Bill for an Act to amend and reenact sections 4-09-02, 4-09-03, 4-09-07, and 4-09-20 of the North Dakota Century Code, transferring the state seed department and its powers and duties to the commissioner of agriculture.

Was read the first time and referred to the Committee on Agriculture.

**House Bill No. 804.** A Bill for an Act to transfer certain moneys from the accumulated profits of the state mill and elevator association to the general fund of this state.

Was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 807.** A Bill for an Act to amend and reenact sections 12-18-07 and 20-16-01 of the North Dakota Century Code, relating to the poisoning of predatory animals, insects, and rodents and the disposal of the same, and to authorize the poisoning of certain non-game species of birds.

Was read the first time and referred to the Committee on Natural Resources.

**House Bill No. 822.** A Bill for an Act to authorize the control, prevention, and abatement of pollution of the surface waters of the state, and providing a penalty.

Was read the first time and referred to the Committee on Natural Resources.

**House Bill No. 827.** A Bill for an Act to create subsection 9 of section 12-60-07 of the North Dakota Century Code, relating to the powers of the bureau of criminal identification, to amend and reenact subsection 8 of section 12-60-07 of the North Dakota Century Code, relating to the powers and duties of the bureau of criminal identification of the attorney general's office, and to repeal section 54-12-12 of the North Dakota Century Code, relating to the powers and duties of the inspectors of the attorney general's licensing department.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 830.** A Bill for an Act to amend and reenact section 15-34-12 of the North Dakota Century Code, relating to contracts for school transportation.

Was read the first time and referred to the Committee on Education.

**House Bill No. 841.** A Bill for an Act to amend and reenact section 32-08-06 of the North Dakota Century Code, relating to plaintiff's undertaking in attachment.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 842.** A Bill for an Act to amend and reenact section 26-01-04 of the North Dakota Century Code, relating to fees chargeable by the commissioner of insurance.

Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 859.** A Bill for an Act to create section 65-08-04 of the North Dakota Century Code, providing for agreements between states relating to conflicts of jurisdiction; to amend sections 65-08-01, and 65-08-02, relating to extraterritorial coverage, when and how furnished, and reciprocity in extraterritorial application of compensation acts of various states provided.

Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 870.** A Bill for an Act to amend and reenact sections 27-05.1-02, 27-05.1-06, 27-05.1-08, 27-05.1-09, 27-05.1-10, 27-05.1-16, and 27-05.1-18 of the North Dakota Century Code, relating to the operation of family courts, and declaring an emergency.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 877.** A Bill for an Act to amend and reenact subsection 2 of section 34-12-01 and section 34-12-02, and to amend and reenact section 34-12-03 by creating and enacting subdivision k of subsection 2 of the 1965 Supplement to the North Dakota Century Code relating to the North Dakota Labor-Management Relations Act and defining "Employers" therein to include state and its

political subdivisions, providing that certain public employees shall have no right to strike, and relating to unfair labor practices.

Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 906.** A Bill for an Act relating to unauthorized insurance, classifying transactions constituting doing an insurance business, subjecting those insurers and their agents to the jurisdiction and regulation of the commissioner of insurance, levying a tax on gross premiums, providing for the issuance of process and jurisdiction of court proceedings, providing exceptions and defining violations and providing penalties therefor.

Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 913.** A Bill for an Act to amend and reenact section 26-17-10 of the 1965 Supplement to the North Dakota Century Code, relating to exceptions for foreign insurance and surety companies having local agents.

Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 925.** A Bill for an Act to repeal section 20-01-18 of the North Dakota Century Code, relating to the enforcement of laws governing hunting on private premises.

Was read the first time and referred to the Committee on Natural Resources.

**House Bill No. 928.** A Bill for an Act relating to the promotion, advertising, research and development of Irish potatoes; creating a state potato council and prescribing its powers, duties and authority; prescribing a tax on potato production, providing for its collection, making an appropriation and providing penalties for the violation of this Act, and declaring an emergency.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 933.** A Bill for an Act to provide a state fossil.

Was read the first time and referred to the Committee on Natural Resources.

**House Concurrent Resolution "Y".** A Concurrent Resolution directing the North Dakota workmen's compensation bureau to conduct a study of possible formulas that would provide a ratio of benefits to the average weekly wage and/or the cost of living raises.

Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Concurrent Resolution "G-1".** A Concurrent Resolution for the submission to the electorate of an amendment to Article 60 of the Amendments to the North Dakota Constitution, relating to a mill levy for the support of the North Dakota state medical center at the University of North Dakota.

Was read the first time and referred to the Committee on Appropriations.

Senator Lips moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair, pursuant to recess taken, the President presiding.

#### MOTION

Senator Holand moved that the Senate reconsider the action by which Senate Bill No. 350 was passed, which motion prevailed.

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 350.** A Bill for an Act to provide for a conditional transfer of funds to the College Building Fund, and making an

appropriation from the college building fund for the construction of college buildings.

Which has been read.

Senator Longmire moved that Senate Bill No. 350 be placed at the foot of the calendar, which motion prevailed.

**Senate Bill No. 354.** A Bill for an Act to create and enact section 20-03-28.1 of the North Dakota Century Code, relating to the shipment of upland game and migratory waterfowl by nonresidents licensed to hunt in this state and to amend and reenact section 20-03-06 of the North Dakota Century Code, relating to non-resident hunting, trapping, and fishing licenses.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 512 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Berube

So the bill passed and the title was agreed to.

**Senate Bill No. 359** A Bill for an Act to provide for the requirement of filing a certificate of full consideration with the county auditor prior to the recordation of certain deeds filed with the office of the county register of deeds, and to amend and re-act sections 11-13-12 and 11-18-02 of the North Dakota Century Code, relating to the duties of the county auditor and county register of deeds.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 513 of the Senate Journal, the roll was called and there were ayes, 15; nays, 33; absent and not voting, 1.

Those voting in the affirmative were:

Butler	Hernett	Larson, L.	Rait
Chesrown	Hofstrand	Litten	Torgerson
Christensen	Holand	Meschke	Trenbeath
Decker	Larsen, R.	Nething	

Those voting in the negative were:

Beck	Kelly, E.	Morgan	Ruemmele
Becker	Kelly, M.	Mutch	Sands
Coughlin	Larson, G.	Nasset	Schultz
Forkner	Lips	Pyle	Sorlie
Freed	Longmire	Redlin	Stafne
Geving	Lowe	Ringsak	Stroup
Goldberg	Luick	Robinson	Wenstrom
Jacobson	Melland	Roen	Wilhite
Kautzmann			

Absent and not voting:

Berube

So the bill was lost.

**Senate Bill No. 364.** A Bill for an Act to amend and reenact sections 15-62-01, 15-62-02, 15-62-04, and 15-62-05 of the North Dakota Century Code, to enact sections 15-62-07 and 15-62-08, and to repeal section 15-62-03 of the North Dakota Century Code, relating to student loans and the student loan guarantee fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 472 of the Senate Journal, the roll was called and there were ayes, 43; nays, 5; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Ruemmele
Becker	Hofstrand	Luick	Sands
Butler	Kautzmann	Melland	Schultz
Chesrown	Kelly, E.	Meschke	Sorlie
Christensen	Kelly, M.	Mutch	Stafne
Coughlin	Larsen, R.	Nasset	Stroup
Decker	Larson, G.	Nething	Torgerson
Forkner	Larson, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Robinson	Wilhite
Goldberg	Longmire	Roen	

Those voting in the negative were:

Holand	Morgan	Pyle	Ringsak
Jacobson			

Absent and not voting:

Berube

So the bill passed and the title was agreed to.

**Senate Bill No. 369.** A Bill for an Act to provide a method for the execution of oil and gas leases and other documents involving mineral, leasehold or royalty interests owned or claimed by absent persons under certain circumstances.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill as amended, on page 473 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Ringsak
Becker	Holand	Luick	Robinson
Butler	Jacobson	Melland	Roen
Chesrown	Kautzmann	Meschke	Ruemmele
Christensen	Kelly, E.	Morgan	Sands
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire		

Absent and not voting:

Berube	Schultz	Trenbeath
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So the bill passed and the title was agreed to.

**Senate Bill No. 370.** A Bill for an Act authorizing cities to designate, regulate, maintain and improve streets in the central business district as a mall for primarily pedestrian use, to levy special assess-

ments for the construction and maintenance of such improvements, and to issue special improvement warrants or bonds for said improvements.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 370 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Berube

So the bill passed and the title was agreed to.

**Senate Bill No. 390.** A Bill for an Act to provide for the establishment, administration, organization, and management of sheltered workshops.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 473 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	

Absent and not voting:

Berube Stroup

So the bill passed and the title was agreed to.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 15, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 53

Senate Bill No. 61

Senate Bill No. 96

Senate Bill No. 158

Senate Bill No. 205

Senate Bill No. 207

Senate Bill No. 222  
 Senate Bill No. 240  
 Senate Bill No. 246  
 Senate Bill No. 251  
 Senate Bill No. 274  
 Senate Bill No. 295  
 Senate Bill No. 298  
 Senate Bill No. 305  
 Senate Bill No. 335  
 Senate Bill No. 344

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 15, 1967

Mr. President: I have the honor to transmit:

House Bill No. 628

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

MOTION

Senator Coughlin moved that Senate Bill No. 393 be placed down on the calendar following Senate Bill No. 155, which motion prevailed.

SECOND READING OF  
 SENATE CONCURRENT RESOLUTIONS

**Senate Concurrent Resolution "W"**. A concurrent resolution relating to the import of crude oil and the determination of available supplies for national defense purposes.

Was read the second time.

Senator Wilhite moved that Senate Concurrent Resolution "W" be adopted, which motion prevailed.

**Senate Concurrent Resolution "II"**. A concurrent resolution relating to wetland acquisition and the development of natural resources on privately owned lands.

Was read the second time.

Senator Hofstrand moved that Senate Concurrent Resolution "II" be adopted, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 15, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 354  
 Senate Bill No. 364  
 Senate Bill No. 369  
 Senate Bill No. 370  
 Senate Bill No. 390  
 Senate Concurrent Resolution "W"  
 Senate Concurrent Resolution "II"

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MOTIONS

Senator Lips moved that the vote by which Senate Bills Nos. 354, 364, 369, 370, 390 and Senate Concurrent Resolutions "W" and "II"

were passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Lips moved that Senate Concurrent Resolution "QQ" be re-referred to the Legislative Research Resolutions Committee, which motion prevailed.

Senator Lips moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the chair, pursuant to recess taken, the President presiding, which motion prevailed.

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 15, 1967

Mr. President: I have the honor to inform you that the House requests the return of House Bill No. 932

ROY GILBREATH, Chief Clerk

#### MOTION

Senator Lips moved that House Bill No. 932 be returned to the House as requested, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 15, 1967

Mr. Speaker: I have the honor to return House Bill No. 932 which the House has requested.

LEO LEIDHOLM, Secretary

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 155.** A Bill for an Act to create and enact subsection 6 of section 57-38-22.1 of the North Dakota Century Code, relating to deductions on individual income tax returns, and to repeal subsection 8 of section 57-38-21 and subsections 7 and 10 of section 57-38-22 of the North Dakota Century Code, relating to deductions from net income by cooperative companies for the purpose of computing state income taxes owed and relating to domestic dividends deductions.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 497 of the Senate Journal and from the floor, the roll was called and there were ayes, 27; nays, 21; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Kelly, M.	Melland	Roen
Butler	Larsen, R.	Morgan	Schultz
Coughlin	Larson, G.	Mutch	Stafne
Decker	Litten	Nothing	Torgerson
Forkner	Longmire	Pyle	Trenbeath
Goldberg	Lowe	Redlin	Wilhite
Kelly, E.	Luick	Ringsak	

Those voting in the negative were:

Becker	Hernett	Larson, L.	Robinson
Berube	Hofstrand	Lips	Rucmele
Chesrown	Holand	Meschke	Sands
Christensen	Jacobson	Nasset	Sorlie
Freed	Kautzmann	Rait	Wenstrom
Geving			

Absent and not voting:

Stroup

So the bill passed and the title was agreed to.



**Senate Bill No. 393.** A Bill for an Act declaring legislative intent to simplify income tax and to eliminate certain interstate tax problems; to create and enact a new section to chapter 57-38 of the North Dakota Century Code relating to adjustments to taxable income for individuals and fiduciaries; to create and enact a new section to chapter 57-38 of the North Dakota Century Code relating to adjustments to the taxable income for corporations; to create and enact a new section to chapter 57-38 of the North Dakota Century Code relating to the recognition of an election made under subchapter S of the Internal Revenue Code of 1954, as amended; to create and enact a new section to chapter 57-38 of the North Dakota Century Code relating to an optional card income tax return; to amend and reenact subsection 20 of section 57-38-01 of the North Dakota Century Code relating to definitions for income tax purposes; to amend and reenact section 57-38-06 of the North Dakota Century Code relating to nonresidents; to repeal sections 57-38-15, 57-38-15.1, 57-38-15.2, 57-38-15.3, 57-38-16, 57-38-17, 57-38-17.1, 57-38-18, 57-38-19, 57-38-20, 57-38-21, 57-38-22, 57-38-22.1, 57-38-24, 57-38-26, 57-38-27, and 57-38-28 of the North Dakota Century Code; and providing an effective date.

Was read the second time.

Senator Coughlin moved that Senate Bill No. 393 be amended as follows:

Following subdivision g of section 5 of the engrossed bill insert the following new subdivision: "h. Increased by amounts distributed by cooperative companies to patrons, stockholders and non-stockholders alike, on a strictly patronage basis."

And renumber the lines accordingly.

Which motion was declared carried.

Senator Meschke requested a recorded vote, which request was granted.

Senator Coughlin moved that the rules be suspended and that Senate Bill No. 393 be deemed properly reengrossed and placed on second reading and final passage, as amended on pages 514 and 515 and from the floor, which motion prevailed.

**ROLL CALL**

The question being on the motion of Senator Coughlin, the roll was called and there were ayes, 31; nays, 16; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Kelly, M.	Morgan	Roen
Butler	Larsen, R.	Mutch	Schultz
Coughlin	Larson, G.	Nasset	Sorlie
Decker	Litten	Netthing	Stafne
Forkner	Longmire	Pyle	Torgerson
Goldberg	Lowe	Redlin	Trenbeath
Hofstrand	Luick	Ringsak	Wenstrom
Kelly, E.	Melland	Robinson	

Those voting in the negative were:

Becker	Freed	Jacobson	Meschke
Berube	Geving	Kautzmann	Rait
Chesrown	Hernett	Larson, L.	Ruemmele
Christensen	Holand	Lips	Sands

Absent and not voting:  
Stroup Wilhite

So the motion prevailed.

**ROLL CALL**

The question being on the final passage of Senate Bill No. 393, as amended, on pages 514 and 515 of the Senate Journal and from

the floor, the roll was called and there were ayes, 19; nays, 29; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Kelly, E.	Lowe	Schultz
Butler	Larsen, R.	Melland	Stafne
Coughlin	Larson, G.	Nething	Torgerson
Decker	Litten	Pyle	Wilhite
Forkner	Longmire	Redlin	

Those voting in the negative were:

Becker	Hofstrand	Luick	Robinson
Berube	Holand	Meschke	Roen
Chesrown	Jacobson	Morgan	Ruemmele
Christensen	Kautzmann	Mutch	Sands
Freed	Kelly, M.	Nasset	Sorlie
Geving	Larson, L.	Rajt	Trenbeath
Goldberg	Lips	Ringsak	Wenstrom
Hernett			

Absent and not voting:

Stroup

So the bill lost.

Senator Meschke: Mr. President. Explaining our vote for the record. This bill has been amended to restore the domestic dividend exemption which had been repealed in Senate Bill No. 393 as it was introduced, therefore, the Democrat-NPL minority voted "no".

**Senate Bill No. 183.** For an Act to amend and re-enact Sections 61-16-02, 61-16-03, 61-16-08, 61-16-09, 61-16-13, 61-16-07, 61-16-23, 61-16-42, and to create and enact Section 61-16-49 relating to creation, operation, and dissolution of water management districts.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 22; nays, 26; absent and not voting, 1.

Those voting in the affirmative were:

Berube	Jacobson	Longmire	Ringsak
Butler	Kautzmann	Lowe	Robinson
Chesrown	Kelly, E.	Melland	Ruemmele
Coughlin	Larsen, R.	Mutch	Sands
Goldberg	Larson, G.	Nething	Wilhite
Hofstrand	Lips		

Those voting in the negative were:

Beck	Hernett	Morgan	Schultz
Becker	Holand	Nasset	Sorlie
Christensen	Kelly, M.	Pyle	Stafne
Decker	Larson, L.	Rajt	Torgerson
Forkner	Litten	Redlin	Trenbeath
Freed	Luick	Roen	Wenstrom
Geving	Meschke		

Absent and not voting:

Stroup

So the bill lost.

Senator Larson (Burleigh): I would like to explain my vote. I voted for this bill, Senate Bill No. 183 because it is my belief that the people charged with the responsibility of supervision, engineering and organization in connection with water management districts for people of this state, make a serious study of the constitutionality of the present water management laws because of the implications that have been placed before me that people are being taxed without representation by an appointive board.

## MOTION

Senator Becker moved that the Senate reconsider the action by which Senate Bill No. 393 was killed, which motion prevailed.

## SECOND READING OF A SENATE BILL

**Senate Bill No. 393.** A Bill for an Act declaring legislative intent to simplify income tax and to eliminate certain interstate tax problems; to create and enact a new section to chapter 57-38 of the North Dakota Century Code relating to adjustments to taxable income for individuals and fiduciaries; to create and enact a new section to chapter 57-38 of the North Dakota Century Code relating to adjustments to the taxable income for corporations; to create and enact a new section to chapter 57-38 of the North Dakota Century Code relating to the recognition of an election made under subchapter S of the Internal Revenue Code of 1954, as amended; to create and enact a new section to chapter 57-38 of the North Dakota Century Code relating to an optional card income tax return; to amend and reenact subsection 20 of section 57-38-01 of the North Dakota Century Code relating to definitions for income tax purposes; to amend and reenact section 57-38-06 of the North Dakota Century Code relating to nonresidents; to repeal sections 57-38-15, 57-38-15.1, 57-38-15.2, 57-38-15.3, 57-38-16, 57-38-17, 57-38-17.1, 57-38-18, 57-38-19, 57-38-20, 57-38-21, 57-38-22, 57-38-22.1, 57-38-24, 57-38-26, 57-38-27, and 57-38-28 of the North Dakota Century Code; and providing an effective date.

Which has been read.

Senator Becker moved that Senate Bill No. 393 be amended as follows:

Delete the following:

Following subdivision g of section 5 of the engrossed bill insert the following new subdivision: "h. Increased by amounts distributed by cooperative companies to patrons, stockholders and nonstockholders alike, on a strictly patronage basis."

And renumber the lines accordingly

Which motion prevailed.

Senator Becker moved that the rules be suspended and that Senate Bill No. 393 be deemed properly reengrossed 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. 393, as amended, the roll was called and there were ayes, 33; nays, 14; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Jacobson	Luick	Ruemmele
Becker	Kautzmann	Melland	Sands
Butler	Kelly, M.	Morgan	Schultz
Chesrown	Larsen, R.	Nasset	Sorlie
Freed	Larson, G.	Nothing	Torgerson
Geving	Lips	Pyle	Trenbeath
Hernett	Longmire	Redlin	Wenstrom
Hofstrand	Lowe	Robinson	Wilhite
Holand			

Those voting in the negative were:

Berube	Forkner	Litten	Rait
Christensen	Goldberg	Meschke	Ringsak
Coughlin	Kelly, E.	Mutch	Stafne
Decker	Larson, L.		
Absent and not voting:			
Roen	Stroup		

So the bill passed and the title was agreed to.

## MOTION

Senator Decker moved that the Senate reconsider the action by which Senate Bill No. 383 was passed, which motion prevailed.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 383.** A Bill for an Act relating to the responsibilities of a professional engineer in connection with municipal construction or improvement projects.

Was read the second time.

Senator Longmire moved that Senate Bill No. 383 be placed down on the calendar following Senate Bill No. 387, which motion prevailed.

**Senate Bill No. 387.** A Bill for and Act to provide for the levying and collection of an adjusted tax on individual income.

Was 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, 16; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Geving	Larson, L.	Robinson
Becker	Goldberg	Luick	Roen
Berube	Hernett	Morgan	Ruemmele
Butler	Hofstrand	Nothing	Sands
Chesrown	Holand	Pyle	Schultz
Christensen	Jacobson	Rait	Sorlie
Decker	Kelly, E.	Redlin	Trenbeath
Forkner	Kelly, M.	Ringsak	Wenstrom

Those voting in the negative were:

Coughlin	Larson, G.	Lowe	Nasset
Freed	Lips	Melland	Stafne
Kautzmann	Litten	Meschke	Torgerson
Larsen, R.	Longmire	Mutch	Wilhite

Absent and not voting:

Stroup

So the bill passed and the title was agreed to.

## MOTION

Senator Lips moved that Senate Bills Nos. 275 and 350 be placed at the head of the calendar, which motion prevailed.

## SECOND READING OF A SENATE BILL

**Senate Bill No. 275.** A Bill for an Act to create and enact section 54-52-25 of the North Dakota Century Code, relating to the North Dakota state employees' retirement system and to amend and re-enact section 54-52-03, subsection 6 of section 54-52-04, and sections 54-52-13, 54-52-16, and 54-52-22 of the North Dakota Century Code, relating to the North Dakota state employees retirement system.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill as amended, on page 505 of the Senate Journal, the roll was called and there were ayes, 40; nays, 8; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Morgan	Sands
Coughlin	Kelly, E.	Mutch	Schultz
Decker	Kelly, M.	Nasset	Sorlie
Forkner	Larsen, R.	Nothing	Stafne

Freed	Larson, G.	Pyle	Torgerson
Goldberg	Litten	Redlin	Trenbeath
Hernett	Longmire	Ringsak	Wenstrom

Those voting in the negative were:

Berube	Geving	Lips	Rait
Christensen	Larson, L.	Meschke	Wilhite

Absent and not voting:  
Stroup

So the bill passed and the title was agreed to.

MOTION

Senator Sands moved that Senate Bill No. 383 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A SENATE BILL

**Senate Bill No. 383.** A Bill for an Act relating to the responsibilities of a professional engineer in connection with municipal construction or improvement projects.

Which has been read.

Senator Sands moved that Senate Bill No. 383 be amended as follows:

In line 19 delete the word "thereby" and insert in lieu thereof the words "for a period of six years after the acceptance by the governing body"

And renumber the lines accordingly.

Which motion prevailed.

Senator Sands moved that the rules be suspended and that Senate Bill No. 383 be deemed properly 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. 383, as amended from the floor, the roll was called and there were ayes, 33; nays, 15; absent and not voting, 1:

Those voting in the affirmative were:			
Beck	Kelly, M.	Mutch	Sands
Berube	Larsen, R.	Nasset	Schultz
Christensen	Larson, G.	Pyle	Sorlie
Decker	Litten	Rait	Stafne
Geving	Longmire	Redlin	Torgerson
Hernett	Low	Ringsak	Trenbeath
Hofstrand	Luick	Robinson	Wenstrom
Jacobson	Morgan	Ruemmele	Wilhite
Kelly, E.			

Those voting in the negative were:

Becker	Forkner	Kautzmann	Meschke
Butler	Freed	Larson, L.	Nothing
Chesrown	Goldberg	Lips	Roen
Coughlin	Holand	Melland	

Absent and not voting:

Stroup

So the bill passed and the title was agreed to.

MOTION

Senator Decker moved that Senate Bills Nos. 155 and 275 be re-printed, which motion prevailed.

SECOND READING OF SENATE BILLS

**Senate Bill No. 350.** A Bill for an Act to provide for a conditional transfer of funds to the College Building Fund, and making an

appropriation from the college building fund for the construction of college buildings.

Was read the second time.

Senator Longmire moved that Senate Bill No. 350 be amended as follows:

In line 10 of the engrossed bill delete the words "the amount by which"

In line 11 of the engrossed bill delete the words "such unencumbered balance exceeds ten million dollars"

In line 13 of the engrossed bill delete the comma and delete the words "except that the"

Delete all of line 14 of the engrossed bill

In line 15 of the engrossed bill delete the words "each fiscal year shall not exceed" and insert in lieu thereof the words "the sum of"

And renumber the lines accordingly.

Which motion prevailed.

Senator Longmire moved that the rules be suspended and that Senate Bill No. 350 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. 350, as amended, on page 509 of the Senate Journal, the roll was called and there were ayes, 30; nays, 17; absent and not voting, 2.

Those voting in the affirmative were:

Becker	Hernett	Lips	Roen
Butler	Hofstrand	Litten	Ruemmele
Chesrown	Jacobson	Longmire	Sands
Coughlin	Kautzmann	Lowe	Schultz
Decker	Kelly, E.	Nasset	Sorlie
Freed	Kelly, M.	Pyle	Stafne
Geving	Larsen, R.	Redlin	Trenbeath
Goldberg	Larson, G.		

Those voting in the negative were:

Berube	Luick	Mutch	Robinson
Christensen	Melland	Nething	Torgerson
Forkner	Meschke	Rait	Wenstrom
Holand	Morgan	Ringsak	Wilhite
Larson, L.			

Absent and not voting:

Beck                      Stroup

So the bill passed and the title was agreed to.

**Senate Bill No. 398.** A Bill for an Act to provide that a county may levy a local replacement tax as a credit upon tax on locally assessed personal property, providing for procedures to implement such program, approval by the county electorate, prescribing the provisions of the local replacement tax, providing for administration by the state tax commissioner, and allocating revenues received, and declaring an emergency.

Was read the second time.

Senator Forkner moved that Senate Bill No. 398 be amended as follows:

Delete everything after the words "A BILL" and insert in lieu thereof the following:

"For an Act to provide for a tax upon income of individuals and corporations, providing for the reimbursement of personal property taxes paid, and establishing administrative procedures.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:**

## 1 SECTION 1. REPLACEMENT TAX ON INCOME.)

2 There shall be imposed upon all persons and corporations  
 3 required to file state income tax returns pursuant to  
 4 chapter 57-38 of the North Dakota Century Code a tax as  
 5 herein provided. A tax at the rate of three-fourths of  
 6 one percent shall be imposed against individuals and  
 7 fiduciaries and shall be applied against the total income  
 8 of the person filing a state income tax return as reduced  
 9 by income not taxed by chapter 57-38 and further reduced  
 10 by the amount of deduction for federal income taxes. A  
 11 tax at the rate of four percent shall be imposed against  
 12 corporations and cooperative corporations whose personal  
 13 property is locally assessed and such rate shall be  
 14 imposed against the net business income of such  
 15 corporations and cooperatives as reduced by federal  
 16 income taxes, except that in arriving at the net income  
 17 of cooperatives patronage dividends declared or paid  
 18 shall not be deducted. The tax imposed pursuant to this  
 19 Act shall be paid at the same time as state income taxes  
 20 are paid and shall be remitted by the state tax commis-  
 21 sioner to the state treasurer and deposited in a  
 22 special fund in the state treasury to be known as the  
 23 "personal property replacement fund". Such revenues  
 24 shall be allocated as provided in this Act.

25 SECTION 2. PERSONAL PROPERTY TAX  
26 RECEIPT — REIMBURSEMENT FOR TAXES PAID.)

27 At the time of paying the tax imposed by section 1 of  
 28 this Act, the taxpayer shall submit a receipt for  
 29 payments upon personal property taxes first becoming  
 30 due and payable in the year in which the tax imposed  
 31 by section 1 is paid. The tax commissioner shall  
 32 reimburse the taxpayer for fifty percent of such  
 33 personal property taxes paid within forty-five days  
 34 of the receipt for the personal property taxes paid.  
 35 Such reimbursement shall be made by warrant-check  
 36 prepared by the department of accounts and purchases  
 37 and drawn on the personal property replacement fund  
 38 after the approval of vouchers by the state auditing  
 39 board.

40 SECTION 3. ADMINISTRATION OF PERSONAL  
41 PROPERTY TAXES — LIMITATION ON AMOUNT OF

42 INCREASE.) The provisions of this Act shall  
 43 not affect provisions of law pertaining to the assess-  
 44 ment, levy, collection, or administration of the personal  
 45 property tax except as provided in this section. The  
 46 amount of personal property taxes levied, in dollars,  
 47 shall not be increased by any political subdivision  
 48 within the next ten years succeeding the effective date  
 49 of this Act beyond the amount of increases that have  
 50 taken place within the last ten years preceding the  
 51 effective date of this Act within such political sub-  
 52 divisions."

Senator Wilhite requested a recorded vote, which request was granted.

## ROLL CALL

The question being on the motion of Senator Forkner, the roll was called and there were ayes, 9; nays, 37; absent and not voting, 3.

Those voting in the affirmative were:

Becker	Forkner	Luick	Roen
Chesrown	Hernett	Mutch	Ruemmele
Decker			

Those voting in the negative were:

Beck	Jacobson	Longmire	Redlin
Berube	Kautzmann	Low	Ringsak
Butler	Kelly, E.	Melland	Robinson
Christensen	Kelly, M.	Meschke	Schultz
Coughlin	Larsen, R.	Morgan	Stafne
Freed	Larson, G.	Nasset	Torgerson
Geving	Larson, L.	Nothing	Trenbeath
Goldberg	Lips	Pyle	Wenstrom
Hofstrand	Litten	Rait	Wilhite
Holand			

Absent and not voting:

Sands	Sorlie	Stroup
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So the motion lost.

#### ROLL CALL

The question being on the final passage of Senate Bill No. 398, the roll was called and there were ayes, 29; nays, 17; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Kautzmann	Longmire	Robinson
Becker	Kelly, E.	Low	Roen
Butler	Kelly, M.	Melland	Stafne
Coughlin	Larsen, R.	Nasset	Torgerson
Decker	Larson, G.	Pyle	Trenbeath
Freed	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Holand			

Those voting in the negative were:

Berube	Hernett	Luick	Nothing
Chesrown	Hofstrand	Meschke	Rait
Christensen	Jacobson	Morgan	Ruemmele
Forkner	Larson, L.	Mutch	Schultz
Geving			

Absent and not voting:

Sands	Sorlie	Stroup
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So the bill passed and the title was agreed to.

#### MOTION

Senator Lips moved that the vote by which Senate Bills Nos. 155, 393, 387, 275, 383, 350 and 398 were passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Hofstrand moved that the Senate reconsider the action by which House Bill No. 589 was lost, which motion prevailed.

Senator Longmire moved that House Bill No. 589 be placed on the calendar, which motion prevailed.

Senator Schultz moved that the absent Senators be excused, which motion prevailed.

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

#### FORTY-FOURTH DAY

Bismarck, February 15, 1967

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Senator Guy Larson, Bismarck.

Roll call: All Senators present except Senators Sands and Stroup.

A quorum was declared by the President.



CORRECTION AND REVISION

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 finds the same correct.

SENATOR LOWE, Chairman

Senator Lowe moved that the report be adopted, which motion prevailed.

Senator Lips moved that the Senate recess until 1:00 p.m., February 16, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary



# Journal of the Senate



## Fortieth Legislative Assembly

### FORTY-FOURTH DAY AFTER RECESS AND FORTY-FIFTH DAY

Bismarck, February 16, 1967

The Senate convened at 1:00 p.m., pursuant to recess taken, 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. 350

And find the same correctly Re-engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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. 383

And find the same correctly Engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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 3 delete the figure "\$364,229.00" and insert in lieu thereof "\$384,229.00"

In line 9 delete the figure "\$121,525.00" and insert in lieu thereof "\$141,525.00"

In line 13 delete the figure "\$364,229.00" and insert in lieu thereof "\$384,229.00"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee amended this bill by increasing salaries and wages \$20,000.00 thereby restoring this budget to the amount recommended by the executive office of the budget so that this board can maintain its present level of operation.

SENATOR SORLIE, Chairman

Senator Geving moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 566 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Luick moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was

referred House Bill No. 598 has had the same under consideration and recommends that the same be amended as follows:

In line 6 delete the word "five" and insert in lieu thereof the word "ten" and immediately following the word "each" but before the semicolon insert a comma and the words ", provided, however, when a livestock dealer or his agent is bonded under federal requirements for ten thousand dollars or more, the dairy department may accept such bond in lieu of the one herein otherwise required and a copy of the same shall be filed with the dairy department"

And renumber the lines accordingly.

And when so amended recommend the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 599 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 618 has had the same under consideration and recommends that the same do pass.

ROBERT CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 630 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 658 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 State and Federal Government to whom was referred House Bill No. 660 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

Senator Ringsack moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 678 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 685 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 692 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 State and Federal Government to whom was referred House Bill No. 693 has had the same under consideration and recommends that the same do pass.

And be rereferred to the Committee on Appropriations.

SENATOR RINGSAK, Chairman

Senator Ringsak moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 708 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 718 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 State and Federal Government to whom was referred House Bill No. 745 has had the same under consideration and recommends that the same do pass.

And be rereferred to the Committee on Appropriations.

SENATOR RINGSAK, Chairman

Senator Ringsak moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 748 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 772 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. 782 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan 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. 811 has had the same under consideration and recommends that the same be amended as follows:

In line 5 of the title after the word "Dakota" insert the following: "and declaring an emergency"

Delete all of lines 28 through 36 and insert in lieu thereof the following:

"10. The sale of capital stock of a corporation may be exempted by the securities commissioner if the corporation is organized under chapter 10-30 of the laws of North Dakota or approved by the small business administration as qualifying for loans under section 502 of the small business investment act of 1958, as amended.

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 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. 873 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Litten 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 "V" has had the same under consideration and recommends that the same be amended as follows:

In line 1 of the title after the word "the" delete "north dakota employment security" and insert in lieu thereof "Legislative Research Committee"

In line 2 of the title delete "bureau"

In line 14 after the first "the" insert the following: "Legislative Research Committee, with the cooperation of the"

In line 15 after the word "of" delete "mandatory" and insert in lieu thereof "unemployment"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak 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 "DD" has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak 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 "JJ" has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak 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 "BBB" has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak 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 "HHH" has had the same under consideration and recommends that the same do pass.

**SENATOR RINGSACK, Chairman**

Senator Ringsack moved that the report be adopted, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

Senator Holand moved that the amendments to Senate Concurrent Resolution "AAA" as recommended by the Committee on State and Federal Government and printed on page 523 of the Senate Journal, be adopted, which motion prevailed.

Senator Roen moved that the amendments to House Bill No. 561 as recommended by the Committee on Education and printed on page 524 of the Senate Journal, be adopted, which motion prevailed.

#### MOTION

Senator Lips moved that the Senate reconsider the action by which Senate Bill No. 189 was indefinitely postponed, which motion prevailed.

#### SECOND READING OF A SENATE BILL

**Senate Bill No. 189.** For an Act to amend and reenact subsections 3, 6 and 7 of section 54-52-01, section 54-52-02, section 54-52-03, section 54-52-05, section 54-52-11, section 54-52-19, section 54-52-20 and section 54-52-22 of the 1965 Supplement to the North Dakota Century Code, relating to employees retirement plan, and extending the coverage thereof to county employees.

Was read the second time.

Senator Lips moved that Senate Bill No. 189 be placed at the foot of the calendar, which motion prevailed.

#### MOTION

Senator Redlin moved that House Bill No. 869 be returned to the Senate from the Committee on Political Subdivisions, which motion prevailed.

Senator Redlin moved that House Bill No. 869 be re-referred to the Committee on Judiciary, which motion prevailed.

#### FIRST READING OF A HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution "E".** A Concurrent Resolution expressing appreciation to the adjutant general, the national guard, Francis Elliott, and Gilbert Gervais, the "University Bards" directed by Mr. James T. Fudge, the Bismarck High School Symphonettes directed by Mr. Harold Van Heuvelen, the Bismarck High School Swing Band directed by Mr. Gordon Knaak, and the governor's reception committee for their activities in making the inauguration activities a success.

Was read the first time.

Senator Lips moved that the rules be suspended and that House Concurrent Resolution "E" be placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF A HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution "E".** A Concurrent Resolution expressing appreciation to the adjutant general, the national guard, Francis Elliott, and Gilbert Gervais, the "University Bards" directed by Mr. James T. Fudge, the Bismarck High School Symphonettes directed by Mr. Harold Van Heuvelen, the Bismarck High School Swing Band directed by Mr. Gordon Knaak, and the governor's

reception committee for their activities in making the inauguration activities a success.

Was read the second time.

Senator Lips moved that House Concurrent Resolution "E" be adopted which motion prevailed.

#### MOTION

Senator Forkner moved that the Senate reconsider the action by which Senate Bill No. 209 was indefinitely postponed, which motion prevailed.

Senator Forkner moved that Senate Bill No. 209 be placed at the foot of the calendar, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 538.** For an Act authorizing the superintendent of the Grafton state school to recommend a sterilization operation for a resident of such school upon receiving the approval of a board of professional personnel and the written consent of a relative or guardian, specifying the manner of obtaining and granting consent, prohibiting the superintendent from acting as guardian, providing for compensation of physicians and surgeons and limiting liability, and providing that parents may initiate such procedure.

Was read the second time.

Senator Longmire moved that House Bill No. 538 be placed at the foot of the calendar, which motion prevailed.

**House Bill No. 544.** A Bill for an Act to amend and reenact sections 39-08-13, 39-08-14, 39-16-03 of the North Dakota Century Code, relating to accident report forms, public inspection of reports relating to accidents, and abstracts of such forms.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 456 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Schultz
Chesrown	Kelly, E.	Morgan	Sorlie
Christensen	Kelly, M.	Mutch	Stafne
Coughlin	Larsen, R.	Nasset	Stroup
Decker	Larson, G.	Nothing	Torgerson
Forkner	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire		

Absent and not voting:

Freed	Ringsak	Sands
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So the bill passed and the title was agreed to.

**House Bill No. 560.** For an Act to amend and reenact section 40-05-09.1 of the 1965 Supplement to the North Dakota Century Code relating to a tax levy for fire department stations.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen



Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Schultz
Chesrown	Kelly, E.	Morgan	Sorlie
Christensen	Kelly, M.	Mutch	Stafne
Coughlin	Larsen, R.	Nasset	Stroup
Decker	Larson, G.	Nething	Torgerson
Forkner	Larson, L.	Pyle	Trenbeath.
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire		
Absent and not voting:			
Freed	Ringsak	Sands	

So the bill passed and the title was agreed to.

**House Bill No. 579.** For an Act to amend and reenact section 15-52-09 of the North Dakota Century Code, relating to medical center expenditure of proceeds of the medical center one mill levy.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Schultz
Chesrown	Kautzmann	Morgan	Sorlie
Christensen	Kelly, E.	Mutch	Stafne
Coughlin	Kelly, M.	Nasset	Stroup
Decker	Larsen, R.	Nething	Torgerson
Forkner	Larson, L.	Pyle	Trenbeath
Freed	Larson, G.	Rait	Wenstrom
Geving	Lips	Redlin	Wilhite
Goldberg	Litten		

Those voting in the negative were:

Meschke

Absent and not voting:

Ringsak Sands

So the bill passed and the title was agreed to.

**House Bill No. 591.** A Bill for an Act to amend and reenact section 39-04-39.1 of the 1965 Supplement to the North Dakota Century Code, relating to the distribution of motor vehicle use tax to local highway funds.

Was read the second time.

Senator Becker moved that House Bill No. 591 be placed at the foot of the calendar, which motion prevailed.

**House Bill No. 601.** A Bill for an Act to amend and reenact section 15-47-32 of the 1963 Supplement to the North Dakota Century Code, relating to sharing educational programs.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Redlin
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie

Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nothing	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten		

Absent and not voting:

Ringsak	Sands	Wilhite
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So the bill passed and the title was agreed to.

**House Bill No. 602.** A Bill for an Act to amend and reenact section 15-20-04 of the North Dakota Century Code relating to school district contracts and joint programs.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beck	Hernett	Litten	Rait
Becker	Hofstrand	Longmire	Redlin
Berube	Holand	Lowe	Robinson
Butler	Jacobson	Luick	Roen
Chesrown	Kautzmann	Melland	Schultz
Christensen	Kelly, E.	Meschke	Sorlie
Coughlin	Kelly, M.	Morgan	Stafne
Decker	Larsen, R.	Mutch	Stroup
Forkner	Larson, G.	Nasset	Torgerson
Freed	Larson, L.	Nothing	Trenbeath
Geving	Lips	Pyle	Wenstrom
Goldberg			

Absent and not voting:

Ringsak	Ruemmele	Sands	Wilhite
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So the bill passed and the title was agreed to.

**House Bill No. 631.** A Bill for an Act to amend and reenact subsection 7 of section 57-52-03 of the North Dakota Century Code and subsection 6 of section 57-53-01 of the North Dakota Century Code, relating to the definition of Special Fuel User.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3

Those voting in the affirmative were:

Beck	Hernett	Longmire	Redlin
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nothing	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten		

Absent and not voting:

Ringsak	Sands	Wilhite
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So the bill passed and the title was agreed to.

**House Bill No. 632.** A Bill for an Act to amend and reenact

Section 57-50-05.1 of the North Dakota Century Code relating to motor fuel tax refunds to private individuals and corporations.

Was 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:

Beck	Hernett	Litten	Rait
Becker	Hofstrand	Longmire	Redlin
Berube	Holand	Lowe	Robinson
Butler	Jacobson	Luick	Roen
Chesrown	Kautzmann	Melland	Schultz
Christensen	Kelly, E.	Meschke	Sorlie
Coughlin	Kelly, M.	Morgan	Stafne
Decker	Larsen, R.	Mutch	Stroup
Forkner	Larson, G.	Nasset	Torgerson
Freed	Larson, L.	Nething	Trenbeath
Geving	Lips	Pyle	Wenstrom

Absent and not voting:

Ringsak	Ruemmele	Sands	Wilhite
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So the bill passed and the title was agreed to.

**House Bill No. 642.** A Bill for an Act to amend and reenact section 57-02-04 of the North Dakota Century Code, relating to the definition of real property, and to repeal subsections 9, 10, and 11 of section 57-02-05 of the North Dakota Century Code, relating to the definition of personal property.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beck	Goldberg	Litten	Redlin
Becker	Hernett	Longmire	Robinson
Berube	Holand	Lowe	Roen
Butler	Jacobson	Luick	Ruemmele
Chesrown	Kautzmann	Melland	Schultz
Christensen	Kelly, E.	Meschke	Sorlie
Coughlin	Kelly, M.	Morgan	Stafne
Decker	Larsen, R.	Mutch	Torgerson
Forkner	Larson, G.	Nething	Trenbeath
Freed	Larson, L.	Pyle	Wenstrom
Geving	Lips	Rait	

Absent and not voting:

Hofstrand	Ringsak	Stroup	Wilhite
Nasset	Sands		

So the bill passed and the title was agreed to.

**House Bill No. 656.** A Bill for an Act to authorize the state board of higher education to convey certain land owned by the state of North Dakota, which land was formerly used for fairground purposes, and declaring an emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hernett	Litten	Rait
Becker	Hofstrand	Longmire	Redlin
Berube	Holand	Lowe	Robinson

Butler	Jacobson	Luick	Roen
Chesrown	Kautzmann	Melland	Schultz
Christensen	Kelly, E.	Meschke	Sorlie
Coughlin	Kelly, M.	Morgan	Stafne
Decker	Larsen, R.	Mutch	Stroup
Freed	Larson, G.	Nasset	Torgerson
Geving	Larson, L.	Nothing	Wenstrom
Goldberg	Lips	Pyle	Wilhite

Those voting in the negative were:

Forkner Trenbeath

Absent and not voting:

Ringsak Ruemmele Sands

So the bill passed and the title was agreed to and the emergency clause carried.

**House Bill No. 701.** A Bill for an Act to amend and reenact section 39-04-44 of the North Dakota Century Code, relating to credits on destroyed vehicles.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 3; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Jacobson	Luick	Ruemmele
Bulter	Kautzmann	Melland	Sorlie
Chesrown	Kelly, E.	Meschke	Stafne
Christensen	Kelly, M.	Morgan	Stroup
Coughlin	Larsen, R.	Mutch	Torgerson
Decker	Larson, G.	Nasset	Trenbeath
Freed	Larson, L.	Nothing	Wenstrom
Geving	Lips	Pyle	Wilhite
Goldberg	Litten	Rait	

Those voting in the negative were:

Forkner Redlin Schultz

Absent and not voting:

Holand Ringsak Sands

So the bill passed and the title was agreed to.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 16, 1967

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "E"

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senator Schultz moved that the absent Senators be excused, which motion prevailed.

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

#### FORTY-FIFTH DAY

Bismarck, February 16, 1967

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. Walter J. Schott, The Church of the Good Shepherd, EUB, Mandan.

Almighty God, our heavenly Father, we are indeed thankful to Thee that we can pause for a few moments and set aside the busy

and pressing needs of this day, to speak with Thee through prayer.

We truly are grateful for the people who make up this Senate. For some, it is a real sacrifice to be here, but we are thankful for their interest and concern in State Government and for the well-being of its people. Our Father we pray that Thou wilt endue each member of this body with wisdom and directive from above. Grant courage to face and confront the issues of day.

We thank Thee Lord, for the confidence and trust that we may establish in each other. May these and other virtues serve to keep us strong and united in making this a greater State in which to live. We are thankful for the privilege of coming to Thee for consultation and counsel on all matters and especially such matters that are complex and which require utmost and careful consideration. Help us not to forget the principles and convictions upon which our State Government was founded.

We ask then, that we may not be ungrateful for the daily opportunities and tasks that are ours. May we find joy and satisfaction when we have given honest and loving service. Give us a real sense of being co-labourers with one another and with Thee.

We pray that Thou wilt forgive us where we have failed. Forbid that our goals and desires should be selfish. May all that we do, be done for our edification and well-being, and above all may we do all as unto the glory of God our Saviour.

Again, we ask Thy blessing upon this entire assembly and its deliberations here today, for we pray it in the name of Christ our Saviour. Amen.

Roll call: All Senators present except Senators Ringsak and Sands.

A quorum was declared by the President.

#### CORRECTION AND REVISION

**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 recommends that the same be corrected as follows:

On page 562, correct the spelling of the word "projects"

On page 582, after line 42 insert the following:

#### "MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 15, 1967

**Mr. Speaker:** I have the honor to transmit the following which the Senate has passed and your favorable consideration is requested:

Senate Bill No. 155

Senate Bill No. 275

Senate Bill No. 350

Senate Bill No. 383

Senate Bill No. 387

Senate Bill No. 393

Senate Bill No. 398.

LEO LEIDHOLM, Secretary"

And when so corrected recommends that the same be approved.

SENATOR LOWE, Chairman

Senator Lowe moved that the report be adopted, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 763.** A Bill for an Act extending the time for filing income tax returns and extending the time for payment of income tax and eliminating the attachment of interest and penalty

during extension period for members of the armed forces and merchant marine serving outside of boundaries of the United States, providing a termination date and declaring an emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Bulter	Kautzmann	Meschke	Schultz
Chesrown	Kelly, E.	Morgan	Sorlie
Christensen	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Netting	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire		

Absent and not voting:

Coughlin	Ringsak	Sands
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So the bill passed and the title was agreed to and the emergency clause carried.

**House Bill No. 768.** A Bill for an Act relating to the filing of exemption affidavits with the tax commissioner by organizations exempt from income tax.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 9; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Redlin
Becker	Holand	Luick	Ruemmele
Berube	Jacobson	Melland	Schultz
Bulter	Kautzmann	Meschke	Sorlie
Chesrown	Kelly, E.	Morgan	Stafne
Christensen	Kelly, M.	Nasset	Stroup
Coughlin	Larsen, R.	Netting	Torgerson
Decker	Lips	Pyle	Wenstrom
Forkner	Litten	Rait	Wilhite
Freed	Longmire		

Those voting in the negative were:

Geving	Larson, G.	Mutch	Roen
Goldberg	Larson, L.	Robinson	Trenbeath
Hofstrand			

Absent and not voting:

Ringsak	Sands
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So the bill passed and the title was agreed to.

**House Bill No. 840.** A Bill for an Act to amend and reenact section 40-24-16 of the 1965 Supplement to the North Dakota Century Code, relating to the certification and payment of taxes collected by the county treasurer.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2

Those voting in the affirmative were:

Beck	Hernett	Longmire	Robinson
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Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Bulter	Jacobson	Melland	Schultz
Chesrown	Kautzmann	Morgan	Sorlie
Christensen	Kelly, E.	Mutch	Stafne
Coughlin	Kelly, M.	Nasset	Stroup
Decker	Larson, L.	Nothing	Torgerson
Forkner	Larsen, R.	Pyle	Trenbeath
Freed	Larson, G.	Rait	Wenstrom
Geving	Lips	Redlin	Wilhite
Goldberg	Litten		

Those voting in the negative were:

Meschke

Absent and not voting:

Ringsak Sands

So the bill passed and the title was agreed to.

**House Bill No. 882.** A Bill for an Act to amend and reenact sections 57-34-02 and 57-34-03 of the 1965 Supplement to the North Dakota Century Code, relating to reports of telephone companies of taxes to be assessed against them.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Schultz
Chesrown	Kautzmann	Meschke	Sorlie
Christensen	Kelly, E.	Morgan	Stafne
Coughlin	Kelly, M.	Nasset	Stroup
Decker	Larsen, R.	Nothing	Torgerson
Forkner	Larson, G.	Pyle	Trenbeath
Freed	Larson, L.	Rait	Wenstrom
Geving	Lips	Redlin	Wilhite
Goldberg	Litten		

Those voting in the negative were:

Mutch

Absent and not voting:

Ringsak Sands

So the bill passed and the title was agreed to.

**House Bill No. 929.** A Bill for an Act to provide for the filing of Federal Tax Liens, Releases, and Notices thereof, and to make uniform the law with reference thereto.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Redlin
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Schultz
Chesrown	Kautzmann	Meschke	Sorlie
Christensen	Kelly, E.	Morgan	Stafne
Coughlin	Kelly, M.	Mutch	Stroup
Decker	Larsen, R.	Nasset	Torgerson
Forkner	Larson, G.	Nothing	Trenbeath

Freed	Larson, L.	Pyle	Wenström
Geving	Lips	Rait	Wilhite
Goldberg	Litten		

Those voting in the negative were:  
Ruemmele

Absent and not voting:  
Ringsak Sands

So the bill passed and the title was agreed to.

**House Bill No. 589.** A Bill for an Act to amend and reenact section 40-11-12 of the North Dakota Century Code, relating to the commitment of guilty persons.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 21; nays, 26; absent and not voting, 2.

Those voting in the affirmative were:

Butler	Larsen, R.	Lowe	Ruemmele
Coughlin	Larson, G.	Melland	Schultz
Decker	Lips	Meschke	Stafne
Geving	Litten	Nething	Wenström
Goldberg	Longmire	Redlin	Wilhite
Hofstrand			

Those voting in the negative were:

Beck	Hernett	Luick	Robinson
Becker	Holand	Morgan	Roen
Berube	Jacobson	Mutch	Sorlie
Chesrown	Kautzmann	Nasset	Stroup
Christensen	Kelly, E.	Pyle	Torgerson
Forkner	Kelly, M.	Rait	Trenbeath
Freed	Larson, L.		

Absent and not voting:  
Ringsak Sands

So the bill lost.

Senator Mutch moved that the vote by which House Bill No. 589 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 189.** For an Act to amend and reenact subsections 3, 6 and 7 of section 54-52-01, section 54-52-02, section 54-52-03, section 54-52-05, section 54-52-11, section 54-52-19, section 54-52-20 and section 54-52-22 of the 1965 Supplement to the North Dakota Century Code, relating to employees retirement plan, and extending the coverage thereof to county employees.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 21; nays, 26; absent and not voting, 2.

Those voting in the affirmative were:

Chesrown	Kelly, E.	Meschke	Ruemmele
Christensen	Lips	Morgan	Schultz
Forkner	Longmire	Nething	Sorlie
Hernett	Lowe	Pyle	Torgerson
Hofstrand	Melland	Roen	Trenbeath
Kautzmann			

Those voting in the negative were:

Beck	Geving	Larson, L.	Redlin
Becker	Goldberg	Litten	Robinson
Berube	Holand	Luick	Stafne



Butler	Jacobson	Mutch	Stroup
Coughlin	Kelly, M.	Nasset	Wenstrom
Decker	Larsen, R.	Rait	Wilhite
Freed	Larson, G.		

Absent and not voting:  
Ringsak Sands

So the bill lost.

**Senate Bill No. 209.** A Bill for an Act to amend and reenact section 57-15-06 of the North Dakota Century Code, relating to limitations on county tax levies.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes 5; nays, 42; absent and not voting, 2.

Those voting in the affirmative were:  
Hernett Ruemmele Schultz Trenbeath  
Roen

Those voting in the negative were:  
Beck Goldberg Litten Pyle  
Becker Hofstrand Longmire Rait  
Berube Holand Lowe Redlin  
Butler Jacobson Luick Robinson  
Chesrown Kautzmann Melland Sorlie  
Christensen Kelly, E. Meschke Stafne  
Coughlin Kelly, M. Morgan Stroup  
Decker Larsen, R. Mutch Torgerson  
Forkner Larson, G. Nasset Wenstrom  
Freed Larson, L. Nething Wilhite  
Geving Lips

Absent and not voting:  
Ringsak Sands

So the bill lost.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 538.** For an Act authorizing the superintendent of the Grafton state school to recommend a sterilization operation for a resident of such school upon receiving the approval of a board of professional personnel and the written consent of a relative or guardian, specifying the manner of obtaining and granting consent, prohibiting the superintendent from acting as guardian, providing for compensation of physicians and surgeons and limiting liability, and providing that parents may initiate such procedure.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, as amended, on page 456 of the Senate Journal, the roll was called and there were ayes, 31; nays, 16; absent and not voting, 2.

Those voting in the affirmative were:  
Beck Hofstrand Longmire Schultz  
Chesrown Holand Luick Sorlie  
Christensen Jacobson Melland Stafne  
Decker Kelly, E. Nething Stroup  
Forkner Larsen, R. Pyle Trenbeath  
Geving Larson, L. Rait Wenstrom  
Goldberg Lips Redlin Wilhite  
Hernett Litten Roen

Those voting in the negative were:  
Becker Freed Lowe Nasset  
Berube Kautzmann Meschke Robinson  
Butler Kelly, M. Morgan Ruemmele

Coughlin	Larson, G.	Mutch	Torgerson
Absent and not voting:			
Ringsak	Sands		

So the bill passed and the title was agreed to.

**House Bill No. 591.** A Bill for an Act to amend and reenact section 39-04-39.1 of the 1965 Supplement to the North Dakota Century Code, relating to the distribution of motor vehicle use tax to local highway 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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Schultz
Chesrown	Kautzmann	Meschke	Sorlie
Christensen	Kelly, E.	Morgan	Stafne
Coughlin	Kelly, M.	Mutch	Stroup
Decker	Larsen, R.	Nasset	Torgerson
Forkner	Larson, G.	Nething	Trenbeath
Freed	Larson, L.	Pyle	Wenstrom
Geving	Lips	Rait	Wilhite
Goldberg	Litten	Redfin	

Absent and not voting:

Ringsak	Sands
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So the bill passed and the title was agreed to.

#### FIRST READING OF HOUSE BILLS AND A HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution "A".** A concurrent resolution to amend and reenact sections 121, 124, 125, 127, and 129, relating to the voting franchise and to repeal sections 122, 123, 126, 128, and Articles 36 and 40 of the Amendments, relating to the voting franchise; to amend and reenact section 130, relating to municipal corporations; to repeal sections 132, 133, 135, 136, 137, 138, 140, 141, 142, 143, 144, 145, and 146, relating to other corporations; to repeal section 151, relating to education; to amend and reenact sections 153, 154, 155, and 156, relating to school and public lands and to repeal sections 157, 158, 159, 160, 161, 162, and 164, relating to school and public lands; to amend and reenact sections 168, 170, 172, and 173, relating to county and township organization and to repeal section 166, relating to county and township organization; to amend and reenact sections 176 and 179, relating to revenue and taxation; to amend and reenact sections 185 and 186, relating to public debt and public works; to repeal section 187 and Articles 59 and 65, relating to public debt and public works; to amend and reenact section 202, relating to methods of amending the state Constitution; to amend and reenact Article 33 of the Amendments, relating to recall provisions; to amend and reenact section 212, relating to the exchange "black lists"; to repeal sections 209 and 214, relating to the labor of children and original legislative apportionment; to amend and reenact section 215, relating to public institutions, and to repeal section 216 and Article 19 of the Amendments, relating to public institutions; to amend and reenact Article 54 of the Amendments relating to the state board of higher education; to amend and reenact Article 56 of the Amendments relating to gasoline taxes; and to repeal sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26 of the Schedule to the Constitution of the state of North Dakota; all such

sections and Articles of Amendments, amended and repealed, being a part of the Constitution of the state of North Dakota.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 539.** For an Act to amend and reenact sections 15-01-02, 15-03-04, 15-03-15, and 15-03-18 of the North Dakota Century Code, relating to changing the investment list and procedures for the various permanent funds under the control of the board of university and school lands and providing an effective date.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 540.** For an Act to amend and reenact sections 15-10-08 and 15-10-16 of the North Dakota Century Code, relating to compensation and expenses of the state board of higher education and control of funds and appropriations of the institutions of higher learning, and declaring an effective date.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 588.** A Bill for an Act providing for the election of a county superintendent of schools to serve two or more counties or parts thereof, which office and area are to be served by a single county superintendent of schools to be established either upon a petition of the electorate or upon initiation of a plan by boards of county commissioners setting forth the area and approved by the electorate of such affected counties and providing for the sharing of the costs of such office.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 628.** A Bill for an Act to establish a council on the arts and humanities, and defining its powers and duties.

Was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 634.** A Bill for an Act to authorize the establishment of highway engineering and technician scholarships at state institutions of higher learning, to authorize the expenditure of highway department operating funds therefor, and to repeal sections 24-02-07.1 and 24-02-07.2 of the North Dakota Century Code.

Was read the first time and referred to the Committee on Appropriations.

**House Bill No. 668.** A Bill for an Act to amend and reenact sections 65-11-01, 65-11-02, 65-11-04, and 65-11-05 of the North Dakota Century Code, relating to the safety engineer; to repeal sections 65-11-03 and 65-11-06 of the North Dakota Century Code, relating to the safety engineer.

Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 736.** A Bill for an Act to amend and reenact section 16-06-02 of the North Dakota Century Code relating to the publication of notice of any general election and section 46-05-03 of the North Dakota Century Code relating to the publication of legal notices and providing the fees to be paid therefor.

Was read the first time and referred to the Committee on Judiciary.

**House Bill No. 777.** A Bill for an Act to amend and reenact section 15-62-02 of the North Dakota Century Code, relating to scholarship loans, and making an appropriation.

Was read the first time and referred to the Committee on Education.

**House Bill No. 799.** A Bill for an Act to repeal section 54-17-05 of the North Dakota Century Code, relating to the powers of the governor as a member of the industrial commission.

Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 814.** A Bill for an Act to authorize the state board of higher education to transfer the custody and control of certain land presently under the custody and control of the Dickinson substation of the North Dakota state agricultural experiment station to the Dickinson state college for use by said college for the construction and maintenance of a stadium and supporting facilities, providing an appropriation, and declaring an emergency.

Was read the first time and referred to the Committee on Agriculture.

**House Bill No. 860.** A Bill for an Act to provide for the form of drivers licenses and relating to fees for costs of preparation and issuance.

Was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 884.** A Bill for an Act to amend and reenact sections 15-40-18 and 15-40-19, subsection 11 of section 57-01-06, and section 57-15-24 of the North Dakota Century Code, to delete the use of sales ratio studies in computing state aid to county equalization funds, and to provide that such study shall not apply to agricultural and ranch lands, and to repeal section 57-01-08, relating to the effective date when such study shall be used in regard to computing per-pupil payments.

Was read the first time and referred to the Committee on Education.

**House Bill No. 900.** A Bill for an Act to amend and reenact subsection 5 of section 39-04-19 of the North Dakota Century Code, relating to motor vehicle registration fees.

Was read the first time and referred to the Committee on Transportation.

#### MESSAGE FROM THE HOUSE

House Chamber  
Bismarck, February 16, 1967

Mr. President: I have the honor to transmit:

House Concurrent Resolution "U-1"  
House Concurrent Resolution "X-1"  
House Concurrent Resolution "Z-1"

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

Senator Lips moved that the Senate recess until 12:30 p.m., February 17, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary.

"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### FORTY-FIFTH DAY AFTER RECESS AND FORTY-SIXTH DAY

Bismarck, February 17, 1967

The Senate convened at 12:30 p.m., pursuant to recess taken, the President presiding.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolution:

Senate Concurrent Resolution "AAA"

And find the same correctly Engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Delayed Bills has had under consideration a Senate Bill to wit:

#### A BILL

For an Act to amend and reenact section 54-35-01 of the North Dakota Century Code, relating to the selection of members upon the legislative research committee.

And recommends the same be introduced.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

#### FIRST READING OF SENATE BILLS

The Committee on Delayed Bills introduced:

**Senate Bill No. 399.** A Bill for an Act to amend and reenact section 54-35-01 of the North Dakota Century Code, relating to the selection of members upon the legislative research committee.

Was read the first time and referred to the Committee on State and Federal Government.

#### FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

**House Concurrent Resolution "U-1".** A Concurrent Resolution urging the governor to organize committees on interstate relations.

Was read the first time and referred to the Committee on State and Federal Government.

**House Concurrent Resolution "X-1".** A Concurrent Resolution requesting the Army Corps of Engineers and the Bureau of Indian Affairs to take necessary action for the construction of a bridge over the Little Missouri arm of the Garrison Reservoir in Dunn county, North Dakota, on the Ft. Berthold Indian Reservation.

Was read the first time and referred to the Committee on State and Federal Government.

**House Concurrent Resolution "Z-1".** A Concurrent Resolution urging a reevaluation by the Congress of toll charges for use of the St. Lawrence Seaway.

Was read the first time and referred to the Committee on State and Federal Government.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred House Bill No. 534 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 Social Welfare and Veterans Affairs to whom was referred House Bill No. 537 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 House Bill No. 541 has had the same under consideration and recommends that the same be amended as follows:

In the first line of the title after the word "Act" delete the balance of the line.

Delete all of the second line of the title

In the third line of the title delete the words "not attend judicial council meetings and"

In the fourth line of the title delete the following ", 27-15-03,"

In the seventh line of the title delete the words "judicial council" and insert in lieu thereof "judges of supreme court and district courts"

In line 12 delete the words "judicial council" and insert in lieu thereof "judges of the supreme court and district courts"

In line 23 delete the words "judicial council" and insert in lieu thereof "judges of the supreme court and district courts" and delete the word "its" and insert in lieu thereof "their"

In line 24 delete the word "its" and insert in lieu thereof "their" and after the word "scheduled" delete the words "judicial council"

In line 27 delete the words "judicial council" and insert in lieu thereof "judges of the supreme court and district courts"

Delete all of lines 29 through 46

And renumber the lines accordingly

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 551 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 Bill No. 562 has had the same under consideration and recommends that the same be amended as follows:

In line 1 of the title following the word "section" insert the following: "40-57-09 of the North Dakota Century Code, and section"

In line 3 of the title following the word "bonds" insert the following: ", and declaring an emergency"

Following the enacting clause insert the following:

"SECTION 1. AMENDMENT.) Subsection 1 of Section 40-57-09 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. The maximum rate or rates of interest (((payable semiannually but not exceeding five per cent per annum,))) which such bonds shall bear;"

In line 1 delete the number "1" and insert in lieu thereof the number "2"

Following line 18 insert the following:

"SECTION 3. EMERGENCY.) This Act is hereby declared to be an emergency and shall be in full force and effect from and after its passage."

Renumber the lines accordingly

And when so amended recommends the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin 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. 564 has had the same under consideration and recommends that the same be returned to the Senate without recommendation.

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 House Bill No. 597 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 Bill No. 606 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 609 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 611 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. 612 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. 613 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. 615 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. 616 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin 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. 624 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. 625 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin 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. 650 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. 651 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. 652 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. 653 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. 654 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. 666 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 672 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 673 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 674 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 691 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. 694 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 705 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 section 41-01-19 of the North Dakota Century Code, relating to subordinated obligations under the Uniform Commercial Code and to amend and reenact section 41-02-35, subsection 3 of section 41-02-75, subsection 3 of section 41-02-81, subdivision f of subsection 4 of section 41-03-34, subsection 3 of section 41-03-57, subdivision b of subsection 2 of section 41-04-33, subsection 3 of section 41-07-15, subdivision b of subsection 1 of section 41-09-05, section 41-09-06, and subsection 2 of section 41-09-16 of the North Dakota Century Code, relating to the North Dakota Uniform Commercial Code in the areas of third party beneficiaries, defaults, payments, notices of dishonor, signatures, warehousemen's liens, chattel paper, and definitions, which all relate to corresponding provisions of the Uniform Commercial Code.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1.) Section 41-01-19 of the  
2 North Dakota Century Code, designated as section 1-209  
3 of the Uniform Commercial Code, is hereby created and  
4 enacted to read as follows:

5 41-01-19. (1-209) SUBORDINATED OBLIGATIONS.)  
6 An obligation may be issued as subordinated to payment  
7 of another obligation of the person obligated, or a  
8 creditor may subordinate his right to payment of an  
9 obligation by agreement with either the person  
10 obligated or another creditor of the person obli-  
11 gated. Such a subordination does not create a  
12 security interest as against either the common debtor  
13 or a subordinated creditor. This section shall be  
14 construed as declaring the law as it existed prior  
15 to the enactment of this section and not as modifying  
16 it.

17 SECTION 2. AMENDMENT.) Section 41-02-35  
18 of the North Dakota Century Code, designated as  
19 section 2-318 of the Uniform Commercial Code, is hereby  
20 amended and reenacted to read as follows:

21 41-02-35. (2-318) THIRD-PARTY BENEFICIARIES  
22 OF WARRANTIES EXPRESS OR IMPLIED.) A seller's  
23 warranty whether express or implied extends to any  
24 ((natural)) person who ((is in the family or house-  
25 hold of his buyer or who is a guest in his home if it  
26 is reasonable to expect that such person)) may reason-  
27 ably be expected to use, consume or be affected by the  
28 goods and who is injured ((in person)) by breach of  
29 the warranty. A seller may not exclude or limit the  
30 operation of this section with respect to injury to the  
31 person of an individual to whom the warranty extends.

32 SECTION 3. AMENDMENT.) Subsection 3 of  
33 section 41-02-75 of the North Dakota Century Code,  
34 designated as section 2-612 of the Uniform Commercial  
35 Code, is hereby amended and reenacted to read as follows:

36 3. Whenever nonconformity or default with respect  
37 to one or more installments substantially impairs the  
38 value of the whole contract there is a breach of the  
39 whole. But the aggrieved party reinstates the contract  
40 if he accepts a nonconforming installment without season-  
41 ably notifying ((the seller)) of cancellation or if  
42 he brings an action with respect only to past installments  
43 or demands performance as to future installments.

44 SECTION 4. AMENDMENT.) Subsection 3 of section  
45 41-02-81 of the North Dakota Century Code, designated  
46 as section 2-702 of the Uniform Commercial Code, is  
47 hereby amended and reenacted to read as follows:

48 3. The seller's right to reclaim under subsection  
49 2 is subject to the rights of a buyer in ordinary course  
50 or other good faith purchaser ((or lien creditor))  
51 under this chapter (section 41-02-48). Successful  
52 reclamation of goods excludes all other remedies with  
53 respect to them.

54 SECTION 5. AMENDMENT.) Subdivision f of subsection  
55 4 of section 41-03-34 of the North Dakota Century Code,  
56 designated as section 3-304 of the Uniform Commercial  
57 Code, is hereby amended and reenacted to read as follows:

58 f. that there has been default in payment of  
59 interest on the instrument or in payment of any  
60 other instrument, except one of the same series.

61 SECTION 6. AMENDMENT.) Subsection 3 of section

62 41-03-57 of the North Dakota Century Code, designated  
63 as section 3-501 of the Uniform Commercial Code, is  
64 hereby amended and reenacted to read as follows:

65 3. Unless excused (section 41-03-67) protest  
66 of any dishonor is necessary to charge the drawer and  
67 endorsers of any draft which on its face appears to  
68 be drawn or payable outside of the states ((( and  
69 territories of the United States and the District of  
70 Columbia))), territories, dependencies and possessions  
71 of the United States, the District of Columbia and the  
72 Commonwealth of Puerto Rico. The holder may at his  
73 option make protest of any dishonor of any other instru-  
74 ment and in the case of a foreign draft may on insolvency  
75 of the acceptor before maturity make protest for better  
76 security.

77 SECTION 7. AMENDMENT.) Subdivision  
78 b of subsection 2 of section 41-04-33 of the North  
79 Dakota Century Code, designated as section 4-406 of  
80 the Uniform Commercial Code, is hereby amended and  
81 reenacted to read as follows:

82 b. an (((authorized))) unauthorized signa-  
83 ture or alteration by the same wrongdoer  
84 on any other item paid in good faith by  
85 the bank after the first item and state-  
86 ment was available to the customer for a  
87 reasonable period not exceeding fourteen  
88 calendar days and before the bank receives  
89 notification from the customer of any  
90 such unauthorized signature or alteration.

91 SECTION 8. AMENDMENT.) Subsection 3  
92 of section 41-07-15 of the North Dakota Century Code,  
93 designated as section 7-209 of the Uniform Commercial  
94 Code, is hereby amended and reenacted to read as follows:

95 3. a. A warehouseman's lien for charges and  
96 expenses under subsection 1 or a security  
97 interest under subsection 2 is also effec-  
98 tive against any person who so entrusted  
99 the bailor with possession of the goods  
100 that a pledge of them by him to a good  
101 faith purchaser for value would have been  
102 valid but is not effective against a  
103 person as to whom the document confers  
104 no right in the goods covered by it under  
105 section 41-07-32.

106 b. A warehouseman's lien on household goods  
107 for charges and expenses in relation to  
108 the goods under subsection 1 is also  
109 effective against all persons if the  
110 depositor was the legal possessor of the  
111 goods at the time of deposit. "Household  
112 goods" means furniture, furnishings and  
113 personal effects used by the depositor  
114 in a dwelling.

115 SECTION 9. AMENDMENT.) Subdivision  
116 b of subsection 1 of section 41-09-05 of the North  
117 Dakota Century Code, designated as section 9-105 of  
118 the Uniform Commercial Code, is hereby amended and  
119 reenacted to read as follows:

120 b. "Chattel Paper" means a writing or writings  
121 which evidence both a monetary obligation  
122 and a security interest in or a lease of  
123 specific goods; a charter or other contract  
124 involving the use or hire of a vessel  
125 is not a chattel paper. When a transaction

126 is evidenced both by such a security agree-  
 127 ment or a lease and by an instrument or  
 128 a series of instruments, the group of  
 129 writings taken together constitutes chattel  
 130 paper;

131 SECTION 10. AMENDMENT.) Section  
 132 41-09-06 of the North Dakota Century Code, designated  
 133 as section 9-106 of the Uniform Commercial Code, is  
 134 hereby amended and reenacted to read as follows:

135 41-09-06. (9-106) DEFINITIONS —  
 136 "ACCOUNT" — "CONTRACT RIGHT" — "GENERAL  
 137 INTANGIBLES".) "Account" means any right to payment  
 138 for goods sold or leased or for services rendered  
 139 which is not evidenced by an instrument or chattel  
 140 paper. "Contract right" means any right to payment  
 141 under a contract not yet earned by performance and not  
 142 evidenced by an instrument or chattel paper. "General  
 143 intangibles" means any personal property (including  
 144 things in action) other than goods, accounts, (((contracts)))  
 145 contract rights, chattel paper, documents and instruments.  
 146 All rights earned or unearned under a charter or other  
 147 contract involving the use or hire of a vessel and all  
 148 rights incident to the charter or contract are contract  
 149 rights and neither accounts nor general intangibles.

150 SECTION 11. AMENDMENT.) Subsection  
 151 2 of section 41-09-16 of the North Dakota Century Code,  
 152 designated as section 9-203 of the Uniform Commercial  
 153 Code, is hereby amended and reenacted to read as follows:

154 2. A transaction, although subject to this chapter,  
 155 is also subject to chapters 10-18.1, 13-03, 35-05,  
 156 49-09, and 51-13 (((and section 28-29-07.1))), and  
 157 in the case of conflict between the provisions of  
 158 this chapter and any such statute, the provisions of  
 159 such statute control. Failure to comply with any  
 160 applicable statute has only the effect which is specified  
 161 therein."

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 712 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. 720 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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 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 re-

ferred House Bill No. 746 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESBROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 809 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. 839 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 Industry, Business and Labor to whom was referred House Bill No. 863 has had the same under consideration and recommends that the same be amended as follows:

In line 13 underscore the word "otherwise"

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 House Bill No. 926 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 Industry, Business and Labor to whom was referred House Concurrent Resolution "T" 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 Natural Resources to whom was referred House Concurrent Resolution "X" 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 Concurrent Resolution "C" has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin 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 "Q" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSACK, Chairman

Senator Ringsack 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 "CC" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSAK, Chairman

Senator Ringsak 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 "EE" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSAK, Chairman

Senator Ringsak moved that the report be adopted.

Senator Larsen requested a recorded vote, which request was granted.

#### ROLL CALL

The question being on the motion of Senator Ringsak, the roll was called and there were ayes, 25; nays, 22; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Holand	Morgan	Ruemmele
Becker	Jacobson	Nasset	Sands
Chesrown	Kautzmann	Rait	Schultz
Christensen	Lowe	Redlin	Sorlie
Forkner	Luick	Ringsak	Stroup
Geving	Meschke	Robinson	Wenstrom
Hernett			

Those voting in the negative were:

Butler	Kelly, E.	Litten	Roen
Coughlin	Kelly, M.	Longmire	Stafne
Decker	Larsen, R.	Melland	Torgerson
Freed	Larsen, G.	Nething	Trenbeath
Goldberg	Larsen, L.	Pyle	Wilhite
Hofstrand	Lips		

Absent and not voting:

Berube Mutch

So the motion carried.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution "MM" has had the same under consideration and a majority recommends that the same be indefinitely postponed.

For the majority:

Senator Holand  
 Senator Forkner  
 Senator Freed  
 Senator Goldberg  
 Senator Morgan  
 Senator Mutch  
 Senator Jacobson  
 Senator Stroup  
 Senator Meschke

SENATOR RINGSAK, Chairman

Senator Stroup moved that the report be adopted.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution "MM" has had the same under consideration and a minority recommends that the same do pass.

For the minority:

Senator Ringsak  
 Senator Sands

SENATOR RINGSAK, Chairman

Senator Ringsak moved that the report of the minority be substituted for the report of the majority, which motion lost.

The question being on the motion of Senator Stroup, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution "OO" has had the same under consideration and a majority recommends that the same do pass.

For the majority:

Senator Chesrown  
 Senator Longmire  
 Senator Torgerson  
 Senator Holand  
 Senator Stafne  
 Senator Ruemmele  
 Senator Wilhite  
 Senator Sands  
 Senator Meschke  
 Senator Freed

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted.

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution "OO" has had the same under consideration and a minority recommends that the same be indefinitely postponed.

For the minority

Senator Ringsak

SENATOR CHESROWN, Chairman

Senator Ringsak moved that the report of the minority be substituted for the report of the majority, which motion lost.

The question being on the motion of Senator Chesrown, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Concurrent Resolution "PP" has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

#### MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 17, 1967

Mr. President: I have the honor to return:

Senate Bill No. 10  
 Senate Bill No. 46

Which the House has amended as follows:

#### AMENDMENTS TO SENATE BILL NO. 10

In line 26 of the Bill delete the word "favitities" and in lieu thereof insert the word "facilities".

#### AMENDMENTS TO SENATE BILL NO. 46

Delete lines 2804 and 2805 and after the word "contractor" of line 2803 insert the following language:

"from liability for any failure on his part to perform work or furnish materials in accordance with the plans and specifications."

In line 3286 after the word "contractor" delete the following language: "not be construed as an acceptance of the" and insert in lieu thereof the following language:

"from liability for any failure on his part to perform work or furnish materials in accordance with the plans and specifications."

Delete all of line 3287

And renumber the lines accordingly,

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 17, 1967

Mr. President: I have the honor to return:

Senate Bill No. 11  
 Senate Bill No. 12  
 Senate Bill No. 23  
 Senate Bill No. 29  
 Senate Bill No. 69  
 Senate Bill No. 77  
 Senate Bill No. 78  
 Senate Bill No. 110  
 Senate Bill No. 135  
 Senate Bill No. 139  
 Senate Bill No. 143  
 Senate Bill No. 150  
 Senate Bill No. 159  
 Senate Bill No. 176  
 Senate Bill No. 178  
 Senate Bill No. 232  
 Senate Bill No. 276  
 Senate Bill No. 384

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk.

House Chamber

Bismarck, February 17, 1967

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill Nos. 515, 525 and 553.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 17, 1967

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill Nos. 506 and 528 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, (506) Reps. Jenkins, Olienyk and Solberg, 9th Dist.; (528) Davis, Peterson, 5th Dist., and Williamson.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 17, 1967

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Concurrent Resolution "K".

ROY GILBREATH, Chief Clerk

#### MOTION

Senator Wilhite moved that the Senate reconsider the action by which House Bill No. 721 was indefinitely postponed, which motion prevailed.

Senator Wilhite moved that the committee report on House Bill No. 721 be laid over one legislative day, which motion prevailed.

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

#### APPOINTMENT OF CONFERENCE COMMITTEE



The President appointed as a Conference Committee on Senate Bill No. 506, Senators Melland, Litten and Christensen.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on Senate Bill No. 528, Senators Robinson, Wenstrom and Kelly (Milton).

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 17, 1967

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, to serve on House Bill No. 506, Senators Melland, Litten and Christiansen.

To serve on House Bill No. 528, Senators Robinson, Wenstrom and Kelly (Milton).

LEO LEIDHOLM, Secretary

#### MOTION

Senator Becker moved that House Bill No. 928 be returned to the Senate from the Committee on Finance and Taxation, which motion prevailed.

Senator Becker moved that House Bill No. 928 be rereferred to the Committee on Agriculture, which motion prevailed.

Senator Lips moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair, pursuant to recess taken, the President presiding.

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 17, 1967

Mr. President: I have the honor to return:

Senate Bill No. 5  
 Senate Bill No. 9  
 Senate Bill No. 13  
 Senate Bill No. 15  
 Senate Bill No. 16  
 Senate Bill No. 18  
 Senate Bill No. 19  
 Senate Bill No. 24  
 Senate Bill No. 27  
 Senate Bill No. 28  
 Senate Bill No. 42  
 Senate Bill No. 49  
 Senate Bill No. 68  
 Senate Bill No. 70  
 Senate Bill No. 72  
 Senate Bill No. 134  
 Senate Bill No. 203  
 Senate Bill No. 253  
 Senate Bill No. 284

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

#### MOTIONS

Senator Becker moved that the Senate reconsider the action by which House Bills Nos. 560 and 840 were passed, which motion prevailed.

Senator Becker moved that House Bills Nos. 560 and 840 be rereferred to the Committee on Finance and Taxation, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

Senator Lips moved that the reading of the amendments to House Bills Nos. 508, 598, 811 and Senate Concurrent Resolution "V", be dispensed with, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 508 as recommended by the Committee on Appropriations, and printed on page 585 of the Senate Journal, be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 598 as recommended by the Committee on Agriculture, and printed on pages 585 and 586 of the Senate Journal, be adopted, which motion prevailed.

Senator Hernett moved that the amendments to House Bill No. 811 as recommended by the Committee on Industry, Business and Labor, and printed on pages 587 and 588 of the Senate Journal, be adopted, which motion prevailed.

Senator Ringsak moved that the amendments to Senate Concurrent Resolution "V" as recommended by the Committee on State and Federal Government, and printed on page 588 of the Senate Journal, be adopted, which motion prevailed.

Senator Schultz moved that the absent Senators be excused, which motion prevailed.

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

## FORTY-SIXTH DAY

Bismarck, February 17, 1967

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Senator Guy Larson, Bismarck.

Roll call: All Senators present except Senators Coughlin, Mutch and Stafne.

A quorum was declared by the President.

## CORRECTION AND REVISION

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 LOWE, Chairman

Senator Lowe moved that the report be adopted, which motion prevailed.

## SECOND READING OF HOUSE BILLS

**House Bill No. 561.** For an Act to amend and reenact sections 15-40-16, 15-40-19, and 15-40-29 of the North Dakota Century Code, relating to the time state and local school foundation payments shall be made.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, on page 524 of the Senate Journal, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson
Berube	Jacobson	Luick	Roen
Butler	Kautzmann	Melland	Ruemmele
Chesrown	Kelly, E.	Meschke	Sands
Christensen	Kelly, M.	Morgan	Schultz
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larsen, G.	Nething	Trenbeath

Freed	Larson, L.	Pyle	Wenstrom
Geving	Lips	Rait	Wilhite
Goldberg	Litten		
Absent and not voting:			
Coughlin	Mutch	Sorlie	Torgerson
Holand	Redlin	Stafne	

So the bill passed and the title was agreed to, and the emergency clause carried.

**House Bill No. 566.** A Bill for an Act to make a deficiency appropriation to pay salaries and wages of the Grafton state school, and declaring an emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Jacobson	Luick	Ruemmele
Butler	Kautzmann	Melland	Sands
Chesrown	Kelly, E.	Meschke	Schultz
Christensen	Kelly, M.	Morgan	Stroup
Decker	Larsen, R.	Nasset	Torgerson
Forkner	Larson, G.	Nething	Trenbeath
Freed	Larson, L.	Pyle	Wenstrom
Geving	Lips	Rait	Wilhite
Goldberg	Litten	Ringsak	
Absent and not voting:			
Coughlin	Mutch	Sorlie	Stafne
Holand	Redlin		

So the bill passed and the title was agreed to, and the emergency clause carried.

**House Bill No. 599.** A Bill for an Act to amend and reenact section 4-30-46 of the 1965 Supplement to the North Dakota Century Code, relating to the reporting of milk and milk products.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Robinson
Becker	Jacobson	Luick	Roen
Berube	Kautzmann	Melland	Ruemmele
Butler	Kelly, E.	Meschke	Sands
Chesrown	Kelly, M.	Morgan	Schultz
Christensen	Larsen, R.	Nasset	Stroup
Decker	Larson, G.	Nething	Torgerson
Forkner	Larson, L.	Pyle	Trenbeath
Freed	Lips	Rait	Wenstrom
Geving	Litten	Redlin	Wilhite
Goldberg	Longmire	Ringsak	
Absent and not voting:			
Coughlin	Holand	Sorlie	Stafne
Hofstrand	Mutch		

So the bill passed and the title was agreed to.

**House Bill No. 618.** A Bill for an Act to amend and reenact subsection 6 of section 12-41-11 of the 1965 Supplement to the North Dakota Century Code, relating to the malicious injury to a freehold.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson
Berube	Jacobson	Luick	Roen
Butler	Kautzmann	Melland	Ruemmele
Chesrown	Kelly, E.	Meschke	Sands
Christensen	Kelly, M.	Morgan	Schultz
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nothing	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite

Absent and not voting:

Coughlin	Mutch	Sorlie	Stafne
Holand			

So the bill passed and the title was agreed to.

**House Bill No. 658.** A Bill for an Act to amend and reenact sections 19-06-03 and 19-06-04 of the North Dakota Century Code, relating to the wholesale or retail sale of ice milk, and to provide that current licenses shall be extended.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson
Berube	Jacobson	Luick	Roen
Butler	Kautzmann	Melland	Ruemmele
Chesrown	Kelly, E.	Meschke	Sands
Christensen	Kelly, M.	Morgan	Schultz
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nothing	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite

Absent and not voting:

Coughlin	Mutch	Sorlie	Stafne
Holand			

So the bill passed and the title was agreed to.

**House Bill No. 660.** A Bill for an Act to amend and reenact section 24-02-39 of the North Dakota Century Code relating to highway department building limitations.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 6; absent and not voting, 5.

Those voting in the affirmative were:

Beck	Hofstrand	Longmire	Redlin
Becker	Jacobson	Lowe	Ringsak
Berube	Kautzmann	Luick	Robinson
Butler	Kelly, E.	Melland	Roen

Chesrown	Kelly, M.	Meschke	Ruemmele
Christensen	Larsen, R.	Morgan	Sands
Decker	Larson, G.	Nasset	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Goldberg	Lips	Rait	Wenstrom
Hernett	Litten		

Those voting in the negative were:

Freed	Nething	Trenbeath	Wilhite
Geving	Schultz		

Absent and not voting:

Coughlin	Mutch	Sorlie	Stafne
Holand			

So the bill passed and the title was agreed to.

**House Bill No. 678.** A Bill for an Act to amend and reenact section 6-05-15.1 of the 1965 Supplement to the North Dakota Century Code, regarding commingling of trust 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, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Jacobson	Luick	Ruemmele
Butler	Kautzmann	Melland	Sands
Chesrown	Kelly, E.	Meschke	Schultz
Christensen	Kelly, M.	Morgan	Stroup
Decker	Larsen, R.	Nething	Torgerson
Forkner	Larson, G.	Pyle	Trenbeath
Freed	Larson, L.	Rait	Wenstrom
Geving	Lips	Redlin	Wilhite
Goldberg	Litten	Ringsak	

Absent and not voting:

Coughlin	Mutch	Sorlie	Stafne
Holand	Nasset		

So the bill passed and the title was agreed to.

**House Bill No. 685.** A Bill for an Act to amend and reenact section 62-03-01 of the North Dakota Century Code, relating to prohibition against carrying concealed weapons or firearms.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 2; absent and not voting, 6.

Those voting in the affirmative were:

Beck	Hernett	Litten	Redlin
Becker	Hofstrand	Longmire	Robinson
Berube	Jacobson	Lowe	Roen
Butler	Kautzmann	Luick	Ruemmele
Chesrown	Kelly, E.	Melland	Sands
Christensen	Kelly, M.	Meschke	Stroup
Decker	Larsen, R.	Nasset	Torgerson
Forkner	Larson, G.	Nething	Trenbeath
Freed	Larson, L.	Pyle	Wenstrom
Geving	Lips	Rait	Wilhite
Goldberg			

Those voting in the negative were:

Morgan Ringsak

Absent and not voting:

Coughlin Mutch Sorlie Stafne  
Holand Schultz

So the bill passed and the title was agreed to.

**House Bill No. 692.** A Bill for an Act to amend and reenact section 43-15-17 of the North Dakota Century Code, relating to qualifications of assistant registered pharmacist.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Ringsak
Becker	Hofstrand	Luick	Robinson
Berube	Jacobson	Melland	Roen
Butler	Kautzmann	Meschke	Ruemmele
Chesrown	Kelly, E.	Morgan	Sands
Christensen	Kelly, M.	Nasset	Schultz
Decker	Larsen, R.	Nothing	Stroup
Forkner	Larson, G.	Pyle	Trenbeath
Freed	Larson, L.	Rait	Wenstrom
Geving	Lips	Redlin	Wilhite
Goldberg	Litten		

Absent and not voting:

Coughlin Longmire Sorlie Torgerson  
Holand Mutch Stafne

So the bill passed and the title was agreed to.

**House Bill No. 708.** A Bill for an Act to repeal section 27-09-04 of the North Dakota Century Code, relating to when female persons shall be excused from jury service.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 3; absent and not voting, 9.

Those voting in the affirmative were:

Becker	Kautzmann	Luick	Robinson
Berube	Kelly, E.	Melland	Roen
Chesrown	Kelly, M.	Meschke	Ruemmele
Christensen	Larsen, R.	Morgan	Sands
Decker	Larson, G.	Nasset	Schultz
Forkner	Larson, L.	Nothing	Stroup
Freed	Lips	Rait	Torgerson
Geving	Litten	Redlin	Wenstrom
Hernett	Lowe	Ringsak	Wilhite
Jacobson			

Those voting in the negative were:

Beck Butler Goldberg

Absent and not voting:

Coughlin Longmire Pyle Stafne  
Hofstrand Mutch Sorlie Trenbeath  
Holand

So the bill passed and the title was agreed to.

## MOTION

Senator Ringsak moved that House Bill No. 718 be re-referred to the Committee on Judiciary, which motion prevailed.

## MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 17, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 579  
 House Bill No. 589  
 House Bill No. 591  
 House Bill No. 601  
 House Bill No. 602  
 House Bill No. 631  
 House Bill No. 632  
 House Bill No. 642  
 House Bill No. 656  
 House Bill No. 701  
 House Bill No. 763  
 House Bill No. 768  
 House Bill No. 882  
 House Bill No. 929

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

## SECOND READING OF HOUSE BILLS

**House Bill No. 748.** A Bill for an Act to amend and reenact section 29-06-15 of the North Dakota Century Code, relating to arrests without a warrant.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 7; absent and not voting, 6.

Those voting in the affirmative were:

Beck	Goldberg	Larson, L.	Roen
Becker	Hernett	Lips	Ruemmele
Berube	Hofstrand	Litten	Sands
Butler	Jacobson	Lowe	Schultz
Chesrown	Kautzmann	Luick	Stroup
Decker	Kelly, E.	Nasset	Torgerson
Forkner	Kelly, M.	Pyle	Trenbeath
Freed	Larsen, R.	Redlin	Wenstrom
Geving	Larson, G.	Robinson	Wilhite

Those voting in the negative were:

Christensen	Meschke	Nothing	Ringsak
Melland	Morgan	Rait	

Absent and not voting:

Coughlin	Longmire	Sorlie	Stafne
Holand	Mutch		

So the bill passed and the title was agreed to.

**House Bill No. 772.** A Bill for an Act to create and enact subsection 4 of section 43-23-06 and to amend and reenact section 43-23-05, subsection 3 of section 43-23-06, sections 43-23-07, 43-23-08, 43-23-09, 43-23-10, 43-23-11, 43-23-12, 43-23-13, and 43-23-14 of the North Dakota Century Code, relating to licensing real estate mortgage brokers.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 34; nays, 9; absent and not voting, 6.

Those voting in the affirmative were:

Beck	Hernett	Litten	Robinson
Becker	Hofstrand	Lowe	Ruemmele
Butler	Jacobson	Luick	Schultz
Christensen	Kelly, E.	Melland	Stroup
Decker	Kelly, M.	Nasset	Torgerson
Forkner	Larsen, R.	Nething	Trenbeath
Freed	Larson, G.	Pyle	Wenstrom
Geving	Larson, L.	Redlin	Wilhite
Goldberg	Lips		

Those voting in the negative were:

Berube	Meschke	Rait	Roen
Chesrown	Morgan	Ringsak	Sands
Kautzmann			

Absent and not voting:

Coughlin	Longmire	Sorlie	Stafne
Holand	Mutch		

So the bill passed and the title was agreed to.

**House Bill No. 782.** 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, providing limitations thereon, and to repeal sections 10-06-01, 10-06-02, 10-06-03, and 10-06-05 of the North Dakota Century Code, relating to the prohibition of corporate farming.

Was read the second time.

Senator Hofstrand moved that House Bill No. 782 be laid over one legislative day, which motion prevailed.

**House Bill No. 873.** A Bill for an Act making an appropriation to the state historical board for salaries and wages for the period beginning January 1, 1967, and ending June 30, 1967, 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, 38; nays, 5; absent and not voting, 6.

Those voting in the affirmative were:

Beck	Jacobson	Meschke	Roen
Becker	Kautzmann	Morgan	Ruemmele
Berube	Kelly, E.	Nasset	Sands
Chesrown	Kelly, M.	Nething	Schultz
Christensen	Larsen, R.	Pyle	Stroup
Decker	Larson, G.	Rait	Torgerson
Forkner	Larson, L.	Redlin	Trenbeath
Geving	Lips	Ringsak	Wenstrom
Hernett	Lowe	Robinson	Wilhite
Hofstrand	Luick		

Those voting in the negative were:

Butler	Goldberg	Litten	Melland
Freed			

Absent and not voting:

Coughlin	Longmire	Sorlie	Stafne
Holand	Mutch		

So the bill passed and the title was agreed to and the emergency clause carried.

### MOTION

Senator Lips moved that Senate Concurrent Resolution "D-D" be re-referred to the Legislative Research Resolutions Committee, which motion prevailed.



**SECOND READING OF SENATE CONCURRENT RESOLUTIONS**

**Senate Concurrent Resolution "JJ".** A concurrent resolution relating to prefiling and printing of bills in advance of sessions of the legislative assembly.

Was read the second time.

Senator Hernet moved that Senate Concurrent Resolution "J-J" be adopted, which motion prevailed.

**Senate Concurrent Resoluion "BBB".** A Concurrent Resolution directing the legislative research committee to conduct a study of state government reorganization for the establishment of a department of state business operations for the purpose of consolidating functions, improving services to the public and conserving governmental revenues, and to draft such legislation as shall be deemed advisable and to hold hearings thereon for presentation to and consideration by the Forty-first Legislative Assembly.

Was read the second time.

Senator Lips moved that Senate Concurrent Resolution "BBB" be amended as follows:

In line 23 delete the words "HOUSE OF REPRESENTATIVES" and insert in lieu thereof the word "SENATE".

In line 24 delete the word "SENATE" and insert in lieu thereof the words "HOUSE OF REPRESENTATIVES"

Which motion prevailed.

Senator Lips moved that the rules be suspended and that Senate Concurrent Resolution "BBB" be deemed properly re-engrossed, which motion prevailed.

Senator Lips moved that Senate Concurrent Resolution "BBB" be re-referred to the Legislative Research Resolutions Committee, which motion prevailed.

**MOTION**

Senator Lips moved that Senate Concurrent Resolution "HHH" be re-referred to the Legislative Research Resolutions Committee, which motion prevailed.

Senator Lips moved that the Senate recess until 12:30 p.m., February 18, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary



# Journal of the Senate



## Fortieth Legislative Assembly

### FORTY-SIXTH DAY AFTER RECESS AND FORTY-SEVENTH DAY

Bismarck, February 18, 1967

The Senate convened at 12:30 p.m., pursuant to recess taken, the President presiding.

### MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 18, 1967

Mr. President: I have the honor to return:

Senate Bill No. 51  
Senate Bill No. 113  
Senate Bill No. 119  
Senate Bill No. 127  
Senate Bill No. 130  
Senate Bill No. 136  
Senate Bill No. 138  
Senate Bill No. 142  
Senate Bill No. 167  
Senate Bill No. 181  
Senate Bill No. 194  
Senate Bill No. 198  
Senate Bill No. 210  
Senate Bill No. 216  
Senate Bill No. 255  
Senate Bill No. 312  
Senate Bill No. 317  
Senate Bill No. 322  
Senate Bill No. 334  
Senate Bill No. 378

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 18, 1967

Mr. President: I have the honor to return:

Senate Bill No. 76  
Senate Bill No. 175  
Senate Bill No. 347

Which the House has amended as follows:

### AMENDMENTS TO SENATE BILL NO. 76

Delete everything after the words "A BILL" and insert in lieu thereof the following language:

"For an Act to amend and reenact section 54-16-06 of the North Dakota Century Code, relating to reports by boards and officers when expenditures are authorized by the emergency commission.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 54-16-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-16-06. REPORT TO (((GOVERNOR))) EMERGENCY COMMISSION AND LEGISLATIVE AUDIT AND FISCAL REVIEW COMMITTEE BY BOARD OR OFFICER WHEN EXPENDITURE AUTHORIZED.) The chairman of any board, or any officer authorized by the emergency commission to make extraordinary expenditures, or to make use of funds transferred or made available through an order of the emergency commission, shall make an itemized report to the (((governor))) secretary of the emergency commission and the chairman of the legislative audit and fiscal review committee under oath, (((within two weeks after the close of each month))) at the close of each quarter during which any money shall have been expended or any liability incurred pursuant to the order of the emergency commission. The report shall show the amount of money expended and for what purpose, and what contracts have been made involving the expenditure of money in the future. The time covered by such report shall be the (((calendar month))) quarter next preceding the date of said report."

And renumber the lines accordingly.

#### AMENDMENTS TO SENATE BILL NO. 175

In line 10 of the bill, following the word "of" place triple parentheses around the word "net" and insert the word "taxable" in lieu thereof

In line 12 of the bill, following the word "all" place triple parentheses around the word "net" and insert the word "taxable" in lieu thereof

In line 15 of the bill, following the word "all" place triple parentheses around the word "net" and insert the word "taxable" in lieu thereof

In line 18 of the bill, following the word "all" place triple parentheses around the word "net" and insert the word "taxable" in lieu thereof

#### AMENDMENTS TO SENATE BILL NO. 347

In line 1 of the title delete the word "repeal" and insert in lieu thereof the words "amend and reenact"

Delete all material on lines 1 through 3 inclusive and insert the following in lieu thereof:

"SECTION 1. AMENDMENT.) Section 57-38-36 of the 1963 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-38-36. WHEN PAYMENT OF TAX MAY BE MADE IN QUARTERLY INSTALLMENTS.) If the total tax exceeds one hundred dollars it may be paid in quarterly installments, and if paid in such installments, the first installment shall be paid at the time fixed by this chapter for filing the return, the second installment shall be paid on the fifteenth day of the third month, the third installment on the fifteenth day of the sixth month, and the fourth installment on the fifteenth day of the ninth month after the time fixed by law for filing the return. Interest at the rate of six percent per annum shall be charged on all unpaid installment balances during the period from the date fixed by this chapter for filing the return and the date payment of the installment is due. If a taxpayer elects under the provisions of this section to pay the tax in installments, any installment may be paid prior to the date prescribed for its payment. If an installment is not paid in full on or before the date fixed for its payment the whole amount of the unpaid tax shall be paid upon notice and demand from the tax commissioner, and penalty and interest, as provided in sections 57-38-43 and 57-38-45, shall attach, from and after the time of the

failure to make such timely payment, to the whole amount of the unpaid tax."

And renumber the lines accordingly.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 18, 1967

Mr. President: I have the honor to transmit:

House Bill No. 507

House Bill No. 510

House Bill No. 518

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign

House Bill No. 507

House Bill No. 510

House Bill No. 518

And the President signed the same in the presence of the Senate.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolutions:

Senate Concurrent Resolution "V"

Senate Concurrent Resolution "BBB"

And find the same correctly Engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

Senator Lips moved that the reading of the amendments to House Bills Nos. 541, 562, 705 and 863, be dispensed with, which motion prevailed.

Senator Ringsak moved that the amendments to House Bill No. 541 as recommended by the Committee on Judiciary, and printed on page 604 of the Senate Journal, be adopted, which motion prevailed.

Senator Ruemmele moved that the amendments to House Bill No. 562 as recommended by the Committee on Political Subdivisions, and printed on pages 604 and 605 of the Senate Journal, be adopted, which motion prevailed.

Senator Ringsak moved that the amendments to House Bill No. 705 as recommended by the Committee on Judiciary, and printed on pages 607 to 610 of the Senate Journal, be adopted, which motion prevailed.

Senator Decker moved that the amendments to House Bill No. 863 as recommended by the Committee on Industry, Business and Labor, and printed on page 611 of the Senate Journal, be adopted, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 760 has had the same under consideration and recommends that the same be amended as follows:

In line 5 delete the triple parentheses around the first word "first" and delete the word "sixteenth"

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.

## SECOND READING OF SENATE CONCURRENT RESOLUTIONS

**Senate Concurrent Resolution "C".** A concurrent resolution directing the legislative research committee to study and determine those powers and rights to be granted to home rule cities as presently authorized under section 130 of the state Constitution.

Was read the second time.

Senator Lips moved that Senate Concurrent Resolution "C" be re-referred to the Legislative Research Resolutions Committee, which motion prevailed.

**Senate Concurrent Resolution "V".** A Concurrent Resolution directing the Legislative Research Committee to carry out a comprehensive study of unemployment insurance coverage for state, county and municipal employees.

Was read the second time.

Senator Lips moved that Senate Concurrent Resolution "V" be re-referred to the Legislative Research Resolutions Committee, which motion prevailed.

**Senate Concurrent Resolution "O-O".** A Concurrent Resolution for the amendment of section 121 of the Constitution of the state of North Dakota, relating to the elective franchise lowering the voting age from twenty-one to nineteen.

Was read the second time.

Senator Lips moved that Senate Concurrent Resolution "O-O" be placed at the foot of the calendar, which motion prevailed.

**Senate Concurrent Resolution "P-P".** A Concurrent Resolution for the amendment of the Constitution of the state of North Dakota, relating to issuance of dedicated revenue bonds by political subdivisions of the state and providing the methods for repayment thereof.

Was read the second time.

Senator Trenbeath moved that Senate Concurrent Resolution "P-P" be placed at the foot of the calendar, which motion prevailed.

## REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 558 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 560 has had the same under consideration and recommends that the same be amended as follows:

In line 8 insert triple parentheses before the word "or" and after the word "village"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to

whom was referred House Bill No. 711 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker 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. 714 has had the same under consideration and recommends that the same be amended as follows:

In line 10 insert triple parentheses before the word "village" and after the comma before the word "and"

In line 40 after the word "competitive" insert the word "sealed" and after the word "through" insert the following "the fire and tornado fund which shall be invited to submit a sealed bid or"

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 Finance and Taxation to whom was referred House Bill No. 778 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker 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 be amended as follows:

In line 34 delete the word "village" and the comma before the word "city"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 840 has had the same under consideration and recommends that the same be amended as follows:

In line 8 insert triple parentheses before the word "or" and after the word "clerk"

In line 31 insert triple parentheses before the word "or" and after the word "clerk"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Senator Schultz moved that the absent Senators be excused, which motion prevailed.

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

#### FORTY-SEVENTH DAY

Bismarck, February 18, 1967

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Father F. J. Dolan, Corpus Christi Roman Catholic Church, Bismarck.

In the name of the Father, and of the Son, and of the Holy Spirit. Amen.

We ask your blessing upon us, O God, in the work which we have undertaken. Grant us to be wise and dispassionate, so that true to our political principles, we may pursue those courses of action which will most effectively produce the spiritual and material good of the citizens of our State.

In the name of the Father, and of the Son, and of the Holy Spirit. Amen.

Roll call: Senators present, Becker, Hernet, Kautzmann, Milton Kelly, Lester Larson, Lips, Lowe, Luick, Morgan, Nasset, Rait, Ringsak, Ruemmele, Torgerson, Wenstrom and Wilhite.

Senators absent, Beck, Berube, Butler, Chesrown, Christensen, Coughlin, Decker, Forkner, Freed, Geving, Goldberg, Hofstrand, Holand, Jacobson, Earl Kelly, Richard Larsen, Guy Larson, Litten, Longmire, Melland, Meschke, Mutch, Nething, Pyle, Redlin, Robinson, Roen, Sands, Schultz, Sorlie, Stafne, Stroup, and Trenbeath.

The President announced that the Senate lacked a quorum.

Senator Lips moved that the Senate recess until 12:30 p.m., February 20, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary



"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### FORTY-SEVENTH DAY AFTER RECESS AND FORTY-NINTH DAY

Bismarck, February 20, 1967

The Senate convened at 12:30 p.m., pursuant to recess taken, the President presiding.

Roll call: All Senators present except Senators Beck, Berube, Forkner, Guy Larson, Luick and Mutch.

A quorum was declared by the President.

#### CORRECTION AND REVISION

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 recommends that the same be corrected as follows:

On page 615, in lines 2 and 5 delete the word "Senate" and insert the word "House"

On page 621, delete all of line 10 (House Bill No. 589)

And when so corrected recommends that the same be approved.

SENATOR LOWE, Chairman

Senator Lowe moved that the report be adopted, which motion prevailed.

#### REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- Senate Bill No. 5
- Senate Bill No. 9
- Senate Bill No. 11
- Senate Bill No. 12
- Senate Bill No. 13
- Senate Bill No. 16
- Senate Bill No. 19
- Senate Bill No. 23
- Senate Bill No. 24
- Senate Bill No. 27
- Senate Bill No. 28
- Senate Bill No. 29
- Senate Bill No. 42
- Senate Bill No. 49
- Senate Bill No. 68
- Senate Bill No. 69
- Senate Bill No. 70
- Senate Bill No. 72
- Senate Bill No. 176
- Senate Bill No. 178

Senate Bill No. 203  
 Senate Bill No. 232  
 Senate Bill No. 253  
 Senate Bill No. 276  
 Senate Bill No. 284  
 Senate Bill No. 384

And find the same correctly Enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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 resolutions:

Senate Resolution No. 3  
 Senate Concurrent Resolution "Z"  
 Senate Concurrent Resolution "GG"  
 Senate Concurrent Resolution "VV"

And find the same correctly Enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

Senator Lips moved that the reading of the amendments to House Bills Nos. 560, 714, 760, 826, and 840, be dispensed with, which motion prevailed.

Senator Becker moved that the amendments to House Bill No. 560 as recommended by the Committee on Political Subdivisions, and printed on page 628 of the Senate Journal, be adopted, which motion prevailed.

Senator Hernettt moved that the amendments to House Bill No. 714 as recommended by the Committee on Industry, Business and Labor, and printed on page 629 of the Senate Journal, be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to House Bill No. 760 as recommended by the Committee on Natural Resources, and printed on pages 627 and 628 of the Senate Journal, be adopted, which motion prevailed.

Senator Becker moved that the amendments to House Bill No. 826 as recommended by the Committee on Finance and Taxation, and printed on page 629 of the Senate Journal, be adopted, which motion prevailed.

Senator Becker moved that the amendments to House Bill No. 840 as recommended by the Committee on Finance and Taxation, and printed on page 629 of the Senate Journal, be adopted, which motion prevailed.

#### MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 20, 1967

Mr. President: I have the honor to return:

Senate Bill No. 48

Which the House has killed.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 20, 1967

Mr. President: I have the honor to return:

Senate Bill No. 156

Senate Bill No. 162

Senate Bill No. 241

Which the House has indefinitely postponed.

ROY GILBREATH, Chief Clerk

#### REPORTS OF STANDING COMMITTEES

The question being on the motion of Senator Hernettt that the Committee report on House Bill No. 721 recommending indefinite postponement, which report was laid over one legislative day, 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 \$544,100.00 and insert in lieu thereof \$522,419.00

In line 7 delete the figure \$122,600.00 and insert in lieu thereof \$114,839.00

In line 8 delete the figure \$306,400.00 and insert in lieu thereof \$305,000.00

In line 10 delete the figure \$2,000.00 and insert in lieu thereof \$1,980.00

Delete all of line 14

In line 15 delete the figure \$544,100.00 and insert in lieu thereof \$522,419.00

And renumber the lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee decreased this budget by \$21,681.00, thereby restoring the budget as recommended by the executive office of the budget, to curb the danger of depleting the reserves of the State Wheat Commission.

SENATOR SORLIE, Chairman

Senator Melland moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 585 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 596 has had the same under consideration and a majority recommends that the same be amended as follows:

In line 189 after the word "dealer" insert the following "comma"; delete the word "or"; after the word "consumer" insert the words "or producer"

Between lines 545 and 546 in SECTION 18 of the bill, insert a new paragraph, reading as follows: "Nothing contained in this Act shall be construed to prohibit the issuing of trading stamps in numbers customary in normal trade, but no trading stamp bonuses shall be given for milk products as defined herein."

After line 584 and before line 585 insert the following new section:

"SECTION 20. REFERENDUM — PETITIONS — CONTENTS.)

Any time after three years of the effective date of this Act, on petition of twenty-five percent of the total members of the Milk Producers Association of North Dakota covered by the provisions of this Act, said petitioners residng in at least twenty-seven differ-

ent counties in this State, the commissioner of agriculture shall conduct a referendum by secret ballot by mail, in accordance with rules established by the commissioner of agriculture, and shall report the results of the referendum to the next legislative assembly that meets thereafter."

And renumber the lines and sections accordingly.

For the majority:

Senator Morgan  
 Senator Hofstrand  
 Senator Redlin  
 Senator Trenbeath  
 Senator Becker  
 Senator Jacobson  
 Senator Nasset  
 Senator Roen

And when so amended recommends the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 596 has had the same under consideration and a minority recommends that the same be amended as follows:

In line 189 after the word "dealer" insert the following "comma"; delete the word "or"; after the word "consumer" insert the words "or producer"

Between lines 545 and 546 in SECTION 18 of the bill, insert a new paragraph, reading as follows: "Nothing contained in this Act shall be construed to prohibit the issuing of trading stamps in numbers customary in normal trade, but no trading stamp bonuses shall be given for milk products as defined herein."

After line 584 and before line 585 insert the following new section:

"SECTION 20. REFERENDUM — PETITIONS — CONTENTS.)

Any time after three years of the effective date of this Act, on petition of twenty-five percent of the total members of the Milk Producers Association of North Dakota covered by the provisions of this Act, said petitioners residing in at least twenty-seven different counties in this State, the commissioner of agriculture shall conduct a referendum by secret ballot by mail, in accordance with rules established by the commissioner of agriculture, and shall report the results of the referendum to the next legislative assembly that meets thereafter."

And renumber the lines and sections accordingly.

For the minority:

Senator Pyle  
 Senator Berube  
 Senator Schultz

And when so amended recommends that the same be indefinitely postponed.

SENATOR MORGAN, Chairman

Senator Pyle moved that the report of the minority be substituted for that of the majority.

Senator Pyle: Mr. President. Members of the Senate. With your permission I would like to have these remarks printed in the Journal.

Mr. President. Gentlemen of the Senate:

I rise in opposition to House Bill No. 596. I am a farmer and I have been plain sick of controls for a number of years.

I have heard many hours of testimony on this milk bill. I told the people who approached me before the session that I did not

believe this was the solution to the producer's problem. They have continued to try to wear me down ever since that day, but every day I become more convinced this is not the answer.

Supply and demand is eventually the only thing that will make milk production a paying proposition. If you try to set a floor at a price that will make it possible for the inefficient producer to stay in business, then you must of necessity control the production, or what is to keep every Tom, Dick and Harry from getting into the business.

This Bill proposes to set up a little Gestapo which has the right to walk into every creamery, store, or anyone connected to the industry and say "I want to see your books." When we have looked at your books we'll tell you how much you need to pay and charge for your product and you must pay and charge what we tell you.

Gentlemen of the Senate, when you as businessmen or farmers have some phase of your business that is not in your estimation giving you enough return on your investment to satisfy you, you have the right to discontinue that part of your business, don't you.

If this milk bill is as good as its proponents say it is, and if milk is absolutely as necessary a product as they claim it is, then an association of the milk producers run by themselves to promote the sale of milk products ought to be able to do the job.

The fact that we as legislators are being asked to make laws with very sharp teeth in them to force a product down someone's throat doesn't sound like free enterprise to me.

I have a relative who has milked cows all his life. He has worked harder than most men to make a go of the dairy business. He also is on a creamery board so he understands both sides of the business and realizes its problems. He told me a few weeks ago that there is just too much milk being produced now, and that with the methods of transportation available for moving the product around, there is no such thing as a local market.

He told me that the only hope he has is that if enough more farmers get discouraged and quit, and if he can hold on, perhaps the supply and demand will even up someday.

The dairy business is just like the rest of the farm business. We have had to use every new angle to increase our production per acre or unit even though our cost may not have been warranted.

We have been given figures that show a 33% North Dakota decline in milk cow numbers in a ten year period from 1954 to 1964, yet the milk production has only declined 6½%.

The clamor has been, give the milk producers a chance to try this plan out. It won't cost the state anything. I can't go along with that.

I think the only milk producers who would benefit from this proposed milk bill would be the ones who would be fortunate enough to be chosen to sit on the milk board and receive mileage and salary for serving on that board.

Gentlemen of the Senate, I realize it takes a lot of courage for me as a farmer to testify against my own people, but I sincerely think this proposal would put one more chain around the necks of the milk producer.

I urge you to vote against House Bill No. 596.

The question being on the motion of Senator Pyle, which motion lost.

The question being on the motion of Senator Morgan that the report of the majority be adopted, which motion prevailed.

Mr. President: Your Committee on Delayed Bills has had under consideration a Senate Concurrent Resolution to wit:

## SENATE CONCURRENT RESOLUTION

A resolution honoring Ralph Beede for his outstanding services to his community, state, and nation, and especially to the North Dakota Legislative Assembly.

And recommends the same be introduced.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

FIRST READING OF A  
SENATE CONCURRENT RESOLUTION

The Committee on Delayed Bills introduced:

Senate Concurrent Resolution "NNN". A Concurrent Resolution honoring Ralph Beede for his outstanding services to his community, state, and nation, and especially to the North Dakota Legislative Assembly.

Was read the first time.

Senator Holand moved that the rules be suspended, that Senate Concurrent Resolution "NNN" be not referred to committee, not printed as a bill, but printed in the Journal, and placed on second reading and final passage, which motion prevailed.

## SENATE CONCURRENT RESOLUTION "NNN"

Introduced through the Committee on Delayed Bills.

A concurrent resolution honoring Ralph Beede for his outstanding services to his community, state, and nation, and especially to the North Dakota Legislative Assembly.

- 1 WHEREAS, the Honorable Ralph Beede of Elgin, North
- 2a Dakota,
- 2 who began his legislative service as a member of the House of
- 3 Representatives in 1939 and retired from the legislative
- 3a assembly
- 4 in 1960, is generally recognized as one of the outstanding
- 4a members
- 5 of the North Dakota Legislature since statehood because of his
- 6 integrity, almost unlimited knowledge of matters of concern to
- 7 the body, the continuous assistance he rendered to his
- 7a colleagues,
- 8 and the utmost in respect and esteem in which he is held by the
- 9 Legislative Assembly; and
- 10 WHEREAS, it is difficult to find a single program or action
- 11 of major importance that was considered by the Legislative
- 11a Assembly
- 12 during the period of Ralph Beede's service which does not
- 12a reflect
- 13 his major contribution and the imprint of his hand; and
- 14 WHEREAS, Ralph Beede has held all offices of importance
- 14a and
- 15 honor in the House of Representatives including the
- 15a chairmanship
- 16 of major standing committees, chairman of the Legislative
- 16a Research
- 17 Committee, service as Minority and Majority Floor Leader, and
- 18 Speaker; and
- 19 WHEREAS, through interest in matters of national concern,
- 20 service in the armed forces during time of war, and active
- 21 participation in community affairs, together with his services
- 22 in his professions of attorney at law and newspaper publisher,
- 23 Ralph Beede has rendered a lifetime of service to his
- 23a community,
- 24 state, and nation; and

25 WHEREAS, it is the desire of the Fortieth Legislative  
 25a Assembly  
 26 on behalf of the citizens of the state of North Dakota to  
 27 recognize the many and important contributions and service  
 28 rendered by Ralph Beede;  
 29 NOW, THEREFORE, BE IT RESOLVED BY THE  
 30 SENATE OF THE STATE OF NORTH DAKOTA, THE  
 31 HOUSE OF REPRESENTATIVES CONCURRING THEREIN:  
 32 That the date of February twentieth shall be set as "Ralph  
 33 Beede Day" and that at one thirty o'clock p.m. of such day  
 34 the Senate and House of Representatives shall convene in joint  
 35 session for the purpose of honoring Ralph Beede and  
 35a presenting  
 36 to him a suitable token of the appreciation of the citizens of  
 37 the state and of the high esteem in which he is held by the  
 38 North Dakota Legislative Assembly; and  
 39 BE IT FURTHER RESOLVED, that a copy of this  
 39a resolution be  
 40 forwarded by the Secretary of State to the Honorable Ralph  
 40a Beede.

SECOND READING OF A  
 SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution "NNN".** A Concurrent Resolution honoring Ralph Beede for his outstanding services to his community, state, and nation, and especially to the North Dakota Legislative Assembly.

Was read the second time.

Senator Holand moved that Senate Concurrent Resolution "NNN" be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber  
 Bismarck, February 20, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 566  
 House Bill No. 599  
 House Bill No. 618  
 House Bill No. 658  
 House Bill No. 660  
 House Bill No. 678  
 House Bill No. 685  
 House Bill No. 692  
 House Bill No. 708  
 House Bill No. 748  
 House Bill No. 772  
 House Bill No. 873

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber  
 Bismarck, February 20, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 538  
 House Bill No. 544  
 House Bill No. 561

Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber  
Bismarck, February 20, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 589  
House Bill No. 630  
House Bill No. 746

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

Senate Chamber  
Bismarck, February 20, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 507  
House Bill No. 510  
House Bill No. 518

Which the President has signed.

LEO LEIDHOLM, Secretary

Senate Chamber  
Bismarck, February 20, 1967

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "NNN"

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senator Lips moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair, pursuant to recess taken, the President presiding.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign

Senate Bill No. 5  
Senate Bill No. 9  
Senate Bill No. 11  
Senate Bill No. 12  
Senate Bill No. 13  
Senate Bill No. 16  
Senate Bill No. 19  
Senate Bill No. 23  
Senate Bill No. 24  
Senate Bill No. 27  
Senate Bill No. 28  
Senate Bill No. 29  
Senate Bill No. 42  
Senate Bill No. 49  
Senate Bill No. 68  
Senate Bill No. 69  
Senate Bill No. 70  
Senate Bill No. 72  
Senate Bill No. 176  
Senate Bill No. 178  
Senate Bill No. 203  
Senate Bill No. 232  
Senate Bill No. 253  
Senate Bill No. 276  
Senate Bill No. 284  
Senate Bill No. 384  
Senate Resolution No. 3  
Senate Concurrent Resolution "Z"



Senate Concurrent Resolution "G-G"  
Senate Concurrent Resolution "V-V"

And the President signed the same in the presence of the Senate.

Senator Schultz moved that the absent Senators be excused, which motion prevailed.

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

#### FORTY-NINTH DAY

Bismarck, February 20, 1967

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. David Figg, Church of the Nazarene, Bismarck.

Our Father, we come to Thee today thankful for Thy manifold blessings bestowed upon us so liberally. We thank Thee for life, health, strength, and for the many privileges of living in this wonderful nation. But, once again, we come to Thee recognizing how much we need Thy continued blessing and help. As the legislative session progresses the pressures of time and circumstances come into full focus. So, we ask that Thou wilt bless every member of the Senate through the hours of this legislative day. Give to each one the clearness of mind and the depth of understanding needed to effectively consider and vote on the legislation at hand. Give them, we pray, wisdom beyond their own. May they be successful in their efforts to pass good laws that will be of the greatest blessing to the people of this state. We pray in confidence that Thou wilt bless, and we thank Thee, in Jesus' Name. Amen.

Roll call: All Senators present except Senators Forkner, Hofstrand and Luick.

A quorum was declared by the President.

#### CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the forty-sixth day after recess and the forty-seventh day and recommends that the same be corrected as follows:

On page 626, line 12 from the bottom of the page, correct the spelling of the word "fourth"

On page 628, in line 4 from the bottom of the page, delete the name "Redlin" and insert in lieu thereof the name "Becker" and in line 3 from the bottom of the page, delete the name "Redlin" and insert in lieu thereof the name "Becker"

And when so corrected recommends that the same be approved.

SENATOR LOWE, Chairman

Senator Lowe moved that the report be adopted, which motion prevailed.

#### MOTIONS

Senator Becker moved that House Bill No. 860 be returned to the Senate from the Committee on Finance and Taxation, which motion prevailed.

Senator Becker moved that House Bill No. 860 be re-referred to the Committee on Transportation, which motion prevailed.

Senator Hernettt moved that House Bill No. 715 be returned to the Senate from the Committee on Industry, Business and Labor, which motion prevailed.

Senator Hernettt moved that House Bill No. 715 be re-referred to the Committee on Political Subdivisions, which motion prevailed.

## REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 627 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 637 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 681 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 704 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 723 has had the same under consideration and recommends that the same be amended as follows:

In line 11 delete the triple parentheses before and after the word "two"; delete the word "three" and following the word "mills" insert the words " , or not more than three and five-tenths mills if the same is authorized as herein provided,"

Following line 15 and before line 16 insert the following new language: "The mill levy herein authorized may be raised to not more than three and five-tenths mills when such increase is approved by the citizens of the municipality, school district, or park district after the submission of such question in the same manner as provided in section 40-55-08 for the establishment of the public recreation system."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 729 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker 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. 733 has had the same

under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak 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 RINGSAK, Chairman

Senator Ringsak 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 RINGSAK, Chairman

Senator Ringsak moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 780 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 833 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 835 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BECKER, Chairman

Senator Becker 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. 855 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 867 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 871 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 879 has had the same under

consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 917 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 937 has had the same under consideration and recommends that the same be amended as follows:

In line 7 delete the word "pinto" and insert in lieu thereof "edible"

In line 8 delete the word "and" and after the word "millet" insert the following " , buckwheat, field peas, canary seed, rape seed, crambe, and sorghum grain"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BECKER, Chairman

Senator Becker 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 "B-1" has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

Senator Ringsack moved that the report be adopted, which motion prevailed.

### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 20, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 5  
 Senate Bill No. 9  
 Senate Bill No. 11  
 Senate Bill No. 12  
 Senate Bill No. 13  
 Senate Bill No. 16  
 Senate Bill No. 19  
 Senate Bill No. 23  
 Senate Bill No. 24  
 Senate Bill No. 27  
 Senate Bill No. 28  
 Senate Bill No. 29  
 Senate Bill No. 42  
 Senate Bill No. 49  
 Senate Bill No. 68  
 Senate Bill No. 69  
 Senate Bill No. 70  
 Senate Bill No. 72  
 Senate Bill No. 176  
 Senate Bill No. 178  
 Senate Bill No. 203  
 Senate Bill No. 232  
 Senate Bill No. 253

Senate Bill No. 276  
Senate Bill No. 284  
Senate Bill No. 384  
Senate Concurrent Resolution "Z"  
Senate Concurrent Resolution "GG"  
Senate Concurrent Resolution "VV"

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber  
Bismarck, February 20, 1967

Mr. President: I have the honor to transmit:

House Bill No. 519  
House Bill No. 530  
House Bill No. 535  
House Bill No. 548  
House Bill No. 559  
House Bill No. 563  
House Bill No. 570  
House Bill No. 571  
House Bill No. 572  
House Bill No. 573  
House Bill No. 619  
House Bill No. 645  
House Bill No. 648  
House Bill No. 665

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

House Chamber  
Bismarck, February 20, 1967

Mr. President: I have the honor to return:

Senate Concurrent Resolution "NNN"

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS

The Secretary announced that the President was about to sign

House Bill No. 519  
House Bill No. 530  
House Bill No. 535  
House Bill No. 548  
House Bill No. 559  
House Bill No. 563  
House Bill No. 570  
House Bill No. 571  
House Bill No. 572  
House Bill No. 573  
House Bill No. 619  
House Bill No. 645  
House Bill No. 648  
House Bill No. 665

And the President signed the same in the presence of the Senate.

MOTION

Senator Morgan moved that House Bill No. 782 be placed at the head of the calendar, which motion prevailed.

## SECOND READING OF HOUSE BILLS

**House Bill No. 782.** 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, providing limitations thereon, and to repeal sections 10-06-01, 10-06-02, 10-06-03, and 10-06-05 of the North Dakota Century Code, relating to the prohibition of corporate farming.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 6; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Jacobson	Melland	Ruemmele
Becker	Kautzmann	Morgan	Sands
Butler	Kelly, E.	Mutch	Schultz
Chesrown	Kelly, M.	Nasset	Sorlie
Coughlin	Larsen, R.	Nothing	Stafne
Decker	Larson, G.	Pyle	Stroup
Freed	Lips	Redlin	Torgerson
Goldberg	Litten	Ringsak	Trenbeath
Hernett	Longmire	Robinson	Wenstrom
Hofstrand	Lowe	Roen	Wilhite
Holand			

Those voting in the negative were:

Berube	Geving	Meschke	Rait
Christensen	Larson, L.		

Absent and not voting:

Forkner	Luick
---------	-------

So the bill passed and the title was agreed to.

**House Bill No. 508.** A Bill for an Act making an appropriation to the livestock sanitary board for its operating and maintenance expense and for veterinary inspectors fees and expenses pertaining to licensed quarantined feedlots and livestock sales rings.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, on page 585 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Roen
Becker	Holand	Melland	Ruemmele
Berube	Jacobson	Meschke	Sands
Butler	Kautzmann	Morgan	Schultz
Chesrown	Kelly, E.	Mutch	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larsen, R.	Nothing	Stroup
Decker	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Hernett	Longmire	Robinson	

Absent and not voting:

Forkner	Luick
---------	-------

So the bill passed and the title was agreed to.

**House Bill No. 534.** For an Act to create and enact sections 25-04-05.1 and 25-04-13 of the North Dakota Century Code, providing for the transfer, visiting, release, placement, and guardianship of mentally deficient persons, and to amend and reenact subsection

3 of section 12-02-01, section 14-03-07, subsection 3 of section 14-03-17, section 15-34-02, subsections 4, 5, and 6 of section 15-34-03, section 15-34-07, subdivision b of subsection 1 of section 15-39-01, subdivision i of subsection 2 of section 15-39-01, sections 15-47-13, 15-47-26, subsections 2, 3, and 5 of section 25-01-01, sections 25-04-01, 25-04-02, 25-04-04, 25-04-05, 25-04-06, 25-04-07, 25-04-08, 25-04-08.1, 25-04-11, subsection 4 of section 27-16-08, sections 29-20-01, 29-20-02, subsection 4 of section 54-01-19, and subsection 14 of section 54-21-13 of the North Dakota Century Code, relating to terminology of laws pertaining to the mentally deficient, admission of mentally deficient persons to a state institution, cost agreements, custody of minors who are mentally deficient, mentally deficient defendants, discharge of mentally deficient persons, nonresident mentally deficient persons, and examination of defendants appearing to be mentally deficient.

Was 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:

Beck	Hofstrand	Lowe	Roen
Becker	Holand	Melland	Ruemmele
Berube	Jacobson	Meschke	Sands
Butler	Kautzmann	Morgan	Schultz
Chesrown	Kelly, E.	Mutch	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larsen, R.	Nething	Stroup
Decker	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Hernett	Longmire	Robinson	

Absent and not voting:

Forkner Luick

So the bill passed and the title was agreed to.

**MESSAGES FROM THE HOUSE**

House Chamber

Bismarck, February 20, 1967

Mr. President: I have the honor to return:

Senate Bill No. 20  
 Senate Bill No. 25  
 Senate Bill No. 231  
 Senate Bill No. 285  
 Senate Bill No. 286

Which the House has amended as follows:

**AMENDMENTS TO SENATE BILL No. 20**

In Line 3 of the Bill delete the sum "\$300,069.00" and in lieu thereof insert the sum "\$314,706.00".

In Line 16 delete the sum "\$376,219.00" and in lieu thereof insert the sum "\$390,856.00".

In Line 20 delete the sum "\$638,569.00" and in lieu thereof insert the sum "\$653,206.00".

In Line 22 delete the sum "\$300,069.00" and in lieu thereof insert the sum "\$314,706.00".

**AMENDMENTS TO SENATE BILL No. 25**

On Line 1 of the Bill delete everything after the word "APPROPRIATION.)" and in lieu thereof insert the following language:

"There is hereby appropriated out of any unappropriated funds in the state library commission operating fund in the state treasury the sum of \$822,843.00 of which \$649,000.00 is derived from income and collections and \$173,843.00 from the general fund in the state treasury, to be expended as provided for in Chapter 54-24 of the North Dakota Century Code, for the biennium beginning July 1, 1967 and ending June 30, 1969 to wit:

Salaries and wages	\$177,643.00
Fees and services	41,000.00
Supplies and materials	80,000.00
Equipment	24,200.00
Grants, Benefits and Claims	500,000.00
Total for biennium	\$822,843.00
Less estimated income	649,000.00
Total general fund	\$173,843.00"

And renumber the lines accordingly.

#### AMENDMENTS TO SENATE BILL No. 231

In line 18 put triple parentheses before the word "and"

In line 19 put triple parentheses after the word "fifty"

#### AMENDMENTS TO SENATE BILL No. 285

In line 7 following the period after the word "equipment" insert the following language:

"Provided, however, that no savings and loan association may invest more than one per cent of its savings share capital in the capital stock, bonds, debentures or other such obligations of a service corporation such as is authorized in this section."

And renumber the lines accordingly.

#### AMENDMENTS TO SENATE BILL No. 286

In line 4 following the word "association" insert the words "having insurance of accounts with the Federal Savings and Loan Insurance Corporation"

And renumber the lines accordingly.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 20, 1967

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 48.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 20, 1967

Mr. President: I have the honor to transmit:

House Concurrent Resolution "F-1"

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

#### MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 20, 1967

Mr. Speaker: I have the honor to return Senate Bill No. 48, which the House requested.

LEO LEIDHOLM, Secretary



Senate Chamber  
Bismarck, February 20, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 519  
House Bill No. 530  
House Bill No. 535  
House Bill No. 548  
House Bill No. 559  
House Bill No. 563  
House Bill No. 570  
House Bill No. 571  
House Bill No. 572  
House Bill No. 573  
House Bill No. 619  
House Bill No. 645  
House Bill No. 648  
House Bill No. 665

Which the President has signed.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber  
Bismarck, February 20, 1967

Mr. President: I have the honor to return:

Senate Bill No. 5  
Senate Bill No. 9  
Senate Bill No. 11  
Senate Bill No. 12  
Senate Bill No. 13  
Senate Bill No. 16  
Senate Bill No. 19  
Senate Bill No. 23  
Senate Bill No. 24  
Senate Bill No. 27  
Senate Bill No. 28  
Senate Bill No. 29  
Senate Bill No. 42  
Senate Bill No. 49  
Senate Bill No. 68  
Senate Bill No. 69  
Senate Bill No. 70  
Senate Bill No. 72  
Senate Bill No. 176  
Senate Bill No. 178  
Senate Bill No. 203  
Senate Bill No. 232  
Senate Bill No. 253  
Senate Bill No. 276  
Senate Bill No. 284  
Senate Bill No. 384  
Senate Concurrent Resolution "Z"  
Senate Concurrent Resolution "G-G"  
Senate Concurrent Resolution "V-V"

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

House Chamber  
Bismarck, February 20, 1967

Mr. President: I have the honor to transmit:

House Bill No. 515  
House Bill No. 525

House Bill No. 553

House Bill No. 547

House Bill No. 629

House Concurrent Resolution "B"

House Concurrent Resolution "E"

House Concurrent Resolution "K"

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

Senator Lips moved that the Senate recess until 12:30 p.m., February 21, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary

"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### FORTY-NINTH DAY AFTER RECESS AND FIFTIETH DAY

Bismarck, February 21, 1967

The Senate convened at 12:30 p.m., pursuant to recess taken, the President presiding.

#### REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill: Senate Bill No. 15

And find the same correctly Enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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. 15

And the President signed the same in the presence of the Senate.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 21, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 15

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

#### MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 21, 1967

Mr. President: I have the honor to return:

Senate Bill No. 15

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 21, 1967

Mr. President: The House respectfully returns Senate Bill No. 48 which it had requested.

ROY GILBREATH, Chief Clerk

#### REPORTS OF A STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 5

Senate Bill No. 9

Senate Bill No. 11  
 Senate Bill No. 12  
 Senate Bill No. 13  
 Senate Bill No. 15  
 Senate Bill No. 16  
 Senate Bill No. 19  
 Senate Bill No. 23  
 Senate Bill No. 24  
 Senate Bill No. 27  
 Senate Bill No. 28  
 Senate Bill No. 29  
 Senate Bill No. 42  
 Senate Bill No. 49  
 Senate Bill No. 68  
 Senate Bill No. 69  
 Senate Bill No. 70  
 Senate Bill No. 72  
 Senate Bill No. 176  
 Senate Bill No. 178  
 Senate Bill No. 203  
 Senate Bill No. 232  
 Senate Bill No. 253  
 Senate Bill No. 276  
 Senate Bill No. 284  
 Senate Bill No. 384

Were delivered to the Governor for his approval at the hour of 4:01 o'clock p.m., February 21, 1967.

SENATOR WENSTROM, Chairman

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution "Z"  
 Senate Concurrent Resolution "G-G"  
 Senate Concurrent Resolution "V-V"  
 Senate Resolution No. 3

Were delivered to the Secretary of State at the hour of 4:00 o'clock p.m., February 21, 1967.

SENATOR WENSTROM, Chairman

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 18  
 Senate Bill No. 77  
 Senate Bill No. 113  
 Senate Bill No. 119  
 Senate Bill No. 127  
 Senate Bill No. 134  
 Senate Bill No. 135  
 Senate Bill No. 139  
 Senate Bill No. 167

And find the same correctly Enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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. 18  
 Senate Bill No. 77  
 Senate Bill No. 113  
 Senate Bill No. 119  
 Senate Bill No. 127

Senate Bill No. 134  
 Senate Bill No. 135  
 Senate Bill No. 139  
 Senate Bill No. 167

And the President signed the same in the presence of the Senate.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 515  
 House Bill No. 525  
 House Bill No. 553  
 House Bill No. 547  
 House Bill No. 629  
 House Concurrent Resolution "B"  
 House Concurrent Resolution "E"  
 House Concurrent Resolution "K"

And the President signed the same in the presence of the Senate.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 537.** For an Act to amend and reenact sections 25-09-04, 25-09-05, 25-09-06, 25-09-07, 25-09-08, and 25-09-11 of the North Dakota Century Code, relating to charges for the care and treatment of residents of the Grafton state school, methods of determining actual liability, and disposition of revenue, and to repeal section 25-09-06.1, relating to limitations on certain claims.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 2; absent and not voting, 6.

Those voting in the affirmative were:

Beck	Jacobson	Meschke	Ruemmele
Becker	Kautzmann	Morgan	Sands
Berube	Kelly, M.	Nasset	Schultz
Butler	Larsen, R.	Nething	Sorlie
Chesrown	Larson, L.	Pyle	Stafne
Christensen	Lips	Rait	Stroup
Decker	Liften	Redlin	Torgerson
Forkner	Longmire	Ringsak	Trenbeath
Goldberg	Lowe	Robinson	Wenstrom
Hernett	Melland	Roen	Wilhite
Holand			

Those voting in the negative were:

Freed Geving

Absent and not voting:

Coughlin	Kelly, E.	Luick	Mutch
Hofstrand	Larson, G.		

So the bill passed and the title was agreed to.

**House Bill No. 551.** A Bill for an Act to amend and reenact sections 55-03-01 and 55-03-02 of the 1965 Supplement to the North Dakota Century Code, relating to the protection of prehistoric sites and deposits.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beck	Hernett	Melland	Ruemmele
Becker	Holand	Meschke	Sands
Berube	Jacobson	Morgan	Schultz
Butler	Kautzmann	Nasset	Sorlie

Chesrown	Kelly, M.	Nothing	Stafne
Christensen	Larsen, R.	Pyle	Stroup
Decker	Larson, L.	Rait	Torgerson
Forkner	Lips	Redlin	Trenbeath
Freed	Litten	Ringsak	Wenstrom
Geving	Longmire	Robinson	Wilhite
Goldberg	Lowe	Roen	

Absent and not voting:

Coughlin	Kelly, E.	Luick	Mutch
Hofstrand	Larson, G.		

So the bill passed and the title was agreed to.

**House Bill No. 564.** A Bill for an Act to repeal subsections 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 of section 51-10-06 and sections 51-10-09, 51-10-10, 51-10-11, 51-10-12, 51-10-13, 51-10-14, and 51-10-15 of the 1965 Supplement to the North Dakota Century Code, relating to the North Dakota Trade Commission.

Was read the second time.

Senator Nothing moved that House Bill No. 564 be placed at the foot of the calendar, which motion prevailed.

**House Bill No. 597.** A Bill for an Act to create section 20-03-35.1 of the North Dakota Century Code, relating to applications for special antelope licenses, and to amend and reenact section 20-03-35 of the North Dakota Century Code, relating to misrepresentation in application for license or permit.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Roen
Becker	Holand	Melland	Ruemmele
Berube	Jacobson	Meschke	Sands
Butler	Kautzmann	Morgan	Schultz
Chesrown	Kelly, M.	Nasset	Sorlie
Christensen	Larsen, R.	Nothing	Stafne
Decker	Larson, G.	Pyle	Stroup
Forkner	Larson, L.	Rait	Torgerson
Freed	Lips	Redlin	Trenbeath
Geving	Litten	Ringsak	Wenstrom
Goldberg	Longmire	Robinson	Wilhite

Absent and not voting:

Coughlin	Kelly, E.	Luick	Mutch
Hofstrand			

So the bill passed and the title was agreed to.

**House Bill No. 598.** A Bill for an Act to amend and reenact subsection 1 of section 36-04-06 of the North Dakota Century Code, relating to the bonds required of livestock dealers and agents.

Was read the second time.

Senator Morgan moved that House Bill No. 598 be re-referred to the Committee on Agriculture, which motion prevailed.

**House Bill No. 606.** A Bill for an Act to amend and reenact subsection 8 of section 18-10-06 and section 18-10-08 of the North Dakota Century Code, relating to the powers of boards of directors of rural fire protection districts and to the limitation of indebtedness of such districts.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Beck	Goldberg	Longmire	Robinson
Becker	Hernett	Lowe	Roen
Berube	Holand	Melland	Ruemmele
Butler	Jacobson	Meschke	Sands
Chesrown	Kautzmann	Morgan	Schultz
Christensen	Kelly, M.	Nasset	Sorlie
Coughlin	Larsen, R.	Nothing	Stafne
Decker	Larson, G.	Pyle	Stroup
Forkner	Larson, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Ringsak	Wilhite

Those voting in the negative were:

Torgerson

Absent and not voting:

Hofstrand	Kelly, E.	Luick	Mutch
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So the bill passed and the title was agreed to.

**House Bill No. 609.** For an Act to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to the salaries of judges of the supreme court and district courts.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 6; absent and not voting, 5.

Those voting in the affirmative were:

Beck	Geving	Lowe	Ruemmele
Becker	Goldberg	Melland	Sands
Berube	Holand	Meschke	Schultz
Butler	Kautzmann	Nasset	Stafne
Chesrown	Kelly, M.	Nothing	Stroup
Christensen	Larsen, R.	Pyle	Torgerson
Coughlin	Larson, G.	Redlin	Trenbeath
Decker	Lips	Ringsak	Wenstrom
Forkner	Litten	Robinson	Wilhite
Freed	Longmire		

Those voting in the negative were:

Hernett	Larson, L.	Mutch	Rait
Jacobson	Morgan		

Absent and not voting:

Hofstrand	Luick	Roen	Sorlie
Kelly, E.			

So the bill passed and the title was agreed to.-

**House Bill No. 611.** For an Act to create and enact subsection 11 of Section 26-09-01 of the North Dakota Century Code providing conditions to be complied with by foreign insurance companies before transacting business in state.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Beck	Goldberg	Lowe	Robinson
Becker	Hernett	Melland	Ruemmele
Berube	Holand	Meschke	Sands
Butler	Jacobson	Morgan	Schultz
Chesrown	Kautzmann	Mutch	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larson, G.	Nothing	Stroup
Decker	Larson, L.	Pyle	Torgerson
Forkner	Lips	Rait	Trenbeath

Freed	Litten	Redlin	Wenstrom
Geving	Longmire	Ringsak	Wilhite

Those voting in the negative were:  
Larsen, R.

Absent and not voting:

Hofstrand	Kelly, E.	Luick	Roen
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So the bill passed and the title was agreed to.

**House Bill No. 612.** For an Act to amend and reenact subsection 3 of section 26-08-11 of the 1965 Supplement to the North Dakota Century Code relating to the authorized investment of funds of insurance companies.

Was 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:

Beck	Hernett	Lowe	Robinson
Becker	Holand	Melland	Ruemmele
Berube	Jacobson	Meschke	Sands
Butler	Kautzmann	Morgan	Schultz
Chesrown	Kelly, M.	Mutch	Sorlie
Christensen	Larsen, R.	Nasset	Stafne
Coughlin	Larson, G.	Nothing	Stroup
Decker	Larson, L.	Pyle	Torgerson
Forkner	Lips	Rait	Trenbeath
Freed	Litten	Redlin	Wenstrom
Geving	Longmire	Ringsak	Wilhite
Goldberg			

Absent and not voting:

Hofstrand	Kelly, E.	Luick	Roen
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So the bill passed and the title was agreed to.

**House Bill No. 613.** A Bill for an Act to amend and reenact subsection 4 of section 26-08-05 of the North Dakota Century Code relating to the period of corporate existence permitted of a domestic insurance company.

Was 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:

Beck	Hernett	Lowe	Robinson
Becker	Holand	Melland	Ruemmele
Berube	Jacobson	Meschke	Sands
Butler	Kautzmann	Morgan	Schultz
Chesrown	Kelly, M.	Mutch	Sorlie
Christensen	Larsen, R.	Nasset	Stafne
Coughlin	Larson, G.	Nothing	Stroup
Decker	Larson, L.	Pyle	Torgerson
Forkner	Lips	Rait	Trenbeath
Freed	Litten	Redlin	Wenstrom
Geving	Longmire	Ringsak	Wilhite
Goldberg			

Absent and not voting:

Hofstrand	Kelly, E.	Luick	Roen
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So the bill passed and the title was agreed to.

**House Bill No. 615.** A Bill for an Act to repeal chapter 26-22 of the North Dakota Century Code, relating to the hail insurance department and providing an effective date.

Was read the second time.



Senator Hernett moved that House Bill No. 615 be amended as follows:

In line 22 after the word "money" insert the words "including hail taxes and interest and penalties accruing thereon"

In line 23 after the word "shall" insert the words "remain an obligation to the state and shall be collected pursuant to the provisions of chapter 26-22 as it existed heretofore and"

In line 24 before the words "be deposited" insert the word "shall"

And renumber the lines accordingly.

Which motion prevailed.

Senator Hernett moved that the rules be suspended and that House Bill No. 615 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. 615, as amended from the floor, the roll was called and there were ayes, 35; nays, 10; absent and not voting, 4.

Those voting in the affirmative were:

Beck	Jacobson	Melland	Sands
Becker	Kautzmann	Mutch	Schultz
Butler	Kelly, M.	Nasset	Sorlie
Coughlin	Larsen, R.	Nothing	Stafne
Decker	Larsen, G.	Pyle	Torgerson
Forkner	Lips	Redlin	Trenbeath
Geving	Litten	Ringsak	Wenstrom
Goldberg	Longmire	Robinson	Wilhite
Hernett	Lowe	Roen	

Those voting in the negative were:

Berube	Freed	Morgan	Ruemmele
Chesrown	Larsen, L.	Rait	Stroup
Christensen	Meschke		

Absent and not voting:

Hofstrand	Holand	Kelly, E.	Luick
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So the bill passed and the title was agreed to.

**House Bill No. 616.** A Bill for an Act to amend and reenact sections 39-13-03 and 39-10-04 of the North Dakota Century Code relating to parking and traffic signs within municipalities.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Goldberg	Longmire	Robinson
Becker	Hernett	Lowe	Roen
Berube	Holand	Melland	Sands
Butler	Jacobson	Meschke	Schultz
Chesrown	Kautzmann	Morgan	Sorlie
Christensen	Kelly, M.	Mutch	Stafne
Coughlin	Larsen, R.	Nasset	Stroup
Decker	Larsen, G.	Pyle	Torgerson
Forkner	Larsen, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Ringsak	Wilhite

Those voting in the negative were:

Nothing	Ruemmele
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Absent and not voting:

Hofstrand	Kelly, E.	Luick
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So the bill passed and the title was agreed to.

**House Bill No. 624.** A Bill for an Act to create and enact section 23-14-01.1 of the North Dakota Century Code, relating to the formation of health districts.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Roen
Becker	Holand	Melland	Ruemmele
Berube	Jacobson	Meschke	Sands
Butler	Kautzmann	Morgan	Schultz
Chesrown	Kelly, M.	Nasset	Sorlie
Christensen	Larsen, R.	Nething	Stafne
Coughlin	Larson, G.	Pyle	Stroup
Decker	Larson, L.	Rait	Torgerson
Forkner	Lips	Redlin	Trenbeath
Freed	Lütten	Ringsak	Wenstrom
Geving	Longmire	Robinson	Wilhite
Goldberg			

Those voting in the negative were:

Mutch

Absent and not voting:

Hofstrand Kelly, E. Luick

So the bill passed and the title was agreed to.

#### MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 21, 1967

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 561.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 21, 1967

Mr. President: I have the honor to transmit:

House Bill No. 561

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign House Bill No. 561

And the President signed the same in the presence of the Senate.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 21, 1967

Mr. Speaker: I have the honor to return the following:

House Bill No. 561

Which the President has signed.

LEO LEIDHOLM, Secretary

#### SECOND READING OF HOUSE BILLS

**House Bill No. 625.** A Bill for an Act to empower boards of county park commissioners to establish special service districts for the purpose of providing police protection and garbage removal services, and declaring an emergency.

Was read the second time.

Senator Holand moved that House Bill No. 625 be placed at the foot of the calendar, which motion prevailed.

**House Bill No. 650.** A Bill for an Act to amend and reenact section 26-28-07 of the North Dakota Century Code, relating to deviations.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Roen
Becker	Holand	Melland	Ruemmele
Berube	Jacobson	Morgan	Sands
Butler	Kautzmann	Mutch	Schultz
Chesrown	Kelly, M.	Nasset	Sorlie
Christensen	Larsen, R.	Nothing	Stafne
Coughlin	Larson, G.	Pyle	Stroup
Decker	Larson, L.	Rait	Torgerson
Forkner	Lips	Redlin	Wenstrom
Geving	Litten	Ringsak	Wilhite
Goldberg	Longmire	Robinson	

Absent and not voting:

Freed	Kelly, E.	Meschke	Trenbeath
Hofstrand	Luick		

So the bill passed and the title was agreed to.

**House Bill No. 651.** A Bill for an Act to amend and reenact Subsection 4 of Section 26-29-04 of the North Dakota Century Code, relating to rate filings.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Roen
Becker	Holand	Melland	Ruemmele
Berube	Jacobson	Morgan	Sands
Butler	Kautzmann	Mutch	Schultz
Chesrown	Kelly, M.	Nasset	Sorlie
Christensen	Larsen, R.	Nothing	Stafne
Decker	Larson, G.	Pyle	Stroup
Forkner	Larson, L.	Rait	Torgerson
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Ringsak	Wilhite
Goldberg	Longmire	Robinson	

Absent and not voting:

Coughlin	Kelly, E.	Meschke	Trenbeath
Hofstrand	Luick		

So the bill passed and the title was agreed to.

**House Bill No. 652.** A Bill for an Act to amend and reenact Subsection 4 of Section 26-28-04 of the North Dakota Century Code, relating to rate filings.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Ringsak
Becker	Holand	Lowe	Robinson
Berube	Jacobson	Melland	Sands

Butler	Kautzmann	Morgan	Schultz
Chesrown	Kelly, M.	Mutch	Sorlie
Christensen	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Wenstrom
Geving	Litten	Redlin	Wilhite
Goldberg			

Absent and not voting:

Coughlin	Kelly, E.	Meschke	Ruemmele
Hofstrand	Luick	Roen	Trenbeath

So the bill passed and the title was agreed to.

**House Bill No. 653.** A Bill for an Act to amend and reenact section 26-29-07 of the North Dakota Century Code, relating to deviations.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Robinson
Becker	Holand	Melland	Ruemmele
Berube	Jacobson	Meschke	Sands
Butler	Kautzmann	Morgan	Schultz
Chesrown	Kelly, M.	Mutch	Sorlie
Christensen	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Wenstrom
Geving	Litten	Redlin	Wilhite
Goldberg	Longmire	Ringsak	

Absent and not voting:

Coughlin	Kelly, E.	Roen	Trenbeath
Hofstrand	Luick		

So the bill passed and the title was agreed to.

**House Bill No. 654.** A Bill for an Act to amend and reenact sections 12-43-01, 12-43-01.1, 12-43-04 and 12-43-05 of the North Dakota Century Code, relating to the sale and purchase of tobacco to and by persons under the age of eighteen.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 14; nays, 31; absent and not voting, 4.

Those voting in the affirmative were:

Butler	Goldberg	Lowe	Sorlie
Christensen	Larsen, R.	Nothing	Stafne
Coughlin	Larson, G.	Schultz	Stroup
Decker	Longmire		

Those voting in the negative were:

Beck	Holand	Meschke	Robinson
Becker	Jacobson	Morgan	Roen
Berube	Kautzmann	Mutch	Ruemmele
Chesrown	Kelly, M.	Nasset	Sands
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Wenstrom
Geving	Litten	Redlin	Wilhite
Hernett	Melland	Ringsak	

Absent and not voting:

Hofstrand	Kelly, E.	Luick	Trenbeath
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So the bill lost.

Senator Forkner moved that the vote by which House Bill No. 654 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

**House Bill No. 666.** A Bill for an Act to amend and reenact section 58-02-01 of the North Dakota Century Code relating to the organization of a township.

Was 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:

Beck	Hernett	Lowe	Robinson
Becker	Holand	Melland	Roen
Berube	Jacobson	Meschke	Ruemmele
Butler	Kautzmann	Morgan	Sands
Chesrown	Kelly, M.	Mutch	Sorlie
Christensen	Larsen, R.	Nasset	Stafne
Coughlin	Larson, G.	Nothing	Stroup
Decker	Larson, L.	Pyle	Torgerson
Forkner	Lips	Rait	Trenbeath
Freed	Litten	Redlin	Wenstrom
Geving	Longmire	Ringsak	Wilhite
Goldberg			

Absent and not voting:

Hofstrand	Kelly, E.	Luick	Schultz
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So the bill passed and the title was agreed to.

#### CONSIDERATION OF AMENDMENTS

Senator Lips moved that the reading of the amendments to House Bills Nos. 523 and 596 be dispensed with, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 523 as recommended by the Committee on Appropriations, and printed on page 633 of the Senate Journal, be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 596 as recommended by the Committee on Agriculture, and printed on pages 633 and 634 of the Senate Journal, be adopted, which motion prevailed.

Senator Kautzmann moved that House Bill No. 596 be further amended as follows:

In line 3 of Section 20 of the amendment after the word "total" delete the following words "members of the Milk Producers Association of" and insert in lieu thereof the words "Grade A Milk Producers in"

Which motion prevailed.

Senator Morgan moved that House Bill No. 596 be re-referred to the Committee on Appropriations, which motion prevailed.

#### MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 21, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 18  
 Senate Bill No. 77  
 Senate Bill No. 113  
 Senate Bill No. 119  
 Senate Bill No. 127  
 Senate Bill No. 134  
 Senate Bill No. 135

Senate Bill No. 139

Senate Bill No. 167

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 21, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 515

House Bill No. 525

House Bill No. 553

House Bill No. 547

House Bill No. 629

House Concurrent Resolution "B"

House Concurrent Resolution "E"

House Concurrent Resolution "K"

Which the President has signed.

LEO LEIDHOLM, Secretary

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 532 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 583 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation 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 10 of the engrossed bill after the word "ordinances" insert the following language "or if driven within city limits of any city, town or village."

And when so amended recommends the same do pass.

SENATOR HOLAND, Chairman

Senator Holand 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. 635 has had the same under consideration and recommends that the same be amended as follows:

In line 39 after the word "district" insert the following: ", as now constituted or may hereafter be modified west of the ninety-eighth meridian"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 670 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 679 has had the same under consideration and recommends that the same be amended as follows:

In line 108 of the engrossed bill after the word "law" insert the following language "or which are not zoned under the authority of state law"

And when so amended recommends the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 695 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 702 has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 731 has had the same under consideration and recommends that the same be amended as follows:

In the first line of the title of the engrossed bill delete the comma and insert in lieu thereof the word "and"

In the second line of the title delete the words "and motor vehicle excise and use tax,"

In the fourth line of the title delete the words "to amend section 57-39.1-02, relating to"

In the fifth line of the title delete the words "sales of motor vehicles and the taxation thereof;"

In the sixth line of the title delete the comma following the numeral "57-39" and insert in lieu thereof the word "and"; and delete the comma following the numeral "57-40" and the word and numeral "and 57-40.1"

In line 64 following the period insert the following new sentence: "As used in this subsection the word "consumer" shall include any hospital, infirmary, sanatorium, nursing home, home for the aged or similar institution that furnishes services to any patient or occupant."

In line 158c insert after the word "sales" the words "or use"

In line 233b delete the words "chapter 57-39.1 of the North Dakota Century Code" and insert in lieu thereof the words "senate bill number 230 as approved by the Fortieth Legislative Assembly"

In line 233e delete the words "for a"

Delete line 233f

Following line 233t and before line 234 insert the following new subsections:

"16. Gross receipts from the sale of newsprint and ink used in the publication of a newspaper."

17. Gross receipts from the sale of all services furnished by any hospital, infirmary, sanatorium, nursing home, home for the aged or similar institution to any patient or occupant."

In line 745 insert the following new sentence following the period:

““Use” shall also mean the severing of sand or gravel from the soil of this state.”

In line 761 following the period insert the following new sentence:

““Purchase” shall also mean the severing of sand or gravel from the soil of this state.”

In line 766 following the period insert the following new sentences:

““Purchase price” shall also mean, in those instances where sand or gravel is not sold at retail as tangible personal property by the person severing the sand or gravel, the fair market value of the sand or gravel severed. If the sand or gravel is not sold at retail by the person severing the sand or gravel, it shall be presumed until the contrary is shown by the tax commissioner or by the person severing the sand or gravel that the fair market value is eight cents per ton of two thousand pounds. Where records are not kept as to the tonnage of sand or gravel severed from the soil it shall be presumed for the purpose of this Act that one cubic yard of sand or gravel shall be equal to one and one-half tons of sand or gravel.”

Following line 785 and before line 786 insert the following new subdivision:

“d. The severance of sand or gravel from the soil.”

Following line 830 and before line 831 insert the following new subdivision and section:

“d. The severance of sand or gravel from the soil.

SECTION 27. SALES FOR RESALE — EXEMPT WHEN.) Whenever a retailer accepts in good faith a resale certificate at the time of making a sale, which sale would otherwise be subject to the sales tax, and such resale certificate contains the sales tax permit number of the purchaser, such retailer making the sale shall be relieved from submitting the sales tax upon the purchase price of the merchandise sold. Whenever a person submits a false resale certificate to a retailer, the person submitting the certificate shall be personally liable for the tax on the sale.”

Following line 863 and before line 864 insert the following new subsection:

“6. Newsprint and ink actually used in the publication of a newspaper.”

Delete lines 1253 through 1461, inclusive.

In line 1463 delete the comma and insert in lieu thereof the word “and”

In line 1464 delete the comma following the numeral “57-40” and delete the word and numeral “and 57-40.1”

In line 1469 delete the numeral “51” and insert the numeral “41” in lieu thereof

And renumber the lines and sections accordingly.

And when so amended recommends the same do pass.

SENATOR BECKER, Chairman

Senator Becker 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. 738 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

Senator Ringsack 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. 739 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 755 has had the same under consideration and recommends that the same be amended as follows:

In line 6 following the "comma" insert the following "construction machinery distributor's equipment,"

In line 7 following the word "contractors" insert the words "or distributors" and place triple parentheses before and after the word "and" and place triple parentheses before and after the word "so"

In line 8 following the word "owners" but before the comma insert the words "or to commercial carriers who are engaged by such owners to move such contractors or distributor's equipment"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HOLLAND, Chairman

Senator Holland moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 825 has had the same under consideration and recommends that the same do pass.

SENATOR HOLLAND, Chairman

Senator Holland 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. 852 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 883 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker 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 "O" has had the same under consideration and recommends that the same be amended as follows:

In line 25 after the word "until" insert the following "twelve o'clock noon on the first Tuesday after the first Monday in January" and delete "January third"

In line 26 after the period delete the rest of the line and all of line 27.

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Concurrent Resolution "Q-1" has had the same under consideration and recommends that the same do pass.

SENATOR HOLLAND, Chairman

Senator Holand 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 "X-1" has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

Senator Ringsack moved that the report be adopted, which motion prevailed.

Senator Schultz moved that the absent Senators be excused, which motion prevailed.

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

#### FIFTIETH DAY

Bismarck, February 21, 1967

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Father Bosch of the Cathedral of the Holy Spirit, Bismarck.

O Almighty God, You are the Protector of all who trust in You, and without You nothing is strong, nothing is holy. Be merciful towards us, and rule and guide us that we may use the good things in this life in such a way as not to lose the blessings of Eternal Life.

Look kindly upon those who rule us, and upon this Legislative Assembly, so that the peace and security of our State and Country may always endure under Your protection. Amen

Roll call: All Senators present except Senators Hofstrand, Earl Kelly, and Luick.

A quorum was declared by the President.

#### CORRECTION AND REVISION

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 recommends that the same be corrected as follows:

On page 633, in the last line, correct the spelling of the word "residing"

On page 634, line 5 from the bottom of the page, correct the spelling of the word "Gentlemen"

And when so corrected recommends that the same be approved.

SENATOR LOWE, Chairman

Senator Lowe moved that the report be adopted, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

Senator Lips moved that the reading of the amendments to House Bills Nos. 723 and 937 be dispensed with, which motion prevailed.

Senator Becker moved that the amendments to House Bill No.

Senator Becker moved that the amendments to House Bill No. 723 as recommended by the Committee on Finance and Taxation and printed on page 640 of the Senate Journal, be adopted, which motion prevailed.

Senator Becker moved that the amendments to House Bill No. 937 as recommended by the Committee on Finance and Taxation and printed on page 642 of the Senate Journal, be adopted, which motion prevailed.

## CONSIDERATION OF MESSAGES FROM THE HOUSE

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 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. 231.** A Bill for an Act to amend and reenact section 6-01-17 of the North Dakota Century Code, relating to fees for examination of banks.

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:

Beck	Hernett	Melland	Roen
Becker	Holand	Meschke	Ruemmele
Berube	Jacobson	Morgan	Sands
Butler	Kautzmann	Mutch	Schultz
Chesrown	Kelly, M.	Nasset	Sorlie
Christensen	Larsen, R.	Nething	Stafne
Coughlin	Larson, G.	Pyle	Stroup
Decker	Larson, L.	Rait	Torgerson
Forkner	Lips	Redlin	Trenbeath
Freed	Litten	Ringsak	Wenstrom
Geving	Longmire	Robinson	Wilhite
Goldberg	Lowe		

Absent and not voting:

Hofstrand	Kelly, E.	Luick
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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. 285, which motion prevailed.

Senator Hernett moved that the rules be suspended and that Senate Bill No. 285 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 285.** A Bill for an Act to authorize savings and loan associations to invest in or own jointly a corporation to provide a centralized data processing service.

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:

Beck	Hernett	Melland	Roen
Becker	Holand	Meschke	Ruemmele
Berube	Jacobson	Morgan	Sands
Butler	Kautzmann	Mutch	Schultz
Chesrown	Kelly, M.	Nasset	Sorlie
Christensen	Larsen, R.	Nething	Stafne
Coughlin	Larson, G.	Pyle	Stroup
Decker	Larson, L.	Rait	Torgerson
Forkner	Lips	Redlin	Trenbeath
Freed	Litten	Ringsak	Wenstrom
Geving	Longmire	Robinson	Wilhite
Goldberg	Lowe		

Absent and not voting:

Hofstrand Kelly, E. Luick

So the bill passed and the title was agreed to.

Senator Hernettt moved that the Senate do concur in the House amendments to Senate Bill No. 286 which motion prevailed.

Senator Hernettt moved that the rules be suspended and that Senate Bill No. 286 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 286.** A Bill for an Act to authorize state-chartered savings and loan associations to exercise powers granted to federally-chartered savings and loan associations.

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:

Beck	Hernettt	Melland	Roen
Becker	Holand	Meschke	Ruemmele
Berube	Jacobson	Morgan	Sands
Butler	Kautzmann	Mutch	Schultz
Chesrown	Kelly, M.	Nasset	Sorlie
Christensen	Larsen, R.	Nething	Stafne
Coughlin	Larson, G.	Pyle	Stroup
Decker	Larson, L.	Rait	Torgerson
Forkner	Lips	Redlin	Trenbeath
Freed	Litten	Ringsak	Wenstrom
Geving	Longmire	Robinson	Wilhite
Goldberg	Lowe		

Absent and not voting:

Hofstrand Kelly, E. Luick

So the bill passed and the title was agreed to.

### MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 21, 1967

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to Senate Bills Nos. 231, 285, 286.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 21, 1967

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "J-J"

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 21, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 534

House Bill No. 782

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 21, 1967

Mr. Speaker: I have the honor to return:  
House Bill No. 508  
Which the Senate has amended.

LEO LEIDHOLM, Secretary  
Senate Chamber  
Bismarck, February 21, 1967

Mr. Speaker: I have the honor to return:  
House Bill No. 585  
House Bill No. 627  
House Bill No. 637  
House Bill No. 681  
House Bill No. 721  
House Bill No. 835

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

**MESSAGES FROM THE HOUSE**

House Chamber  
Bismarck, February 21, 1967

Mr. President: I have the honor to return:

Senate Bill No. 18  
Senate Bill No. 77  
Senate Bill No. 113  
Senate Bill No. 119  
Senate Bill No. 127  
Senate Bill No. 134  
Senate Bill No. 135  
Senate Bill No. 139  
Senate Bill No. 167

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk  
House Chamber  
Bismarck, February 21, 1967

Mr. President: I have the honor to transmit:

House Concurrent Resolution "N-1"  
House Concurrent Resolution "P-1"  
House Concurrent Resolution "S-1"  
House Concurrent Resolution "B-2"

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk  
House Chamber  
Bismarck, February 21, 1967

Mr. President: I have the honor to return:

Senate Bill No. 82  
Senate Bill No. 95  
Senate Bill No. 111  
Senate Bill No. 123  
Senate Bill No. 133  
Senate Bill No. 140  
Senate Bill No. 199

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

**REPORT OF A STANDING COMMITTEE**

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 18

Senate Bill No. 77  
 Senate Bill No. 113  
 Senate Bill No. 119  
 Senate Bill No. 127  
 Senate Bill No. 134  
 Senate Bill No. 135  
 Senate Bill No. 139  
 Senate Bill No. 167

Were delivered to the Governor for his approval at the hour of 3:22 o'clock p.m., February 21, 1967.

SENATOR WENSTROM, Chairman

Senator Lips moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the chair, pursuant to recess taken, the President presiding.

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Sorlie moved that the Senate do concur in the House amendments to Senate Bill No. 10.

Which motion prevailed.

Senator Sorlie moved that the rules be suspended and that Senate Bill No. 10 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. 10.** For an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous, and special projects, of the State Penitentiary and State Farm.

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, 35; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Becker	Hernett	Morgan	Ruemmele
Berube	Kelly, E.	Mutch	Schultz
Butler	Kelly, M.	Nasset	Sorlie
Chesrown	Larson, G.	Nothing	Stafne
Christensen	Larson, L.	Pyle	Stroup
Decker	Lips	Rait	Trenbeath
Freed	Litten	Redlin	Wenstrom
Geving	Melland	Ringsak	Wilhite
Goldberg	Meschke	Robinson	

Absent and not voting:

Beck	Holand	Longmire	Roen
Coughlin	Jacobson	Lowe	Sands
Forkner	Kautzmann	Luick	Torgerson
Hofstrand	Larsen, R.		

So the bill passed and the title was agreed to.

Senator Sorlie moved that the Senate do concur in the House amendments to Senate Bill No. 20, which motion prevailed.

Senator Sorlie moved that the rules be suspended and that Senate Bill No. 20 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 20.** For an Act making an appropriation for the salaries and miscellaneous expenses of the division of supervised correspondence study.

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, 33; nays, 3; absent and not voting, 13.

Those voting in the affirmative were:

Becker	Geving	Lips	Robinson
Berube	Goldberg	Litten	Ruemmele
Butler	Hernett	Melland	Sorlie
Chesrown	Jacobson	Nething	Stafne
Christensen	Kelly, E.	Pyle	Stroup
Coughlin	Kelly, M.	Rait	Trenbeath
Decker	Larson, G.	Redlin	Wenstrom
Forkner	Larson, L.	Ringsak	Wilhite
Freed			

Those voting in the negative were:

Meschke	Morgan	Schultz
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Absent and not voting:

Beck	Larsen, R.	Luick	Roen
Hofstrand	Longmire	Mutch	Sands
Holand	Lowe	Nasset	Torgerson
Kautzmann			

So the bill passed and the title was agreed to.

Senator Sorlie moved that the Senate do not concur in the House amendments to Senate Bill No. 25 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. 25, Senators Richard Larsen, Earl Kelly and Frank Wenstrom.

Senator Redlin moved that the Senate do concur in the House amendments to Senate Bill No. 46, which motion prevailed.

Senator Redlin moved that the rules be suspended and that Senate Bill No. 46 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 46.** For an Act to provide for the transition of villages to cities and to amend and reenact sections 1-08-04, 2-02-01, 2-02-02, 2-02-03, 2-02-04, 2-02-06, 2-02-08, subsection 4 of section 2-04-01, section 2-05-06.1, subsection 1 of section 2-06-01, sections 2-06-20, 5-01-13, 5-01-17, 5-02-07, 5-02-08, 5-03-03, 5-03-04, 5-03-20, 5-05-02, 5-05-03, 12-19-25, subsection 2 of section 12-21-15, subsection 5 of section 12-41-11, sections 15-27-01, 15-35-13, 16-09-02, 16-09-03, 18-01-06, 18-01-08, 18-04-01, 18-04-02, 18-04-03, 18-04-04, 18-04-05, 18-04-07, 19-01-05, subsection 1 of section 21-01-01, sections 21-01-06, 21-02-02, 21-02-06, subsections 1 and 2 of section 21-03-01, subsection 1 of section 21-03-02, subsection 2 of section 21-03-07, subsection 2 of section 21-03-10, sections 21-03-12, 21-03-17, 21-03-24, 21-03-25, 21-03-26, 21-03-27, 21-03-29, 21-03-31, 21-03-34, subsections 1, 2, and 3 of section 21-04-01, sections 21-04-06, 21-06-05, 21-06-06, 21-06-07, 21-06-09, subdivision b of subsection 1 and subdivision c of subsection 2 of section 23-02-13, subdivision b of subsection 1 and subdivision c of subsection 2 of section 23-02-30, subsections 2, 3, and 4 of section 23-03-07, sections 23-03-11, 23-05-01, 23-05-04, 23-05-05, subsection 1 of section 23-05-07, sections 23-05-08, 23-05-10, 23-07-04, 23-14-01, 23-14-07, 23-15-03, 23-24-02, 23-24-05, 23-24-06, subsection 26 of section 24-01-01.1, sections 24-01-14, 24-06-10, 24-07-04, 24-08-01, 26-23-05, 26-23-10, 26-23-22, subsection 3 of section 26-24-01, sections 26-24-06, 26-24-08, 27-09-06,

27-09-07, 27-09-08, 27-09-09, 27-09-10, 27-09-24, 29-02-23, 32-14-07, 32-28-01, 32-28-03, 38-09-02, 40-01-01, 40-01-02, 40-01-10, 40-01-11, 40-01-16, 40-01-18, 40-01-20, 40-02-01, subsection 4 of section 40-02-05, sections 40-02-09, 40-02-10, 40-02-11, 40-02-12, 40-04-01, 40-04-03, 40-04-04, 40-04-07, subsections 1 and 71 of section 40-05-01, sections 40-05-02.2, 40-05-05, 40-05-09.1, 40-11-01, 40-11-04, 40-11-08, 40-11-12, 40-13-02, 40-13-03, 40-18-01, 40-18-05, 40-18-07, 40-18-12, 40-18-15, 40-18-16, 40-18-17, 40-18-19, 40-19-01, 40-19-03, 40-21-06, 40-21-07, 40-21-08, 40-21-10, 40-21-12, 40-21-14, 40-22-14, 40-22-17, subsection 1 of section 40-22-19, sections 40-22-24, 40-22-25, 40-22-26, 40-22-30, subsection 1 of section 40-22-31, sections 40-22-35, 40-22-36, 40-22-40, 40-23-02, 40-23-05, 40-23-07, 40-23-12, 40-23-13, 40-23-14, 40-23-16, 40-24-09, 40-24-11, 40-24-12, 40-24-15, 40-24-16, 40-24-20, 40-27-05, 40-28-02, 40-28-03, 40-28-04, 40-28-05, 40-28-06, 40-28-07, 40-28-08, 40-28-09, 40-29-04, 40-29-05, 40-29-07, 40-29-09, 40-29-10, 40-29-12, 40-29-15, 40-29-17, 40-29-18, 40-29-19, 40-29-20, 40-33-03, 40-33-14, 40-33-16, subsection 5 of section 40-34-02, sections 40-38-03, 40-38-10, 40-39-01, 40-39-02, 40-39-03, 40-39-06, 40-39-08, 40-40-02, subdivision A of subsection 2 of section 40-40-05, sections 40-40-06, 40-40-10, 40-40-13, 40-40-14, 40-40-17, 40-41-02, 40-41-03, 40-41-07, 40-42-01, 40-42-02, 40-42-03, 40-43-03, 40-47-01, 40-48-28, 40-48-31, 40-48-35, 40-49-02, 40-49-04, 40-49-07, 40-49-08, subsection 1 of section 40-49-12, sections 40-49-13, 40-49-17, 40-50-16, 40-50-19, 40-50-22, 40-55-01, subsections 2, 3, and 4 of section 40-58-19, sections 40-59-02, 40-59-03, 47-19-14, 48-04-01, 48-04-02, 48-04-03, 50-16-01, 53-02-08, subsection 3 of section 53-03-01, sections 53-06-06, 57-12-01, 57-12-01.1, 57-12-02, subdivisions a and b of subsection 2 of section 57-12-06, subsections 1 and 3 of section 57-13-04, sections 57-15-01, 57-15-07, 57-15-10, 57-15-10.1, 57-15-27, 57-15-27.1, 57-15-30, 57-15-31, 57-15-32, 57-15-37, 57-15-38, 57-15-39, 57-15-40, 57-15-41, 57-15-42, 57-15-43, 58-02-10, 58-03-04, 58-04-01, subsections 4 and 18 of section 58-06-01, sections 58-10-04, 58-15-01, 58-15-02, 58-15-03, 58-15-04, 58-15-07, 58-16-01, 58-16-02, 61-01-18, 61-21-62, 62-01-06, 63-02-01, 63-02-03, 63-02-05, 63-02-06, 63-02-07, subsection 4 of section 63-02-08, subsection 3 of section 63-02-12, sections 63-02-14, 63-02-16, and 63-03-01 of the North Dakota Century Code, relating to forms of municipal government, eliminating villages as a form of municipal government, contracts by municipalities, municipal ordinances providing for the sale of property, and deleting provisions relating to villages and officers thereof, and to repeal section 16-10-05, subsection 3 of section 21-03-06, subsection 3 of section 21-03-21, chapter 40-03, sections 40-05-04, 40-05-07, chapter 40-07, sections 40-19-04, 40-21-04, 40-29-06, 40-49-06, 40-49-19, 40-51-13, 40-51-14, 40-51-15, 40-51-16, chapters 40-53, and 57-10, and section 57-15-09 of the North Dakota Century Code, relating to villages and their powers, duties, officers, and organization.

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, 1; absent and not voting, 6.

Those voting in the affirmative were:

Beck	Goldberg	Melland	Ruemmele
Becker	Hernett	Meschke	Sands
Berube	Holand	Morgan	Schultz
Butler	Jacobson	Nasset	Sorlie
Chesrown	Kelly, E.	Nething	Stafne
Christensen	Kelly, M.	Pyle	Stroup
Coughlin	Larsen, R.	Rait	Torgerson
Decker	Larson, G.	Redlin	Trenbeath
Forkner	Larson, L.	Ringsak	Wenstrom
Freed	Lips	Robinson	Wilhite
Geving	Litlen		



Those voting in the negative were:

Mutch

Absent and not voting:

Hofstrand	Longmire	Luick	Roen
Kautzmann	Lowe		

So the bill passed and the title was agreed to.

Senator Chesrown moved that the rules be suspended and that the reading of the House amendments to Senate Bill No. 76 be dispensed with, which motion prevailed.

Senator Chesrown moved that the Senate do concur in the House amendments to Senate Bill No. 76, which motion prevailed.

Senator Chesrown moved that the rules be suspended and that Senate Bill No. 76 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 76.** For an Act to repeal sections 54-16-06 and 54-16-07 of the North Dakota Century Code, relating to reports to governor.

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, 0; absent and not voting, 8.

Those voting in the affirmative were:

Becker	Hernett	Meschke	Ruemmele
Berube	Holand	Morgan	Sands
Butler	Jacobson	Mutch	Schultz
Chesrown	Kelly, E.	Nasset	Sorlie
Christensen	Kelly, M.	Nething	Stafne
Coughlin	Larson, G.	Pyle	Stroup
Decker	Larson, L.	Rait	Torgerson
Forkner	Lips	Redlin	Trenbeath
Freed	Litten	Ringsak	Wenstrom
Geving	Melland	Robinson	Wilhite
Goldberg			

Absent and not voting:

Beck	Kautzmann	Longmire	Luick
Hofstrand	Larsen, R.	Lowe	Roen

So the bill passed and the title was agreed to.

Senator Becker moved that the Senate do concur in the House amendments to Senate Bill No. 175, which motion prevailed.

Senator Becker moved that the rules be suspended and that Senate Bill No. 175 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 175.** For an Act to amend and reenact section 57-38-30 of the North Dakota Century Code, relating to the rate of tax on corporations.

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, 1; absent and not voting, 5.

Those voting in the affirmative were:

Beck	Goldberg	Lowe	Ruemmele
Becker	Hernett	Melland	Sands
Berube	Holand	Meschke	Schultz
Butler	Jacobson	Morgan	Sorlie
Chesrown	Kelly, E.	Mutch	Stafne

Christensen	Kelly, M.	Nasset	Stroup
Coughlin	Larsen, R.	Nething	Torgerson
Decker	Larson, G.	Pyle	Trenbeath
Forkner	Larson, L.	Rait	Wenstrom
Freed	Lips	Redlin	Wilhite
Geving	Litten	Robinson	

Those voting in the negative were:

Ringsak

Absent and not voting:

Hofstrand	Longmire	Luick	Roen
Kautzmann			

So the bill passed and the title was agreed to.

Senator Becker moved that the Senate do concur in the House amendments to Senate Bill No. 347, which motion prevailed.

Senator Becker moved that the rules be suspended and that Senate Bill No. 347 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 347.** A Bill for an Act to repeal section 57-38-36 of the North Dakota Century Code relating to the payment of income tax in quarterly installments.

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, 33; nays, 12; absent and not voting, 4.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Sands
Becker	Holand	Melland	Schultz
Butler	Jacobson	Nasset	Sorlie
Coughlin	Kelly, E.	Nething	Stroup
Decker	Kelly, M.	Pyle	Torgerson
Forkner	Larson, G.	Redlin	Trenbeath
Freed	Lips	Robinson	Wenstrom
Geving	Longmire	Ruemmele	Wilhite
Goldberg			

Those voting in the negative were:

Berube	Larsen, R.	Meschke	Rait
Chesrown	Larson, L.	Morgan	Ringsak
Christensen	Litten	Mutch	Stafne

Absent and not voting:

Hofstrand	Kautzmann	Luick	Roen
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So the bill passed and the title was agreed to.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 399 has had the same under consideration and recommends that the same be returned to the Senate without recommendation.

SENATOR RINGSKAK, Chairman

Senator Ringsak moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred Senate Concurrent Resolution "III" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 577 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 584 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 622 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. 623 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 Finance and Taxation to whom was referred House Bill No. 641 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BECKER, Chairman

Senator Becker 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 same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 683 has had the same under consideration and recommends that the same be amended as follows:

In Line 4 of the title delete the period and insert in lieu thereof a comma and the following "and providing a penalty."

And when so amended recommends the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 697 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 717 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 726 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BECKER, Chairman

Senator Becker 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. 732 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSACK, Chairman

Senator Ringsack moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 753 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 765 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 767 has had the same under consideration and the Majority recommends that the same do pass.

For the Majority:

Senator Becker  
 Senator Decker  
 Senator Chesrown  
 Senator Torgerson  
 Senator Lowe

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 767 has had the same under consideration and the Minority recommends that the same be indefinitely postponed.

For the Minority:

Senator Nething  
 Senator Wilhite  
 Senator Rait  
 Senator Butler

SENATOR BECKER, Chairman

Senator Nething moved that the report of the minority be substituted for that of the majority, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 774 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 786 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 Finance and Taxation to whom was referred House Bill No. 792 has had the same under consideration and recommends that the same be amended as follows:

In line 3 of the title delete the comma and insert in lieu thereof a period and delete the remainder of the line.

Delete all of lines 4 and 5 of the title.

Delete all of lines 15 through 17 of the bill.

And when so amended recommends the same do pass.

SENATOR BECKER, Chairman

Senator Becker 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. 798 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak 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. 803 has had the same under consideration and recommends that the same be amended as follows:

In line 2 after the second "of" delete the word "six" and insert in lieu thereof the word "four"

And when so amended recommends the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak 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. 804 has had the same under consideration and recommends that the same be amended as follows.

In line 2 after the second "of" delete "one million"

Renumber the lines accordingly.

And when so amended recommends that the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 838 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion lost.

Senator Robinson moved that House Bill No. 838 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 846 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

Senator Roen 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. 875 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSAK, Chairman

Senator Ringsak 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. 889 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

Senator Ringsak moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 895 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 911 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker 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 "U-I" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSAK, Chairman

Senator Ringsak 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 "Z-1" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSAK, Chairman

Senator Ringsak moved that the report be adopted, which motion prevailed.

#### SECOND READING OF HOUSE BILLS AND HOUSE CONCURRENT RESOLUTIONS

**House Bill No. 672.** A Bill for an Act to reduce civil liability of firemen, policemen or peace officers who render aid at the scene of an emergency while on duty.

Was 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:

Beck	Hernett	Longmire	Ringsak
Becker	Holand	Lowe	Robinson
Berube	Jacobson	Melland	Roen
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson

Freed	Lips	Rait	Wenstrom
Geving	Litten	Redlin	Wilhite
Goldberg			

Absent and not voting:  
Hofstrand Luick Ruemmele Trenbeath

So the bill passed and the title was agreed to.

**House Bill No. 673.** A Bill for an Act to create and enact sub-sections 25, 26, and 27 of section 40-05-02 of the North Dakota Century Code, relating to the powers of cities.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 2; absent and not voting, 5.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Roen
Becker	Holand	Melland	Sands
Berube	Jacobson	Meschke	Schultz
Butler	Kautzmann	Morgan	Sorlie
Chesrown	Kelly, E.	Nasset	Stafne
Christensen	Kelly, M.	Nothing	Stroup
Coughlin	Larsen, R.	Pyle	Torgerson
Decker	Larson, G.	Rait	Trenbeath
Forkner	Larson, L.	Ringsak	Wenstrom
Geving	Lips	Robinson	Wilhite
Goldberg	Litten		

Those voting in the negative were:

Freed	Mutch		
Absent and not voting:			
Hofstrand	Luick	Redlin	Ruemmele
Lowe			

So the bill passed and the title was agreed to.

**House Bill No. 674.** A Bill for an Act to create and enact sections 29-01-06.1 and 29-11-10.1 of the North Dakota Century Code, relating to the trial of a defendant under a multiple count indictment or information, and to amend and reenact section 29-11-10, and sub-sections 1 and 2 of section 29-14-04 of the North Dakota Century Code, relating to charges of offenses and grounds for motion to quash.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 7; absent and not voting, 5.

Those voting in the affirmative were:

Becker	Jacobson	Lowe	Roen
Berube	Kautzmann	Melland	Sands
Butler	Kelly, E.	Meschke	Schultz
Christensen	Kelly, M.	Morgan	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, L.	Nothing	Stroup
Forkner	Lips	Pyle	Torgerson
Freed	Litten	Rait	Wenstrom
Geving	Longmire	Robinson	Wilhite
Holand			

Those voting in the negative were:

Beck	Goldberg	Redlin	Trenbeath
Chesrown	Mutch	Ringsak	
Absent and not voting:			
Hernett	Larson, G.	Luick	Ruemmele
Hofstrand			

So the bill passed and the title was agreed to.

**House Bill No. 691.** A Bill for an Act to amend and reenact section 25-12-01 of the North Dakota Century Code, relating to establishment of mental health and retardation service units.

Was 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:

Beck	Holand	Lowe	Robinson
Becker	Jacobson	Melland	Roen
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nething	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

Absent and not voting:

Berube	Hofstrand	Luick	Ruemmele
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So the bill passed and the title was agreed to.

**House Bill No. 694.** A Bill for an Act to amend and reenact section 40-45-08 of the North Dakota Century Code, relating to membership fees and assessments in police pension funds in cities.

Was 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:

Beck	Holand	Lowe	Robinson
Becker	Jacobson	Melland	Roen
Butler	Kautzmann	Meschke	Ruemmele
Chesrown	Kelly, E.	Morgan	Sands
Christensen	Kelly, M.	Mutch	Schultz
Coughlin	Larsen, R.	Nasset	Sorlie
Decker	Larson, G.	Nething	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

Absent and not voting:

Berube	Hofstrand	Luick	Stafne
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So the bill passed and the title was agreed to.

**House Bill No. 712.** A Bill for an Act to amend and reenact subdivision (2) of subsection D. of section 52-09-20 of the North Dakota Century Code and to create and enact subparagraph (3) of subsection D. of section 52-09-20 of the North Dakota Century Code relating to definitions of primary insurance benefit under North Dakota Old Age and Survivor Insurance System.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Roen
Becker	Holand	Melland	Ruemmele



Berube	Jacobson	Meschke	Sands
Butler	Kautzmann	Morgan	Schultz
Chesrown	Kelly, E.	Mutch	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larsen, R.	Nothing	Stroup
Decker	Larson, G.	Pyle	Torgerson
Forkner	Larson, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Ringsak	Wilhite
Goldberg	Longmire	Robinson	
Absent and not voting:			
Hofstrand	Luick		

So the bill passed and the title was agreed to.

**House Bill No. 720.** A Bill for an Act to amend and reenact sections 12-44-33 and 40-18-12 of the North Dakota Century Code, relating to the performance of hard labor by convicts and the discounting of fines and judgments because of such hard labor.

Was 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, 7; absent and not voting, 3.

Those voting in the affirmative were:

Becker	Kelly, M.	Morgan	Ruemmele
Butler	Larsen, R.	Mutch	Sands
Chesrown	Larson, G.	Nasset	Schultz
Christensen	Larson, L.	Nothing	Sorlie
Coughlin	Lips	Pyle	Stafne
Decker	Litten	Rait	Stroup
Freed	Longmire	Redlin	Torgerson
Hernett	Lowe	Ringsak	Trenbeath
Holand	Melland	Robinson	Wenstrom
Kautzmann	Meschke	Roen	

Those voting in the negative were:

Beck	Forkner	Jacobson	Wilhite
Berube	Geving	Kelly, E.	

Absent and not voting:

Goldberg	Hofstrand	Luick
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So the bill passed and the title was agreed to.

**House Bill No. 809.** A Bill for an Act to create and enact subsection 19 of section 20-01-01 and section 20-06-15 of the North Dakota Century Code, relating to the definition and regulation of private fish hatcheries, and to amend and reenact sections 20-03-02, 20-03-07, 20-06-01, 20-06-10, and 20-07-01 of the North Dakota Century Code, relating to circumstances under which residents and non-residents are not required to possess a hunting, trapping, or fishing license, the duration of fishing seasons, commercial sales of fish, and property rights in wild fur-bearing animals and fish.

Was read the second time.

Senator Trenbeath moved that House Bill No. 809 be amended as follows:

In the last line of the title after the word "fish" insert the words "and declaring an emergency"

Following line 112 insert the following new section:

"SECTION 8. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

And renumber the lines accordingly.

Which motion prevailed.

Senator Trenbeath moved that the rules be suspended and that

House Bill No. 809 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. 809, as amended from the floor, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Robinson
Becker	Holand	Melland	Roen
Berube	Jacobson	Meschke	Ruemmele
Butler	Kautzmann	Morgan	Sands
Chesrown	Kelly, E.	Mutch	Schultz
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larsen, R.	Nothing	Stroup
Decker	Larsen, G.	Pyle	Torgerson
Forkner	Larsen, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Ringsak	Wilhite
Goldberg	Longmire		

Absent and not voting:

Hofstrand	Luick	Sorlie
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So the bill passed and the title was agreed to and the emergency clause carried.

**House Bill No. 811.** A Bill for an Act to amend and reenact section 6-03-38 of the North Dakota Century Code, and to create and enact subsection 10 of section 10-04-06 of the North Dakota Century Code, relating to the use of the assets of a bank and the exemptions of transactions from the corporation laws 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, on page 587 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Robinson
Becker	Holand	Melland	Roen
Berube	Jacobson	Meschke	Ruemmele
Butler	Kautzmann	Morgan	Sands
Chesrown	Kelly, E.	Mutch	Schultz
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larsen, R.	Nothing	Stroup
Decker	Larsen, G.	Pyle	Torgerson
Forkner	Larsen, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Ringsak	Wilhite
Goldberg	Longmire		

Absent and not voting:

Hofstrand	Luick	Sorlie
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So the bill passed and the title was agreed to and the emergency clause carried.

**House Bill No. 839.** A Bill for an Act to amend and reenact section 50-26-01 of the 1965 supplement to the North Dakota Century Code relating to committees of the council on human resources; and amend and reenact section 50-26-04 of the 1965 supplement to the North Dakota Century Code relating to the executive committee of the council on human resources.

Was 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, 11; absent and not voting, 6.

Those voting in the affirmative were:			
Berube	Holand	Longmire	Redlin
Chesrown	Jacobson	Lowe	Sands
Christensen	Kautzmann	Melland	Schultz
Decker	Kelly, E.	Meschke	Stafne
Forkner	Kelly, M.	Morgan	Stroup
Freed	Larsen, R.	Nasset	Trenbeath
Geving	Larson, L.	Nothing	Wenstrom
Hernett	Lips	Rait	Wilhite
Those voting in the negative were:			
Beck	Coughlin	Mutch	Roen
Becker	Goldberg	Pyle	Torgerson
Butler	Litten	Robinson	
Absent and not voting:			
Hofstrand	Luick	Ruemmele	Sorlie
Larson, G.	Ringsak		

So the bill passed and the title was agreed to.

**House Bill No. 926.** A Bill for an Act to provide for the regulation of the development and production of certain subsurface minerals, and providing a penalty.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:			
Beck	Hernett	Lowe	Robinson
Becker	Holand	Melland	Roen
Berube	Jacobson	Meschke	Ruemmele
Butler	Kautzmann	Morgan	Sands
Chesrown	Kelly, E.	Mutch	Schultz
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larsen, R.	Nothing	Stroup
Decker	Larson, G.	Pyle	Torgerson
Forkner	Larson, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Ringsak	Wilhite
Goldberg	Longmire		
Absent and not voting:			
Hofstrand	Luick	Sorlie	

So the bill passed and the title was agreed to.

**House Concurrent Resolution "I".** A Concurrent Resolution relating to the incentive system for the payment of salaries and wages in public and private employment.

Was read the second time.

Senator Butler moved that House Concurrent Resolution "I" be adopted, which motion prevailed.

**House Concurrent Resolution "X".** A Concurrent Resolution requesting that the taking line for the Garrison and Oahe Reservoirs be surveyed and marked as soon as possible.

Was read the second time.

Senator Trenbeath moved that House Concurrent Resolution "X" be adopted, which motion prevailed.

## SECOND READING OF SENATE CONCURRENT RESOLUTIONS

**Senate Concurrent Resolution "O-O".** A Concurrent Resolution for the amendment of section 121 of the Constitution of the state

of North Dakota, relating to the elective franchise lowering the voting age from twenty-one to nineteen.

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, 13; absent and not voting, 3.

Those voting in the affirmative were:

Becker	Holand	Litten	Ruemmele
Butler	Jacobson	Longmire	Sorlie
Chesrown	Kautzmann	Lowe	Stafne
Christensen	Kelly, E.	Melland	Stroup
Coughlin	Larsen, R.	Meschke	Torgerson
Decker	Larson, G.	Morgan	Trenbeath
Geving	Larson, L.	Nething	Wenstrom
Goldberg	Lips	Pyle	Wilhite
Hernett			

Those voting in the negative were:

Beck	Kelly, M.	Rait	Roen
Berube	Mutch	Ringsak	Sands
Forkner	Nasset	Robinson	Schultz
Freed			

Absent and not voting:

Hofstrand	Luick	Redlin
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So the resolution was declared adopted.

**Senate Concurrent Resolution "P-P".** A Concurrent Resolution for the amendment of the Constitution of the state of North Dakota, relating to issuance of dedicated revenue bonds by political subdivisions of the state and providing the methods for repayment thereof.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hernett	Melland	Roen
Becker	Holand	Meschke	Ruemmele
Berube	Jacobson	Morgan	Sands
Butler	Kautzmann	Mutch	Schultz
Chesrown	Kelly, E.	Nasset	Sorlie
Christensen	Kelly, M.	Nething	Stafne
Coughlin	Larson, G.	Pyle	Stroup
Decker	Larson, L.	Rait	Torgerson
Forkner	Lips	Redlin	Trenbeath
Freed	Litten	Ringsak	Wenstrom
Geving	Longmire	Robinson	Wilhite
Goldberg	Lowe		

Absent and not voting:

Hofstrand	Larsen, R.	Luick
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So the resolution was declared adopted.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 541.** For an Act to create and enact section 27-15-03.1 of the North Dakota Century Code, relating to when supreme court judges shall not attend judicial council meetings and to amend and reenact sections 27-02-01, 27-15-03, and 27-15-05 of the North Dakota Century Code relating to the selection of the chief justice of the supreme court and the duties of the judicial council.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, on page 604 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hernett	Melland	Roen
Becker	Holand	Meschke	Ruemmele
Berube	Jacobson	Morgan	Sands
Butler	Kautzmann	Mutch	Schultz
Chesrown	Kelly, E.	Nasset	Sorlie
Christensen	Kelly, M.	Nething	Stafne
Coughlin	Larson, G.	Pyle	Stroup
Decker	Larson, L.	Rait	Torgerson
Forkner	Lips	Redlin	Trenbeath
Freed	Litten	Ringsak	Wenstrom
Geving	Longmire	Robinson	Wilhite
Goldberg	Lowe		

Absent and not voting:

Hofstrand	Larsen, R.	Luick
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So the bill passed and the title was agreed to.

**House Bill No. 562.** For an Act to amend and reenact section 40-57-10 of the 1965 Supplement to the North Dakota Century Code, relating to the sale of revenue bonds.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, on page 604 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Robinson
Becker	Holand	Melland	Roen
Berube	Jacobson	Meschke	Ruemmele
Butler	Kautzmann	Morgan	Sands
Chesrown	Kelly, E.	Mutch	Schultz
Christensen	Kelly, M.	Nasset	Sorlie
Coughlin	Larsen, R.	Nething	Stroup
Decker	Larson, G.	Pyle	Torgerson
Forkner	Larson, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Ringsak	Wilhite
Goldberg	Longmire		

Absent and not voting:

Hofstrand	Luick	Stafne
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So the bill passed and the title was agreed to.

**House Bill No. 705.** A Bill for an Act to amend and reenact subsection 3 of section 41-02-75, subdivision f of subsection 4 of section 41-03-34, subdivision b of subsection 2 of section 41-04-33, and subsection 2 of section 41-09-16 of the North Dakota Century Code, relating to corresponding provisions of the North Dakota Uniform Commercial Code with those of the Uniform Commercial Code.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, on page 607 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Robinson
Becker	Holand	Melland	Roen
Berube	Jacobson	Meschke	Ruemmele

Butler	Kelly, E.	Morgan	Sands
Chesrown	Kelly, M.	Mutch	Schultz
Christensen	Larsen, R.	Nasset	Sorlie
Coughlin	Larson, G.	Nething	Stafne
Decker	Larson, L.	Pyle	Stroup
Forkner	Lips	Rait	Torgerson
Freed	Litten	Redlin	Wenstrom
Geving	Longmire	Ringsak	Wilhite
Goldberg			
Absent and not voting:			
Hofstrand	Kautzmann	Luick	Trenbeath

So the bill passed and the title was agreed to.

**House Bill No. 863.** A Bill for an Act to amend and reenact section 6-09-15 of the North Dakota Century Code, relating to bank loans and to repeal sections 6-09-18, 6-09-19, 6-09-20, 6-09-21, 6-09-22, 6-09-23, 6-09-24, 6-09-30, 6-09-31 and 6-09-32, of the North Dakota Century Code, relating to farm loans made by The Bank of North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 611 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Ringsak
Becker	Holand	Lowe	Robinson
Berube	Jacobson	Melland	Roen
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nething	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Wenstrom
Geving	Litten	Redlin	Wilhite
Goldberg			

Absent and not voting:

Hofstrand	Luick	Ruemmele	Trenbeath
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So the bill passed and the title was agreed to.

**House Bill No. 558.** For an Act to amend and reenact section 57-02-21 of the North Dakota Century Code, providing that persons over the age of sixty-five with an income of less than three thousand dollars per annum shall be exempt from the personal property tax, and providing a penalty for a false statement.

Was 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:

Beck	Hernett	Longmire	Ringsak
Becker	Holand	Lowe	Robinson
Berube	Jacobson	Melland	Roen
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nething	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Wenstrom
Geving	Litten	Redlin	Wilhite
Goldberg			

Absent and not voting:

Hofstrand           Luick                           Ruemmele                           Trenbeath

So the bill passed and the title was agreed to.

**House Bill No. 711.** A Bill for an Act to create and enact sections 19-05-17, 19-05-18, and 19-05-19 of the North Dakota Century Code and to amend and reenact sections 19-05-01, 19-05-02, 19-05-03, 19-05-04, 19-05-05, 19-05-06, 19-05-07, 19-05-08, 19-05-09, 19-05-10, 19-05-11, 19-05-12, 19-05-13, 19-05-14, 19-05-15 and 19-05-16 of the North Dakota Century Code, relating to definition, sale, and the administration of the taxation of oleomargarine.

Was read the second time.

Senator Goldberg moved that House Bill No. 711 be amended as follows:

In line 194 delete the word "An"

Delete all of lines 195 and 196.

In line 197 delete the words "for sale or consumption in this state."

Which motion lost.

**ROLL CALL**

The question being on the final passage of House Bill No. 711, the roll was called and there were ayes, 39; nays, 7; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Jacobson	Lowe	Roen
Becker	Kautzmann	Melland	Sands
Berube	Kelly, E.	Meschke	Schultz
Chesrown	Kelly, M.	Mutch	Stafne
Christensen	Larsen, R.	Nasset	Stroup
Decker	Larson, G.	Nothing	Torgerson
Forkner	Larson, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Ringsak	Wilhite
Hernett	Longmire	Robinson	

Those voting in the negative were:

Butler	Goldberg	Morgan	Sorlie
Coughlin	Holand	Pyle	

Absent and not voting:

Hofstrand           Luick                           Ruemmele

So the bill passed and the title was agreed to.

**House Bill No. 778.** A Bill for an Act to amend and reenact section 57-38-38 of the 1965 Supplement to the North Dakota Century Code, relating to notice of federal audit of return, consent for future audit, penalties, and to provide for an effective date.

Was 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:

Beck	Holand	Melland	Roen
Becker	Jacobson	Meschke	Ruemmele
Butler	Kautzmann	Morgan	Sands
Chesrown	Kelly, E.	Mutch	Schultz
Christensen	Kelly, M.	Nasset	Sorlie
Coughlin	Larsen, R.	Nothing	Stafne
Decker	Larson, G.	Pyle	Stroup
Forkner	Larson, L.	Rait	Torgerson
Freed	Lips	Redlin	Trenbeath
Geving	Litten	Ringsak	Wenstrom
Goldberg	Low	Robinson	Wilhite
Hernett			

Absent and not voting:

Berube Hofstrand Longmire Luick

So the bill passed and the title was agreed to.

**House Bill No. 560.** For an Act to amend and reenact section 40-05-09.1 of the 1965 Supplement to the North Dakota Century Code relating to a tax levy for fire department stations.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 628 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hernett	Melland	Roen
Becker	Holand	Meschke	Ruemmele
Berube	Jacobson	Morgan	Sands
Butler	Kautzmann	Mutch	Schultz
Chesrown	Kelly, E.	Nasset	Sorlie
Christensen	Kelly, M.	Nothing	Stafne
Coughlin	Larsen, R.	Pyle	Stroup
Decker	Larson, G.	Rait	Torgerson
Forkner	Larson, L.	Redlin	Trenbeath
Freed	Lips	Ringsak	Wenstrom
Geving	Litten	Robinson	Wilhite
Goldberg	Longmire		

Absent and not voting:

Hofstrand Lowe Luick

So the bill passed and the title was agreed to.

**House Bill No. 714.** A Bill for an Act to amend and reenact sections 26-24-08 and 26-24-09 of the North Dakota Century Code, relating to insurance on public buildings.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 629 of the Senate Journal, the roll was called and there were ayes, 40; nays, 5; absent and not voting, 4.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Robinson
Becker	Holand	Lowe	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Morgan	Sands
Coughlin	Kelly, E.	Mutch	Sorlie
Decker	Kelly, M.	Nasset	Stafne
Forkner	Larsen, R.	Nothing	Stroup
Freed	Larson, G.	Pyle	Torgerson
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite

Those voting in the negative were:

Berube	Larson, L.	Meschke	Rait
Christensen			

Absent and not voting:

Hofstrand Luick Schultz Trenbeath

So the bill passed and the title was agreed to.

Senator Butler moved that the vote by which House Bill No. 714 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

**House Bill No. 760.** A Bill for an Act to amend and reenact sec-



tion 20-04-09 of the North Dakota Century Code, relating to when bird dogs may not be trained or permitted to run loose.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 627 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Robinson
Becker	Holand	Melland	Roen
Berube	Jacobson	Meschke	Ruemmele
Butler	Kautzmann	Morgan	Sands
Chesrown	Kelly, E.	Mutch	Schultz
Christensen	Kelly, M.	Nasset	Sorlie
Coughlin	Larsen, R.	Nothing	Stafne
Decker	Larson, G.	Pyle	Stroup
Forkner	Larson, L.	Rait	Torgerson
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Ringsak	Wilhite
Goldberg	Longmire		

Absent and not voting:

Hofstrand	Luick	Trenbeath
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So the bill passed and the title was agreed to.

**House Bill No. 826.** A Bill for an Act to amend and reenact subsections 2, 3, and 4 of section 57-14-08 of the North Dakota Century Code, relating to the general reassessment of property when ordered by the board of county commissioners or state tax commissioner and the establishment of a new board of equalization to review such reassessments when ordered.

Was read the second time.

Senator Becker moved that House Bill No. 826 be placed at the foot of the calendar, which motion prevailed.

**House Bill No. 840.** A Bill for an Act to amend and reenact section 40-24-16 of the 1965 Supplement to the North Dakota Century Code, relating to the certification and payment of taxes collected by the county treasurer.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 629 of the Senate Journal, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Roen
Becker	Holand	Melland	Ruemmele
Berube	Jacobson	Morgan	Sands
Butler	Kautzmann	Mutch	Schultz
Chesrown	Kelly, E.	Nasset	Sorlie
Christensen	Kelly, M.	Nothing	Stafne
Coughlin	Larsen, R.	Pyle	Stroup
Decker	Larson, G.	Rait	Torgerson
Forkner	Larson, L.	Redlin	Trenbeath
Freed	Lips	Ringsak	Wenstrom
Geving	Litten	Robinson	Wilhite
Goldberg	Longmire		

Those voting in the negative were:

Meschke

Absent and not voting:

Hofstrand	Luick
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So the bill passed and the title was agreed to.

**House Bill No. 704.** A Bill for an Act to amend and reenact section 57-22-29 of the 1965 Supplement to the North Dakota Century Code, relating to contracts for personal property tax collection and validating contracts for the collection of personal property taxes.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Robinson
Becker	Holand	Lowe	Ruemmele
Berube	Jacobson	Melland	Sands
Butler	Kautzmann	Meschke	Schultz
Chesrown	Kelly, E.	Morgan	Sorlie
Christensen	Kelly, M.	Mutch	Stafne
Coughlin	Larsen, R.	Nasset	Stroup
Decker	Larson, G.	Nothing	Torgerson
Forkner	Larson, L.	Pyle	Trenbeath
Freed	Lips	Rait	Wenstrom
Geving	Litten	Redlin	Wilhite
Goldberg			

Those voting in the negative were:

Ringsak	Roen
Absent and not voting:	
Hofstrand	Luick

So the bill passed and the title was agreed to.

**House Bill No. 729.** A Bill for an Act to amend and reenact sections 57-35-04, and 57-35.1-02 of the North Dakota Century Code, relating to the taxation of banks, trust companies, and building and loan associations.

Was read the second time.

Senator Meschke moved that House Bill No. 729 be amended as follows:

In line 11, delete the word "five" and insert in lieu thereof the word "six".

In line 26, delete the word "five" and insert in lieu thereof the word "six".

Senator Meschke requested a roll call vote, which request was granted.

#### ROLL CALL

The question being on the motion of Senator Meschke, the roll was called and there were ayes, 6; nays, 40; absent and not voting, 3.

Those voting in the affirmative were:

Berube	Larson, L.	Rait	Redlin
Christensen	Meschke		

Those voting in the negative were:

Beck	Hernett	Longmire	Ruemmele
Becker	Holand	Lowe	Sands
Butler	Jacobson	Morgan	Schultz
Chesrown	Kautzmann	Mutch	Sorlie
Coughlin	Kelly, E.	Nasset	Stafne
Decker	Kelly, M.	Nothing	Stroup
Forkner	Larsen, R.	Pyle	Torgerson
Freed	Larson, G.	Ringsak	Trenbeath
Geving	Lips	Robinson	Wenstrom
Goldberg	Litten	Roen	Wilhite
Absent and not voting:			
Hofstrand	Luick	Melland	

So the motion lost.

Senator Holand: I rise to explain my vote on this amendment.

Mr. President, Members of the Senate. Since it was determined that the vote on the amendments should be a roll call vote, I wish the record to show as far as I am concerned that I am in support of the proposal of the bill which would increase the income tax on banks by 25%, but I am opposed to Senator Meschke's amendment which would increase the tax by 50%.

### ROLL CALL

The question being on the final passage of House Bill No. 729 the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:			
Beck	Hernett	Lowe	Roen
Becker	Holand	Melland	Ruemmele
Berube	Jacobson	Meschke	Sands
Butler	Kautzmann	Morgan	Schultz
Chesrown	Kelly, E.	Mutch	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larsen, R.	Nothing	Stroup
Decker	Larsen, G.	Pyle	Torgerson
Forkner	Larsen, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Ringsak	Wilhite
Goldberg	Longmire	Robinson	
Absent and not voting:			
Hofstrand	Luick		

So the bill passed and the title was agreed to.

**House Bill No. 733.** A Bill for an Act to amend and reenact section 21-06-08 of the North Dakota Century Code, relating to the authority of the state or any department, division, bureau, commission, board, authority, agency or political subdivision thereof to contract with the United States of America or any agency thereof for the purchase of any equipment, supplies, materials or other property.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:			
Beck	Hernett	Lowe	Roen
Becker	Holand	Melland	Ruemmele
Berube	Jacobson	Meschke	Sands
Butler	Kautzmann	Morgan	Schultz
Chesrown	Kelly, E.	Mutch	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larsen, R.	Nothing	Stroup
Decker	Larsen, G.	Pyle	Torgerson
Forkner	Larsen, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Ringsak	Wilhite
Goldberg	Longmire	Robinson	
Absent and not voting:			
Hofstrand	Luick		

So the bill passed and the title was agreed to.

### MOTION

Senator Forkner moved that the Senate reconsider the action by which House Bill No. 767 was indefinitely postponed, which motion was lost.

## SECOND READING OF HOUSE BILLS

**House Bill No. 757.** A Bill for an Act to amend and reenact sections 18-01-01, 18-01-04, 18-01-05, 26-24-03 and 54-12-01 of the North Dakota Century Code, and to repeal subsection 10 of section 26-01-02 of the North Dakota Century Code, providing for the transfer of the office of state fire marshal from the insurance commissioner to the attorney general, and providing for its operation in conjunction with the bureau of criminal identification and apprehension.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Holand	Melland	Roen
Becker	Jacobson	Meschke	Ruemmele
Berube	Kautzmann	Morgan	Sands
Butler	Kelly, E.	Mutch	Schultz
Chesrown	Kelly, M.	Nasset	Sorlie
Coughlin	Larsen, R.	Nothing	Stafne
Decker	Larson, G.	Pyle	Stroup
Forkner	Larson, L.	Rait	Torgerson
Freed	Lips	Redlin	Trenbeath
Geving	Litten	Ringsak	Wenstrom
Goldberg	Longmire	Robinson	Wilhite
Hernett	Lowe		

Those voting in the negative were:

Christensen

Absent and not voting:

Hofstrand Luick

So the bill passed and the title was agreed to.

**House Bill No. 770.** A Bill for an Act to accept the cession of the state of Minnesota to the state of North Dakota of a certain parcel of real property and declaring an emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hernett	Melland	Roen
Becker	Holand	Meschke	Ruemmele
Berube	Jacobson	Morgan	Sands
Butler	Kautzmann	Mutch	Schultz
Chesrown	Kelly, E.	Nasset	Sorlie
Christensen	Kelly, M.	Nothing	Stafne
Coughlin	Larsen, R.	Pyle	Stroup
Decker	Larson, G.	Rait	Torgerson
Forkner	Larson, L.	Redlin	Trenbeath
Freed	Lips	Ringsak	Wenstrom
Geving	Litten	Robinson	Wilhite
Goldberg	Lowe		

Absent and not voting:

Hofstrand Longmire Luick

So the bill passed and the title was agreed to, and the emergency clause carried.

**House Bill No. 780.** A Bill for an Act to provide a method of determining amount of tax liability when mathematical errors are made on returns filed with the tax commissioner.

Was 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:

Beck	Hernett	Lowe	Roen
Becker	Holand	Melland	Ruemmele
Berube	Jacobson	Meschke	Sands
Butler	Kautzmann	Morgan	Schultz
Chesrown	Kelly, E.	Mutch	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larsen, R.	Nothing	Stroup
Decker	Larson, G.	Pyle	Torgerson
Forkner	Larson, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Ringsak	Wilhite
Goldberg	Longmire	Robinson	
Absent and not voting:			
Hofstrand	Luick		

So the bill passed and the title was agreed to.

**House Bill No. 833.** A Bill for an Act creating and enacting sections 57-38-58, 57-38-59, 57-38-60, 57-38-61, 57-38-62, 57-38-63, and 57-38-64 of the North Dakota Century Code, relating to withholding of income taxes from wages of nonresident employees, declaration and payment of estimated income, amendment of declaration, and providing an effective date and penalties.

Was read the second time.

Senator Lips moved that House Bill No. 833 be placed at the foot of the calendar, which motion prevailed.

## MOTION

Senator Lips moved that House Bill No. 826 be placed at the head of the calendar, which motion prevailed.

## SECOND READING OF HOUSE BILLS

**House Bill No. 826.** A Bill for an Act to amend and reenact subsections 2, 3, and 4 of section 57-14-08 of the North Dakota Century Code, relating to the general reassessment of property when ordered by the board of county commissioners or state tax commissioner and the establishment of a new board of equalization to review such reassessments when ordered.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, on page 629 of the Senate Journal, the roll was called and there were ayes, 39; nays, 8; absent and not voting, 2.

Those voting in the affirmative were:

Becker	Goldberg	Litten	Ruemmele
Berube	Hernett	Longmire	Sands
Butler	Holand	Lowe	Schultz
Chesrown	Jacobson	Melland	Sorlie
Christensen	Kautzmann	Meschke	Stroup
Coughlin	Kelly, E.	Nasset	Torgerson
Decker	Kelly, M.	Nothing	Trenbeath
Forkner	Larsen, R.	Pyle	Wenstrom
Freed	Larson, G.	Rait	Wilhite
Geving	Lips	Redlin	

Those voting in the negative were:

Beck	Morgan	Ringsak	Roen
Larson, L.	Mutch	Robinson	Stafne

Absent and not voting:

Hofstrand Luick

So the bill passed and the title was agreed to.

**House Bill No. 855.** A Bill for an Act to amend and reenact section 12-46-19 of the North Dakota Century Code, permitting North Dakota industrial school students freer use of acquired moneys.

Was 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:

Beck	Hernett	Lowe	Roen
Becker	Holand	Melland	Ruemmele
Berube	Jacobson	Meschke	Sands
Butler	Kautzmann	Morgan	Schultz
Chesrown	Kelly, E.	Mutch	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larsen, R.	Nothing	Stroup
Decker	Larson, G.	Pyle	Torgerson
Forkner	Larson, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Ringsak	Wilhite
Goldberg	Longmire	Robinson	

Absent and not voting:

Hofstrand Luick

So the bill passed and the title was agreed to.

#### MOTION

Senator Becker moved that the Senate reconsider the action by which House Bill No. 780 was passed, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 780.** A Bill for an Act to provide a method of determining amount of tax liability when mathematical errors are made on returns filed with the tax commissioner.

Was read the second time.

Senator Becker moved that House Bill No. 780 be amended as follows:

In line 5, after the word "writing" insert the following: "with return receipt required"

In line 9 of the bill, delete the word "ten" and insert in lieu thereof the word "thirty".

Renumber the lines accordingly.

Which motion prevailed.

Senator Becker moved that the rules be suspended and that House Bill No. 780 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. 780, 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:

Beck	Hernett	Lowe	Roen
Becker	Holand	Melland	Ruemmele
Berube	Jacobson	Meschke	Sands
Butler	Kautzmann	Morgan	Schultz
Chesrown	Kelly, E.	Mutch	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larsen, R.	Nothing	Stroup
Decker	Larson, G.	Pyle	Torgerson
Forkner	Larson, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom

Geving	Litten	Ringsak	Wilhite
Goldberg	Longmire	Robinson	

Absent and not voting:  
Hofstrand Luick

So the bill passed and the title was agreed to.

**House Bill No. 867.** A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to exemption for nonresident individual.

Was 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:

Beck	Hernett	Lowe	Roen
Becker	Holand	Melland	Ruemmele
Berube	Jacobson	Meschke	Sands
Butler	Kautzmann	Morgan	Schultz
Chesrown	Kelly, E.	Mutch	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larsen, R.	Nothing	Stroup
Decker	Larson, G.	Pyle	Torgerson
Forkner	Larson, L.	Rajt	Trenbeath
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Ringsak	Wilhite
Goldberg	Longmire	Robinson	

Absent and not voting:  
Hofstrand Luick

So the bill passed and the title was agreed to.

**House Bill No. 871.** A Bill for an Act to create and enact a new subsection to section 57-02-08 of the North Dakota Century Code, relating to property tax exemptions.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 6; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Jacobson	Lowe	Roen
Becker	Kautzmann	Melland	Ruemmele
Butler	Kelly, E.	Morgan	Schultz
Chesrown	Kelly, M.	Mutch	Sorlie
Christensen	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Redlin	Trenbeath
Goldberg	Litten	Ringsak	Wenstrom
Hernett	Longmire	Robinson	Wilhite
Holand			

Those voting in the negative were:

Berube	Forkner	Rajt	Sands
Coughlin	Meschke		

Absent and not voting:  
Hofstrand Luick

So the bill passed and the title was agreed to.

**House Bill No. 879.** A Bill for an Act to amend and reenact section 57-05-01 of the North Dakota Century Code, relating to the assessment of railroad property by the state board of equalization.

Was 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:

Beck	Hernett	Lowe	Roen
Becker	Holand	Melland	Ruemmele
Berube	Jacobson	Meschke	Sands
Butler	Kautzmann	Morgan	Schultz
Chesrown	Kelly, E.	Mutch	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larsen, R.	Nothing	Stroup
Decker	Larson, G.	Pyle	Torgerson
Forkner	Larson, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Ringsak	Willhite
Goldberg	Longmire	Robinson	

Absent and not voting:

Hofstrand Luick

So the bill passed and the title was agreed to.

## FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

**House Concurrent Resolution "F-1".** A Concurrent Resolution requesting that the industrial commission take immediate steps to enforce all laws and rules with which it is charged relating to the oil and gas industry.

Was read the first time and referred to the Committee on Natural Resources.

**House Concurrent Resolution "N-1".** A Concurrent Resolution urging the Congress of the United States to pass legislation allowing admissibility of voluntary confessions in evidence and to provide for reasonable interrogation of arrested persons or to submit a constitutional amendment clarifying the 5th Amendment.

Was read the first time and referred to the Committee on Judiciary.

**House Concurrent Resolution "P-1".** A Concurrent Resolution authorizing and directing the state department of health to inspect the health and sanitary conditions of railroad locomotives and cabooses subject to the jurisdiction of the public service commission.

Was read the first time and referred to the Committee on Industry, Business and Labor.

**House Concurrent Resolution "S-1".** 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.

**House Concurrent Resolution "B-2".** A Concurrent Resolution requesting that a two-year study be made of the laws relating to certificates of public convenience and necessity for extensions of service by electric suppliers and the extensions of electric transmission and distribution lines of electric utilities.

Was read the first time and referred to the Committee on Industry, Business and Labor.

Senator Lips moved that the Senate recess until 12:30 p.m., on February 22, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary



"Buy North Dakota Products"

# Journal of the Senate



Fortieth Legislative Assembly

FIFTIETH DAY AFTER RECESS AND  
FIFTY-FIRST

Bismarck, February 22, 1967

The Senate convened at 12:30 p.m., pursuant to recess taken, the President presiding.

MESSAGE FROM THE GOVERNOR

February 21, 1967

Members of the Senate  
Fortieth Legislative Assembly  
Senate Chambers  
Bismarck, North Dakota

Greetings!

As of February 21, 1967, I signed the following Senate bills:

Senate Bill No. 4  
Senate Bill No. 22  
Senate Bill No. 38  
Senate Bill No. 39  
Senate Bill No. 52  
Senate Bill No. 56  
Senate Bill No. 57  
Senate Bill No. 59  
Senate Bill No. 62  
Senate Bill No. 85

These bills have now been filed with the Secretary of State.

Sincerely,  
WILLIAM L. GUY  
Governor

## REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 51  
Senate Bill No. 78  
Senate Bill No. 110  
Senate Bill No. 130  
Senate Bill No. 136  
Senate Bill No. 138  
Senate Bill No. 142  
Senate Bill No. 143  
Senate Bill No. 150  
Senate Bill No. 159  
Senate Bill No. 181  
Senate Bill No. 194  
Senate Bill No. 198  
Senate Bill No. 210  
Senate Bill No. 216  
Senate Bill No. 255

Senate Bill No. 312  
 Senate Bill No. 322  
 Senate Bill No. 334  
 Senate Bill No. 378

And find the same correctly Enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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 "NNN"

And find the same correctly Enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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. 51  
 Senate Bill No. 78  
 Senate Bill No. 110  
 Senate Bill No. 130  
 Senate Bill No. 136  
 Senate Bill No. 138  
 Senate Bill No. 142  
 Senate Bill No. 143  
 Senate Bill No. 150  
 Senate Bill No. 159  
 Senate Bill No. 181  
 Senate Bill No. 194  
 Senate Bill No. 198  
 Senate Bill No. 210  
 Senate Bill No. 216  
 Senate Bill No. 255  
 Senate Bill No. 312  
 Senate Bill No. 322  
 Senate Bill No. 334  
 Senate Bill No. 378

Senate Concurrent Resolution "NNN"

And the President signed the same in the presence of the Senate.

#### MOTIONS

Senator Becker moved that House Bill No. 833 be re-referred to the Committee on Finance and Taxation, which motion prevailed.

Senator Longmire moved that the Senate reconsider the action by which House Bill No. 537 was passed, which motion prevailed.

Senator Longmire moved that House Bill No. 537 be re-referred to the Committee on Social Welfare and Veterans Affairs, which motion prevailed.

Senator Becker moved that the Senate reconsider the action by which House Bill No. 767 was indefinitely postponed, which motion prevailed.

Senator Becker moved that House Bill No. 767 be placed at the foot of the calendar, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Delayed Bills has had under consideration two Senate Bills and three Senate Concurrent Resolutions to wit:

## A BILL

For an Act to make an appropriation for the operation of the state employees' retirement program, to amend and reenact section 54-52-13 of the North Dakota Century Code, relating to the deposit of moneys by the retirement board, and declaring an emergency.

## A BILL

For an Act to provide for the transfer of funds in the State Auditor Special Audits Fund, and funds received by the State Treasurer under the Taylor Grazing Act prior to 1963, to the general fund in the state treasury, and declaring an emergency.

## SENATE CONCURRENT RESOLUTION

A concurrent resolution directing the legislative research committee to study and review the feasibility of adopting a merit system for all state employees.

## SENATE CONCURRENT RESOLUTION

A concurrent resolution directing the legislative research committee to appoint a special subcommittee on intrastate cooperation consisting of members of the legislative assembly and representatives of political subdivisions and special advisory members from state government.

## SENATE CONCURRENT RESOLUTION

A concurrent resolution directing the legislative research committee to study the inclusion of medical disciplines under insurance contracts.

And recommends the same be introduced.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

FIRST READING OF SENATE BILLS AND  
SENATE CONCURRENT RESOLUTIONS

The Committee on Delayed Bills introduced:

**Senate Bill No. 400.** A Bill for an Act to provide for the transfer of funds in the State Auditor Special Audits Fund, and funds received by the State Treasurer under the Taylor Grazing Act prior to 1963, to the general fund in the state treasury, and declaring an emergency.

Was read the first time and referred to the Committee on Agriculture.

The Committee on Delayed Bills introduced:

**Senate Bill No. 401.** A Bill for an Act to make an appropriation for the operation of the state employees' retirement program, to amend and reenact section 54-52-13 of the North Dakota Century Code, relating to the deposit of moneys by the retirement board, and declaring an emergency.

Was read the first time and referred to the Committee on Appropriations.

Senators Rait and Lowe introduced:

**Senate Concurrent Resolution "000".** A Concurrent Resolution directing the legislative research committee to study the inclusion of medical disciplines under insurance contracts.

Was read the first time and referred to the Committee on Legislative Research Resolutions Committee.

The Committee on Delayed Bills introduced:

**Senate Concurrent Resolution "PPP".** A Concurrent Resolution directing the legislative research committee to study and review the feasibility of adopting a merit system for all state employees.

Was read the first time and referred to the Committee on Legislative Research Resolutions Committee.

The Committee on Delayed Bills introduced:

**Senate Concurrent Resolution "QQQ".** A Concurrent Resolution directing the legislative research committee to appoint a special subcommittee on intrastate cooperation consisting of members of the legislative assembly and representatives of political subdivisions and special advisory members from state government.

Was read the first time and referred to the Committee on Legislative Research Resolutions Committee.

#### CONSIDERATION OF AMENDMENTS

Senator Lips moved that the rules be suspended and that the reading of the amendments to House Bills Nos. 595, 635, 679, 731, 755, and House Concurrent Resolution "O", be dispensed with, which motion prevailed.

Senator Nasset moved that the amendments to House Bill No. 595, as recommended by the Committee on Transportation, and printed on page 660 of the Senate Journal, be adopted, which motion prevailed.

Senator Ringsak moved that the amendments to House Bill No. 635 as recommended by the Committee on State and Federal Government, and printed on page 660 of the Senate Journal, be adopted, which motion prevailed.

Senator Melland moved that the amendments to House Bill No. 679 as recommended by the Committee on Transportation, and printed on page 661 of the Senate Journal, be adopted, which motion prevailed.

Senator Becker moved that the amendments to House Bill No. 731 as recommended by the Committee on Finance and Taxation, and printed on pages 661 and 662 of the Senate Journal, be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 755 as recommended by the Committee on Transportation, and printed on page 663 of the Senate Journal, be adopted, which motion prevailed.

Senator Ringsak moved that the amendments to House Concurrent Resolution "O" as recommended by the Committee on State and Federal Government, and printed on page 663 of the Senate Journal, be adopted, which motion prevailed.

#### MESSAGES FROM THE HOUSE

House Chamber  
Bismarck, February 22, 1967

Mr. President: I have the honor to return:

Senate Bill No. 74

Senate Bill No. 128

Senate Bill No. 208

Which the House has amended as follows:

##### AMENDMENTS TO SENATE BILL No. 74

In line 14 of the engrossed bill before the first word "for" insert the words "or collection agencies located in the state"

And renumber the lines accordingly.

##### AMENDMENTS TO SENATE BILL, No. 128

In line 12 of the engrossed bill delete the word "and" and insert the word "or" in lieu thereof

## AMENDMENTS TO SENATE BILL No. 208

In line 53 after the word "apiary" add the following language:  
"of another commercial operator"

In line 57 delete the word "commercial"

In line 58 delete the word "commercial"

And renumber the lines accordingly.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 22, 1967

Mr. President: I have the honor to return:

Senate Bill No. 398

Which the House has indefinitely postponed.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 22, 1967

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 538.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 22, 1967

Mr. President: I have the honor to transmit:

House Bill No. 579

House Bill No. 591

House Bill No. 601

House Bill No. 602

House Bill No. 631

House Bill No. 632

House Bill No. 642

House Bill No. 656

House Bill No. 701

House Bill No. 763

House Bill No. 768

House Bill No. 882

House Bill No. 929

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

## REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Education to whom was referred Senate Concurrent Resolution "LLL" has had the same under consideration and recommends that the same be amended as follows:

In line 4 of the title after the word "districts" insert a period and delete the remainder of the line.

Delete all of line 5 of the title.

In line 13 delete the words "reported to" and insert in lieu thereof "channeled through"

Delete all of lines 22 through 30 and insert in lieu thereof the following:

"That the federal government is hereby urged that in administering its programs which allocate money to local school districts in any state that such administration be channeled through the office of the superintendent of public instruction and/or the state board of public school education, which office and/or state board is charged with the duty of administering such allocations to elementary and secondary schools, and that the North Dakota association of school administrators be urged to bring such practice

to the attention of the department of federal government responsible for such action and to the attention of our North Dakota congressional delegation."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

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 SORLIE, Chairman

Senator Melland 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 do pass.

SENATOR SORLIE, Chairman

Senator Melland 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 SORLIE, Chairman

Senator Larsen (Dick) 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 do pass.

SENATOR SORLIE, Chairman

Senator Beck 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 do pass.

SENATOR SORLIE, Chairman

Senator Robinson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 555 has had the same under consideration and recommends that the same be amended as follows:

In line 2 delete the words "state highway" and insert in lieu thereof "motor vehicle registration"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee amended line 2 at the request of the highway commissioner, primarily because he prefers to have the funds come out of the motor vehicle registration funds prior to the distribution of these funds to the state, city and county.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 588 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 603 has had the same under consideration and recommends that the same be amended as follows:

In the first line of the title delete the word "section" and insert in lieu thereof the word "sections" and insert after the numerals "15-20-06" the following material: "and 15-40-04"

After line 19 insert the following material:

"SECTION 2. AMENDMENT.) Section 15-40-04 of the 1965 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-40-04. VOCATIONAL EDUCATION IN AGRICULTURE, HOME ECONOMICS, AND DISTRIBUTIVE ((OCCUPATIONS))) EDUCATION — COOPERATION WITH FEDERAL PROGRAMS.) The department of accounts and purchases shall pay moneys appropriated by the legislative assembly in any biennium for the purposes of vocational education in agriculture, trade, industrial, home economics, distributive ((occupations))) education, office education, health occupations, or technical education subjects, and occupational information and guidance in cooperation with federal programs, to such school districts and in such manner as shall be directed in the certificate of the state board of public school education, and such board shall be charged with the duty of administering said funds through the state director of vocational education and shall do all things necessary to cooperate with the program outlined in the Smith-Hughes Act, in the George-Deen Act, and in other federal legislation adopted to further vocational education."

And renumber the lines accordingly

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 604 has had the same under consideration and recommends that the same be amended as follows:

In line 5 of the engrossed bill after the word "state" insert the following "board of vocational education of the state"

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

Senator Roen 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. 646 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. 647 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. 655 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. 668 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. 676 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. 686 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 698 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 706 has had the same under consideration and recommends that the same be amended as follows:

In line 11 of the engrossed bill delete the words "have the"

In line 12 delete the words "authority to approve the expenditure of funds"

In line 13 delete the word "and" and insert in lieu thereof a comma

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 736 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 745 has had the same under consideration and recommends that the same be amended as follows:

In line 2 of the title delete the words "and for an administration building"

In line 3 delete the figure \$65,000.00 and insert in lieu thereof \$45,000.00

In line 5 delete the words "and constructing an administration building"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee allowed funds for the dormitory only, because the



committee felt this construction more necessary than the administration wing.

SENATOR SORLIE, Chairman

Senator Beck 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. 747 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. 759 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 766 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. 776 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 781 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Senator Wilhite moved that the vote by which the committee report on House Bill No. 781 was adopted 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. 783 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. 784 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 785 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 823 has had the same under consideration and recommends that the same be amended as follows:

In line 15 after the word "in" insert the following "or on"

In line 16 after the word "highway" insert the following "or in an area used principally for public parking"

In line 17 after the word "in" insert the following "or on"

In line 18 after the word "highway" insert the following "or in an area used principally for public parking"

In line 22 after the word "in" insert the following "or on"

In line 24 after the word "highway" insert the following "or in an area used principally for public parking"

And renumber the lines accordingly

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 827 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 841 has had the same under consideration and recommends that the same be amended as follows:

In line 12 of the engrossed bill delete the word "two" and insert in lieu thereof the word "five"

In line 13 delete the word "fifty"

And when so amended recommends the same do pass.

ROBERT CHESROWN, Chairman

Senator Chesrown 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. 843 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 Industry, Business and Labor to whom was referred House Bill No. 845 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. 859 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 Education to whom was referred House Bill No. 894 has had the same under consideration and recommends that the same be amended as follows:

In line 2 of the Title of the engrossed bill delete the words "steel and prefabricated"

In line 4 delete the words "steel and prefabricated"

In line 9 delete the word "eighteen" and insert in lieu thereof "twenty-five"

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Concurrent Resolution "Y" 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 AND A HOUSE CONCURRENT RESOLUTION

**House Bill No. 917.** A Bill for an Act to amend chapter 57-38 of the North Dakota Century Code by creating and enacting a new section thereto, relating to the election of a corporation to have its undistributable taxable income included in the gross income of its shareholders; and to provide an effective date.

Was read the second time.

Senator Becker moved that House Bill No. 917 be placed at the foot of the calendar, which motion prevailed.

**House Concurrent Resolution "B-1".** A Concurrent Resolution directing the state industrial commission to establish credit terms for the operation of the state mill and elevator.

Was read the second time.

Senator Goldberg moved that House Concurrent Resolution "B-1" be adopted, which motion prevailed.

**House Bill No. 564.** A Bill for an Act to repeal subsections 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 of section 51-10-06 and sections 51-10-09, 51-10-10, 51-10-11, 51-10-12, 51-10-13, 51-10-14, and 51-10-15 of the 1965 Supplement to the North Dakota Century Code, relating to the North Dakota Trade Commission.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 15; nays, 32; absent and not voting, 2.

Those voting in the affirmative were:

Butler	Morgan	Robinson	Sorlie
Goldberg	Mutch	Roen	Torgerson
Hofstrand	Nething	Sands	Trenbeath
Melland	Pyle	Schultz	

Those voting in the negative were:

Beck	Freed	Larsen, R.	Nasset
Becker	Geving	Larson, G.	Rait

Berube	Hernett	Larson, L.	Redlin
Chesrown	Holand	Lips	Ruemmele
Christensen	Jacobson	Longmire	Stafne
Coughlin	Kautzmann	Lowe	Stroup
Decker	Kelly, E.	Luick	Wenstrom
Forkner	Kelly, M.	Meschke	Wilhite

Absent and not voting:

Litten                      Ringsak

So the bill lost.

Senator Hernett moved that the vote by which House Bill No. 564 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Wilhite: Mr. President. I rise to explain my vote on House Bill No. 564. I voted to preserve the Trade Commission because I was instrumental in killing House Bill No. 767 yesterday which was special legislation for the cigarette industry. Now they can take their problems to this commission just like any other segment of industry.

#### MOTION

Senator Longmire moved that the Committee on Printing be authorized to send copies of all bills and resolutions to the University Law School at Grand Forks, which motion prevailed.

#### MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 22, 1967

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to

Senate Bill No. 10  
Senate Bill No. 20  
Senate Bill No. 46  
Senate Bill No. 76  
Senate Bill No. 175  
Senate Bill No. 347

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 22, 1967

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 25 and the President has appointed as a conference committee to act with a like committee from the House,

Senator Larsen  
Senator Kelly  
Senator Wenstrom

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 22, 1967

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "OO"  
Senate Concurrent Resolution "PP"

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber  
Bismarck, February 22, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 51  
Senate Bill No. 78  
Senate Bill No. 110  
Senate Bill No. 130  
Senate Bill No. 136  
Senate Bill No. 138  
Senate Bill No. 142  
Senate Bill No. 143  
Senate Bill No. 150  
Senate Bill No. 159  
Senate Bill No. 181  
Senate Bill No. 194  
Senate Bill No. 198  
Senate Bill No. 210  
Senate Bill No. 216  
Senate Bill No. 255  
Senate Bill No. 312  
Senate Bill No. 322  
Senate Bill No. 334  
Senate Bill No. 378

Senate Concurrent Resolution "NNN"

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber  
Bismarck, February 22, 1967

Mr. President: I have the honor to transmit:

House Bill No. 534  
House Bill No. 782

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

Senator Schultz moved that the absent Senators be excused, which motion prevailed.

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTY-FIRST DAY

Bismarck, February 22, 1967

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Senator Guy Larson, Bismarck.

Roll call: All Senators present except Senator Litten.

A quorum was declared by the President.

CORRECTION AND REVISION

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 LOWE, Chairman

Senator Lowe moved that the report be adopted, which motion prevailed.

MOTION

Senator Redlin moved that Senate Memorial Resolution No. 2, to be adopted in the joint memorial session on February 22, 1967, be printed in the Journal and not as a bill, which motion prevailed.

## SENATE MEMORIAL RESOLUTION No. 2

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-  
2 ninth Legislative Assembly, God in His wisdom has seen fit  
2a to summon

3 to eternal rest His servants and our former colleagues:

4 JOSEPH B. BRIDSTON, who served in the twenty-  
5 sixth to the thirty-fourth legislative assemblies, from the  
5a seventh

6 district, died September 26, 1965.

7 LEE F. BROOKS, who served in the thirty-  
8 fifth, thirty-seventh and thirty-eighth legislative assemblies,  
8a from

9 the ninth legislative district, died April 13, 1965.

10 JOHN CONRAD, who served in the twenty-  
11 ninth and thirtieth legislative assemblies, from the eleventh  
12 legislative district, died August 18, 1965.

13 GILBERT W. HAGGART, who served in the fifteenth and  
14 sixteenth legislative assemblies, from the ninth legislative  
15 district, died January 7, 1967.

16 ANTON LARSON, who served in the twenty-second  
17 and twenty-third legislative assemblies, from the twenty-sixth  
18 legislative district, died November 25, 1965.

19 KENNETH K. PYLE, who served in the thirtieth  
20 to the thirty-third legislative assemblies, from the tenth  
20a legisla-  
21 tive district, died July 10, 1965.

22 WHEREAS, today, we as members of the senate  
23 of the Fortieth Legislative Assembly of the state of North  
23a Dakota,

24 pause to mourn the passing of our former colleagues, and to  
24a honor  
25 their memories; and

26 WHEREAS, these men rendered outstanding  
27 service to the people of this state by their contribution to their  
28 fellow men and their communities:

29 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE  
30 OF THE FORTIETH LEGISLATIVE ASSEMBLY OF THE  
30a STATE

31 OF NORTH DAKOTA:

32 That we express our keen sorrow on their passing and our  
33 appreciation, on behalf of the people of North Dakota, of the  
33a loyal

34 and devoted service of these, our former colleagues.

35 BE IT FURTHER RESOLVED, that for the perpetua-  
36 tion of their memory this token of respect and sympathy by  
36a their

37 successors in trust be printed in the journal of the senate and  
37a that

38 duly enrolled copies of this resolution be presented by the  
38a secretary

39 of state to the surviving families of these deceased senators.

## MOTION

Senator Holand moved that the Senate reconsider the action by which House Bill No. 732 was indefinitely postponed, which motion prevailed.

Senator Holand moved that House Bill No. 732 be re-referred to the Committee on State and Federal Government, which motion prevailed.

## SIGNING OF BILLS

The Secretary announced that the President was about to sign

House Bill No. 534  
 House Bill No. 579  
 House Bill No. 591  
 House Bill No. 601  
 House Bill No. 602  
 House Bill No. 631  
 House Bill No. 632  
 House Bill No. 642  
 House Bill No. 656  
 House Bill No. 701  
 House Bill No. 763  
 House Bill No. 768  
 House Bill No. 782  
 House Bill No. 882  
 House Bill No. 929

And the President signed the same in the presence of the Senate.

## MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 22, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 551  
 House Bill No. 558  
 House Bill No. 597  
 House Bill No. 606  
 House Bill No. 609  
 House Bill No. 611  
 House Bill No. 612  
 House Bill No. 613  
 House Bill No. 616  
 House Bill No. 624  
 House Bill No. 650  
 House Bill No. 651  
 House Bill No. 652  
 House Bill No. 653  
 House Bill No. 666  
 House Bill No. 672  
 House Bill No. 673  
 House Bill No. 674  
 House Bill No. 691  
 House Bill No. 694  
 House Bill No. 704  
 House Bill No. 711  
 House Bill No. 712  
 House Bill No. 720  
 House Bill No. 729  
 House Bill No. 733  
 House Bill No. 757  
 House Bill No. 770  
 House Bill No. 778  
 House Bill No. 839  
 House Bill No. 855  
 House Bill No. 867  
 House Bill No. 871  
 House Bill No. 879  
 House Bill No. 926

House Concurrent Resolution "T"

House Concurrent Resolution "X"

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber  
Bismarck, February 22, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 541  
House Bill No. 560  
House Bill No. 562  
House Bill No. 615  
House Bill No. 705  
House Bill No. 714  
House Bill No. 760  
House Bill No. 780  
House Bill No. 809  
House Bill No. 811  
House Bill No. 826  
House Bill No. 840  
House Bill No. 863

Which the Senate has amended.

LEO LEIDHOLM, Secretary  
Senate Chamber  
Bismarck, February 22, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 622  
House Bill No. 623  
House Bill No. 641  
House Bill No. 654  
House Bill No. 726  
House Bill No. 753  
House Bill No. 765  
House Bill No. 786  
House Bill No. 875  
House Concurrent Resolution "U-1"  
House Concurrent Resolution "Z-1"

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary  
Senate Chamber  
Bismarck, February 22, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 534  
House Bill No. 579  
House Bill No. 591  
House Bill No. 601  
House Bill No. 602  
House Bill No. 631  
House Bill No. 632  
House Bill No. 642  
House Bill No. 656  
House Bill No. 701  
House Bill No. 763  
House Bill No. 768  
House Bill No. 782  
House Bill No. 882  
House Bill No. 929

Which the President has signed.

LEO LEIDHOLM, Secretary  
Senator Lips moved that the Senate recess until 1:00 p.m., on  
February 23, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary



"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### FIFTY-FIRST DAY AFTER RECESS AND FIFTY-SECOND DAY

Bismarck, February 23, 1967

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

### MESSAGES FROM THE GOVERNOR

February 21, 1967

Members of the Senate  
Fortieth Legislative Assembly  
Senate Chambers  
Bismarck, North Dakota

Greetings!

As of February 21, 1967, I have signed the following Senate bills:

Senate Bill No. 5  
Senate Bill No. 9  
Senate Bill No. 11  
Senate Bill No. 12  
Senate Bill No. 15  
Senate Bill No. 16  
Senate Bill No. 19  
Senate Bill No. 23  
Senate Bill No. 27  
Senate Bill No. 28  
Senate Bill No. 29

These bills have now been filed with the Secretary of State.

Sincerely,  
WILLIAM L. GUY  
Governor

February 22, 1967

Members of the Senate  
Fortieth Legislative Assembly  
Senate Chambers  
Bismarck, North Dakota

Greetings!

As of February 22, 1967, I have signed the following Senate bills:

Senate Bill No. 24  
Senate Bill No. 69  
Senate Bill No. 70  
Senate Bill No. 176  
Senate Bill No. 178  
Senate Bill No. 203  
Senate Bill No. 253

Senate Bill No. 276

Senate Bill No. 284

These bills have now been filed with the Secretary of State.

Sincerely,  
WILLIAM L. GUY  
Governor

February 22, 1967

Members of the Senate  
Fortieth Legislative Assembly  
Senate Chambers  
Bismarck, North Dakota

Greetings!

As of February 22, 1967, I have signed the following Senate Bills:

Senate Bill No. 18  
Senate Bill No. 42  
Senate Bill No. 49  
Senate Bill No. 72  
Senate Bill No. 77  
Senate Bill No. 113  
Senate Bill No. 127  
Senate Bill No. 135  
Senate Bill No. 139  
Senate Bill No. 68  
Senate Bill No. 134  
Senate Bill No. 167  
Senate Bill No. 384

These bills have now been filed with the Secretary of State.

Sincerely,  
WILLIAM L. GUY  
Governor

#### REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 285  
Senate Bill No. 286

And find the same correctly reengrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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. 82  
Senate Bill No. 95  
Senate Bill No. 111  
Senate Bill No. 123  
Senate Bill No. 133  
Senate Bill No. 140  
Senate Bill No. 285  
Senate Bill No. 286  
Senate Bill No. 317

And find the same correctly enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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. 82  
Senate Bill No. 95

Senate Bill No. 111  
 Senate Bill No. 123  
 Senate Bill No. 133  
 Senate Bill No. 140  
 Senate Bill No. 285  
 Senate Bill No. 286  
 Senate Bill No. 317

And the President signed the same in the presence of the Senate.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution "UU" has had the same under consideration and recommends that the same be amended as follows:

In line 11 of the title delete the following "110, 111,"

In line 18 after the word "thereof" insert the following "; county courts and other courts"

In line 93 after the word "and" insert the following "of the judicial district in which he shall serve and shall"

In line 172 delete the following "110, 111,"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 400 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan 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 SORLIE, Chairman

Senator Melland 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 be amended as follows:

In line 3 delete the figure \$2,279,481.00 and insert in lieu thereof \$2,302,481.00

In line 12 delete the figure \$18,000.00 and insert in lieu thereof \$19,000.00

In line 14 delete the figure \$408,000.00 and insert in lieu thereof \$391,000.00

After line 14 insert the following:

"In Lieu of Taxes \$40,000.00"

In line 22 delete the figure \$2,279,481.00 and insert in lieu thereof \$2,302,481.00

And renumber the lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee felt the \$1,000.00 increase in the deputy's salary was warranted.

The committee amended line 14 by decreasing it \$17,000.00 and inserted the line item of \$40,000.00 to comply with the fiscal note on Senate Bill No. 82.

SENATOR SORLIE, Chairman

Senator Robinson 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 do pass.

SENATOR SORLIE, Chairman

Senator Kelly (Earl) moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 539 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 540 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 596 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Milton Kelly moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was re-referred House Bill No. 598 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 600 has had the same under consideration and recommends that the same be amended as follows:

In line 26 of the engrossed bill delete the words "two weeks" and insert in lieu thereof "semi-monthly" and delete the words "between purchase of"

In line 27 delete the words "such milk or cream and payment for same"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 634 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Robinson moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 693 has had the same under consideration and recommends that the same be amended as follows:

In line 22 delete the figure \$4,000.00 and insert in lieu thereof \$5,000.00

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee increased this appropriation by \$1,000.00 because it felt the \$4,000.00 would be insufficient to meet expenditures.

SENATOR SORLIE, Chairman

Senator Geving moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 718 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 779 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan 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 be amended as follows:

In line 29 of the engrossed bill delete the words "and potato processing plant"

And when so amended recommends the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 802 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted.

Senator Meschke requested a recorded vote, which request was granted.

The question being on the motion of Senator Morgan, the roll was called and there were ayes, 35; nays, 11; absent and not voting, 3.

ROLL CALL

Those voting in the affirmative were:

Butler	Hofstrand	Litten	Roen
Chesrown	Holand	Lowe	Ruemmele
Coughlin	Jacobson	Luick	Schultz
Decker	Kautzmann	Melland	Sorlie
Forkner	Kelly, E.	Morgan	Stafne
Freed	Kelly, M.	Nothing	Stroup
Geving	Larsen, R.	Pyle	Trenbeath
Goldberg	Larson, G.	Redlin	Wilhite
Hernett	Lips	Ringsak	

Those voting in the negative were:

Becker	Larson, L.	Rait	Torgerson
Berube	Longmire	Robinson	Wenstrom
Christensen	Meschke	Sands	

Absent and not voting:

Beck	Mutch	Nasset
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So the motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 814 has had the same under consideration and recommends that the same be amended as follows:

Following line 30 of the engrossed bill insert the following words "All oil and gas rights underlying such tract shall be reserved for the use and benefit of the Dickinson Experiment Station."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 821 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 828 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted.

Senator Sands: Mr. President.

Yesterday I sat in the Senate while a lawyer told us small town merchants, Senator Schultz and myself, that we didn't know when we were well off. We had to have this Trade Commission to counsel us on how to make a profit, even after 20 years of managing our own small town businesses.

So today, and I know I will get these words back smack in my kisser, but I would like to talk a little about their business. "Fools rush in where angels fear to tread" House Bill No. 828 is scheduled to be killed. One of the good legal counselors told the sponsor of the bill, Dr. Warren Allen, that this bill was an excellent endeavor on his part and he should be complemented for bringing this situation to the attention of the public. Now this bill is to be killed because they say it takes away the discretionary power of the judge. Number 2 because they will not have any DWI charges, they will all be reckless driving.

I am certain that the reasons given are sincere and perhaps they are overpoweringly right, but how long have the courts had the authority to do something about drunken driving? Yet they have sat and twiddled their thumbs.

Perhaps I am prejudiced on this matter as they say your opinions are predicated on your personal experiences in life. But ten years ago an employee of mine was on his way to Jamestown one Saturday evening about 10:00 o'clock. One mile east of Drake on highway No. 52 there is a little valley. At the bottom of this valley a drunk left his truck and waddled into town to the bar. Wally Beitz drove into the valley from the west and another man came from the east. When their cars came over the brow, their lights tipped down and suddenly there was that truck. Result! A horrible crash. Wally Beitz life was snuffed out leaving a widow, a three year old daughter and a 4 month old baby.

On November 5, 1960 at 8:30 in the evening, I was driving on Highway No. 2 on a straight stretch of road when all of a sudden the car approaching me came over into my lane. The last thing I remember for several days was the two headlights coming over the hood of my car. The driver of the other car confessed to the sheriff and the highway patrolman before he died that he had fallen asleep. He had gone into the ditch one time before when he fell asleep at the wheel after a couple of beers. It was five months before I could return to work and I soon found out that

I could not continue in this business that I had worked 15 years to build. I had to sell out and start all over in another type of business. It took me two years to make that business start paying a profit. But some how I made it without the Trade Commission assistance and council.

Finally, Gentlemen, I know what I have in the vault at the Velva cemetery, I have the body of Pfc. Alvin Schoonberg. He returned from Viet Nam on leave. When he refused to continue riding with a drunken driver and he and another friend got out of the car and started walking down the highway east of Garrison, this enraged drunken driver using his car as surely as you would use a rifle drove him down and killed him.

Gentlemen of the Senate, I beg you not to accept this calous attitude of indifference that says you, the duly elected Senators of the State of North Dakota, dasen't slap the wrists of the jurists that have failed utterly and completely with a capital "F" to do his part in protecting the lives of the law abiding motorist. If this bill is not right, then amend it or correct it, but use it to express our determination to help correct this dispicable situation in North Dakota.

Senator Schultz moved that the remarks of Senator Sands be printed in the Journal, which motion prevailed.

The question being on the motion of Senator Chesrown that the committee report on House Bill No. 828 be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 869 has had the same under consideration and recommends that the same be amended as follows:

In line 17 after the "." delete the remainder of the line

Delete lines 18 through 20 and insert in lieu thereof the following:

"If a dispute exists concerning the amount or nature of the insurance coverage, the dispute shall be tried separately before the main trial determining the claims and damages of the claimant. This statute confers no right for a claimant to sue the insurer directly."

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 870 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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. 877 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 Agriculture to whom was referred House Bill No. 928 has had the same under consideration and recommends that the same do pass.

And re-referred to the Committee on Appropriations.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Concurrent Resolution "J" has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Agriculture to whom was referred House Concurrent Resolution "Z" has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

Senator Morgan moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Concurrent Resolution "N-1" has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Concurrent Resolution "S-1" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

#### MOTION

Senator Lips moved that he be granted the consent of two-thirds of the members-elect to introduce Senate Bill No. 402, which motion prevailed.

#### FIRST READING OF A SENATE BILL

The Committee on Delayed Bills introduced:

**Senate Bill No. 402.** A Bill for an Act providing for a temporary governor's committee for the purpose of evaluating the report of the national crime commission and making a report to the governor and the forty-first legislative assembly.

Was read the first time and referred to the Committee on Judiciary.

#### MESSAGE FROM THE GOVERNOR (VETO SENATE BILL NO. 232)

February 23, 1967

The Honorable Charles Tighe  
President of the North Dakota Senate  
State Capitol  
Bismarck, North Dakota

Dear Mr. President:

In 1961, I implemented the Department of Accounts and Purchases and instructed that department to put all state purchasing that was possible under the bid system. This has been done with outstanding success in saving the state money and giving all potential contractors an opportunity to seek the state's business.

At the beginning of this fortieth session, I believed that the successful policy of the Department of Accounts and Purchases in placing state business on an open bid basis had reduced the need to continue the Anti-Corruption Act on our books.



I am sure that all objective observers would agree that one of the major parties in this state has scrupulously avoided running any candidates for the legislature which would be in conflict with the Anti-Corruption statute. The other major party did lose some of its legislators and legislative candidates upon the passage of the Anti-Corruption Act in 1954, but since that date that party has disregarded this law and has run candidates and elected legislators contrary to the law.

At the beginning of this session, it appeared to me that if both major parties did not respect this law on an equal basis, the party which did respect it was placed at a disadvantage with the party that did not respect the Anti-Corruption Law.

I believe that it could be safely said that in this present session of the legislature there are legislators serving in open defiance of the law.

As I have viewed events since the beginning of this legislature and as I have watched the actions of individual legislators, I have come to the conclusion that we are not yet ready to repeal the Anti-Corruption Law. To do so would not be in the best interest of good legislative process, nor would it be in the best interests of the people of the state of North Dakota.

I regret that this message will be disappointing to many very fine and honest people. I regret that many very fine and capable people will continue to be denied some of the rights to public service which we consider most precious in our system of government. However, I believe that the best interests of North Dakota will be served if the Anti-Corruption bill is not repealed in this session.

I therefore disapprove, by veto, Senate Bill No. 232.

Sincerely yours,  
WILLIAM L. GUY  
Governor

#### MOTIONS

Senator Lips moved that Senate Bill No. 232 be placed at the foot of the calendar, which motion prevailed.

Senator Sorlie moved that House Bill No. 580 be returned to the Senate from the Committee on Appropriations, which motion prevailed.

Senator Sorlie moved that House Bill No. 580 be re-referred to the Committee on Political Subdivisions, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

Senator Lips moved that the rules be suspended and that the reading of the amendments to House Bills Nos. 683, 792, 803, 804, Senate Concurrent Resolution "LLL", House Bills Nos. 555, 603, 604, 706, 745, 894, 823, and 841, be dispensed with, which motion prevailed.

Senator Becker moved that the amendments to House Bill No. 683 as recommended by the Committee on Finance and Taxation, and printed on page 673 of the Senate Journal, be adopted, which motion prevailed.

Senator Becker moved that the amendments to House Bill No. 792 as recommended by the Committee on Finance and Taxation, and printed on page 675 of the Senate Journal, be adopted, which motion prevailed.

Senator Ringsak moved that the amendments to House Bill No. 803 as recommended by the Committee on State and Federal Government, and printed on page 675 of the Senate Journal, be adopted.

Senator Meschke 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, 35; nays, 11; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hernett	Lips	Ruemmele
Becker	Hofstrand	Longmire	Sands
Butler	Holand	Lowe	Schultz
Chesrown	Jacobson	Luick	Sorlie
Coughlin	Kautzmann	Morgan	Stroup
Decker	Kelly, E.	Pyle	Torgerson
Forkner	Kelly, M.	Ringsak	Wenstrom
Geving	Larsen, R.	Robinson	Wilhite
Goldberg	Larson, G.	Roen	

Those voting in the negative were:

Berube	Larson, L.	Meschke	Redlin
Christensen	Litten	Nething	Stafne
Freed	Melland	Rait	

Absent and not voting:

Mutch	Nasset	Trenbeath
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So the motion prevailed.

Senator Ringsak moved that the amendments to House Bill No. 804 as recommended by the Committee on State and Federal Government, and printed on page 675 of the Senate Journal, be adopted.

Senator Meschke 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, 30; nays, 17; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Roen
Butler	Hofstrand	Luick	Ruemmele
Chesrown	Holand	Morgan	Sands
Decker	Jacobson	Mutch	Sorlie
Forkner	Kautzmann	Pyle	Stroup
Freed	Larsen, R.	Ringsak	Wenstrom
Geving	Larson, G.	Robinson	Wilhite
Goldberg	Longmire		

Those voting in the negative were:

Becker	Kelly, M.	Melland	Redlin
Berube	Larson, L.	Meschke	Schultz
Christensen	Lips	Nething	Stafne
Coughlin	Litten	Rait	Torgerson
Kelly, E.			

Absent and not voting:

Nasset	Trenbeath
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So the motion prevailed.

Senator Roen moved that the amendments to Senate Concurrent Resolution "LLL" as recommended by the Committee on Education, and printed on pages 699 and 700 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 555 as recommended by the Committee on Appropriations, and printed on page 700 of the Senate Journal, be adopted, which motion prevailed.

Senator Roen moved that the amendments to House Bill No. 603 as recommended by the Committee on Education, and printed on page 701 of the Senate Journal, be adopted, which motion prevailed.

Senator Roen moved that the amendments to House Bill No. 604 as recommended by the Committee on Education, and printed on page 701 of the Senate Journal, be adopted, which motion prevailed.

Senator Roen moved that the amendments to House Bill No. 706 as recommended by the Committee on Education, and printed on page 702 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that House Bill No. 745 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Roen moved that the amendments to House Bill No. 894 as recommended by the Committee on Education, and printed on page 705 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to House Bill No. 823 as recommended by the Committee on Judiciary, and printed on page 704 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that House Bill No. 823 be further amended as follows:

In line 14 delete the word "section"

In line 15 delete the words "5-01-01 of"

Renumber the lines accordingly.

Which motion prevailed.

Senator Chesrown moved that the amendments to House Bill No. 841 as recommended by the Committee on Judiciary, and printed on page 704 of the Senate Journal, be adopted, which motion prevailed.

#### FIRST READING OF A SENATE RESOLUTION

The Committee on Agriculture introduced:

**Senate Resolution No. 4.** A Resolution relating to crop reporting methods and procedures used in determining yields by the crop reporting service.

Was read the first time.

#### MOTION

Senator Lips moved that the rules be suspended, that Senate Resolution No. 4 be not referred to committee, not printed as a bill, but printed in the Journal, and laid over one legislative day, which motion prevailed.

#### SENATE RESOLUTION NO. 4

Introduced by Committee on Agriculture

A Resolution relating to crop reporting methods and procedures used in determining yields by the crop reporting service.

1 WHEREAS, the wheat certificate payment program is a  
2 major factor in the income received by farmers and counties;  
3 and

4 WHEREAS, these payments can mean a differential of  
5 hundreds of thousands of dollars between counties if the  
6 projected wheat yields for each county are improperly  
7 determined; and

8 WHEREAS, farmers and county agricultural stabilization  
9 conservation service committees have become concerned about  
10 the iniquities and variations occurring in county projected  
11 wheat yields; and

12 WHEREAS, the methods of determining the projected wheat  
12a yields  
13 and all farm commodity reports could be greatly improved upon  
13a by

14 securing authentic and representative commodity yields;

15 NOW, THEREFORE, BE IT RESOLVED BY THE

## 16 SENATE OF THE STATE OF NORTH DAKOTA:

17 That the Senate of the Fortieth Legislative Assembly  
 18 of the state of North Dakota hereby requests that the United  
 19 States department of agriculture and its crop reporting service,  
 20 the state agricultural stabilization conservation service and  
 21 its county committees, the state agriculture departments and  
 22 assessors, cooperate to formulate and devise improved methods  
 23 in securing accurate and representative yield reports from  
 24 individuals, townships, and counties to correct the present  
 25 cumbersome and unfair method of determining commodity crop  
 26 yields; and

27 BE IT FURTHER RESOLVED, that the secretary of state  
 27a send

28 certified copies of this resolution to the state agricultural  
 29 stabilization conservation service committees, state department  
 30 of agriculture, United States department of agriculture and  
 31 its crop reporting services, chairmen of the Senate and House  
 32 agricultural committees of the states of Minnesota and South  
 33 Dakota, the congressional delegations of the state of North  
 34 Dakota, South Dakota, and Minnesota, and chairman of the  
 34a United  
 35 States Senate and House agricultural committees.

## MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 23, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 82  
 Senate Bill No. 95  
 Senate Bill No. 111  
 Senate Bill No. 123  
 Senate Bill No. 133  
 Senate Bill No. 140  
 Senate Bill No. 285  
 Senate Bill No. 286  
 Senate Bill No. 317

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 23, 1967

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "B-1"

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

## CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Longmire moved that the Senate do concur in the House amendments to Senate Bill No. 74, which motion prevailed.

Senator Longmire moved that the rules be suspended and that Senate Bill No. 74 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. 74.** For an Act to amend and reenact section 25-09-07 of the 1965 Supplement to the North Dakota Century Code relating to the collection of expenses of care and treatment of patients at the state hospital and state 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, 40; nays, 6; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Robinson
Becker	Jacobson	Luick	Roen
Berube	Kautzmann	Melland	Ruemmele
Butler	Kelly, E.	Morgan	Sands
Coughlin	Kelly, M.	Mutch	Schultz
Decker	Larsen, R.	Nasset	Sorlie
Forkner	Larson, G.	Nothing	Stafne
Freed	Lips	Pyle	Stroup
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite

Those voting in the negative were:

Chesrown	Larson, L.	Rait	Torgerson
Christensen	Meschke		

Absent and not voting:

Hofstrand	Holand	Trenbeath
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So the bill passed and the title was agreed to.

Senator Chesrown moved that the Senate do concur in the House amendments to Senate Bill No. 128, which motion prevailed.

Senator Chesrown 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 create and enact section 8-10-07.1 of the North Dakota Century Code, relating to harassing telephone calls.

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:

Beck	Hernett	Luick	Robinson
Becker	Jacobson	Melland	Roen
Berube	Kautzmann	Meschke	Ruemmele
Butler	Kelly, E.	Morgan	Sands
Chesrown	Kelly, M.	Mutch	Schultz
Christensen	Larsen, R.	Nasset	Sorlie
Coughlin	Larson, G.	Nothing	Stafne
Decker	Larson, L.	Pyle	Stroup
Forkner	Lips	Rait	Torgerson
Freed	Litten	Redlin	Wenstrom
Geving	Longmire	Ringsak	Wilhite
Goldberg	Lowe		

Absent and not voting:

Hofstrand	Holand	Trenbeath
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So the bill passed and the title was agreed to.

Senator Morgan moved that the Senate do concur in the House amendments to Senate Bill No. 208, which motion prevailed.

Senator Morgan moved that the rules be suspended and that Senate Bill No. 208 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 208.** A Bill for an Act to create and enact sections 4-12-03.1 and 4-12-03.2 of the North Dakota Century Code,

relating to the establishment, registration, and retention of beehive or colony location rights, and to amend and reenact sections 4-12-01, 4-12-03, 4-12-20, and 4-12-22 of the North Dakota Century Code, relating to definitions concerning bees, beekeepers' licenses, the penalty for unlawful transportation or maintenance of bees, inspection fees paid for bees being brought into the state, and declaring an emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, 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:

Beck	Hernett	Luick	Robinson
Becker	Jacobson	Melland	Roen
Berube	Kautzmann	Meschke	Ruemmele
Butler	Kelly, E.	Morgan	Sands
Chesrown	Kelly, M.	Mutch	Schultz
Christensen	Larsen, R.	Nasset	Sorlie
Coughlin	Larson, G.	Nething	Stafne
Decker	Larson, L.	Pyle	Stroup
Forkner	Lips	Rait	Torgerson
Freed	Litten	Redlin	Wenstrom
Geving	Longmire	Ringsak	Wilhite
Goldberg	Lowe		

Absent and not voting:

Hofstrand	Holand	Trenbeath
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So the bill passed and the title was agreed to.

#### REPORTS OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 528 has had the same under consideration and a majority recommends that the Senate recede from their amendment.

For the Senate

Senator Robinson

Senator Milton Kelly

For the House

Rep. Davis

Rep. James Peterson

Senator Robinson moved that the report be adopted.

Mr. President: Your Conference Committee to whom was referred House Bill No. 528 has had the same under consideration and a minority recommends that the House concur with the Senate amendment.

For the Senate

Senator Wenstrom

For the House

Rep. Williamson

Senator Wenstrom moved that the report of the minority be substituted for that of the majority, which motion lost.

The question being on the motion of Senator Robinson, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 23, 1967

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to

Senate Bill No. 74

Senate Bill No. 128  
Senate Bill No. 208

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber  
Bismarck, February 23, 1967

Mr. President: I have the honor to return:

Senate Bill No. 64  
Senate Bill No. 120  
Senate Bill No. 124  
Senate Bill No. 129  
Senate Bill No. 131  
Senate Bill No. 132

Which the House has amended as follows:

AMENDMENTS TO SENATE BILL NO. 64

In line 13 place triple parentheses around the following language "of each type of" and in the same line after the second quote insert the word "animal"

And renumber the lines accordingly.

AMENDMENTS TO SENATE BILL NO. 120

In line 7 of the engrossed bill delete the word "section"

In line 8 of the engrossed bill delete the numbers "12-55-05" and insert the word "law" in lieu thereof

In line 15 of the engrossed bill delete the word "shall" and insert the word "may" in lieu thereof

And renumber the lines accordingly.

AMENDMENTS TO SENATE BILL NO. 124

In line 11 of the engrossed bill delete the first "the" and insert the words "a district" in lieu thereof and after the word "judge" delete the following language ", justice or magistrate"

In line 13 of the engrossed bill after the word "The" insert the word "district" and delete the comma "," and the word "justice"

In line 14 of the engrossed bill delete the words "or magistrate"

And renumber the lines accordingly.

AMENDMENTS TO SENATE BILL NO. 129

In the second line of the title of the engrossed bill delete the words "the police" and insert the words "a peace officer" in lieu thereof.

In line 4 of the engrossed bill delete the word "POLICE" and insert the word "PEACE OFFICER"

In line 6 of the engrossed bill delete the words "or other"

In line 7 of the engrossed bill delete the words "public official"

And renumber the lines accordingly.

AMENDMENTS TO SENATE BILL NO. 131

Delete all of lines 3 through 9 inclusive and insert the following language in lieu thereof:

"29-06-13.1. RESISTING PEACE OFFICER.) Any person who shall knowingly resist, obstruct or abuse a sheriff or peace officer in the execution of his office, or who shall knowingly resist an arrest by such official shall be guilty of a misdemeanor."

And renumber the lines accordingly.

AMENDMENTS TO SENATE BILL NO. 132

In line 15 of the engrossed bill place triple parentheses around the word "hundred" and insert the word "thousand" in lieu thereof

In line 16 of the engrossed bill place triple parentheses before the word "and"

In line 18 of the engrossed bill place triple parentheses after the second comma “,”

In line 19 of the engrossed bill place triple parentheses around the word “hundred” and insert the word “thousand” in lieu thereof  
And renumber the lines accordingly.

ROY GILBREATH, Chief Clerk

**MESSAGES FROM THE HOUSE**

House Chamber

Bismarck, February 23, 1967

Mr. President: I have the honor to transmit:

House Bill No. 538  
House Bill No. 566  
House Bill No. 599  
House Bill No. 618  
House Bill No. 658  
House Bill No. 660  
House Bill No. 678  
House Bill No. 685  
House Bill No. 692  
House Bill No. 708  
House Bill No. 748  
House Bill No. 772  
House Bill No. 873

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 23, 1967

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,

Rep. Connolly

Rep. Peterson, 5th Dist.

Rep. Solberg, 2nd Dist.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 23, 1967

Mr. President: I have the honor to return:

Senate Bill No. 30  
Senate Bill No. 65  
Senate Bill No. 81  
Senate Bill No. 109  
Senate Bill No. 116  
Senate Bill No. 153  
Senate Bill No. 166  
Senate Bill No. 177  
Senate Bill No. 184  
Senate Bill No. 191  
Senate Bill No. 201  
Senate Bill No. 244  
Senate Bill No. 245  
Senate Bill No. 246  
Senate Bill No. 294  
Senate Bill No. 330  
Senate Bill No. 356

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk



House Chamber  
Bismarck, February 23, 1967

Mr. President: I have the honor to return:

Senate Bill No. 41  
Senate Bill No. 84  
Senate Bill No. 169  
Senate Bill No. 248  
Senate Bill No. 263  
Senate Bill No. 273  
Senate Bill No. 290  
Senate Bill No. 296

Which the House has indefinitely postponed.

ROY GILBREATH, Chief Clerk

#### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, February 23, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 564  
House Bill No. 668  
House Bill No. 698  
House Bill No. 759  
House Bill No. 781

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary  
Senate Chamber  
Bismarck, February 23, 1967

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report of the majority on House Bill No. 528

LEO LEIDHOLM, Secretary

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 538  
House Bill No. 566  
House Bill No. 599  
House Bill No. 618  
House Bill No. 658  
House Bill No. 660  
House Bill No. 678  
House Bill No. 685  
House Bill No. 692  
House Bill No. 708  
House Bill No. 748  
House Bill No. 772  
House Bill No. 873

And the President signed the same in the presence of the Senate.

#### MOTION

Senator Lips moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair, pursuant to recess taken, the President presiding.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 23, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 538  
House Bill No. 566

House Bill No. 599  
 House Bill No. 618  
 House Bill No. 658  
 House Bill No. 660  
 House Bill No. 678  
 House Bill No. 685  
 House Bill No. 692  
 House Bill No. 708  
 House Bill No. 748  
 House Bill No. 772  
 House Bill No. 873

Which the President has signed.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE GOVERNOR  
 (VETO OF SENATE BILL NO. 13)

February 23, 1967

The Honorable Charles Tighe  
 President of the North Dakota Senate  
 State Capitol  
 Bismarck, North Dakota

Dear Mr. President:

In my message to the 40th Legislative Assembly, I asked the question: "Are state and local governments becoming weaker because of the federal government?" I answered by saying, "If state and local governments are becoming weaker, it is because we the people are causing them to be weaker in our federal system."

Further on in my message, I stated: "State and local government can and must play a strong role in our federal system of government." And I went on to say, "I would like to use this as the central theme of my recommendations to you in this session. We need to examine at least the following major factors in this session to see where we can strengthen our state and local government." I listed six major factors, among which was "State and local government reorganization."

Further on in my message, I stated: "The greatest gains in state government reorganization in the history of our state were provided by the last session of the legislature. There is a great opportunity to continue this progress in this session. . . ."

"It is time to move toward greater economy and efficiency in state government by merging the large number of related committees, commissions, bureaus and agencies into more coordinated and responsible units of government." I then listed in my message a long list of proposals for reorganizing the departments in state government. All of these proposals have been submitted to the legislature in the form of bills.

I would like to review what has happened to these proposals in this session:

Senate Bill No. 33, providing for consolidation of conservation and natural resource functions into one department, was killed.

Senate Bill No. 122 and House Bill No. 901, providing for the transfer of the State Training School to the Welfare Department, were killed.

Senate Bill No. 234, providing for the transfer of the State School at Grafton and San Haven to the Health Department, was killed.

House Bill No. 756, providing for the transfer of the State Library Commission to the Department of Public Instruction, was killed.

House Bill No. 918, providing for the transfer of the beer and liquor tax collection duties from the State Treasurer to the Tax Department, was killed.

House Bill No. 923, providing for the transfer of the Motor Vehicle Department, was killed.

House Bill No. 921 and House Bill No. 922, transferring the 2% special fuels tax and the special fuels excise tax collection duties from the Auditor to the Tax Commissioner, were killed.

House Bill No. 920, which would transfer the imported motor vehicle tax from the State Auditor to the Tax Department, was killed.

Senate Bill No. 366 and House Bill No. 531, which would have transferred the check-writing functions from the Workmen's Compensation Bureau and the State Soldier's Home to the Department of Accounts and Purchases, were killed.

House Bill No. 802, which would have transferred the State Seed Department to the Department of Agriculture, was killed.

House Bill No. 919, which would have transferred the motor fuel tax and refund system from the State Auditor to the Tax Commissioner, was killed.

Senate Bill No. 219, which would provide for a merit system to reorganize the salary schedules and qualifications for state employees, has been killed.

With this wholesale slaughter of proposals to make state government more efficient, more effective, and stronger in the federal system, I cannot be a party to approving an appropriation such as listed under Senate Bill No. 13. Senate Bill No. 13 provides for \$278,487 for the operation of the Gasoline Tax Division in the office of the State Auditor.

There are few examples more dramatic of the need for state government reorganization than exists in this indefensible collection of taxes by a non-tax administering agency such as the State Auditor.

The 1942 Government Reorganization Study advocated reorganization of all tax functions into one department. In 1959, Governor Davis, in his message to the legislature, called for the transfer of tax collecting functions from the State Auditor to the Tax Department. The 1959 Legislative Research Committee recommended the transfer of the Gas Tax Division from the State Auditor to the Tax Commissioner.

Legislation was introduced in the 1965 session and in the 1967 session to transfer the gas tax collection duties from the State Auditor to the Tax Department.

It is estimated that up to \$75,000 could be saved the state by consolidating the Gas Tax Division and the Motor Vehicle Department into the Tax Department. This saving would come through increased utilization of automatic data processing systems and the elimination of the manual work being done by the State Auditor's office.

With the overwhelming evidence dating back to 1942 and receiving the blessings of Republicans and Democratic-NonPartisan Leaguers alike that the state would benefit from transferring the gas tax collecting duties from the State Auditor to the Tax Department, I cannot in good conscience sign Senate Bill No. 13, which would give an appropriation and perpetuate this glaring example of weakness in state government.

We should never subordinate the best interests of the people of North Dakota and our interest in improving government to the desire of a department head to maintain a function which does not belong in his department.

I deplore the lack of constructive action which would bring about stronger state government in this legislative session.

I believe the public has a right to know that the built-in weaknesses of state government in our federal system are not receiving the corrective action they deserve by this session in 1967.

I do not disapprove of the amount of \$278,487, which you have appropriated for defraying the expense of the maintenance and operation of a Gasoline Tax Division. Nor do I wish to jeopardize the collection of gasoline taxes. I do, however, wish to give you an opportunity to reconsider your action in hopes that you will join with your majority and minority leadership in an action which would transfer the collection of gasoline and related fuel taxes from the State Auditor to the State Tax Department.

I therefore veto Senate Bill No. 13.

Sincerely yours,  
WILLIAM L. GUY  
Governor

#### MOTION

Senator Lips moved that Senate Bill No. 13 be placed at the foot of the calendar, which motion prevailed.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Delayed Bills has had under consideration a Senate Bill to wit:

#### A BILL

For an Act to provide an additional sales and use tax of three quarters of one percent, providing a method of collection and administration, providing a penalty, and providing effective dates and declaring an emergency.

And recommends the same be introduced.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

#### FIRST READING OF A SENATE BILL

The Committee on Delayed Bills introduced:

**Senate Bill No. 403.** A Bill for an Act to provide an additional sales and use tax of three quarters of one percent, providing a method of collection and administration, providing a penalty, and providing effective dates and declaring an emergency.

Was read the first time and referred to the Committee on Finance and Taxation.

Senator Schultz moved that the absent Senators be excused, which motion prevailed.

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

#### FIFTY-SECOND DAY

Bismarck, February 23, 1967

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Leslie R. Burgum, Bismarck.

Roll call: All Senators present.

A quorum was declared by the President.

#### CORRECTION AND REVISION

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 LOWE, Chairman

**Senator Lowe moved that the report be adopted, which motion prevailed.**

**MESSAGES FROM THE HOUSE**

House Chamber

Bismarck, February 23, 1967

Mr. President: I have the honor to return:

Senate Bill No. 160

Senate Bill No. 164

Senate Bill No. 300

Senate Bill No. 313

Senate Bill No. 341

Senate Bill No. 338

Senate Bill No. 370

Senate Concurrent Resolution "A-A"

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 23, 1967

Mr. President: I have the honor to return:

Senate Bill No. 157

Senate Bill No. 270

Senate Bill No. 335

Which the House has killed.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 23, 1967

Mr. President: I have the honor to return:

Senate Bill No. 51

Senate Bill No. 78

Senate Bill No. 110

Senate Bill No. 130

Senate Bill No. 136

Senate Bill No. 138

Senate Bill No. 142

Senate Bill No. 143

Senate Bill No. 150

Senate Bill No. 159

Senate Bill No. 181

Senate Bill No. 194

Senate Bill No. 198

Senate Bill No. 210

Senate Bill No. 216

Senate Bill No. 255

Senate Bill No. 312

Senate Bill No. 322

Senate Bill No. 334

Senate Bill No. 378

Senate Concurrent Resolution "N-N-N"

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

**SECOND READING OF HOUSE BILLS**

**House Bill No. 625.** A Bill for an Act to empower boards of county park commissioners to establish special service districts for the purpose of providing police protection and garbage removal services, and declaring an emergency.

Was read the second time.

Senator Longmire moved that House Bill No. 625 be amended as follows:

In line 13, before the period, insert the following: "but which is contiguous to property under the jurisdiction of the board"

Renumber the lines accordingly.

Which motion prevailed.

Senator Longmire moved that the rules be suspended and that House Bill No. 625 be placed on second reading and final passage as amended from the floor, which motion prevailed.

The question being on the final passage of House Bill No. 625, as amended from the floor.

Senator Holand moved that the amendments offered from the floor be deleted from House Bill No. 625, which motion prevailed.

Senator Holand moved that House Bill No. 625 be amended as follows:

In line 13 after the word "commissioners", delete the period and insert a comma and the following language: "but which is contiguous to and directly benefited by the proposed police protection and garbage removal."

Senator Meschke moved that House Bill No. 625 be placed at the foot of the calendar, which motion prevailed.

**House Bill No. 523.** 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 second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 633 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Becker	Holand	Luick	Robinson
Berube	Jacobson	Melland	Roen
Butler	Kautzmann	Meschke	Ruemmele
Chesrown	Kelly, E.	Morgan	Sands
Christensen	Kelly, M.	Mutch	Schultz
Coughlin	Larsen, R.	Nasset	Sorlie
Decker	Larson, G.	Nothing	Stafne
Forkner	Larson, L.	Pyle	Stroup
Freed	Lips	Rait	Torgerson
Geving	Litten	Redlin	Trenbeath
Goldberg	Longmire	Ringsak	Wenstrom
Hofstrand	Lowe		

Absent and not voting:

Beck	Hernett	Wilhite
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So the bill passed and the title was agreed to.

**House Bill No. 532.** For an Act to amend and reenact section 57-50-04 of the North Dakota Century Code, relating to motor fuel tax refunds.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Nasset	Sorlie

Coughlin	Larsen, R.	Nothing	Stafne
Decker	Larson, G.	Pyle	Stroup
Forkner	Larson, L.	Rait	Torgerson
Freed	Lips	Redlin	Trenbeath
Geving	Litten	Ringsak	Wenstrom
Goldberg	Longmire	Robinson	Wilhite
Hofstrand	Lowe		

Those voting in the negative were:

Mutch

Absent and not voting:

Beck                      Hernett

So the bill passed and the title was agreed to.

**House Bill No. 583.** For an Act to create and enact subsection 3 of section 57-36-11 of the 1965 Supplement to the North Dakota Century Code and to amend and reenact section 57-36-24, subsection 2 of section 57-36-26 and subsection 2 of section 57-36-29 of the 1965 Supplement to the North Dakota Century Code, relating to the administration of the taxation of cigarettes and other tobacco products.

Was 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:

Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hofstrand	Lowe	Robinson	

Absent and not voting:

Beck                      Hernett

So the bill passed and the title was agreed to.

**House Bill No. 670.** A Bill for an Act to amend and reenact subsection 1 of section 57-02-12 of the North Dakota Century Code, relating to the listing of personal property and to provide a consignee with a lien for the amount of tax on consigned merchandise assessed to him.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 3; absent and not voting, 2.

Those voting in the affirmative were:

Becker	Holand	Lowe	Ringsak
Berube	Jacobson	Luick	Robinson
Butler	Kautzmann	Melland	Roen
Chesrown	Kelly, E.	Meschke	Sands
Coughlin	Kelly, M.	Morgan	Schultz
Decker	Larsen, R.	Mutch	Sorlie
Forkner	Larson, G.	Nasset	Stafne
Freed	Larson, L.	Nothing	Stroup
Geving	Lips	Pyle	Torgerson
Goldberg	Litten	Rait	Wenstrom
Hofstrand	Longmire	Redlin	Wilhite

Those voting in the negative were:

Christensen Ruemmele Trenbeath

Absent and not voting:

Beck Hernett

So the bill passed and the title was agreed to.

**House Bill No. 695.** A Bill for an Act to amend and reenact section 57-19-07 of the North Dakota Century Code relating to tax collections, and to amend and reenact section 57-19-08 of the North Dakota Century Code relating to personal liability.

Was 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:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Beck

So the bill passed and the title was agreed to.

**House Bill No. 702.** A Bill for an Act to amend and reenact section 39-21-40 of the 1965 Supplement to the North Dakota Century Code relating to restrictions as to tire equipment.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 3; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Hernett	Longmire	Ringsak
Berube	Hofstrand	Lowe	Robinson
Butler	Holand	Luick	Roen
Chesrown	Jacobson	Melland	Sands
Christensen	Kautzmann	Meschke	Schultz
Coughlin	Kelly, E.	Mutch	Stafne
Decker	Kelly, M.	Nasset	Stroup
Forkner	Larson, G.	Nothing	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite

Those voting in the negative were:

Larsen, R. Morgan Ruemmele

Absent and not voting:

Beck Sorlie

So the bill passed and the title was agreed to.

**House Bill No. 738.** A Bill for an Act to amend and reenact section 15-03-09 of the North Dakota Century Code, relating to the term, interest and payment of farm loans in which the board of university and school lands make investment.

Was read the second time.



## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Ringsak
Berube	Holand	Luick	Robinson
Butler	Jacobson	Melland	Roen
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nothing	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire		

Absent and not voting:

Beck	Ruemmele	Sorlie
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So the bill passed and the title was agreed to.

**House Bill No. 739.** A Bill for an Act to create and enact section 15-06-19.1 of the North Dakota Century Code, providing for the exchange of lands under control of the board of university and school lands with lands of the United States.

Was 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:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nothing	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	

Absent and not voting:

Beck	Sorlie
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So the bill passed and the title was agreed to.

**House Bill No. 825.** A Bill for an Act to amend and reenact section 24-07-03 of the 1965 Supplement to the North Dakota Century Code, relating to the closing of section line roads.

Was 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:

Becker	Hofstrand	Luick	Robinson
Berube	Holand	Melland	Roen
Butler	Jacobson	Meschke	Ruemmele
Chesrown	Kautzmann	Morgan	Sands
Christensen	Kelly, E.	Mutch	Schultz
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, L.	Nothing	Stroup
Forkner	Lips	Pyle	Torgerson

Freed	Litten	Rait	Trenbeath
Geving	Longmire	Redlin	Wenstrom
Goldberg	Lowe	Ringsak	Wilhite
Hernett			

Absent and not voting:

Beck	Kelly, M.	Larson, G.	Sorlie
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So the bill passed and the title was agreed to.

**House Bill No. 852.** A Bill for an Act to amend and reenact sections 37-17-03 and 37-17-04 of the North Dakota Century Code relating to the appointment of a civil defense director and a civil defense advisory committee.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Becker	Hofstrand	Longmire	Redlin
Berube	Holand	Lowe	Ringsak
Butler	Jacobson	Luick	Robinson
Chesrown	Kautzmann	Melland	Roen
Christensen	Kelly, E.	Meschke	Ruemmele
Coughlin	Kelly, M.	Morgan	Stafne
Decker	Larsen, R.	Mutch	Stroup
Forkner	Larson, G.	Nasset	Torgerson
Freed	Larson, L.	Nething	Trenbeath
Geving	Lips	Pyle	Wenstrom
Goldberg	Litten	Rait	Wilhite
Hernett			

Those voting in the negative were:

Sands	Schultz
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Absent and not voting:

Beck	Sorlie
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So the bill passed and the title was agreed to.

**House Bill No. 883.** A Bill for an Act to amend and reenact sections 57-23-04, 57-23-05 and 57-23-08 of the North Dakota Century Code, relating to property tax abatement procedures.

Was 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:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:

Beck
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So the bill passed and the title was agreed to.

#### MOTION

Senator Lips moved that the vote by which House Bills Nos. 523, 532, 583, 670, 695, 702, 738, 739, 825 and 852 and 883 were passed be

reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

**SECOND READING OF A HOUSE BILL**

**House Bill No. 731.** A Bill for an Act to provide for the imposition of a three percent sales tax, use tax, and motor vehicle excise and use tax, exemptions thereto, manner of collection and administration, appeals, penalties, refunds, and allocation of revenues; to amend section 57-39.1-02, relating to sales of motor vehicles and the taxation thereof; and to repeal chapters 57-39, 57-40, and 57-40.1 of the North Dakota Century Code, and declaring an emergency.

Was read the second time.

Senator Becker moved that House Bill No. 731 be amended as follows:

In the first line of the title of the engrossed bill delete the word "three" and insert in lieu thereof the words "two and one-quarter"

In line 136 of the engrossed bill delete the word "three" and insert in lieu thereof the words "two and one-quarter"

Delete lines 297 through 303, inclusive, and insert in lieu thereof the following:

"\$0.01 to \$0.19.....	no tax
.20 to .59.....	1¢ tax
.60 to .99.....	2¢ tax
1.00 to 1.49.....	3¢ tax
1.50 to 1.99.....	4¢ tax
2.00 to 2.49.....	5¢ tax
2.50 to 2.99.....	6¢ tax
3.00 to 3.49.....	7¢ tax
3.50 to 3.99.....	8¢ tax

An additional tax of 1¢ for each 50¢, or fraction thereof, over \$3.99 except that for each full \$4.00 there shall be collected a tax of 9¢."

In line 233b delete the words "senate bill 230 as approved by the Fortieth Legislative Assembly" and insert in lieu thereof "the motor vehicle excise tax laws of North Dakota"

In line 834 delete the word "three" and insert in lieu thereof the words "two and one-quarter"

In line 839 delete the word "three" and insert in lieu thereof the words "two and one-quarter"

And renumber the lines accordingly.

Which motion prevailed.

Senator Becker moved that the rules be suspended and that House Bill No. 731 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. 731, as amended, on page 661 of the Senate Journal, and from the floor, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nething	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom

Goldberg	Litten	Ringsak	Wilhite
Hernett	Longmire		

Those voting in the negative were:  
Mutch

Absent and not voting:  
Beck                      Roen

So the bill passed and the title was agreed to, and the emergency clause carried.

#### MOTION

Senator Becker moved that Senate Bill No. 403 be returned to the Senate from the Committee on Finance and Taxation.

Senator Meschke: Mr. President. I request that these remarks be printed in the Journal. The motion is to return Senate Bill No. 403 to the floor of the House from the Senate Committee on Finance and Taxation. Senate Bill No. 403 was introduced into this body hardly an hour ago. The printed bill or photo copy of the bill as introduced was laid on our desks less than an hour ago. It seems to me that the action by which the last legislative day was extended in order that this bill could be introduced on the record a day earlier than it ordinarily would be, and the action of bringing this back from the Senate committee without study and without hearing is unprecedented and an extremely unusual procedure. Mr. President, I hope that the motion is defeated and I object to the suspension of the rules.

Senator Becker: I want my remarks printed in the Journal. Mr. President. Two years ago the North Dakota Legislature, just prior to the deadline for the introduction of bills, received a bill known as House Bill No. 698. That piece of legislation did not have a committee hearing in the House of Representatives. The total debate and discussion on House Bill No. 698 was held on the floor of the House of Representatives. After its passage it was sent to the North Dakota Senate and referred to the Committee on Finance and Taxation. The people of North Dakota were confronted with an entirely new concept in the area of taxation because House Bill No. 698 embodied a partial, at least, repeal of the personal property tax with replacement revenue included therein. I was informed as chairman of the Senate Finance and Taxation Committee that the people of North Dakota had not had a chance to be heard on this far reaching piece of legislation. At that time I offered through the communications media, and particularly radio and television to televise the public hearings that were held on House Bill No. 698. It was the first time in the history of the State of North Dakota that a television hearing was had, and probably not the first time in the history of the State of North Dakota that a bill was introduced and not heard at a public hearing, but certainly the first time in the history of the State of North Dakota when a tax reform measure of such magnitude was passed by one House without the chance for a public hearing.

Senate Bill No. 403, which we have before us at this moment, has been heard at public hearing, not as Senate Bill No. 403 before us at 3/4 percent sales tax, but because Senate Bill No. 403 embodies the entire sales and use tax laws which we have in the State of North Dakota with a 3/4 percent rate, consists of no new language or no new concept in the area of taxation. Senate Bill No. 403 was presented to the North Dakota Senators and House of Representatives because the majority party recognized that the minority party, through their Governor, and through our Governor of the State of North Dakota, had asked for 2 1/4 percent sales tax, and appropriations that would match the dollars received from that and other tax funds of the State.

The majority party recognized areas of serious need, particularly in the field of education, and more particularly in the area of

elementary and secondary education, that wasn't covered in this program, that wasn't covered in the Governor's program. This we felt, after days and hours of deliberation, was the fair, business-like and responsible approach and thus, Mr. President, Senate Bill No. 403 is before us for final consideration.

Senator Meschke: I request that my remarks be printed in the Journal. Mr. President and Members of the Senate. The motion we are on this afternoon is Senate Bill No. 403. Reference to past legislative assemblies are hardly pertinent in any event. We want the record to show that House Bill No. 698 of the Thirty-ninth Legislative Assembly was heard in full in the Finance and Taxation Committee. Senate Bill No. 403 has been introduced barely an hour during a period in which we considered a number of bills. Mr. President I request that Rule 27 of the Rules be followed, and that it not be considered except by unanimous consent until the bill has been printed and considered by committee. Mr. President, there is new language in Senate Bill No. 403 and several paragraphs that the minority has had no opportunity to study or review as to its effect. We do not want to obstruct progress of this session, but I can hardly feel sorry for the majority when a bill is introduced at the end of an extended fifty-first day of the session and then ask for immediate action. Mr. President, I object to suspension of the rules.

Lt. Gov.: Actually that will not be in order at the present time — the motion is to return the bill to the Senate — after this motion then that will be in order at that time.

The question being on the motion of Senator Becker that Senate Bill No. 403 be returned to the Senate, which motion prevailed.

Lt. Gov.: Now the bill is before us.

#### MOTION

Senator Becker moved that Senate Bill No. 403 be placed at the head of the calendar.

Senator Meschke: If the motion is to place the bill on the calendar I object based upon Rule 27.

Lt. Gov.: Is your motion to suspend the rules?

#### MOTION

Senator Larson (Burleigh) moved that Senate Bill No. 403 be re-referred to the Committee on Finance and Taxation, which motion prevailed.

Senator Larson (Burleigh) moved that the Senate recess subject to the call of the chair.

Senator Holand: Mr. President. Members of the Senate.

The objection Senator Meschke has raised is a valid one, even though it is strictly technical. His purpose of course in raising this objection is to obstruct the progress of the Senate. He knows full well the contents of the Bill that has been offered to the Senate. He knows that his objection will serve no useful purpose to this body, and it is being done for strictly political purposes. Now I acquiesce myself in the motion that the Senate do recess in order that the Committee on Finance and Taxation may meet for the purpose of considering this bill. I hope that the delay that may be involved in objecting will not unduly delay the future action of the Senate in considering this matter.

The question being on the motion of Senator Larson (Burleigh), which motion prevailed.

The Senate reconvened at the call of the chair, pursuant to recess taken, the President presiding.

Senator Meschke: Mr. President.

I request that my remarks be printed in the Journal. These

remarks will be brief. I request since other remarks were printed in the Journal, that these be inserted also. Having been several times reminded during this session of the rules and the niceties of procedure, I would respectfully call the attention of the chairman of the rules committee to Section 124 of Mason's Legislative Manual, subsection 3, which reads as follows: "It is not the man but the measure that is the subject of debate, and it is not allowable to arraign the motives of a member, but the nature or consequences of a measure may be condemned in strong terms."

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 403 has had the same under consideration and a majority recommends that the same do pass.

For the Majority:

Senator Becker  
 Senator Torgerson  
 Senator Butler  
 Senator Chesrown  
 Senator Decker  
 Senator Hernet  
 Senator Hofstrand  
 Senator Nething  
 Senator Wilhite  
 Senator Lowe

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 403 has had the same under consideration and a minority recommends that the same be indefinitely postponed.

For the Minority:

Senator Rait

SENATOR BECKER, Chairman

Senator Rait moved 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 Becker that the report of the majority be adopted, which motion prevailed.

#### MOTION

Senator Lips moved that the Senate recess until 8:00 a.m., February 24, 1967, which motion prevailed.

LEO LEIDHOLM, Chairman

"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### FIFTY-SECOND DAY AFTER RECESS AND FIFTY-THIRD DAY

Bismarck, February 24, 1967

The Senate convened at 8:00 a.m., pursuant to recess taken, the President Pro Tem presiding.

#### MOTION

Senator Lips moved that the rules be suspended and that Senate Bill No. 403 be placed at the head of the calendar, which motion prevailed.

#### SECOND READING OF A SENATE BILL

**Senate Bill No. 403.** A Bill for an Act to provide an additional sales and use tax of three quarters of one percent, providing a method of collection and administration, providing a penalty, and providing effective dates and declaring an emergency.

Was read the second time.

Senator Meschke: Mr. President. I request that these remarks be printed in the Journal.

It is now 8:00 a.m., February 24, 1967, the fifty-second day of the Fortieth Legislative Assembly.

Senate Bill No. 403 was introduced shortly before 5:00 p.m., yesterday, February 23, during the fifty-first day, which had been deliberately extended beyond the customary 2:00 p.m. change of legislative days. Photocopies of a draft of the bill were given to Senators in the next few minutes after introduction.

After immediate adjournment and start of the next legislative day, there was final debate and action on more than a dozen bills during the next hour. Then Senate Bill No. 403 was brought to the floor of the Senate for vote. The time was about 6:00 p.m., approximately an hour after Senate Bill No. 403 had been first introduced.

At that point Senate Bill No. 403 had not been printed. Senate Bill No. 403 had not been heard by committee. No opportunity for public appearances had been given. Most Senators had not even had sufficient free time to read Senate Bill No. 403.

After our objection to this unprecedented disregard for the standing rules of this assembly, Senate Bill No. 403 was re-referred to the Seante Committee on Finance and Taxation. The Senators immediately recessed for 10 minutes for the stated purpose of having this committee take action on Senate Bill No. 403. An invitation was given from the floor to those few press representatives present to attend the committee session so that Senate Bill No. 403 could be said to have had a "public" hearing.

After hasty action by the Committee on Senate Bill No. 403, this Senate assembly reconvened. Before 7:00 p.m., within two hours after introduction, the majority and minority committee reports were acted upon, and Senate Bill No. 403 was placed on the calendar for final action.

Then, the heavy Republican majority recessed to this early morning hour for the final vote on Senate Bill No. 403.

Thus, barely 15 hours after its late birth, Senate Bill No. 403 is being pushed out of this Assembly, to the House next door.

Senate Bill No. 403 is an increase by  $\frac{1}{3}$  of the sales and use tax. Senate Bill No. 403 is equivalent to a 100% increase in our individual income tax.

But, instead of closing loopholes in the insurance and banking industries, in delayed payments of income tax by the rich and by corporations, through repealing the domestic dividend exclusion, and through an equally easy general withholding, Senate Bill No. 403 is the chosen method of the heavy Republican majority for additional revenue to increase appropriations over the Governor's balanced budget.

But, our position has already been made clear in this session, so the debate on the merits can be brief.

But the role of our Dem-NPL minority goes further than insisting on deliberative action and debating the merits.

We must call attention to the new and unstudied step of dividing the sales and use tax rate between two measures: House Bill No. 731 and Senate Bill No. 403.

This creates certain mechanical problems of cross referencing the effect of the two measures which can be illustrated by that mutually inconsistent phrase on line 48: "in addition to but as a part of . . ."

It also suggests potential constitutional questions about incorporating another bill at length by reference only and about stating the object of the tax.

But, 13 hours, over night only, is hardly sufficient time for the Democratic-NPL minority to study these problems. Ten or 15 minutes is hardly sufficient time for a committee to examine these problems, particularly when it neither consults nor invites comment from the state office charged with responsibility in tax matters.

We are not satisfied that the problems we point to have been adequately dealt with, but we must be content with these few minutes of debate to warn that this is hasty action on an unstudied novel step. Therefore, the responsibility rests with the heavy Republican majority which insists on pushing through Senate Bill No. 403.

Senator Becker: I would like my remarks printed in the Journal.

Mr. President. Members of the Senate.

I have not a typewritten or a prepared statement — speaking strictly off the cuff. The political frustration of the minority party once again has been amply expressed by the minority floor leader. I sympathize with the minority party in this respect because I too would be politically, and I underline politically, frustrated. I was in that position two years ago when the so-called Democrat tax package known as House Bill No. 698, which was a complete, and I state complete, revision of the tax laws of the State of North Dakota which would have tripled and quadrupled, and as a matter of fact practically stolen the dollars, the money from the taxpayers of the State of North Dakota. The majority party has taken a responsible, businesslike approach to the problems of financing the program which it deems essential to the State of North Dakota.

It has been courteous in this respect to allow the Chief Executive of this State to have his program, and the majority party program before him. It has been courteous to the people of the State of North Dakota, who at some later time may wish to, by referral action, decide which of the two programs they want to adopt.



Mr. President, I am confident in my own mind and heart that we, as the majority party, have been fair, open-minded, and have bent over backwards to accommodate the wishes of the Chief Executive of the State of North Dakota.

Nothing, and I repeat, absolutely nothing, in Senate Bill No. 403 can be interpreted as something hidden. It is open. It is the sales tax —  $\frac{3}{4}$ ths of one percent — and everyone in the State of North Dakota can easily understand what it involves.

#### ROLL CALL

The question being on the final passage of Senate Bill No. 403, the roll was called and there were ayes, 40; nays, 6; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hernett	Litten	Ruemmele
Becker	Hofstrand	Longmire	Sands
Butler	Holand	Lowe	Schultz
Chesrown	Jacobson	Luick	Sorlie
Coughlin	Kautzmann	Melland	Stafne
Decker	Kelly, E.	Nasset	Stroup
Forkner	Kelly, M.	Pyle	Torgerson
Freed	Larsen, R.	Redlin	Trenbeath
Geving	Larsen, G.	Robinson	Wenstrom
Goldberg	Lips	Roen	Wilhite

Those voting in the negative were:

Berube	Larson, L.	Morgan	Rait
Christensen	Meschke		

Absent and not voting:

Mutch	Nething	Ringsak
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So the bill passed and the title was agreed to, and the emergency clause carried.

Senator Morgan: I rise to explain my vote on Senate Bill No. 403.

Mr. President and Gentslemen of the Senate:

I came to this session in January with the thought in mind that we would eliminate the personal property tax in its entirety. I realize also that 80% of the time taken in this session has been used in an attempt to accomplish just this. In line with this I tried with the urgency of my executive board at home to introduce a 1.5 bill on adjusted gross income tax. This with the 3% sales tax would have accomplished I believe, the removal of this unjust tax. I would like to remind you Mr. President that we also save 1.7 million dollars a year on the collection of this tax. For this and other reasons, Mr. President, I will have to vote "no" on Senate Bill No. 403.

#### MOTION

Senator Lips moved that the vote by which House Bill No. 731 and Senate Bill No. 403 were passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Lips moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at 1:00 p.m., pursuant to recess taken, the President presiding.

#### REPORTS OF A STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 51  
 Senate Bill No. 78  
 Senate Bill No. 110  
 Senate Bill No. 130  
 Senate Bill No. 136

Senate Bill No. 138  
 Senate Bill No. 142  
 Senate Bill No. 143  
 Senate Bill No. 150  
 Senate Bill No. 159  
 Senate Bill No. 181  
 Senate Bill No. 194  
 Senate Bill No. 198  
 Senate Bill No. 210  
 Senate Bill No. 216  
 Senate Bill No. 255  
 Senate Bill No. 312  
 Senate Bill No. 322  
 Senate Bill No. 334  
 Senate Bill No. 378

Were delivered to the Governor for his approval at the hour of 8:09 o'clock a.m., February 24, 1967.

SENATOR WENSTROM, Chairman

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution "NNN"

Was delivered to the Secretary of State at the hour of 8:10 o'clock, a.m., February 24, 1967.

SENATOR WENSTROM, Chairman

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolution:

Senate Concurrent Resolution "LLL"

And find the same correctly engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

#### MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 24, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 403

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 24, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 523

House Bill No. 731

Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 24, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 532

House Bill No. 583

House Bill No. 670

House Bill No. 695

House Bill No. 702

House Bill No. 738

House Bill No. 739  
 House Bill No. 825  
 House Bill No. 852  
 House Bill No. 883

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 402 has had the same under consideration and recommends that the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown 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 be amended as follows:

After line 25 add the following:

"SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

And renumber the lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee added Section 2 to stress that moneys be spent only for the purpose for which they were appropriated.

SENATOR SORLIE, Chairman

Senator Luick 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. 537 has had the same under consideration and recommends that the same be amended as follows:

In line 88 before the period insert the following material:

"- CONTRACT FOR COLLECTIONS"; and before the word "Upon" insert the following material: "1."

After line 97 and before line 98 insert the following material:

"2. The supervising department of the state hospital is permitted to contract with North Dakota nonprofit hospital collection associations or collection agencies located in the state for the collection of amounts due the state for expenses incurred by the state of North Dakota for the care and treatment of patients at the state hospital where the amount due the state by a patient or his estate, or his responsible relatives or their estates is not in excess of three hundred fifty dollars at the time the account is turned over to the collection agency for collection."

And 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. 628 has had the same under consideration and recommends that the same be amended as follows:

In line 83 of the engrossed bill after "sation" insert a period and delete the remainder of the line.

Delete lines 84 and 85

And 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. 699 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. 715 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin 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. 719 has had the same under consideration and recommends that the same be amended as follows:

In line 9 of the engrossed bill after the word "funds" insert the following: "; including funds derived from the sale of the published records,"

And renumber the lines accordingly.

And when so amended recommends the same do pass. And be re-referred to the Appropriations Committee.

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. 722 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 745 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 752 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 761 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 801 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin 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. 816 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Appropriations Committee.

SENATOR LONGMIRE, Chairman

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 860 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted which motion lost.

Senator Holand moved that House Bill No. 860 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 898 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 900 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion lost.

Senator Holand moved that House Bill No. 900 be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 909 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 939 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 862 has had the same under consideration and a majority recommends that the same do pass.

For the Majority:

Senator Coughlin  
 Senator Nasset  
 Senator Roen  
 Senator Goldberg  
 Senator Morgan  
 Senator Kelly, Dist. 15  
 Senator Butler

SENATOR HOLAND, Chairman

Senator Coughlin moved that the report be adopted.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 862 has had the same under consideration and a minority recommends that the same be indefinitely postponed.

For the Minority:

Senator Forkner  
 Senator Holand  
 Senator Melland  
 Senator Luick  
 Senator Larson

SENATOR HOLAND, Chairman

Senator Holand moved that the report of the minority be substituted for that of the majority, which motion lost.

The question being on the motion of Senator Coughlin, which motion prevailed.

#### MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 24, 1967

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 731.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 24, 1967

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 335.

ROY GILBREATH, Chief Clerk

#### MOTIONS

Senator Lips moved that Senate Bill No. 335 be returned to the House as requested, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 24, 1967

Mr. Speaker: I have the honor to return Senate Bill No. 335 which the House has requested.

LEO LEIDHOLM, Secretary

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

#### FIFTY-THIRD DAY

Bismarck, February 24, 1967

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. Richard Thompson, First Presbyterian, Jamestown.

Almighty Father, look with favor upon Thy people gathered in this Senate today and grant Thy blessings as Thou knowest our needs. Make us all mindful that we work for Thee, for Thy justice, for Thy compassion, for Thy kingdom, and not for partisan constituencies. Give us courage to believe it is better to fail in a cause than to succeed in a cause that shall surely be brought down because it is contrary to Thy revealed love and sovereign will. Amen.

Roll call: All Senators present.

A quorum was declared by the President.

## CORRECTION AND REVISION

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 finds the same correct.

SENATOR LOWE, Chairman

Senator Lowe moved that the report be adopted, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

Senator Lips moved that the rules be suspended and that the reading of the amendments to Senate Concurrent Resolution "U-U", House Bills Nos. 600, 693, 796, 814, 869 and 516 be dispensed with, which motion prevailed.

Senator Chesrown moved that the amendments to Senate Concurrent Resolution "U-U" as recommended by the Committee on Judiciary, and printed on page 713 of the Senate Journal, be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 600 as recommended by the Committee on Agriculture, and printed on page 714 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 693 as recommended by the Committee on Appropriations, and printed on page 714 of the Senate Journal, be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 796 as recommended by the Committee on Agriculture, and printed on page 715 of the Senate Journal, be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 814 as recommended by the Committee on Agriculture, and printed on page 716 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to House Bill No. 869 as recommended by the Committee on Judiciary, and printed on page 717 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 516 as recommended by the Committee on Appropriations, and printed on page 713 of the Senate Journal, be adopted, which motion prevailed.

## CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Trenbeath moved that the Senate do not concur in the House amendments to Senate Bill No. 64 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. 64,

Senator Wilhite  
 Senator Wenstrom  
 Senator Meschke

Senator Chesrown moved that the Senate do concur in the House amendments to Senate Bill No. 120, which motion prevailed.

Senator Chesrown moved that the rules be suspended and that Senate Bill No. 120 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 120.** For an Act to amend and reenact section 31-01-09 of the North Dakota Century Code, relating to the privilege against self-incrimination.

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:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	

Absent and not voting:

Berube Trenbeath

So the bill passed and the title was agreed to.

Senator Chesrown moved that the Senate do concur in the House amendments to Senate Bill No. 124, which motion prevailed.

Senator Chesrown moved that the rules be suspended and that Senate Bill No. 124 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 124.** A Bill for an Act to amend and reenact section 29-29-08 of the North Dakota Century Code, relating to the use of force in the execution of a search warrant.

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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

So the bill passed and the title was agreed to.

Senator Chesrown moved that the Senate do concur in the House amendments to Senate Bill No. 129, which motion prevailed.

Senator Chesrown moved that the rules be suspended and that Senate Bill No. 129 be deemed properly reengrossed and placed on



second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 129.** A Bill for an Act to create and enact section 12-42-09 of the North Dakota Century Code, relating to making false reports to the police.

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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:			
Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

So the bill passed and the title was agreed to.

Senator Chesrown moved that the Senate do concur in the House amendments to Senate Bill No. 131, which motion prevailed.

Senator Chesrown moved that the rules be suspended and that Senate Bill No. 131 be deemed properly 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 create and enact section 29-06-13.1 of the North Dakota Century Code, relating to resistance to a peace officer in the performance of his duty.

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, 45; nays, 4; absent and not voting, 0.

Those voting in the affirmative were:			
Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larson, G.	Nasset	Stroup
Forkner	Larson, L.	Nothing	Torgerson
Freed	Lips	Pyle	Wenstrom
Geving	Litten	Rait	Wilhite
Goldberg			

Those voting in the negative were:

Larsen, R.	Redlin	Ruemmele	Trenbeath
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So the bill passed and the title was agreed to.

Senator Chesrown moved that the Senate do concur in the House amendments to Senate Bill No. 132, which motion prevailed.

Senator Chesrown moved that the rules be suspended and that Senate Bill No. 132 be deemed properly re-engrossed and placed on

second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 132.** A Bill for an Act to repeal section 35-01-26 of the North Dakota Century Code, relating to the sale or disposition of mortgaged property.

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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

So the bill passed and the title was agreed to.

#### MESSAGES FROM THE HOUSE

House Chamber  
Bismarck, February 24, 1967

Mr. President: I have the honor to return:

Senate Bill No. 73  
Senate Bill No. 79  
Senate Bill No. 114  
Senate Bill No. 144  
Senate Bill No. 190  
Senate Bill No. 215  
Senate Bill No. 239  
Senate Bill No. 262  
Senate Bill No. 315  
Senate Bill No. 329  
Senate Bill No. 346  
Senate Bill No. 371  
Senate Concurrent Resolution "I"  
Senate Concurrent Resolution "J"  
Senate Concurrent Resoltuion "M"

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

House Chamber  
Bismarck, February 24, 1967

Mr. President: I have the honor to return:

Senate Bill No. 82  
Senate Bill No. 95  
Senate Bill No. 111  
Senate Bill No. 123  
Senate Bill No. 133  
Senate Bill No. 140  
Senate Bill No. 285  
Senate Bill No. 286  
Senate Bill No. 317

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

## MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 24, 1967

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 64 and the President has appointed as a conference committee to act with a like committee from the House,

Senator Wilhite  
Senator Wenstrom  
Senator Meschke

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 24, 1967

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to

Senate Bill No. 120  
Senate Bill No. 124  
Senate Bill No. 129  
Senate Bill No. 131  
Senate Bill No. 132

LEO LEIDHOLM, Secretary

## MOTION

Senator Trenbeath moved that Senate Resolution No. 4 be placed at the head of the calendar, which motion prevailed.

## SECOND READING OF A SENATE RESOLUTION

**Senate Resolution No. 4.** A Resolution relating to crop reporting methods and procedures used in determining yields by the crop reporting service.

Was read the second time.

Senator Trenbeath moved that Senate Resolution No. 4 be adopted, which motion prevailed.

## REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 74  
Senate Bill No. 128  
Senate Bill No. 231

And find the same correctly Engrossed and Enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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. 10  
Senate Bill No. 20

And find the same correctly Re-engrossed and Enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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. 30  
Senate Bill No. 65  
Senate Bill No. 76

Senate Bill No. 109  
 Senate Bill No. 116  
 Senate Bill No. 166  
 Senate Bill No. 175  
 Senate Bill No. 177  
 Senate Bill No. 184  
 Senate Bill No. 191  
 Senate Bill No. 199  
 Senate Bill No. 201  
 Senate Bill No. 244  
 Senate Bill No. 245  
 Senate Bill No. 330  
 Senate Bill No. 347

And find the same correctly Enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

#### MOTION

Senator Sorlie moved that a conference committee be appointed to meet with a like committee from the House on House Bill No. 508, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 508, Senators Robinson, Luick, and Lester Larson.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 24, 1967

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. 508,

Senator Robinson  
 Senator Luick  
 Senator Lester Larson

LEO LEIDHOLM, Secretary

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign

Senate Bill No. 10  
 Senate Bill No. 20  
 Senate Bill No. 30  
 Senate Bill No. 65  
 Senate Bill No. 74  
 Senate Bill No. 76  
 Senate Bill No. 109  
 Senate Bill No. 116  
 Senate Bill No. 128  
 Senate Bill No. 166  
 Senate Bill No. 175  
 Senate Bill No. 177  
 Senate Bill No. 184  
 Senate Bill No. 191  
 Senate Bill No. 199  
 Senate Bill No. 201  
 Senate Bill No. 231  
 Senate Bill No. 244  
 Senate Bill No. 245  
 Senate Bill No. 330  
 Senate Bill No. 347

And the President signed the same in the presence of the Senate.

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 24, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 10  
Senate Bill No. 20  
Senate Bill No. 30  
Senate Bill No. 65  
Senate Bill No. 74  
Senate Bill No. 76  
Senate Bill No. 109  
Senate Bill No. 116  
Senate Bill No. 128  
Senate Bill No. 166  
Senate Bill No. 175  
Senate Bill No. 177  
Senate Bill No. 184  
Senate Bill No. 191  
Senate Bill No. 199  
Senate Bill No. 201  
Senate Bill No. 231  
Senate Bill No. 244  
Senate Bill No. 245  
Senate Bill No. 330  
Senate Bill No. 347

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

## REPORT OF A STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 82  
Senate Bill No. 95  
Senate Bill No. 111  
Senate Bill No. 123  
Senate Bill No. 133  
Senate Bill No. 140  
Senate Bill No. 285  
Senate Bill No. 286  
Senate Bill No. 317

Were delivered to the Governor for his approval at the hour of 3:05 o'clock p.m., February 24, 1967.

SENATOR WENSTROM, Chairman

Senator Lips moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair, pursuant to recess taken, the President presiding.

## SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

**House Concurrent Resolution "Q-1".** A Concurrent Resolution requesting the Congress of the United States to direct the Interstate Commerce Commission to investigate the carload freight rates applicable to small grains and to prescribe such rates, charges, rules, and regulations as it shall find reasonable and otherwise lawful in the premises.

Was read the second time.

Senator Goldberg moved that House Concurrent Resolution "Q-1" be adopted, which motion prevailed.

**House Concurrent Resolution "X-1".** A Concurrent Resolution requesting the Army Corps of Engineers and the Bureau of Indian

Affairs to take necessary action for the construction of a bridge over the Little Missouri arm of the Garrison Reservoir in Dunn county, North Dakota, on the Ft. Berthold Indian Reservation.

Was read the second time.

Senator Jacobson moved that House Concurrent Resolution "X-1" be adopted, which motion prevailed.

### MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 24, 1967

Mr. President: I have the honor to return:

Senate Bill No. 71  
Senate Bill No. 100  
Senate Bill No. 173  
Senate Bill No. 179  
Senate Bill No. 251

ROY GILBREATH, Chief Clerk

### AMENDMENTS TO SENATE BILL NO. 71

Delete everything after the words "A BILL" and insert in lieu thereof the following material:

"For an Act to amend and reenact section 39-19-01 of the North Dakota Century Code, relating to the membership, powers, and duties of the reciprocity commission and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. AMENDMENT.) Section  
2 39-19-01 of the 1965 Supplement to the North  
3 Dakota Century Code is hereby amended and  
4 reenacted to read as follows:  
5 39-19-01. RECIPROCITY COMMISSION -  
6 MEMBERSHIP - SUBSTITUTE MEMBERSHIP -  
7 POWERS AND DUTIES.) The reciprocity  
8 commission shall consist of the state highway  
9 commissioner, the motor vehicle registrar, the  
10 superintendent of the state highway patrol, the  
11 state auditor, and a member of the public service  
12 commission. Each regular member of the reciprocity  
13 commission may appoint his own substitute to act  
14 for him in his absence. This commission shall  
15 have the power and duty to execute agreements,  
16 arrangements, or declarations involving the reciprocal  
17 use of the highways of this state by vehicles  
18 excepted in part or in full from registration  
19 requirements or mile tax payments in lieu thereof.  
20 The commission shall also have the power to enter  
21 into reciprocal agreements with the appropriate  
22 officials of any other state under which it may  
23 waive all or any part of the requirements imposed  
24 by the laws or statutes of this state upon those  
25 who use or consume in the state of North Dakota  
26 gasoline, other motor vehicle fuel or special fuel  
27 upon which the tax has been paid to such other  
28 state, provided that the officials of such other  
29 state grant equivalent privileges with respect  
30 to gasoline, other motor vehicle fuel or special  
31 fuel used in such other state but upon which the  
32 tax has been paid to the state of North Dakota.  
33 SECTION 2. EMERGENCY.) This Act  
34 is hereby declared to be an emergency measure and  
35 shall be in full force and effect from and after  
36 its passage and approval."

## AMENDMENTS TO SENATE BILL NO. 100

In line 10 of the engrossed bill after the comma “,” insert the following language “in approving or disapproving such agreements, shall take into consideration the enrollment, valuation of the district and future possibilities of the district and,”

And renumber the lines accordingly

## AMENDMENTS TO SENATE BILL NO. 173

In line 118 of the engrossed bill delete everything after the word “and” and insert the following language:

“any such portion of such premises not used solely for public parking of motor vehicles shall be subject to taxation.”

Delete all of lines 119 and 120 of the engrossed bill.

And renumber the lines accordingly.

## AMENDMENTS TO SENATE BILL NO. 179

In line 20 of the engrossed bill delete the word “two” and insert the word “three” in lieu thereof

## AMENDMENTS TO SENATE BILL NO. 251

In the third line of the title after the word “cities” delete “or villages”

In line 4 after the word “city” delete the words “or village”

And renumber the lines accordingly.

House Chamber

Bismarck, February 24, 1967

Mr. President: I have the honor to return:

Senate Bill No. 230

Which the House has amended as follows:

## AMENDMENTS TO SENATE BILL No. 230

In the second line of the title following the word “a” insert the words “two and one quarter”

In the fifth line of the title following the word “Code” insert the words and comma “,” and declaring an effective date and an emergency”

In line 12 delete the word “administer” and insert in lieu thereof the following: “act as the agent of the state tax commissioner in administering”

In line 95 delete the words “or mobile home”

In line 99 delete the word “three” and insert in lieu thereof the words “two and one-quarter”

In line 185 after the word “the” and before the word “state” insert the following: “state tax commissioner and by him shall be paid to the”

Following line 212 and before line 213 insert the following:

“SECTION 11. MOTOR VEHICLE REGISTRAR TO ACT AS AGENT OF TAX COMMISSIONER IN ADMINISTRATION OF MOTOR VEHICLE USE TAX.) The state tax commissioner is charged with the administration of this Act. The tax commissioner may prescribe all rules and regulations, not inconsistent with the provisions of this Act, necessary and advisable for the proper and efficient administration of this Act. The collection of this motor vehicle excise tax shall be carried out by the motor vehicle registrar who shall act as the agent of the state tax commissioner and who shall be subject to all rules and regulations, not inconsistent with the provisions of this Act, that may be prescribed by the tax commissioner. The provisions of this Act shall not be construed as preventing the collection of motor vehicle excise taxes by the

tax commissioner in the course of any audit carried on by the tax commissioner. The motor vehicle registrar shall furnish sufficient information to the tax commissioner relating to all license or title applications for mobile homes or house trailers purchased outside of the state of North Dakota for use in this state, to enable the tax commissioner to collect use tax on such mobile homes or house trailers.

SECTION 12. EFFECTIVE DATE.) The provisions of this Act shall become effective April 1, 1967.

SECTION 13. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

And renumber the lines and sections accordingly.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 24, 1967

Mr. President: I have the honor to return:

Senate Bill No. 360

Which the House has indefinitely postponed.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 24, 1967

Mr. President: I have the honor to transmit:

House Concurrent Resoluion "E-2"

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 24, 1967

Mr. President: I have the honor to return:

Senate Bill No. 403

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 24, 1967

Mr. President: I have the honor to transmit:

House Bill No. 941

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 24, 1967

Mr. President: I have the honor to return:

Senate Bill No. 31

Senate Bill No. 58

Senate Bill No. 237

Senate Bill No. 259

Senate Bill No. 267

Senate Bill No. 224

Senate Bill No. 343

Senate Bill No. 357

Senate Bill No. 389

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk



## SECOND READING OF A SENATE BILL

**Senate Bill No. 399.** A Bill for an Act to amend and reenact section 54-35-01 of the North Dakota Century Code, relating to the selection of members upon the legislative research committee.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 0; nays, 46; absent and not voting, 3.

Those voting in the negative were:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nething	Stroup
Forkner	Larsen, G.	Pyle	Torgerson
Freed	Larsen, L.	Rait	Wenstrom
Geving	Lips	Redlin	Wilhite
Goldberg	Litten		
Absent and not voting:			
Mutch	Ringsak	Trenbeath	

So the bill lost.

Senator Stroup moved that the vote by which Senate Bill No. 399 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## MOTION

Senator Morgan moved that House Bill No. 596 be placed at the head of the calendar, which motion prevailed.

## SECOND READING OF HOUSE BILLS

**House Bill No. 596.** A Bill for an Act relating to the establishment of a milk stabilization board to regulate prices and trade practices within the fluid milk industry which industry is declared to be within the police power, making an appropriation, and providing a penalty.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 32; nays, 17; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Goldberg	Luick	Roen
Becker	Hofstrand	Melland	Ruemmele
Chesrown	Holand	Morgan	Sands
Christensen	Jacobson	Nasset	Sorlie
Coughlin	Kautzmann	Nething	Stroup
Decker	Kelly, E.	Redlin	Torgerson
Freed	Kelly, M.	Ringsak	Trenbeath
Geving	Larsen, L.	Robinson	Wenstrom

Those voting in the negative were:

Berube	Larsen, G.	Lowe	Rait
Butler	Lips	Meschke	Schultz
Forkner	Litten	Mutch	Stafne
Hernett	Longmire	Pyle	Wilhite
Larsen, R.			

So the bill passed and the title was agreed to.

Senator Morgan moved that the vote by which House Bill No. 596 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

**House Bill No. 577.** A Bill for an Act to amend and reenact section 15-39-28.1 of the 1965 Supplement to the North Dakota Century Code, relating to teachers' retirement annuities.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

So the bill passed and the title was agreed to.

**House Bill No. 584.** A Bill for an Act to amend and reenact section 15-47-35 of the North Dakota Century Code, relating to the number of days of permissible absence annually due to sickness that shall be provided in the employment contract of any teacher.

Was 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, 10; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hernett	Litten	Ruemmele
Becker	Hofstrand	Longmire	Sands
Berube	Jacobson	Lowe	Schultz
Chesrown	Kautzmann	Meschke	Stafne
Christensen	Kelly, E.	Nasset	Stroup
Decker	Kelly, M.	Nothing	Torgerson
Forkner	Larsen, R.	Pyle	Trenbeath
Freed	Larson, G.	Rait	Wenstrom
Geving	Larson, L.	Redlin	Wilhite
Goldberg	Lips	Roen	

Those voting in the negative were:

Butler	Luick	Mutch	Robinson
Coughlin	Melland	Ringsak	Sorlie
Holand	Morgan		

So the bill passed and the title was agreed to.

Senator Holand: I rise to explain my vote. Mr. President. I voted "no" on this bill fully realizing when the NDEA publication lists the vote of the North Dakota Senate I will have been registered as voting "no" on one of their bills. "I voted "no" because I don't understand the bill and I can't vote "yes" for something I don't understand.

**House Bill No. 657.** A Bill for an Act to provide for authorization to the state board of higher education to grant easements upon real property under its administrative jurisdiction.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

So the bill passed and the title was agreed to.

**House Bill No. 697.** A Bill for an Act to provide that nonpublic school students may be transported on public school buses when authorized by the school board of a public school district and under certain conditions.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 9; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hernett	Lips	Ringsak
Becker	Hofstrand	Longmire	Robinson
Berube	Holand	Melland	Roen
Butler	Jacobson	Meschke	Ruemmele
Chesrown	Kautzmann	Morgan	Sands
Christensen	Kelly, E.	Mutch	Sorlie
Coughlin	Kelly, M.	Nasset	Stroup
Decker	Larsen, R.	Nothing	Torgerson
Freed	Larson, G.	Rait	Trenbeath
Geving	Larson, L.	Redlin	Wilhite

Those voting in the negative were:

Forkner	Lowe	Pyle	Stafne
Goldberg	Luick	Schultz	Wenstrom
Litten			

So the bill passed and the title was agreed to.

**House Bill No. 717.** A Bill for an Act to amend and reenact sections 15-29-05 and 15-53-05 of the North Dakota Century Code, relating to the compensation of school board members and to the county committee for reorganization of school districts.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands

Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

So the bill passed and the title was agreed to.

**House Bill No. 723.** A Bill for an Act to amend and reenact section 40-55-09 of the North Dakota Century Code relating to the tax levy limitation for a public recreation system.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 723 of the Senate Journal, the roll was called and there were ayes, 42; nays, 7; absent and not voting, 0.

Those voting in the affirmative were:

Becker	Hofstrand	Longmire	Roen
Berube	Holand	Lowe	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Sorlie
Christensen	Kelly, E.	Nasset	Stafne
Coughlin	Kelly, M.	Nothing	Stroup
Decker	Larsen, R.	Pyle	Torgerson
Forkner	Larson, G.	Rait	Trenbeath
Freed	Larson, L.	Redlin	Wenstrom
Goldberg	Lips	Ringsak	Wilhite
Hernett	Litten		

Those voting in the negative were:

Beck	Luick	Mutch	Schultz
Geving	Morgan	Robinson	

So the bill passed and the title was agreed to.

**House Bill No. 774.** A Bill for an Act to amend and reenact subsection 3 of section 15-35-02 of the 1965 Supplement to the North Dakota Century Code, relating to admission of light in elementary and high schools, 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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

So the bill passed and the title was agreed to, and the emergency clause carried.

**House Bill No. 798.** A Bill for an Act to amend and reenact sections 55-08-05, 55-08-07, and 55-08-14, of the North Dakota Century Code, relating to the acquisition, construction, reconstruction, improvement, betterment, and extension of special service projects by the North Dakota park service, the charges and fees for service provided by such projects, the appropriation of the revenues thereof to the park fund and state park revenue bond fund, and the issuance of revenue bonds to pay capital costs of such projects, and authorizing the issuance of revenue bonds to finance certain projects.

Was read the second time.

Senator Trenbeath moved that House Bill No. 798 be amended as follows:

In line 8, after the word "director" insert the following: "with the consent of the majority of the members of the State Park Advisory Council"

Which motion prevailed.

Senator Trenbeath moved that the rules be suspended and that House Bill No. 798 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. 798, as amended from the floor, the roll was called and there were ayes, 44; nays, 3; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Goldberg	Litten	Ringsak
Becker	Hofstrand	Longmire	Robinson
Berube	Holand	Lowe	Roen
Butler	Jacobson	Luick	Ruemmele
Chesrown	Kautzmann	Melland	Sorlie
Christensen	Kelly, E.	Meschke	Stafne
Coughlin	Kelly, M.	Morgan	Stroup
Decker	Larsen, R.	Mutch	Torgerson
Forkner	Larson, G.	Nothing	Trenbeath
Freed	Larson, L.	Pyle	Wenstrom
Geving	Lips	Rait	Wilhite

Those voting in the negative were:

Redlin	Sands	Schultz
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Absent and not voting:

Hernett	Nasset
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So the bill passed and the title was agreed to.

**House Bill No. 838.** A Bill for an Act to provide for the apportionment of personal property belonging to a single coal mining company operating in two or more counties.

Was read the second time.

Senator Lips moved that House Bill No. 838 be placed at the foot of the calendar, which motion prevailed.

**House Bill No. 846.** A Bill for an Act authorizing the state board of higher education to enter into an agreement with the North Dakota 4-H Club Foundation, Incorporated, to allow such foundation to build a 4-H Center on lands of the North Dakota state university of agriculture and applied science, with title to such center passing to the state upon completion of the construction of the building.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Stafne
Coughlin	Kelly, M.	Mutch	Stroup
Decker	Larsen, R.	Nething	Torgerson
Forkner	Larson, G.	Pyle	Trenbeath
Freed	Larson, L.	Rait	Wenstrom
Geving	Lips	Redlin	Wilhite
Goldberg	Litten	Ringsak	

Absent and not voting:

Nasset Sorlie

So the bill passed and the title was agreed to.

**House Bill No. 889.** A Bill for an Act to amend and reenact Section 54-02-07 of the North Dakota Century Code providing for the Theodore Roosevelt Rough Rider Awards.

Was 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:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nething	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Wenstrom
Geving	Lips	Redlin	Wilhite
Goldberg	Litten	Ringsak	

Absent and not voting:

Nasset Trenbeath

So the bill passed and the title was agreed to.

**House Bill No. 895.** A Bill for an Act to allow a county which has a vacancy in the office of county superintendent of schools to enter into an agreement with an adjacent county to provide services to such county, and declaring an emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Robinson
Becker	Hofstrand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nething	Stafne
Decker	Larson, G.	Pyle	Stroup
Forkner	Larson, L.	Rait	Torgerson
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Ringsak	Wilhite
Goldberg	Longmire		

Absent and not voting:

Holand Nasset Trenbeath

So the bill passed and the title was agreed to, and the emergency clause carried.

**House Bill No. 911.** A Bill for an Act to amend and reenact sections 40-24-11 and 40-24-12 of the 1965 Supplement to the North Dakota Century Code, relating to the regulations in certifying special assessments and furnishing statements thereof.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Robinson
Becker	Hofstrand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nothing	Stafne
Decker	Larson, G.	Pyle	Stroup
Forkner	Larson, L.	Rait	Torgerson
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Ringsak	Wilhite
Goldberg	Longmire		

Absent and not voting:

Holand Nasset Trenbeath

So the bill passed and the title was agreed to.

**House Bill No. 937.** A Bill for an Act to amend and reenact section 57-03-05 of the North Dakota Century Code, relating to the assessment of grains stored in commercial elevators, warehouses, and granaries.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 642 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nothing	Stafne
Decker	Larson, G.	Pyle	Stroup
Forkner	Larson, L.	Rait	Torgerson
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Ringsak	Wilhite
Goldberg	Longmire		

Absent and not voting:

Hernett Nasset Trenbeath

So the bill passed and the title was agreed to.

**House Bill No. 767.** A Bill for an Act to prevent unfair competition and unfair trade practices in the sale of cigarettes; to prohibit sales of cigarettes below cost; to protect and stabilize the collection of taxes on the sale of cigarettes and revenues from the licensing of persons engaged in the sale of cigarettes; to confer powers and impose duties on the State Tax Commissioner and on persons as

herein defined, engaged in the sale of cigarettes at retail or wholesale; and providing remedies and imposing penalties for violations thereof.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 17; nays, 27; absent and not voting, 5.

Those voting in the affirmative were:

Becker	Hofstrand	Larsen, R.	Melland
Berube	Kautzmann	Lips	Morgan
Coughlin	Kelly, E.	Longmire	Torgerson
Decker	Kelly, M.	Lowe	Wenstrom
Freed			

Those voting in the negative were:

Beck	Jacobson	Nething	Ruemmele
Butler	Larson, G.	Pyle	Schultz
Chesrown	Larson, L.	Rait	Sorlie
Christensen	Litten	Redlin	Stafne
Forkner	Luick	Ringsak	Stroup
Geving	Meschke	Robinson	Wahlite
Goldberg	Mutch	Roen	
Absent and not voting:			
Hernett	Nasset	Sands	Trenbeath
Holand			

So the bill lost.

Senator Forkner moved that the vote by which House Bill No. 767 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

**House Bill No. 917.** A Bill for an Act to amend chapter 57-38 of the North Dakota Century Code by creating and enacting a new section thereto, relating to the election of a corporation to have its undistributable taxable income included in the gross income of its shareholders; and to provide an effective date.

Was read the second time.

Senator Lips moved that House Bill No. 917 be placed at the foot of the calendar, which motion prevailed.

**House Bill No. 512.** 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 second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 29; nays, 17; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Jacobson	Lowe	Redlin
Becker	Kautzmann	Luick	Robinson
Berube	Kelly, E.	Melland	Ruemmele
Christensen	Kelly, M.	Meschke	Sorlie
Decker	Larson, L.	Morgan	Stroup
Forkner	Lips	Nething	Torgerson
Freed	Longmire	Rait	Wenstrom
Hernett			

Those voting in the negative were:

Butler	Hofstrand	Mutch	Sands
Chesrown	Holand	Pyle	Schultz
Coughlin	Larsen, R.	Ringsak	Stafne
Geving	Litten	Roen	Wahlite
Goldberg			



Absent and not voting:  
Larson, G. Nasset Trenbeath

So the bill passed and the title was agreed to.

**House Bill No. 514.** For an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the State Highway Department and to authorize expenditures for highway project construction costs.

Was read the second time.

Senator Coughlin moved that House Bill No. 514 be re-referred to the Committee on Appropriations, which motion prevailed.

**House Bill No. 521.** For an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the State of North Dakota doing business as the North Dakota Mill and Elevator Association.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beck	Goldberg	Longmire	Ringsak
Becker	Hernett	Lowe	Robinson
Berube	Hofstrand	Luick	Ruemmele
Butler	Holand	Melland	Sands
Chesrown	Kautzmann	Meschke	Sortie
Christensen	Kelly, E.	Morgan	Stafne
Coughlin	Kelly, M.	Mutch	Stroup
Decker	Larsen, R.	Nething	Torgerson
Forkner	Larson, L.	Pyle	Wenstrom
Freed	Lips	Rait	Wilhite
Geving	Litten	Redlin	

Absent and not voting:  
Jacobson Nasset Schultz Trenbeath  
Larson, G. Roen

So the bill passed and the title was agreed to.

**House Bill No. 522.** For an Act to provide for payment of expenses to certain state officers, judges of district court and supreme court judges, making an appropriation, 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, 41; nays, 4; absent and not voting, 4.

Those voting in the affirmative were:

Beck	Hernett	Litten	Redlin
Becker	Hofstrand	Longmire	Ringsak
Butler	Holand	Lowe	Robinson
Chesrown	Jacobson	Luick	Sands
Christensen	Kautzmann	Melland	Schultz
Coughlin	Kelly, E.	Meschke	Sortie
Decker	Kelly, M.	Morgan	Stafne
Forkner	Larsen, R.	Nething	Stroup
Freed	Larson, G.	Pyle	Wenstrom
Geving	Lips	Rait	Wilhite
Goldberg			

Those voting in the negative were:

Berube	Larson, L.	Mutch	Torgerson
Absent and not voting:			
Nasset	Roen	Ruemmele	Trenbeath

So the bill passed and the title was agreed to and the emergency clause carried.

**House Bill No. 529.** A Bill for an Act making an appropriation to the North Dakota Heritage Commission to plan and design a heritage center and authorizing a heritage center construction fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 34; nays, 13; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Holand	Longmire	Rait
Becker	Jacobson	Lowe	Redlin
Berube	Kautzmann	Luick	Ruemmele
Chesrown	Kelly, E.	Melland	Sorlie
Christensen	Kelly, M.	Meschke	Stroup
Coughlin	Larsen, R.	Morgan	Trenbeath
Decker	Larson, G.	Nething	Wenstrom
Geving	Larson, L.	Pyle	Wilhite
Hernett	Lips		

Those voting in the negative were:

Butler	Hofstrand	Ringsak	Schultz
Forkner	Litten	Robinson	Stafne
Freed	Mutch	Sands	Torgerson
Goldberg			

Absent and not voting:

Nasset Roen

So the bill passed and the title was agreed to.

**House Bill No. 588.** A Bill for an Act providing for the election of a county superintendent of schools to serve two or more counties or parts thereof, which office and area are to be served by a single county superintendent of schools to be established either upon a petition of the electorate or upon initiation of a plan by boards of county commissioners setting forth the area and approved by the electorate of such affected counties and providing for the sharing of the costs of such office.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Ruemmele
Berube	Holand	Luick	Sands
Butler	Jacobson	Melland	Schultz
Chesrown	Kautzmann	Meschke	Sorlie
Christensen	Kelly, E.	Morgan	Stafne
Coughlin	Kelly, M.	Mutch	Stroup
Decker	Larsen, R.	Nething	Torgerson
Forkner	Larson, G.	Rait	Trenbeath
Freed	Larson, L.	Redlin	Wenstrom
Geving	Lips	Ringsak	Wilhite
Goldberg	Litten		

Absent and not voting:

Nasset Pyle Roen

So the bill passed and the title was agreed to.

**House Bill No. 595.** A Bill for an Act to require motorcycle operators and passengers to wear protective helmets and to preclude the carrying of passengers on certain two-wheel motorcycles.

Was read the second time.

Senator Decker moved that the Senate amendment to House Bill No. 595 be deleted, which motion was lost.

## ROLL CALL

The question being on the final passage of House Bill No. 595, as amended on page 660 of the Senate Journal, the roll was called and there were ayes, 28; nays, 20; absent and not voting, 1.

Those voting in the affirmative were:			
Beck	Holand	Litten	Pyle
Becker	Kautzmann	Longmire	Rait
Christensen	Kelly, M.	Lowe	Ringsak
Decker	Larsen, R.	Luick	Sorlie
Forkner	Larson, G.	Melland	Stafne
Geving	Larson, L.	Meschke	Torgerson
Hernett	Lips	Nothing	Wenstrom

Those voting in the negative were:			
Berube	Goldberg	Mutch	Sands
Butler	Hofstrand	Redlin	Schultz
Chesrown	Jacobson	Robinson	Stroup
Coughlin	Kelly, E.	Roen	Trenbeath
Freed	Morgan	Ruemmele	Wilhite

Absent and not voting:  
Nasset

So the bill passed and the title was agreed to.

**House Bill No. 635.** A Bill for an Act to amend and reenact section 47-06-08 and subsections 11 and 12 of section 61-24-08 and to create and enact subsection 13 of section 61-24-08 of the North Dakota Century Code, relating to the Garrison Diversion Conservancy District and to islands and lands in navigable streams.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, on page 660 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:			
Beck	Hernett	Lowe	Roen
Becker	Hofstrand	Luick	Ruemmele
Berube	Holand	Melland	Sands
Butler	Jacobson	Meschke	Schultz
Chesrown	Kautzmann	Morgan	Sorlie
Christensen	Kelly, E.	Mutch	Stafne
Coughlin	Kelly, M.	Nothing	Stroup
Decker	Larsen, R.	Pyle	Torgerson
Forkner	Larson, G.	Rait	Trenbeath
Freed	Larson, L.	Redlin	Wenstrom
Geving	Lips	Ringsak	Wilhite
Goldberg	Litten	Robinson	

Absent and not voting:  
Longmire Nasset

So the bill passed and the title was agreed to.

**House Bill No. 646.** A Bill for an Act to amend and reenact section 44-03-01 of the North Dakota Century Code, allowing the Commissioner of Labor to appoint a Deputy Commissioner.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:			
Beck	Hernett	Luick	Roen
Becker	Holand	Melland	Ruemmele
Berube	Jacobson	Meschke	Sands
Butler	Kautzmann	Morgan	Schultz

Chesrown	Kelly, E.	Mutch	Sorlie
Christensen	Kelly, M.	Nothing	Stafne
Coughlin	Larsen, R.	Pyle	Stroup
Decker	Larson, G.	Rait	Torgerson
Forkner	Larson, L.	Redlin	Trenbeath
Freed	Lips	Ringsak	Wenstrom
Geving	Litten	Robinson	Wilhite
Goldberg	Lowe		

Absent and not voting:

Hofstrand	Longmire	Nasset
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So the bill passed and the title was agreed to.

**House Bill No. 647.** A Bill for an Act to amend and reenact subsection 6 of section 34-06.1-02 of the 1965 Supplement to the North Dakota Century Code, changing the definition of commissioner to mean commissioner of labor.

Was 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:

Beck	Hernett	Lowe	Roen
Becker	Hofstrand	Luick	Ruemmele
Berube	Jacobson	Melland	Sands
Butler	Kautzmann	Meschke	Schultz
Chesrown	Kelly, E.	Morgan	Sorlie
Christensen	Kelly, M.	Mutch	Stafne
Coughlin	Larsen, R.	Nothing	Stroup
Decker	Larson, G.	Pyle	Torgerson
Forkner	Larson, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Ringsak	Wilhite
Goldberg	Longmire	Robinson	

Absent and not voting:

Holand	Nasset
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So the bill passed and the title was agreed to.

**House Bill No. 655.** A Bill for an Act to amend and reenact sections 34-06-09, 34-06-11, and 34-06-12 of the North Dakota Century Code, relating to conferences to consider investigation by the commissioner of labor.

Was 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:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nothing	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite

Absent and not voting:

Nasset
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So the bill passed and the title was agreed to.

**House Bill No. 676.** A Bill for an Act to amend and reenact sections 65-05-01, 65-05-07, 65-05-08, 65-05-10, 65-05-13, 65-05-14, 65-05-17, and 65-05-26 of the North Dakota Century Code, relating to filing compensation claims, medical attention to injured employees, disability compensation, partial disability, scheduled injuries, permanent partial injuries, weekly compensation in death claims, and bureau burial expenses.

Was 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:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nothing	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite

Absent and not voting:

Nasset

So the bill passed and the title was agreed to.

**House Bill No. 679.** A Bill for an Act restricting the establishment of junkyards within one thousand feet of the nearest edge of the right of way on the state highway system and for the screening of any and all junkyards which are allowed to remain in existence with the approval of the highway commissioner, and for the removal of such junkyards when in the judgment of the highway commissioner the intent of this Act is not subverted and authority for the commissioner to acquire by gift, purchase, exchange or condemnation lands used for junkyards, and declaring an emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 661 of the Senate Journal, the roll was called and there were ayes, 38; nays, 9; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Goldberg	Lips	Pyle
Becker	Hofstrand	Litten	Rait
Berube	Holand	Longmire	Ringsak
Butler	Jacobson	Lowe	Roen
Chesrown	Kautzmann	Luick	Sorlie
Christensen	Kelly, E.	Melland	Stafne
Coughlin	Kelly, M.	Meschke	Stroup
Decker	Larsen, R.	Morgan	Trenbeath
Forkner	Larson, G.	Nothing	Wenstrom
Freed	Larson, L.		

Those voting in the negative were:

Geving	Robinson	Sands	Torgerson
Mutch	Ruemmele	Schultz	Wilhite
Redlin			

Absent and not voting:

Hernett Nasset

So the bill passed and the title was agreed to and the emergency clause carried.

**House Bill No. 686.** A Bill for an Act to amend and reenact section 27-16-03 of the North Dakota Century Code, relating to juvenile commissioners and compensation therefor.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 33; nays, 11; absent and not voting, 5.

Those voting in the affirmative were:

Becker	Hernett	Larson, L.	Morgan
Berube	Hofstrand	Lips	Nothing
Butler	Holand	Litton	Rait
Chesrown	Jacobson	Longmire	Ringsak
Coughlin	Kautzmann	Lowe	Sorlie
Decker	Kelly, M.	Luick	Stafne
Forkner	Larsen, R.	Melland	Stroup
Freed	Larson, G.	Meschke	Wenstrom
Goldberg			

Those voting in the negative were:

Beck	Mutch	Ruemmele	Torgerson
Geving	Redlin	Sands	Wilhite
Kelly, E.	Robinson	Schultz	

Absent and not voting:

Christensen	Pyle	Roen	Trenbeath
Nasset			

So the bill passed and the title was agreed to and the emergency clause carried.

**House Bill No. 736.** A Bill for an Act to amend and reenact section 16-06-02 of the North Dakota Century Code relating to the publication of notice of any general election and section 46-05-03 of the North Dakota Century Code relating to the publication of legal notices and providing the fees to be paid therefor.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 5; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hofstrand	Longmire	Robinson
Becker	Holand	Lowe	Ruemmele
Butler	Jacobson	Luick	Sands
Chesrown	Kautzmann	Melland	Schultz
Coughlin	Kelly, E.	Morgan	Sorlie
Decker	Kelly, M.	Mutch	Stafne
Forkner	Larsen, R.	Nothing	Stroup
Freed	Larson, G.	Pyle	Torgerson
Geving	Lips	Redlin	Wenstrom
Goldberg	Litton	Ringsak	Wilhite
Hernett			

Those voting in the negative were:

Berube	Meschke	Rait	Trenbeath
Larson, L.			

Absent and not voting:

Christensen	Nasset	Roen
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So the bill passed and the title was agreed to.

#### FIRST READING OF A HOUSE BILL

**House Bill No. 941.** A Bill for an Act to create and enact a new chapter to the North Dakota Century Code imposing a three-quarters of one percent motor vehicle excise tax, exemptions there-to, manner of collection, penalties, allocation of revenue and to

repeal chapters 57-39.1 and 57-40.1 of the North Dakota Century Code.

Was read the first time and referred to the Committee on Finance and Taxation.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 636 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. 638 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. 639 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. 640 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. 743 has had the same under consideration and recommends that the same be amended as follows:

In line 4 insert triple parentheses before and after the word "shall" and insert in lieu thereof the following: "may, by resolution of the board,"

Renumber the lines accordingly

And when so amended recommends the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 744 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 Bill No. 749 has had the same under consideration and recommends that the same be amended as follows:

In line 4 insert triple parentheses before the comma and after the word "VILLAGES"

In line 29 delete "villages"

In line 33 following the word "cities" delete "and villages"

In line 38 following the word "city" delete "or villages"

In line 44 following the word "city" delete "or"

In line 45 delete the word "village"

Renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 791 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 Bill No. 797 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 807 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. 822 has had the same under consideration and recommends that the same be amended as follows:

At the end of line 233 add the following:

"None of the provisions of this Act shall apply to liquid wastes which result from the development and production of a natural resource if the development or production of said natural resource is under the control of another state agency."

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. 916 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 925 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. 933 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 Bill No. 938 has had the same under consideration and recommends that the same do pass.

**SENATOR REDLIN, Chairman**

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Natural Resources to whom was referred House Concurrent Resolution "F-1" 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.

#### MOTION

Senator Lips moved that the vote by which House Bills Nos. 596, 577, 584, 657, 697, 717, 723, 774, 798, 846, 889, 895, 911, 937, 512, 521, 522, 529, 588, 595, 635, 646, 647, 655, 676, 679, 686, and 736, and House Concurrent Resolutions "Q-1" and "X-1", were passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Lips moved that the Senate recess until 10:00 a.m., February 25, 1967 which motion prevailed.

**LEO LEIDHOLM, Secretary**



"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### FIFTY-THIRD DAY AFTER RECESS AND FIFTY-FOURTH DAY

Bismarck, February 25, 1967

The Senate convened at 10:00 a.m., pursuant to recess taken, the President presiding.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 403

And find the same correctly enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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. 403

And the President signed the same in the presence of the Senate.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 25, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 403

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 25, 1967

Mr. President: I have the honor to return the following Bill: Senate Bill No. 403

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

#### REPORT OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 403

Was delivered to the Governor for his approval at the hour of 10:09 o'clock a.m., February 25, 1967.

SENATOR WENSTROM, Chairman

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 25, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 512  
House Bill No. 521  
House Bill No. 522  
House Bill No. 529  
House Bill No. 577  
House Bill No. 584  
House Bill No. 588  
House Bill No. 646  
House Bill No. 647  
House Bill No. 655  
House Bill No. 657  
House Bill No. 676  
House Bill No. 686  
House Bill No. 697  
House Bill No. 717  
House Bill No. 736  
House Bill No. 774  
House Bill No. 846  
House Bill No. 889  
House Bill No. 895  
House Bill No. 911

House Concurrent Resolution "Q-1"

House Concurrent Resolution "X-1"

Which the Senate passed unchanged.

LEO LEIDHOLM, Secretary

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 25, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 595  
House Bill No. 596  
House Bill No. 635  
House Bill No. 679  
House Bill No. 723  
House Bill No. 798  
House Bill No. 937

Which the Senate has amended.

LEO LEIDHOLM, Secretary

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 24, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 802  
House Bill No. 828  
House Bill No. 877  
House Concurrent Resolution "S-1"

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

SECOND READING OF HOUSE BILLS  
AND HOUSE CONCURRENT RESOLUTIONS

**House Bill No. 747.** A Bill for an Act to amend and reenact section 65-05-09 of the North Dakota Century Code, relating to total disability; weekly and aggregate compensation.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 0; absent and not voting, 14.

Those voting in the affirmative were:

Berube	Kautzmann	Melland	Ruemmele
Christensen	Kelly, E.	Meschke	Sands
Coughlin	Kelly, M.	Morgan	Schultz
Forkner	Larsen, R.	Mutch	Sorlie
Freed	Larson, L.	Nasset	Stafne
Geving	Lips	Pyle	Stroup
Goldberg	Litten	Redlin	Trenbeath
Holand	Longmire	Robinson	Wenstrom
Jacobson	Luick	Roen	

Absent and not voting:

Beck	Decker	Lowe	Ringsak
Becker	Hernett	Nothing	Torgerson
Butler	Hofstrand	Rait	Wilhite
Chesrown	Larson, G.		

So the bill passed and the title was agreed to.

**House Bill No. 755.** A Bill for an Act to amend and reenact subsections 1 and 2 of section 39-12-04 of the 1965 Supplement to the North Dakota Century Code, relating to width, height, and length limitations on vehicles.

Was read the second time.

Senator Lips moved that House Bill No. 755 be placed at the foot of the calendar, which motion prevailed.

**House Bill No. 766.** A Bill for an Act to amend and reenact section 34-14-08 of the 1965 Supplement to the North Dakota Century Code, relating to the amount of wages assignable to the commissioner of labor for collection.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 34; nays, 1; absent and not voting, 14.

Those voting in the affirmative were:

Berube	Kautzmann	Melland	Ruemmele
Christensen	Kelly, E.	Meschke	Sands
Coughlin	Kelly, M.	Morgan	Schultz
Forkner	Larsen, R.	Mutch	Sorlie
Freed	Larson, L.	Nasset	Stafne
Geving	Lips	Pyle	Stroup
Goldberg	Litten	Redlin	Trenbeath
Holand	Longmire	Robinson	Wenstrom
Jacobson	Luick		

Those voting in the negative were:

Roen

Absent and not voting:

Beck	Decker	Lowe	Ringsak
Becker	Hernett	Nothing	Torgerson
Butler	Hofstrand	Rait	Wilhite
Chesrown	Larson, G.		

So the bill passed and the title was agreed to.

**House Bill No. 776.** A Bill for an Act to amend and reenact section 59-03-02 of the North Dakota Century Code, relating to the purposes for which express trusts are created, and to provide a method of holding real property in trust with certain limited powers.

Was 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:

Beck	Hernett	Lowe	Roen
Becker	Holand	Luick	Ruemmele
Berube	Jacobson	Melland	Sands
Butler	Kautzmann	Meschke	Schultz
Chesrown	Kelly, E.	Morgan	Sorlie
Christensen	Kelly, M.	Mutch	Stafne
Coughlin	Larsen, R.	Nasset	Stroup
Decker	Larson, G.	Nothing	Torgerson
Forkner	Larson, L.	Pyle	Trenbeath
Freed	Lips	Rait	Wenstrom
Geving	Litten	Redlin	Wilhite
Goldberg	Longmire	Robinson	

Absent and not voting:

Hofstrand Ringsak

So the bill passed and the title was agreed to.

**House Bill No. 783.** A Bill for an Act to amend and reenact subsection 9 of section 52-06-02 of the North Dakota Century Code, relating to receipt of military retirement payments as a disqualification for unemployment compensation benefits.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Roen
Becker	Holand	Luick	Ruemmele
Berube	Jacobson	Melland	Sands
Butler	Kautzmann	Morgan	Schultz
Chesrown	Kelly, E.	Mutch	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larsen, R.	Nothing	Stroup
Decker	Larson, G.	Pyle	Torgerson
Forkner	Larson, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Robinson	Wilhite
Goldberg	Longmire		

Absent and not voting:

Hofstrand Meschke Ringsak

So the bill passed and the title was agreed to.

**House Bill No. 784.** A Bill for an Act to amend and reenact section 35-20-11 of the North Dakota Century Code, providing a summary method for foreclosure of special liens.

Was 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:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup

Forkner	Larson, G.	Nething	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite

Absent and not voting:  
Ringsak

So the bill passed and the title was agreed to.

**House Bill No. 785.** A Bill for an Act to amend and reenact sections 60-03-02 and 60-03-04 of the North Dakota Century Code, relating to the agent for process, the licensing of roving grain and hay buyers, limiting the liability on the bond therefor and requiring the Public Service Commission to make orders upon defalcations on the bond.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Becker	Hofstrand	Longmire	Redlin
Berube	Holand	Lowe	Robinson
Butler	Jacobson	Luick	Roen
Chesrown	Kautzmann	Melland	Ruemmele
Christensen	Kelly, E.	Meschke	Schultz
Decker	Kelly, M.	Morgan	Sorlie
Forkner	Larsen, R.	Mutch	Stafne
Freed	Larson, G.	Nasset	Stroup
Geving	Larson, L.	Nething	Torgerson
Goldberg	Lips	Pyle	Wenstrom
Hernett	Litten	Rait	Wilhite

Absent and not voting:

Beck	Ringsak	Sands	Trenbeath
Coughlin			

So the bill passed and the title was agreed to.

**House Bill No. 827.** A Bill for an Act to create subsection 9 of section 12-60-07 of the North Dakota Century Code, relating to the powers of the bureau of criminal identification, to amend and reenact subsection 8 of section 12-60-07 of the North Dakota Century Code, relating to the powers and duties of the bureau of criminal identification of the attorney general's office, and to repeal section 54-12-12 of the North Dakota Century Code, relating to the powers and duties of the inspectors of the attorney general's licensing department.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Becker	Holand	Lowe	Redlin
Berube	Jacobson	Luick	Robinson
Butler	Kautzmann	Melland	Roen
Chesrown	Kelly, E.	Meschke	Ruemmele
Decker	Kelly, M.	Morgan	Schultz
Forkner	Larsen, R.	Mutch	Sorlie
Freed	Larson, G.	Nasset	Stafne
Geving	Larson, L.	Nething	Stroup
Goldberg	Lips	Pyle	Torgerson
Hernett	Litten	Rait	Wenstrom
Hofstrand	Longmire		

Absent and not voting:

Beck	Coughlin	Sands	Wilhite
Christensen	Ringsak	Trenbeath	

So the bill passed and the title was agreed to.

**House Bill No. 842.** A Bill for an Act to amend and reenact section 26-01-04 of the North Dakota Century Code, relating to fees chargeable by the commissioner of insurance.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 3; absent and not voting, 7

Those voting in the affirmative were:

Beck	Hofstrand	Litten	Rait
Becker	Holand	Longmire	Redlin
Berube	Jacobson	Lowe	Robinson
Butler	Kautzmann	Luick	Roen
Christensen	Kelly, E.	Melland	Ruemmele
Decker	Kelly, M.	Meschke	Stafne
Freed	Larsen, R.	Mutch	Stroup
Geving	Larson, G.	Nasset	Torgerson
Goldberg	Larson, L.	Nothing	Wenstrom
Hernett	Lips	Pyle	

Those voting in the negative were:

Morgan	Sands	Schultz
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Absent and not voting:

Chesrown	Forkner	Sorlie	Wilhite
Coughlin	Ringsak	Trenbeath	

So the bill passed and the title was agreed to.

**House Bill No. 843.** A Bill for an Act to amend and reenact section 26-27-14 of the North Dakota Century Code, relating to licensing of sales representatives.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 3; absent and not voting, 5.

Those voting in the affirmative were:

Beck	Hofstrand	Litten	Rait
Becker	Holand	Longmire	Redlin
Berube	Jacobson	Lowe	Robinson
Butler	Kautzmann	Luick	Roen
Christensen	Kelly, E.	Melland	Ruemmele
Decker	Kelly, M.	Meschke	Stafne
Forkner	Larsen, R.	Mutch	Stroup
Freed	Larson, G.	Nasset	Torgerson
Geving	Larson, L.	Nothing	Trenbeath
Goldberg	Lips	Pyle	Wenstrom
Hernett			

Those voting in the negative were:

Morgan	Sands	Schultz
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Absent and not voting:

Chesrown	Ringsak	Sorlie	Wilhite
Coughlin			

So the bill passed and the title was agreed to.

**House Bill No. 844.** A Bill for an Act to amend and reenact section 26-27.1-18 of the North Dakota Century Code, relating to licensing of sales representatives.

Was read the second time.



## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 4; absent and not voting, 4.

Those voting in the affirmative were:

Beck	Hofstrand	Litten	Rait
Becker	Holand	Longmire	Redlin
Berube	Jacobson	Lowe	Robinson
Butler	Kautzmann	Luick	Roen
Christensen	Kelly, E.	Melland	Ruemmele
Decker	Kelly, M.	Meschke	Stafne
Forkner	Larsen, R.	Mutch	Stroup
Freed	Larson, G.	Nasset	Torgerson
Geving	Larson, L.	Nething	Wenstrom
Goldberg	Lips	Pyle	Wilhite
Hernett			

Those voting in the negative were:

Morgan	Sands	Schultz	Trenbeath
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Absent and not voting:

Chesrown	Coughlin	Ringsak	Sorlie
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So the bill passed and the title was agreed to.

**House Bill No. 845.** A Bill for an Act to amend and reenact section 26-26-14 of the North Dakota Century Code, relating to licensing of sales representatives.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 5; absent and not voting, 4.

Those voting in the affirmative were:

Beck	Hernett	Lips	Pyle
Becker	Hofstrand	Litten	Rait
Berube	Holand	Longmire	Redlin
Butler	Jacobson	Lowe	Robinson
Christensen	Kautzmann	Luick	Roen
Decker	Kelly, E.	Melland	Ruemmele
Forkner	Kelly, M.	Meschke	Stroup
Freed	Larsen, R.	Mutch	Torgerson
Geving	Larson, G.	Nasset	Wenstrom
Goldberg	Larson, L.	Nething	Wilhite

Those voting in the negative were:

Morgan	Schultz	Stafne	Trenbeath
Sands			

Absent and not voting:

Chesrown	Coughlin	Ringsak	Sorlie
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So the bill passed and the title was agreed to.

**House Bill No. 859.** A Bill for an Act to create section 65-08-04 of the North Dakota Century Code, providing for agreements between states relating to conflicts of jurisdiction; to amend sections 65-08-01, and 65-08-02, relating to extraterritorial coverage, when and how furnished, and reciprocity in extraterritorial application of compensation acts of various states provided.

Was 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:

Beck	Holand	Lowe	Robinson
Becker	Jacobson	Luick	Roen
Berube	Kautzmann	Melland	Ruemmele
Butler	Kelly, E.	Meschke	Sands

Christensen	Kelly, M.	Morgan	Schultz
Decker	Larsen, R.	Mutch	Stafne
Forkner	Larson, G.	Nasset	Stroup
Freed	Larson, L.	Nething	Torgerson
Geving	Lips	Pyle	Trenbeath
Goldberg	Litten	Rait	Wenstrom
Hernett	Longmire	Redlin	Wilhite
Hofstrand			
Absent and not voting:			
Chesrown	Coughlin	Ringsak	Sorlie

So the bill passed and the title was agreed to.

**House Concurrent Resolution "O".** A concurrent resolution for the amendment of sections 41, 53, and 56 of the Constitution of the state of North Dakota, relating to commencement of the term of the members of the legislative assembly; meeting times of the legislative assembly; and providing for a pre-session orientation conference.

Was read the second time.

Senator Forkner moved that House Concurrent Resolution "O" be placed at the foot of the calendar, which motion prevailed.

**House Concurrent Resolution "Y".** A Concurrent Resolution directing the North Dakota workmen's compensation bureau to conduct a study of possible formulas that would provide a ratio of benefits to the average weekly wage and/or the cost of living raises.

Was read the second time.

Senator Stroup moved that House Concurrent Resolution "Y" be adopted, which motion prevailed.

#### SECOND READING OF A SENATE BILL

**Senate Bill No. 232.** A Bill for an Act to repeal section 54-03-21 of the North Dakota Century Code precluding persons doing business with the State of North Dakota or its political subdivisions from serving in the legislative assembly.

Was read the second time.

Senator Holand moved for a call of the Senate, which motion prevailed, and a call of the Senate was had.

Senator Holand moved that the call of the Senate be dispensed with, which motion prevailed.

The question being on the passage of Senate Bill No. 232, which the Governor had vetoed.

Senator Coughlin requested to be excused from voting on this bill because of a personal and private interest therein.

Senator Holand moved that Senator Coughlin be excused from voting on Senate Bill No. 232 because of a personal interest therein.

Senator Meschke requested that the reasons assigned for not voting be recorded in the Journal.

The question being on the motion of Senator Holand that Senator Coughlin be excused from voting, which motion prevailed.

Senator Butler requested to be excused from voting on Senate Bill No. 232 because of a personal interest therein.

Senator Lips moved that Senator Butler be excused from voting on Senate Bill No. 232 because of a personal interest therein, which motion prevailed.

Senator Goldberg requested to be excused from voting on Senate Bill No. 232 because of a personal interest therein.

Senator Lips moved that Senator Goldberg be excused from voting on Senate Bill No. 232 because of personal interest therein, which motion prevailed.

Senator Forkner requested to be excused from voting on Senate Bill No. 232 because of a personal interest therein.

Senator Lips moved that Senator Forkner be excused from voting on Senate Bill No. 232 because of personal interest therein, which motion prevailed.

Lt. Gov.: For the record for myself I wish to state I think there are two areas in this type of a proceeding going to the discussion right now before us — that is you assign the reason for being excused — mention that you have a reason because of personal or private interest — because you have a personal or private interest therein — I say that because mention have a personal or private reason, but that would pertain to other areas and leaves open the reason you should give — I will accept that on the record that you have a personal or private interest.

#### ROLL CALL

The question being on the passage of Senate Bill No. 232, which the Governor has vetoed, the roll was called and there were ayes, 39; nays, 5; absent and not voting, 1; excused, 4.

Those voting in the affirmative were:

Beck	Kautzmann	Melland	Sands
Becker	Kelly, E.	Morgan	Schultz
Chesrown	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Freed	Larson, G.	Nothing	Stroup
Geving	Lips	Pyle	Torgerson
Hernett	Litten	Redlin	Trenbeath
Hofstrand	Longmire	Robinson	Wenstrom
Holand	Lowe	Roen	Wilhite
Jacobson	Luick	Ruemmele	

Those voting in the negative were:

Berube	Larson, L.	Meschke	Rait
Christensen			

Absent and not voting:

Ringsak

Those excused were:

Butler	Coughlin	Forkner	Goldberg
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So the bill passed and the title was agreed to.

#### MOTION

Senator Lips moved that Senate Bill No. 13 be placed at the foot of the calendar, which motion prevailed.

#### SECOND READING OF A HOUSE BILL

**House Bill No. 625.** A Bill for an Act to empower boards of county park commissioners to establish special service districts for the purpose of providing police protection and garbage removal services, and declaring an emergency.

Was read the second time.

Senator Holand moved that House Bill No. 625 be amended as follows:

In line 13, after the word "commissioners", insert the following language: "but which is contiguous to real property under the jurisdiction of the park commissioners and directly benefited by the proposed police protection and garbage removal"

Senator Holand moved that the rules be suspended and that House Bill No. 625, as amended from the floor, be placed on second reading and final passage, which motion prevailed.

#### ROLL CALL

The question being on the final passage of House Bill No. 625, as amended from the floor, the roll was called and there were ayes, 33; nays, 15; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Holand	Litten	Roen
Berube	Jacobson	Longmire	Ruemmele
Butler	Kautzmann	Lowe	Sands
Chesrown	Kelly, E.	Melland	Schultz
Christensen	Kelly, M.	Nasset	Stafne
Forkner	Larsen, R.	Nothing	Stroup
Freed	Larsen, L.	Pyle	Torgerson
Goldberg	Lips	Redlin	Wenstrom
Hofstrand			

Those voting in the negative were:

Beck	Hernett	Morgan	Sorlie
Coughlin	Larsen, G.	Mutch	Trenbeath
Decker	Luick	Rait	Wilhite
Geving	Meschke	Robinson	

Absent and not voting:

Ringsak

So the bill passed and the title was agreed to, and the emergency clause carried.

#### MOTION

Senator Lips moved that Senate Bill No. 13 be placed at the head of the calendar, which motion prevailed.

#### SECOND READING OF A SENATE BILL

**Senate Bill No. 13.** 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 second time.

#### ROLL CALL

The question being on the passage of Senate Bill No. 13, which the Governor had vetoed, the roll was called and there were ayes, 43; nays, 6; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Ruemmele
Becker	Holand	Luick	Sands
Butler	Jacobson	Melland	Schultz
Chesrown	Kautzmann	Morgan	Sorlie
Coughlin	Kelly, E.	Mutch	Stafne
Decker	Kelly, M.	Nasset	Stroup
Forkner	Larsen, R.	Pyle	Torgerson
Freed	Larsen, G.	Redlin	Trenbeath
Geving	Lips	Ringsak	Wenstrom
Goldberg	Litten	Robinson	Wilhite
Hernett	Longmire	Roen	

Those voting in the negative were:

Berube	Larsen, L.	Nothing	Rait
Christensen	Meschke		

So the bill passed and the title was agreed to.

#### PERSONAL PRIVILEGE

Senator Ringsak: I rise on a point of personal privilege. I was detained this morning and not able to be down to vote on Senate Bill No. 232. I realize, Mr. President, Members of the Senate, I can't possibly record a vote at this time. I want the record to be loud and clear I vote "yes" to override the Governor's veto on Senate Bill No. 232. I want the record to show that.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolution:

Senate Concurrent Resolution "UU"

And find the same correctly engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 25, 1967

Mr. President: I have the honor to transmit the following Bill:  
House Bill No. 731

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS

The Secretary announced that the President was about to sign  
House Bill No. 731

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 25, 1967

Mr. Speaker: I have the honor to return the following:  
House Bill No. 731

Which the President has signed.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 25, 1967

Mr. President: I have the honor to inform you that the House  
has concurred in the Senate amendments to

House Bill No. 541  
House Bill No. 560  
House Bill No. 562  
House Bill No. 615  
House Bill No. 705  
House Bill No. 714  
House Bill No. 760  
House Bill No. 780  
House Bill No. 809  
House Bill No. 811  
House Bill No. 826  
House Bill No. 840  
House Bill No. 863

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 25, 1967

Mr. President: I have the honor to inform you that the Speaker  
has appointed as a conference committee to act with a like committee  
from the Senate, on Senate Bill No. 64

Rep. Burke  
Rep. Aas  
Rep. Glaspey

ROY GILBREATH, Chief Clerk

MOTION

Senator Lips moved that the vote by which House Bills Nos. 747,  
766, 776, 783, 784, 785, 827, 842, 843, 844, 845, 859, House Concurrent

Resolution "Y", Senate Bills Nos. 232, 13 and House Bill No. 625, were passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Lips moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the chair, pursuant to recess taken, the President presiding.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 25, 1967

Mr. Speaker: I have the honor to transmit the following Senate Bills:

Senate Bill No. 13

Senate Bill No. 232

Which the Senate has passed over the Governor's veto.

The vote on Senate Bill No. 13 was:

46 Ayes

3 Nays

The vote on Senate Bill No. 232 was:

39 Ayes

5 Nays

1 Absent

4 Excused

And your favorable consideration is requested.

LEO LEIDHOLM, Secretary

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 401 has had the same under consideration and recommends that the same be amended as follows:

In line 4 delete the numerals "144,858.00" and insert in lieu thereof the numerals "149,934.00"

In line 7 delete the following material "(including honorariums to board members \$90,628.00" and insert in lieu thereof the following material: "\$78,894.00"

In line 8 delete the numerals "27,250.00" and insert in lieu thereof the numerals: "56,340.00"

In line 9 delete the numerals "9,680.00" and insert in lieu thereof the numerals: "8,400.00"

In line 10 delete the numerals "3,300.00" and insert in lieu thereof the numerals: "2,300.00"

Delete all of the language on line 11 and insert in lieu thereof the following material: "Emergency 4,000.00"

In line 12 delete the numerals "144,858.00" and insert in lieu thereof the numerals "149,934.00"

After line 12 and before line 13 insert the following new section:

"SECTION 2. APPROPRIATION.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state."

And renumber the lines and sections accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee decreased salaries and wages by \$11,734.00 be-

cause the bill to include county employees under the retirement act was killed.

The committee increased fees and services by \$29,090.00 because brokerage fees were added as an expense. Prior to this these fees were considered a reduction in income.

The committee decreased supplies and materials by \$1,280.00 to coincide with the reduction in salaries and wages.

The committee decreased equipment by \$1,000.00 to coincide with the reduction in salaries and wages.

The committee reduced the emergency fund to \$4,000.00 because this is considered adequate for their needs.

SENATOR SORLIE, Chairman

Senator Melland moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Concurrent Resolution "N" has had the same under consideration and recommends that the same be returned to the Senate without recommendation.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Concurrent Resolution "R-R" has had the same under consideration and recommends that the same be amended as follows:

In line 3 of the title delete the word "income"

In line 2 of the bill delete the word "income"

In line 13 delete the word "income"

In line 17 delete the word "income" and after the word "deductions" insert "and exemptions"

And renumber the lines accordingly.

And be re-referred to the Legislative Research Resolutions Committee.

And when so amended recommends the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Concurrent Resolution "P" has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 728 has had the same under consideration and recommends that the same be amended as follows:

Delete lines 60 through 66

Renumber the lines and sections accordingly.

And when so amended recommends the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 816 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Larsen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 833 has had the same under consideration and recommends that the same be amended as follows:

In the second line of the title delete the word "and" and following the numeral "57-38-64" insert the word and numeral "and 57-38-65"

Following line 186 and before line 187 insert the following new section:

"SECTION 8.) Section 57-38-65 of the North Dakota Century Code is hereby created and enacted to read as follows:

57-38-65. EXEMPTION.) No transportation company shall be required to deduct and withhold with respect to wages paid to non-resident employees for work performed within North Dakota but whose total work during any one payroll period is performed within more than one state; provided, however, that any such employee furnish a certificate to the state tax commissioner that he will be taxable with respect to all such wages earned in North Dakota pursuant to chapter 57-38 of the North Dakota Century Code."

And renumber the lines and sections accordingly.

And when so amended recommends the same do pass.

SENATOR BECKER, Chariman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 941 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Becker moved that the Senate do concur in the House amendments to Senate Bill No. 71, which motion prevailed.

Senator Becker moved that the rules be suspended and that Senate Bill No. 71 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 71.** For an Act to empower the state auditor to enter into reciprocal agreements with other states for the purpose of entering into motor fuel taxation agreements.

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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom



Goldberg                      Longmire                      Ringsak                      Wilhite  
Hernett

So the bill passed and the title was agreed to and the emergency clause carried.

Senator Roen moved that the Senate do concur in the House amendments to Senate Bill No. 100, which motion prevailed.

Senator Roen moved that the rules be suspended and that Senate Bill No. 100 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 100.** For an Act to allow certain school districts, upon approval of the electorate of such districts and the superintendent of public instruction, to enter into agreements with school districts of adjoining states for the joint operation and maintenance of school facilities and activities and to levy and collect taxes for such purpose.

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:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Melland	Ruemmele
Butler	Jacobson	Meschke	Sands
Chesrown	Kautzmann	Morgan	Schultz
Christensen	Kelly, E.	Mutch	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nething	Stroup
Forkner	Larsen, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite

Absent and not voting:

Luick

So the bill passed and the title was agreed to.

Senator Redlin moved that the Senate do concur in the House amendments to Senate Bill No. 173, which motion prevailed.

Senator Redlin moved that the rules be suspended and that Senate Bill No. 173 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 173.** A Bill for an Act relating to the provision of off-street parking facilities by municipal action and by cooperation with public and private persons, firms and corporations; authorizing municipal and cooperative acquisition, construction, improvement, development, extension, financing, operation, maintenance and leasing of such facilities, and of usable commercial space above and below the same and adjacent thereto, 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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen

Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

So the bill passed and the title was agreed to and the emergency clause carried.

Senator Roen moved that the Senate do concur in the House amendments to Senate Bill No. 179, which motion prevailed.

Senator Roen moved that the rules be suspended and that Senate Bill No. 179 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 179.** For an Act to amend and reenact section 15-59-07 of the North Dakota Century Code, relating to the education of physically handicapped.

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, 3; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Sands
Butler	Jacobson	Melland	Schultz
Chesrown	Kautzmann	Morgan	Sorlie
Christensen	Kelly, E.	Mutch	Stafne
Coughlin	Kelly, M.	Nasset	Stroup
Decker	Larsen, R.	Nothing	Torgerson
Forkner	Larson, G.	Pyle	Trenbeath
Freed	Larson, L.	Redlin	Wenstrom
Geving	Lips	Ringsak	Wilhite
Goldberg	Litten		

Those voting in the negative were:

Meschke	Rait	Ruemmele
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So the bill passed and the title was agreed to.

Senator Becker moved that the Senate do concur in the House amendments to Senate Bill No. 230, which motion prevailed.

Senator Becker moved that the rules be suspended and that Senate Bill No. 230 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 230.** A Bill for an Act to create and enact a new chapter to the North Dakota Century Code imposing a three percent motor vehicle excise tax, exemptions thereto, manner of collection, penalties, allocation of revenue and to repeal chapters 57-39.1 and 57-40.1 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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

So the bill passed and the title was agreed to and the emergency clause carried.

Senator Redlin moved that the Senate do concur in the House amendments to Senate Bill No. 251, which motion prevailed.

Senator Redlin moved that the rules be suspended and that Senate Bill No. 251 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 251.** A Bill for an Act to create and enact a new subsection 5 of section 21-03-07 of the North Dakota Century Code, relating to the issuance of general obligation bonds of cities or villages, by resolution of the governing body subject to protest by taxpayers, for the purpose of street improvements on arterial streets including federal and state highways and at intersections with streams, drains, and railways, and improvements incidental to urban renewal 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, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

So the bill passed and the title was agreed to.

#### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, February 25, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 747  
House Bill No. 766  
House Bill No. 776  
House Bill No. 783  
House Bill No. 784  
House Bill No. 785  
House Bill No. 827

House Bill No. 842  
 House Bill No. 843  
 House Bill No. 844  
 House Bill No. 845  
 House Bill No. 859  
 House Concurrent Resolution "Y"

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary  
 Senate Chamber  
 Bismarck, February 25, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 625

Which the Senate has amended.

LEO LEIDHOLM, Secretary

### SECOND READING OF A SENATE BILL

**Senate Bill No. 400.** A Bill for an Act to provide for the transfer of funds in the State Auditor Special Audits Fund, and funds received by the State Treasurer under the Taylor Grazing Act prior to 1963, to the general fund in the state treasury, and declaring an emergency.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nething	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite

Absent and not voting:  
 Sorlie

So the bill passed and the title was agreed to and the emergency clause carried.

### SECOND READING OF HOUSE BILLS

**House Bill No. 513.** 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, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup

Forkner	Larson, G.	Nething	Torgerson
Freed	Larson, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Absent and not voting:			
Pyle			

So the bill passed and the title was agreed to.

**House Bill No. 517.** For an Act making an appropriation for the purpose of operating and maintaining the Teachers' Insurance and Retirement Fund.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nething	Torgerson
Freed	Larson, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite

Absent and not voting:

Pyle

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. 669 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 House Bill No. 727 has had the same under consideration and recommends that the same be amended as follows:

In the first line of the title of the engrossed bill delete the word "and" following the numeral "57-02-08"

In the second line of the title delete the word and numeral "section 57-20-09.1"

In the third line of the title delete the words "and pro-"

Delete the fourth and fifth lines of the title

In the sixth line of the title delete the word "equalization" and the comma

In line 24 after the word "all" insert the words "calves under one year of age and all"

Delete lines 33 through 43, inclusive

In line 44 delete the words "COUNTY TREASURER CERTIFIES"

In line 45 delete the words "AMOUNT OF TAXES -"

In line 46 delete the number and the words "1. On or before"

Delete lines 47 through 78, inclusive, and insert in lieu thereof the following:

"The moneys appropriated by this Act shall be distributed by the state tax commissioner on or before March 1, 1969, and on or before March 1 of each year thereafter the tax commissioner shall distribute to each county in this state the pro rata share of the moneys appropriated by this Act in the proportion that the total

assessed real and personal property in a county for the previous calendar year bears to the total assessed real and personal property in the state for the previous calendar year. Within each county the county treasurer shall allocate and distribute the amount received from the state tax commissioner to the county, cities, villages, school districts, and organized and unorganized townships, a pro rata share of such moneys in the proportion that each such political subdivision's total amount of real and personal property taxes levied in the previous calendar year, measured in dollar amounts, bears to the total amount of real and personal property taxes levied in the county in the previous calendar year, measured in dollar amounts. The revenues received in accordance with this section by the political subdivisions shall be replacement funds for personal property tax revenues which would normally have been received if personal property exempted under the provisions of subsection 23 of section 57-02-08 had been subject to ad valorem personal property taxes, and shall first be apportioned to the sinking fund for any outstanding bonded indebtedness in that proportion that the mill levy for such sinking fund bears to the total mill levy levied in the previous calendar year by such political subdivision, and the balance shall be placed in the general fund of such political subdivision."

In line 81 delete the figure "\$9,160,000.00" and insert in lieu thereof the figure "\$4,000,000.00"

Delete lines 86 through 92, inclusive, and insert in lieu thereof the following:

"SECTION 5. PROVISIONS OF ACT TO REMAIN IN EFFECT — WHEN.) The provisions of this Act shall become effective and remain in effect only if and so long as the provisions of Senate Bill Number 403 as approved by the Fortieth Legislative Assembly become effective or remain in effect. If the provisions of Senate Bill Number 403 as approved by the Fortieth Legislative Assembly should be suspended or terminated or should not go into effect, the provisions of this Act shall likewise be suspended or terminated or shall not go into effect."

And renumber the lines and sections accordingly.

And when so amended recommends the same do pass and be referred to the Committee on Appropriations.

SENATOR BECKER, Chairman

Senator Becker 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. 769 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. 904 has had the same under consideration and recommends that the same be amended as follows:

In line 18 of the engrossed bill insert triple parentheses before the word "may"

In line 19 of the engrossed bill insert triple parentheses after the word "or"

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. 913 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. 914 has had the same under consideration and recommends that the same be amended as follows:

In line 14 of the engrossed bill after the word "cancellation" insert the words "or nonrenewal"

In line 15 after the word "cancellation" insert the words "or non-renewal"

After line 22 add the following:

"Said notice shall contain or be accompanied by a statement that upon written request of the named insured mailed or delivered to the insurer prior to the date of nonrenewal the insurer will specify the reason or reasons for such nonrenewal."

In line 23 delete "1" and insert in lieu thereof "2"

Re-number 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 Concurrent Resolution "P-1" 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.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 25, 1967

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to

Senate Bill No. 71  
Senate Bill No. 100  
Senate Bill No. 173  
Senate Bill No. 179  
Senate Bill No. 230  
Senate Bill No. 251

LEO LEIDHOLM, Secretary

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 25, 1967

Mr. President: I have the honor to return:

Senate Bill No. 10  
Senate Bill No. 20  
Senate Bill No. 30  
Senate Bill No. 65  
Senate Bill No. 74  
Senate Bill No. 76  
Senate Bill No. 109  
Senate Bill No. 116  
Senate Bill No. 128  
Senate Bill No. 166  
Senate Bill No. 175

Senate Bill No. 177  
 Senate Bill No. 184  
 Senate Bill No. 191  
 Senate Bill No. 199  
 Senate Bill No. 201  
 Senate Bill No. 231  
 Senate Bill No. 244  
 Senate Bill No. 245  
 Senate Bill No. 330  
 Senate Bill No. 347

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

Senator Lips moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the chair, pursuant to recess taken, the President presiding.

#### REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 10  
 Senate Bill No. 20  
 Senate Bill No. 30  
 Senate Bill No. 65  
 Senate Bill No. 74  
 Senate Bill No. 76  
 Senate Bill No. 109  
 Senate Bill No. 116  
 Senate Bill No. 128  
 Senate Bill No. 166  
 Senate Bill No. 175  
 Senate Bill No. 177  
 Senate Bill No. 184  
 Senate Bill No. 191  
 Senate Bill No. 199  
 Senate Bill No. 201  
 Senate Bill No. 231  
 Senate Bill No. 244  
 Senate Bill No. 245  
 Senate Bill No. 330  
 Senate Bill No. 347

Were delivered to the Governor for his approval at the hour of 3:46 o'clock p.m., February 25, 1967.

SENATOR WENSTROM, Chairman

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 25, 1967

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,

Rep. Goodman  
 Rep. Mathiason  
 Rep. Giffey

ROY GILBREATH, Chief Clerk

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

#### FIFTY-FOURTH DAY

Bismarck, February 25, 1967

The Senate convened at 2:00 p.m., the President presiding.



Prayer by Chaplain Senator Guy Larson, Bismarck.

Roll Call: All Senators present except Senator Longmire.  
A quorum was declared by the President.

#### CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fifty-second day after recess and the fifty-third day and recommends that the same be corrected as follows:

On page 741, line 11 from the bottom of the page, correct the spelling of the word "Senate"

On page 756, after line 16, insert the following: "Which the House has amended as follows:"

And when so corrected recommends that the same be approved.

SENATOR LOWE, Chairman

Senator Lowe moved that the report be adopted, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

Senator Lips moved that the reading of the amendments to House Bills Nos. 511, 537, 628, -719, 743, 749 and 822 be dispensed with, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 511 as recommended by the Committee on Appropriations, and printed on page 745 of the Senate Journal, be adopted, which motion prevailed.

Senator Hofstrand moved that the amendments to House Bill No. 537 as recommended by the Committee on Social Welfare and Veterans Affairs, and printed on page 745 of the Senate Journal, be adopted, which motion prevailed.

Senator Hofstrand moved that the amendments to House Bill No. 628 as recommended by the Committee on Social Welfare and Veterans Affairs, and printed on page 746 of the Senate Journal, be adopted, which motion prevailed.

#### MOTION

Senator Becker moved that House Bill No. 941 be placed at the head of the calendar, which motion prevailed.

#### SECOND READING OF A HOUSE BILL

**House Bill No. 941.** A Bill for an Act to create and enact a new chapter to the North Dakota Century Code imposing a three-quarters of one percent motor vehicle excise tax, exemptions there-to, manner of collection, penalties, allocation of revenue and to repeal chapters 57-39.1 and 57-40.1 of the North Dakota Century Code.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 7; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Ruemmele
Becker	Holand	Luick	Sands
Butler	Jacobson	Melland	Schultz
Chesrown	Kautzmann	Nasset	Sorlie
Coughlin	Kelly, E.	Nothing	Stafne
Decker	Kelly, M.	Pyle	Stroup
Forkner	Larsen, R.	Redlin	Torgerson
Freed	Larsen, G.	Ringsak	Trenbeath
Geving	Lips	Robinson	Wenstrom
Goldberg	Litten	Roen	Wilhite
Hernett			

Those voting in the negative were:

Berube	Larson, L.	Morgan	Rait
Christensen	Meschke	Mutch	

Absent and not voting:  
Longmire

So the bill passed and the title was agreed to, and the emergency clause carried.

#### CONSIDERATION OF AMENDMENTS

Senator Hofstrand moved that the amendments to House Bill No. 719 as recommended by the Committee on Social Welfare and Veterans Affairs, and as printed on page 746 of the Senate Journal, be adopted, which motion prevailed.

Senator Redlin moved that the amendments to House Bill No. 743 as recommended by the Committee on Political Subdivisions, and printed on page 773 of the Senate Journal, be adopted, which motion prevailed.

Senator Redlin moved that the amendments to House Bill No. 749 as recommended by the Committee on Political Subdivisions, and printed on pages 773 and 774 of the Senate Journal, be adopted, which motion prevailed.

Senator Trenbeath moved that the amendments to House Bill No. 822 as recommended by the Committee on Natural Resources, and printed on page 774 of the Senate Journal, be adopted, which motion prevailed.

#### MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 25, 1967

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to Senate Bill No. 25 and the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Rep. Reimers  
Rep. Saugstad  
Rep. Sanstead

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 25, 1967

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 523 and the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Rep. Jenkins  
Rep. Freeman  
Rep. Erickson (4th Dist.)

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 25, 1967

Mr. President: I have the honor to transmit:

House Bill No. 551  
House Bill No. 558  
House Bill No. 597  
House Bill No. 606  
House Bill No. 609  
House Bill No. 611  
House Bill No. 612  
House Bill No. 613  
House Bill No. 615  
House Bill No. 616  
House Bill No. 624

House Bill No. 650  
 House Bill No. 652  
 House Bill No. 653  
 House Bill No. 666  
 House Bill No. 672  
 House Bill No. 673  
 House Bill No. 674  
 House Bill No. 691  
 House Bill No. 694  
 House Bill No. 704  
 House Bill No. 855  
 House Bill No. 867  
 House Bill No. 871

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 25, 1967

Mr. President: I have the honor to return the following Senate bills:

Senate Bill No. 13  
 Senate Bill No. 232

Which the House has passed over the Governor's veto.

The vote on Senate Bill No. 13 was: ayes, 77; nays, 16; absent and not voting, 5.

The vote on Senate Bill No. 232 was: ayes, 75; nays, 19; absent and not voting, 4.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 25, 1967

Mr. President: I have the honor to transmit the following House Bills:

House Bill No. 591  
 House Bill No. 782

Which the House has passed over the Governor's veto.

The vote on House Bill No. 591 was : ayes, 78; nays, 15; absent and not voting, 5.

The vote on House Bill No. 782 was: ayes, 69; nays, 25; absent and not voting, 4.

And your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

#### SECOND READING OF A HOUSE BILL

**House Bill No. 539.** For an Act to amend and reenact sections 15-01-02, 15-03-04, 15-03-15, and 15-03-18 of the North Dakota Century Code, relating to changing the investment list and procedures for the various permanent funds under the control of the board of university and school lands and providing an effective date.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beck	Goldberg	Litten	Redlin
Becker	Hofstrand	Lowe	Ringsak
Berube	Holand	Luick	Robinson
Butler	Jacobson	Melland	Roen
Chesrown	Kautzmann	Meschke	Ruemmele
Christensen	Kelly, E.	Morgan	Sands
Coughlin	Kelly, M.	Mutch	Stafne

Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nething	Torgerson
Freed	Larson, L.	Pyle	Wenstrom
Geving	Lips	Rait	Wilhite
Absent and not voting:			
Hernett	Schultz	Sorlie	Trenbeath
Longmire			

So the bill passed and the title was agreed to.

#### MOTION

Senator Lips moved that the vote by which Senate Bill No. 400 and House Bills Nos. 513, 517, 539 and 941, were passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 540.** For an Act to amend and reenact sections 15-10-08 and 15-10-16 of the North Dakota Century Code, relating to compensation and expenses of the state board of higher education and control of funds and appropriations of the institutions of higher learning, and declaring an effective date.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 5; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Holand	Luick	Robinson
Becker	Jacobson	Melland	Roen
Berube	Kautzmann	Meschke	Ruemmele
Butler	Kelly, E.	Morgan	Sands
Chesrown	Kelly, M.	Nasset	Schultz
Coughlin	Larsen, R.	Nething	Sorlie
Decker	Larson, G.	Pyle	Stafne
Forkner	Lips	Rait	Stroup
Goldberg	Litten	Redlin	Torgerson
Hernett	Lowe	Ringsak	Wenstrom
Hofstrand			

Those voting in the negative were:

Freed	Larson, L.	Mutch	Wilhite
Geving			

Absent and not voting:

Christensen	Longmire	Trenbeath
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So the bill passed and the title was agreed to.

**House Bill No. 555.** A Bill for an Act making an appropriation for the purpose of providing emergency relief for counties suffering damage to highways in the flood of June 24, 1966, and declaring an emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 700 of the Senate Journal, the roll was called and there were ayes, 44; nays, 3; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne

Freed	Larson, G.	Nothing	Stroup
Geving	Larson, L.	Pyle	Torgerson
Goldberg	Lips	Rait	Wenstrom
Hernett	Litten	Ringsak	Wilhite

Those voting in the negative were:

Chesrown	Forkner	Redlin
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Absent and not voting:

Longmire	Trenbeath
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So the bill passed and the title was agreed to, and the emergency clause carried.

**House Bill No. 598.** A Bill for an Act to amend and reenact subsection 1 of section 36-04-06 of the North Dakota Century Code, relating to the bonds required of livestock dealers and agents.

Was 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:

Beck	Hernett	Luick	Roen
Becker	Hofstrand	Melland	Ruemmele
Berube	Holand	Meschke	Sands
Butler	Jacobson	Morgan	Schultz
Chesrown	Kautzmann	Mutch	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larsen, R.	Nothing	Stroup
Decker	Larson, G.	Pyle	Torgerson
Forkner	Larson, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Ringsak	Wilhite
Goldberg	Lowe	Robinson	
Absent and not voting:			
Kelly, E.	Longmire		

So the bill passed and the title was agreed to.

**House Bill No. 603.** A Bill for an Act to amend and reenact section 15-20-06 of the North Dakota Century Code relating to cooperation of school boards in vocational 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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hernett	Luick	Roen
Becker	Hofstrand	Melland	Ruemmele
Berube	Holand	Meschke	Sands
Butler	Jacobson	Morgan	Schultz
Chesrown	Kelly, E.	Mutch	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larsen, R.	Nothing	Stroup
Decker	Larson, G.	Pyle	Torgerson
Forkner	Larson, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Ringsak	Wilhite
Goldberg	Lowe	Robinson	
Absent and not voting:			
Kautzmann	Longmire		

So the bill passed and the title was agreed to.

**House Bill No. 604.** A Bill for an Act to amend and reenact section 15-20-01 of the North Dakota Century Code relating to federal funds for vocational 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:

Beck	Hernett	Lowe	Robinson
Becker	Hofstrand	Luick	Roen
Berube	Holand	Melland	Ruemmele
Butler	Jacobson	Meschke	Sands
Chesrown	Kautzmann	Morgan	Schultz
Christensen	Kelly, E.	Mutch	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nething	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite

Absent and not voting:

Longmire

So the bill passed and the title was agreed to.

**House Bill No. 634.** A Bill for an Act to authorize the establishment of highway engineering and technician scholarships at state institutions of higher learning, to authorize the expenditure of highway department operating funds therefor, and to repeal sections 24-02-07.1 and 24-02-07.2 of the North Dakota Century Code.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 7; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Goldberg	Litten	Ringsak
Becker	Hernett	Lowe	Robinson
Berube	Hofstrand	Luick	Roen
Butler	Holand	Melland	Ruemmele
Chesrown	Jacobson	Meschke	Sorlie
Christensen	Kautzmann	Morgan	Stafne
Coughlin	Kelly, E.	Mutch	Stroup
Decker	Kelly, M.	Nasset	Torgerson
Forkner	Larson, L.	Nething	Wenstrom
Geving	Lips	Rait	Wilhite

Those voting in the negative were:

Freed	Larson, G.	Redlin	Schultz
Larsen, R.	Pyle	Sands	

Absent and not voting:

Longmire      Trenbeath

So the bill passed and the title was agreed to.

## MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, February 25, 1967

Mr. Speaker: I have the honor to transmit the following:

Senate Bill No. 400

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber  
Bismarck, February 25, 1967

Mr. Speaker: I have the honor to return the following:

House Bill No. 513

House Bill No. 517

House Bill No. 539

House Bill No. 941

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

### SECOND READING OF A HOUSE BILL

**House Bill No. 683.** A Bill for an Act to provide for the regulation and taxation of the sale, use and distribution of alcoholic beverages and licensing of wholesalers and retailers of such beverages and to repeal Title Five of the North Dakota Century Code.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 21; nays, 27; absent and not voting, 1.

Those voting in the affirmative were:

Butler	Kelly, E.	Lowe	Redlin
Christensen	Larsen, R.	Melland	Stroup
Decker	Larson, G.	Meschke	Torgerson
Forkner	Larson, L.	Nething	Wenstrom
Geving	Lips	Rait	Wilhite
Goldberg			

Those voting in the negative were:

Beck	Hofstrand	Morgan	Ruemmele
Becker	Holand	Mutch	Sands
Berube	Jacobson	Nasset	Schultz
Chesrown	Kautzmann	Pyle	Sorlie
Coughlin	Kelly, M.	Ringsak	Stafne
Freed	Litten	Robinson	Trenbeath
Hernett	Luick	Roen	

Absent and not voting:

Longmire

So the bill lost.

### MOTION

Senator Coughlin moved that the Senate reconsider the action by which House Bill No. 583 was lost, which motion prevailed.

Senator Nething moved that House Bill No. 583 be placed at the foot of the calendar, which motion prevailed.

### SECOND READING OF HOUSE BILLS

**House Bill No. 706.** A Bill for an Act to provide for the establishment of junior college boards of control.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, on page 702 of the Senate Journal, the roll was called and there were ayes, 43; nays, 3; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Roen
Becker	Holand	Luick	Ruemmele
Berube	Jacobson	Melland	Sands
Butler	Kautzmann	Morgan	Sorlie
Chesrown	Kelly, E.	Mutch	Stafne
Coughlin	Kelly, M.	Nasset	Stroup
Decker	Larsen, R.	Nething	Torgerson
Forkner	Larson, G.	Pyle	Trenbeath
Freed	Larson, L.	Redlin	Wenstrom
Geving	Lips	Ringsak	Wilhite
Goldberg	Litten	Robinson	

Those voting in the negative were:

Christensen	Meschke	Rait
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Absent and not voting:

Hernett Longmire Schultz

So the bill passed and the title was agreed to.

**House Bill No. 718.** A Bill for an Act to amend and reenact sections 43-23-01, 43-23-04, subsection 2 of section 43-23-07, sections 43-23-08, and 43-23-13 of the North Dakota Century Code; and to create and enact subdivision g of subsection 1 of section 43-23-11 and subsection 9 of section 43-23-13 of the North Dakota Century Code, relating to the North Dakota Real Estate Commission and the licensing of brokers and salesmen.

Was read the second time.

Senator Ringsak moved that House Bill No. 718 be amended as follows:

In line 76 after the word "jurisdiction" insert the following:

" or sales of real estate arising in the usual course of the practice of law"

Renumber the lines accordingly.

Which motion prevailed.

Senator Ringsak moved that the rules be suspended, and that House Bill No. 718 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. 718, as amended, on page 718 of the Senate Journal, the roll was called and there were ayes, 41; nays, 7; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hernett	Lips	Rait
Becker	Hofstrand	Litten	Ringsak
Berube	Holand	Lowe	Robinson
Butler	Jacobson	Luick	Roen
Christensen	Kautzmann	Melland	Stafne
Coughlin	Kelly, E.	Meschke	Stroup
Decker	Kelly, M.	Morgan	Torgerson
Forkner	Larsen, R.	Nasset	Trenbeath
Freed	Larson, G.	Nothing	Wenstrom
Geving	Larson, L.	Pyle	Wilhite
Goldberg			

Those voting in the negative were:

Chesrown	Redlin	Sands	Sorlie
Mutch	Ruemmele	Schultz	

Absent and not voting:

Longmire

So the bill passed and the title was agreed to.

**House Bill No. 779.** A Bill for an Act to amend and reenact section 64-02-10 of the North Dakota Century Code, relating to the fees for inspection of weighing and measuring devices.

Was 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:

Beck	Hernett	Lowe	Robinson
Becker	Hofstrand	Luick	Roen
Berube	Holand	Melland	Ruemmele
Butler	Jacobson	Meschke	Sands
Chesrown	Kautzmann	Morgan	Schultz
Christensen	Kelly, E.	Mutch	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne



Decker	Larsen, R.	Nothing	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite

Absent and not voting:

Longmire

So the bill passed and the title was agreed to.

**House Bill No. 792.** A Bill for an Act to amend and reenact section 11-27-01 of the North Dakota Century Code, relating to the sale of property by boards of county commissioners, and to repeal section 57-12-09 of the 1965 Supplement to the North Dakota Century Code, relating to notice of increased assessments to real estate.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 675 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hofstrand	Luick	Roen
Becker	Holand	Melland	Ruemmele
Butler	Jacobson	Meschke	Sands
Chesrown	Kautzmann	Morgan	Schultz
Christensen	Kelly, E.	Mutch	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nothing	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Hernett	Lowe	Robinson	

Absent and not voting:

Berube Longmire

So the bill passed and the title was agreed to.

**House Bill No. 803.** A Bill for an Act to transfer certain moneys from the accumulated and undivided profits of the bank of North Dakota to the general fund of this state.

Was read the second time.

Senator Ringsak moved that House Bill No. 803 be amended as follows:

In line 2 delete the word "four" and insert in lieu thereof the word "six".

Which motion prevailed.

Senator Ringsak moved that House Bill No. 803 be

Senator Ringsak moved that the rules be suspended and that House Bill No. 803 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. 803, as amended, on page 675 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Robinson
Becker	Hofstrand	Luick	Roen
Berube	Holand	Melland	Ruemmele
Butler	Jacobson	Meschke	Schultz
Chesrown	Kautzmann	Morgan	Sorlie
Christensen	Kelly, E.	Mutch	Stafne
Coughlin	Kelly, M.	Nasset	Stroup

Decker	Larsen, R.	Nething	Torgerson
Forkner	Larson, G.	Pyle	Trenbeath
Freed	Larson, L.	Rait	Wenstrom
Geving	Lips	Redlin	Wilhite
Goldberg	Litten	Ringsak	

Absent and not voting:  
Longmire Sands

So the bill passed and the title was agreed to.

**House Bill No. 804.** A Bill for an Act to transfer certain moneys from the accumulated profits of the state mill and elevator association to the general fund of this state.

Was read the second time.

Senator Goldberg moved that House Bill No. 804 be amended as follows:

Delete all of the Senate amendment. Which motion prevailed.

Senator Goldberg moved that the rules be suspended and that House Bill No. 804 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. 804, as amended on page 675 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Robinson
Becker	Hofstrand	Luick	Roen
Berube	Holand	Melland	Ruemmele
Butler	Jacobson	Meschke	Schultz
Chesrown	Kautzmann	Morgan	Sorlie
Christensen	Kelly, E.	Mutch	Stafne
Coughlin	Kelly, M.	Nasset	Stroup
Decker	Larsen, R.	Nething	Torgerson
Forkner	Larson, G.	Pyle	Trenbeath
Freed	Larson, L.	Rait	Wenstrom
Geving	Lips	Redlin	Wilhite
Goldberg	Litten	Ringsak	

Absent and not voting:  
Longmire Sands

So the bill passed and the title was agreed to.

**House Bill No. 821.** A Bill for an Act to amend and reenact section 36-11-01 of the North Dakota Century Code, relating to livestock running at large, and providing penalties.

Was read the second time.

Senator Berube moved that House Bill No. 821 be amended as follows:

In line 7, after the word "who", insert the word "willfully"

Which motion prevailed.

Senator Morgan moved that the rules be suspended and that House Bill No. 821 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. 821, as amended, on page 704 of the Senate Journal, the roll was called and there were ayes, 45; nays, 3; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hofstrand	Luick	Roen
Becker	Holand	Melland	Ruemmele
Butler	Jacobson	Meschke	Sands
Chesrown	Kautzmann	Morgan	Schultz

Christensen	Kelly, E.	Mutch	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nothing	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Lips	Redlin	Trenbeath
Geving	Litten	Ringsak	Wenstrom
Goldberg	Lowe	Robinson	Wilhite
Hernett			

Those voting in the negative were:

Berube	Larson, L.	Rait
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Absent and not voting:

Longmire

So the bill passed and the title was agreed to.

**House Bill No. 823.** A Bill for an Act to amend and reenact section 39-08-18 of the North Dakota Century Code, relating to open liquor containers and drinking alcoholic beverages in motor vehicles, and providing a penalty.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 704 of the Senate Journal, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Holand	Luick	Robinson
Becker	Jacobson	Melland	Roen
Berube	Kautzmann	Meschke	Ruemmele
Butler	Kelly, E.	Morgan	Sands
Chesrown	Kelly, M.	Mutch	Schultz
Christensen	Larsen, R.	Nasset	Stafne
Coughlin	Larson, G.	Nothing	Stroup
Decker	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Lowe	Ringsak	Wilhite
Hofstrand			

Those voting in the negative were:

Forkner	Geving
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Absent and not voting:

Longmire Sorlie

So the bill passed and the title was agreed to.

**House Bill No. 841.** A Bill for an Act to amend and reenact section 32-08-06 of the North Dakota Century Code, relating to plaintiff's undertaking in attachment.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 704 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Robinson
Becker	Hofstrand	Luick	Roen
Berube	Holand	Melland	Ruemmele
Butler	Jacobson	Meschke	Sands
Chesrown	Kautzmann	Morgan	Schultz
Christensen	Kelly, E.	Mutch	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nothing	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Trenbeath

Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite

Absent and not voting:  
Longmire

So the bill passed and the title was agreed to.

**House Bill No. 870.** A Bill for an Act to amend and reenact sections 27-05.1-02, 27-05.1-06, 27-05.1-08, 27-05.1-09, 27-05.1-10, 27-05.1-16, and 27-05.1-18 of the North Dakota Century Code, relating to the operation of family courts, and declaring an emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Robinson
Becker	Hofstrand	Luick	Roen
Berube	Holand	Melland	Ruemmele
Butler	Jacobson	Meschke	Sands
Chesrown	Kautzmann	Morgan	Schultz
Christensen	Kelly, E.	Mutch	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nothing	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite

Absent and not voting:

Longmire

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 25, 1967

Mr. President: I have the honor to transmit:

House Bill No. 941

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign

House Bill No. 941

And the President signed the same in the presence of the Senate.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 25, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 941

Which the President has signed.

LEO LEIDHOLM, Secretary

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign

House Bill No. 551

House Bill No. 558

House Bill No. 597

House Bill No. 606

House Bill No. 609

House Bill No. 611

House Bill No. 612  
House Bill No. 613  
House Bill No. 615  
House Bill No. 616  
House Bill No. 624  
House Bill No. 650  
House Bill No. 652  
House Bill No. 653  
House Bill No. 666  
House Bill No. 672  
House Bill No. 673  
House Bill No. 674  
House Bill No. 691  
House Bill No. 694  
House Bill No. 704  
House Bill No. 855  
House Bill No. 867  
House Bill No. 871

And the President signed the same in the presence of the Senate.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 25, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 551  
House Bill No. 558  
House Bill No. 597  
House Bill No. 606  
House Bill No. 609  
House Bill No. 611  
House Bill No. 612  
House Bill No. 613  
House Bill No. 615  
House Bill No. 616  
House Bill No. 624  
House Bill No. 650  
House Bill No. 652  
House Bill No. 653  
House Bill No. 666  
House Bill No. 672  
House Bill No. 673  
House Bill No. 674  
House Bill No. 691  
House Bill No. 694  
House Bill No. 704  
House Bill No. 855  
House Bill No. 867  
House Bill No. 871

Which the President has signed.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 25, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 640  
House Bill No. 767  
House Bill No. 916  
House Concurrent Resolution "F-1"

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

**SECOND READING OF A HOUSE BILL  
AND HOUSE CONCURRENT RESOLUTIONS**

**House Bill No. 894.** A Bill for an Act to permit the state board of higher education to erect steel and prefabricated buildings at the institutions under their control on the basis of plans approved by the state construction superintendent.

Was read the second time.

Senator Forkner moved that House Bill No. 894 be placed at the foot of the calendar, which motion lost.

Senator Holand moved that House Bill No. 894 be amended as follows:

In line 9 delete the words "twenty-five" and insert in lieu thereof the word "eighteen"

Which motion prevailed.

Senator Holand moved that the rules be suspended and that House Bill No. 894 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. 894, as amended from the floor, the roll was called and there were ayes, 16; nays, 32; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Hofstrand	Lips	Schultz
Berube	Holand	Meschke	Torgerson
Christensen	Kelly, E.	Redlin	Trenbeath
Coughlin	Larsen, R.	Sands	Wilhite

Those voting in the negative were:

Beck	Hernett	Luick	Ringsak
Butler	Jacobson	Melland	Robinson
Chesrown	Kautzmann	Morgan	Roen
Decker	Kelly, M.	Mutch	Ruemmele
Forkner	Larson, G.	Nasset	Sorlie
Freed	Larson, L.	Nething	Stafne
Geving	Litten	Pyle	Stroup
Goldberg	Lowe	Rait	Wenstrom

Absent and not voting:

Longmire

So the bill lost.

**House Concurrent Resolution "J".** A Concurrent Resolution expressing approval of the manner in which progress towards the Garrison diversion is being undertaken.

Was read the second time.

Senator Morgan moved that House Concurrent Resolution "J" be adopted, which motion prevailed.

**House Concurrent Resolution "Z".** A Concurrent Resolution urging the legislature of the state of Minnesota to amend certain laws regarding compulsory inspection of North Dakota-graded grain before warehousing in Minnesota public terminal warehouses.

Was read the second time.

Senator Morgan moved that House Concurrent Resolution "Z" be adopted, which motion prevailed.

**House Concurrent Resolution "N-1".** A Concurrent Resolution urging the Congress of the United States to pass legislation allowing admissibility of voluntary confessions in evidence and to provide for reasonable interrogation of arrested persons or to submit a constitutional amendment clarifying the 5th Amendment.

Was read the second time.

Senator Wilhite moved that House Concurrent Resolution "N-1" be adopted, which motion prevailed.

**SECOND READING OF A SENATE CONCURRENT RESOLUTION**

**Senate Concurrent Resolution "LLL".** A Concurrent Resolution directing the North Dakota Association of School Administrators to urge the federal government and the North Dakota congressional delegation to refrain from allocating school funds directly to local school districts.

Was read the second time.

Senator Nasset moved that Senate Concurrent Resolution "LLL" be adopted, which motion prevailed.

**MOTIONS**

Senator Stroup moved that House Bill No. 838 be placed at the foot of the calendar, which motion prevailed.

Senator Lips moved that House Bill No. 917 be placed at the foot of the calendar, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 230

And find the same correctly engrossed and enrolled.

**SENATOR WENSTROM, Chairman**

Senator Wenstrom 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. 230

And the President signed the same in the presence of the Senate.

**MESSAGE TO THE HOUSE**

Senate Chamber

Bismarck, February 25, 1967

Mr. Speaker: I have the honor to transmit the following:

Senate Bill No. 230

Which the President has signed and your signature is respectfully requested.

**LEO LEIDHOLM, Secretary**

**MESSAGE FROM THE HOUSE**

House Chamber

Bismarck, February 25, 1967

Mr. President: I have the honor to return the following:

Senate Bill No. 230

Which the Speaker has signed.

**ROY GILBREATH, Chief Clerk**

**SECOND READING OF A SENATE BILL**

**Senate Bill No. 402.** A Bill for an Act providing for a temporary governor's committee for the purpose of evaluating the report of the national crime commission and making a report to the governor and the forty-first 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, 30; nays, 13; absent and not voting, 6.

Those voting in the affirmative were:

Beck	Goldberg	Larson, L.	Nasset
Becker	Hernett	Lips	Nothing

Butler	Hofstrand	Litten	Rait
Chesrown	Holand	Luick	Ringsak
Christensen	Kautzmann	Melland	Stafne
Decker	Kelly, M.	Meschke	Wenstrom
Forkner	Larsen, R.	Morgan	Wilhite
Freed	Larson, G.		

Those voting in the negative were:

Coughlin	Lowe	Redlin	Sorlie
Geving	Mutch	Robinson	Stroup
Jacobson	Pyle	Sands	Torgerson

Absent and not voting:

Berube	Roen	Schultz	Trenbeath
Longmire	Ruemmele		

So the bill passed and the title was agreed to.

### SECOND READING OF HOUSE BILLS

**House Bill No. 699.** A Bill for an Act relating to district health units acquiring and disposing of real and personal property and providing for disposition of same upon dissolution.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 3; absent and not voting, 6.

Those voting in the affirmative were:

Beck	Goldberg	Lips	Rait
Becker	Hofstrand	Litten	Redlin
Berube	Holand	Lowe	Ringsak
Butler	Jacobson	Luick	Robinson
Chesrown	Kautzmann	Melland	Ruemmele
Christensen	Kelly, E.	Meschke	Sorlie
Coughlin	Kelly, M.	Morgan	Stafne
Decker	Larsen, R.	Nasset	Stroup
Freed	Larson, G.	Nothing	Torgerson
Geving	Larson, L.	Pyle	Wenstrom

Those voting in the negative were:

Forkner	Mutch	Sands
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Absent and not voting:

Hernett	Roen	Trenbeath	Wilhite
Longmire	Schultz		

So the bill passed and the title was agreed to.

**House Bill No. 715.** A Bill for an Act to amend and reenact section 18-11-13, 18-11-16, 40-45-06, and 40-46-08 of the North Dakota Century Code, relating to investments of surplus funds in the cities' employees' pension fund, policemen's pension fund and alternate firemen's association general fund and state fund.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beck	Goldberg	Lips	Rait
Becker	Hernett	Litten	Redlin
Berube	Hofstrand	Lowe	Ringsak
Butler	Holand	Luick	Robinson
Chesrown	Jacobson	Melland	Ruemmele
Christensen	Kautzmann	Meschke	Sands
Coughlin	Kelly, E.	Morgan	Sorlie
Decker	Kelly, M.	Mutch	Stafne
Forkner	Larsen, R.	Nasset	Stroup



Freed	Larson, G.	Nething	Torgerson
Geving	Larson, L.	Pyle	Wenstrom
Absent and not voting:			
Longmire	Schultz	Trenbeath	Wilhite
Roen			

So the bill passed and the title was agreed to.

**House Bill No. 722.** A Bill for an Act providing for the annexation and exclusion of unincorporated areas by municipal corporations, and repealing chapter 40-51 of the North Dakota Century Code.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:			
Beck	Goldberg	Litten	Redlin
Becker	Hofstrand	Lowe	Ringsak
Berube	Holand	Luick	Robinson
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Mutch	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nething	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Wenstrom
Geving	Lips		
Absent and not voting:			
Hernett	Morgan	Schultz	Wilhite
Longmire	Roen	Trenbeath	

So the bill passed and the title was agreed to.

#### MOTION

Senator Larson (Burleigh) moved that House Bill No. 745 be placed at the foot of the calendar, which motion prevailed.

#### REPORT OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 230

Was delivered to the Governor for his approval at the hour of 5:10 o'clock p.m., February 25, 1967.

SENATOR WENSTROM, Chairman

#### SECOND READING OF HOUSE BILLS

**House Bill No. 752.** A Bill for an Act to provide for municipal parking authorities.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:			
Beck	Goldberg	Litten	Ringsak
Becker	Hernett	Lowe	Robinson
Berube	Hofstrand	Luick	Ruemmele
Bulter	Holand	Melland	Sands
Chesrown	Jacobson	Morgan	Sorlie
Christensen	Kautzmann	Mutch	Stafne
Coughlin	Kelly, E.	Nasset	Stroup
Decker	Kelly, M.	Nething	Torgerson
Forkner	Larsen, R.	Pyle	Wenstrom

Freed	Larson, G.	Rait	Willhite
Geving	Larson, L.	Redlin	
Absent and not voting:			
Lips	Meschke	Schultz	Trenbeath
Longmire	Roen		

So the bill passed and the title was agreed to.

**House Bill No. 761.** A Bill for an Act to create and enact a section of the North Dakota Century Code, relating to a uniform allowance for sheriffs and full-time deputy sheriffs, excluding office deputies.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Ringsak
Becker	Hofstrand	Luick	Robinson
Berube	Holand	Melland	Ruemmele
Bufter	Jacobson	Meschke	Sands
Chesrown	Kautzmann	Morgan	Sorlie
Christensen	Kelly, E.	Mutch	Stafne
Coughlin	Kelly, M.	Nasset	Stroup
Decker	Larsen, R.	Nething	Torgerson
Forkner	Larson, G.	Pyle	Trenbeath
Freed	Larson, L.	Rait	Wenstrom
Geving	Lips	Redlin	Willhite
Goldberg	Litten		
Absent and not voting:			
Longmire	Roen	Schultz	

So the bill passed and the title was agreed to.

#### APPOINTMENT OF CONFERENCE COMMITTEE

Senator Sorlie moved that the President appoint a Conference Committee on House Bill No. 523, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 523,

Senator M. Kelly  
 Senator Beck  
 Senator Geving

Senator Lips moved that the vote by which House Bills Nos. 540, 555, 598, 603, 604, 634, 706, 718, 779, 792, 803, 804, 821, 823, 841, 870, 894, House Concurrent Resolutions "J", "Z", "N-1", Senate Concurrent Resolution "LLL", Senate Bill No. 402, and House Bills Nos. 699, 715, 722, 752, and 761, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Lips moved that the Senate recess until 1:00 p.m., on February 27, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary

"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

FIFTY-FOURTH DAY AFTER RECESS AND  
FIFTY-SIXTH DAY

Bismarck, February 27, 1967

The Senate convened at 1:00 p.m., pursuant to recess taken, the President presiding.

### REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 120  
Senate Bill No. 124  
Senate Bill No. 129  
Senate Bill No. 131  
Senate Bill No. 132

And find the same correctly Engrossed and Enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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. 81  
Senate Bill No. 153  
Senate Bill No. 160  
Senate Bill No. 164  
Senate Bill No. 208  
Senate Bill No. 246  
Senate Bill No. 294  
Senate Bill No. 313  
Senate Bill No. 338  
Senate Bill No. 341  
Senate Bill No. 356  
Senate Bill No. 370

And find the same correctly Enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 27, 1967

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. 523

Senator Milton Kelly  
Senator Beck  
Senator Lester Larson

LEO LEIDHOLM, Secretary

## SIGNING OF BILLS

The Secretary announced that the President was about to sign

Senate Bill No. 81  
 Senate Bill No. 120  
 Senate Bill No. 124  
 Senate Bill No. 129  
 Senate Bill No. 131  
 Senate Bill No. 132  
 Senate Bill No. 153  
 Senate Bill No. 160  
 Senate Bill No. 164  
 Senate Bill No. 208  
 Senate Bill No. 246  
 Senate Bill No. 294  
 Senate Bill No. 313  
 Senate Bill No. 338  
 Senate Bill No. 341  
 Senate Bill No. 356  
 Senate Bill No. 370

And the President signed the same in the presence of the Senate.

## MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 27, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 81  
 Senate Bill No. 120  
 Senate Bill No. 124  
 Senate Bill No. 129  
 Senate Bill No. 131  
 Senate Bill No. 132  
 Senate Bill No. 153  
 Senate Bill No. 160  
 Senate Bill No. 164  
 Senate Bill No. 208  
 Senate Bill No. 246  
 Senate Bill No. 294  
 Senate Bill No. 313  
 Senate Bill No. 338  
 Senate Bill No. 341  
 Senate Bill No. 356  
 Senate Bill No. 370

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

## MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 27, 1967

Mr. President: I have the honor to transmit:

House Bill No. 714  
 House Bill No. 757

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

## SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 714  
 House Bill No. 757

And the President signed the same in the presence of the Senate.

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 27, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 714

House Bill No. 757

Which the President has signed.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 27, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 402

Senate Concurrent Resolution "LLL"

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 27, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 540

House Bill No. 634

House Bill No. 699

House Bill No. 715

House Bill No. 722

House Bill No. 752

House Bill No. 761

House Bill No. 779

House Bill No. 870

House Concurrent Resolution "J"

House Concurrent Resolution "Z"

House Concurrent Resolution "N-1"

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 27, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 555

House Bill No. 598

House Bill No. 603

House Bill No. 604

House Bill No. 706

House Bill No. 718

House Bill No. 792

House Bill No. 803

House Bill No. 804

House Bill No. 821

House Bill No. 823

House Bill No. 841

Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 27, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 894

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

## MESSAGES FROM THE HOUSE

House Chamber  
Bismarck, February 27, 1967

Mr. President: I have the honor to transmit:

House Bill No. 651  
House Bill No. 712  
House Bill No. 729  
House Bill No. 733  
House Bill No. 770  
House Bill No. 778  
House Bill No. 811  
House Bill No. 826  
House Bill No. 839  
House Bill No. 879  
House Bill No. 926

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

House Chamber  
Bismarck, February 27, 1967

Mr. President: I have the honor to return:

Senate Bill No. 40  
Senate Bill No. 54  
Senate Bill No. 90  
Senate Bill No. 233  
Senate Bill No. 268  
Senate Bill No. 310  
Senate Bill No. 363

Which the House has amended as follows:

## AMENDMENTS TO SENATE BILL NO. 40

In line 982 of the Bill after the word "dental" insert the following: ", pharmaceutical"

And renumber the lines accordingly

## AMENDMENTS TO SENATE BILL NO. 54

In line 4 of the Bill delete the sum "\$500,000.00" and in lieu thereof insert the sum "\$300,000.00".

In line 12 delete the sum "\$365,538.00" and in lieu thereof insert the sum "\$165,538.00".

In line 13 delete the sum "\$500,000.00" and in lieu thereof insert the sum "\$300,000.00".

## AMENDMENTS TO SENATE BILL NO. 90

In line 17 of the engrossed bill delete the words "and recommendations"

In line 28 of the engrossed bill delete the words "and a recommendation"

In line 29 of the engrossed bill place a comma after the word "purchases"

And renumber the lines accordingly.

## AMENDMENTS TO SENATE BILL NO. 233

In the first line of the title of the engrossed bill after the word "to" insert the following language "amend and reenact section 29-07-01 of the North Dakota Century Code, relating to magistrate's duty and instructing defendant as to rights,"

In the second line of the title of the engrossed bill delete the period "." and insert a comma "," in lieu thereof and insert the following language thereafter "and to repeal sections 29-01-27 and 27-08-31 of the North Dakota Century Code."

In line 10 of the engrossed bill place triple parentheses before the numeral "2." and delete the triple parentheses before the word "Of"

In line 13 of the engrossed bill place triple parentheses before the numeral "3." and delete the triple parentheses before the word "Of"

In line 32 of the engrossed bill after the word "judge" insert the following language ", and the court may require the defendant to answer all inquiries under oath concerning his need for appointment of counsel"

In line 39 of the engrossed bill delete the following language "rate higher than fifteen dollars per hour" and insert in lieu thereof the following language "reasonable rate to be determined by the court"

And renumber the lines accordingly.

Senate Bill No. 233 amended by striking the word "not" in line 38 of the engrossed bill.

#### AMENDMENTS TO SENATE BILL NO. 268

In line 9 place triple parentheses around the word ", village," including the comma before and the comma after

In line 13 place triple parentheses around the word ", village," including the comma before and the comma after

In line 77 delete the word "after" and insert the word "if" in lieu thereof

In line 78 delete the first word "the"

In line 78 after the word "hearing" and before the word "on" insert the words "is held"

In line 85 delete the words and comma "The commission," and place a capital "U" on the word "upon"

In line 86 delete the words "may fix a time for hearing thereon" and insert in lieu thereof the words "the commission at its discretion may require a hearing and fix a time for such hearing"

And renumber the lines accordingly.

#### AMENDMENTS TO SENATE BILL NO. 310

In line 20 of the original bill, following the word "and" insert the following language: "ten dollars or over of dividends or interest, and"

#### AMENDMENTS TO SENATE BILL NO. 22

Following line 16 and before line 17 of the engrossed bill insert the following words:

"SECTION 2. AMENDMENT.) Section 26-24-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:"

Following line 33 and before line 34 insert the following words:

"SECTION 3. AMENDMENT.) Section 26-24-08 of the 1965 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:"

Following line 45 and before line 46 insert the following words:

"SECTION 4. AMENDMENT.) Section 26-24-09 of the 1965 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:"

Following line 68 and before line 69 insert the following words:

"SECTION 5. AMENDMENT.) Section 26-24-10 of the North Dakota Century Code is hereby amended and reenacted to read as follows:"

Following line 101 and before line 102 insert the following words:  
 "SECTION 6. AMENDMENT.) Section 26-24-13 of the 1965 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:"

And renumber the lines accordingly.

ROY GILBREATH, Chief Clerk

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 651  
 House Bill No. 712  
 House Bill No. 729  
 House Bill No. 733  
 House Bill No. 770  
 House Bill No. 778  
 House Bill No. 811  
 House Bill No. 826  
 House Bill No. 839  
 House Bill No. 879  
 House Bill No. 926

And the President signed the same in the presence of the Senate.

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 27, 1967

Mr. President: I have the honor to transmit:

House Concurrent Resolution "L"

Which the House has taken no further action on.

ROY GILBREATH, Chief Clerk

#### MESSAGE FROM THE GOVERNOR

(VETO OF SENATE BILL No. 95)

Bismarck, February 27, 1967

The Honorable Charles Tighe  
 President of the North Dakota Senate  
 State Capitol  
 Bismarck, North Dakota

Dear Lt. Governor Tighe:

The pollution of air and water and the desecration of the original beauty of our countryside have become the hallmark of civilized man in the United States.

Already, it is too late to turn back the clock on some of the abuse we have caused to happen to this great country.

The dumping of sewage into streams is one of the most despicable practices of which our civilization has been guilty. In 1965, with an amendment to Section 61-01-14 of the North Dakota Century Code, communities were given two years to construct sewage treatment facilities just as cities which did not dump raw sewage into rivers had been constructing for years. Nearly all of our cities have moved rapidly to conform to this law.

I can see nothing to be gained by granting an extension of a practice which should have been outlawed years ago.

I therefore veto Senate Bill No. 95.

Sincerely yours,  
 WILLIAM L. GUY  
 Governor



## MOTION

Senator Lips moved that Senate Bill No. 95, which has been vetoed by the Governor, be placed on the calendar, for reconsideration, which motion prevailed.

## SECOND READING OF A HOUSE BILL

**House Bill No. 801.** A Bill for an Act to create and enact section 52-10-11 of the North Dakota Century Code related to divided retirement systems for social security coverage.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 2; absent and not voting, 5.

Those voting in the affirmative were:

Beck	Holand	Meschke	Roen
Becker	Jacobson	Morgan	Ruemmele
Berube	Kelly, E.	Mutch	Sands
Butler	Kelly, M.	Nasset	Schultz
Decker	Larson, G.	Nothing	Stafne
Forkner	Lips	Pyle	Stroup
Freed	Litten	Rait	Torgerson
Geving	Longmire	Redlin	Trenbeath
Goldberg	Lowe	Ringsak	Wenstrom
Hernett	Luick	Robinson	Wilhite
Hofstrand	Melland		

Those voting in the negative were:

Christensen      Larson, L.

Absent and not voting:

Chesrown      Kautzmann      Larsen, R.      Sorlie  
Coughlin

So the bill passed and the title was agreed to.

## MOTION

Senator Holand moved that House Bill No. 862 be placed down below House Bill No. 900 on the calendar, which motion prevailed.

## SECOND READING OF HOUSE BILLS

**House Bill No. 898.** A Bill for an Act to amend and reenact section 11-13-02.1 of the North Dakota Century Code, relating to preparation of statistical material by county officials.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kelly, E.	Meschke	Sands
Christensen	Kelly, M.	Morgan	Schultz
Decker	Larsen, R.	Mutch	Sorlie
Forkner	Larson, G.	Nothing	Stafne
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom

Absent and not voting:

Coughlin	Nasset	Stroup	Wilhite
Kautzmann			

So the bill passed and the title was agreed to.

**House Bill No. 909.** A Bill for an Act to require persons, corporations, associations, or organizations 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 second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Robinson
Becker	Hofstrand	Luick	Roen
Berube	Holand	Melland	Ruemmele
Butler	Jacobson	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nething	Stafne
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	

Absent and not voting:

Coughlin	Larson, G.	Stroup	Wilhite
Kautzmann	Nasset		

So the bill passed and the title was agreed to.

**House Bill No. 939.** A Bill for an Act to amend and reenact section 18-11-10 of the North Dakota Century Code, relating to the tax levy formula for alternate firemen's associations.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hernett	Luick	Roen
Becker	Hofstrand	Melland	Ruemmele
Berube	Holand	Meschke	Sands
Butler	Jacobson	Morgan	Schultz
Chesrown	Kelly, E.	Mutch	Sorlie
Christensen	Kelly, M.	Nething	Stafne
Coughlin	Larsen, R.	Pyle	Stroup
Decker	Larson, L.	Rait	Torgerson
Forkner	Lips	Redlin	Trenbeath
Freed	Litten	Ringsak	Wenstrom
Geving	Longmire	Robinson	Wilhite
Goldberg	Lowe		

Absent and not voting:

Kautzmann	Larson, G.	Nasset
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So the bill passed and the title was agreed to.

**House Bill No. 860.** A Bill for an Act to provide for the form of drivers licenses and relating to fees for costs of preparation and issuance.

Was read the second time.

Senator Holand moved that House Bill No. 860 be amended as follows:

In the second line of the title to the engrossed bill, after the word "issuance" and before the period insert the following material: ", and to repeal section 39-06-51 of the North Dakota Century Code, relating to the notations of warnings and convictions on drivers' licenses"

In line 15 of the engrossed bill delete the word "fifty" and insert in lieu thereof the word "forty"

In line 17 of the engrossed bill delete the word "fifty" and insert in lieu thereof the word "sixty"

After line 19 of the engrossed bill insert the following new section:

"SECTION 3. REPEAL.) Section 39-06-51 of the North Dakota Century Code is hereby repealed."

And renumber the lines accordingly.

Which motion prevailed.

Senator Wilhite moved that House Bill No. 860 be amended as follows:

In line 6 of the engrossed bill, after the period, insert the following material: "Provided, however, that any female licensed driver may, in her own discretion, determine that her picture shall not appear on her driver's license."

And renumber the lines accordingly.

Which motion lost.

Senator Holand moved that the rules be suspended and that House Bill No. 860 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. 860, as amended from the floor, the roll was called and there were ayes, 27; nays, 20; absent and not voting, 0.

Those voting in the affirmative were:

Becker	Geving	Larsen, R.	Nothing
Butler	Goldberg	Larson, G.	Pyle
Chesrown	Hernett	Litten	Ringsak
Christensen	Hofstrand	Longmire	Roen
Decker	Holand	Lowe	Ruemmele
Forkner	Kelly, E.	Morgan	Stroup
Freed	Kelly, M.	Nasset	

Those voting in the negative were:

Beck	Lips	Rait	Sorlie
Berube	Luick	Redlin	Stafne
Coughlin	Melland	Robinson	Trenbeath
Jacobson	Meschke	Sands	Wenstrom
Larson, L.	Mutch	Schultz	Wilhite

Absent and not voting:

Kautzmann Torgerson

So the bill passed and the title was agreed to.

**House Bill No. 900.** A Bill for an Act to amend and reenact subsection 5 of section 39-04-19 of the North Dakota Century Code, relating to motor vehicle registration fees.

Was read the second time.

Senator Longmire moved that the reading of the proposed amendments to House Bill No. 900 be dispensed with.

Which motion prevailed.

Senator Longmire moved that House Bill No. 900 be amended as follows:

In the first line of the title after the numeral "2" insert the words and numeral "and subsection 5"

In line 5 after the word "trucks" but before the "colon" insert the words "except those trucks or combinations of trucks and trailers which qualify for registration under subsection 5 of this section"

Delete lines 20 through 31 inclusive

Delete the triple parentheses in line 35

Delete the triple parentheses in line 43

Following line 59 insert the following language:

"SECTION 2. AMENDMENT.) Subsection 5 of section 39-04-19 of the 1965 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

5. (((Vehicles having a gross weight of more than 24,000 pounds but not more than 57,000 pounds and which are used as farm vehicles only, shall be entitled to registration upon payment of fifty percent of the fee prescribed in subsection 2b of this section.))) Trucks or combinations of trucks and trailers which are used as farm vehicles only shall, be entitled to registration pursuant to the following fee schedule and the provisions of this subsection. (((A farm vehicle))) Farm vehicles shall be considered, for the purpose of this subsection, as (((a motor vehicle))) trucks or combinations of trucks and trailers owned and operated by a bona fide resident farmer who uses such ((vehicle)) vehicles exclusively for transporting his own property between farms and the usual local trading places and not for hire. The registrar shall issue a distinctive registration plate for such vehicles.

#### YEARS REGISTERED

Gross Weights	1st, 2nd, and 3rd years	4th and 5th years	6th and 7th years	8th and Subsequent years
0- 4,000	\$ 18.00	\$ 14.50	\$ 10.75	\$ 10.00
4,001- 6,000	23.25	18.50	14.00	10.00
6,001- 8,000	28.50	22.75	17.00	10.00
8,001-10,000	33.75	27.00	20.25	11.75
10,001-11,999	39.00	31.25	23.50	13.75
12,000-14,000	44.25	35.50	26.50	15.50
14,001-16,000	49.50	39.50	29.75	17.25
16,001-18,000	54.75	43.75	32.75	19.25
18,001-20,000	60.00	48.00	36.00	21.00
20,001-22,000	65.25	52.25	39.25	22.75
22,001-24,000	70.50	56.50	42.25	24.75
24,001-26,000	75.50	60.50	45.25	26.75
26,001-28,000	80.50	64.50	48.25	28.75
28,001-30,000	85.50	68.50	51.25	30.75
30,001-32,000	90.50	72.50	54.25	32.75
32,001-34,000	95.50	76.50	57.25	34.75
34,001-36,000	100.50	80.50	60.25	36.75
36,001-38,000	105.50	84.50	63.25	38.75
38,001-40,000	110.50	88.50	66.25	40.75
40,001-42,000	115.50	92.50	69.25	42.75
42,001-44,000	120.50	96.50	72.25	44.75
44,001-46,000	125.50	100.50	75.25	46.75
46,001-48,000	130.50	104.50	78.25	48.75
48,001-50,000	135.50	108.50	81.25	50.75
50,001-52,000	140.50	112.50	84.25	52.75
52,001-54,000	145.50	116.50	87.25	54.75
54,001-56,000	150.50	120.50	90.25	56.75
56,001-58,000	155.50	124.50	93.25	58.75

Gross Weights	1st, 2nd, 3rd, and 4th years	5th, 6th, 7th, 8th, and 9th years	10th and Subsequent years
58,001-60,000	\$750.00	\$600.00	\$525.00
60,001-62,000	785.00	628.00	549.00
62,001-64,000	820.00	656.00	574.00
64,001-66,000	855.00	684.00	598.50
66,001-68,000	890.00	712.00	623.00
68,001-70,000	925.00	740.00	647.50
70,001-72,000	960.00	768.00	672.00
72,001-73,280	995.00	796.00	696.00

And renumber the lines and sections accordingly.

Which motion prevailed.

Senator Longmire moved that the rules be suspended and that House Bill No. 900 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. 900 as amended from the floor, the roll was called and there were ayes, 38; nays, 10; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Holand	Meschke	Ruemmele
Berube	Jacobson	Morgan	Sands
Chesrown	Kelly, M.	Mutch	Schultz
Christensen	Larsen, R.	Nasset	Sorlie
Coughlin	Lips	Nething	Stafne
Decker	Litten	Pyle	Stroup
Freed	Longmire	Rait	Torgerson
Geving	Lowe	Ringsak	Trenbeath
Hernett	Luick	Robinson	Wenstrom
Hofstrand	Melland		

Those voting in the negative were:

Beck	Goldberg	Larson, L.	Roen
Butler	Kelly, E.	Redlin	Wilhite
Forkner	Larson, G.		

Absent and not voting:

Kautzmann

So the bill passed and the title was agreed to.

### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 27, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 651  
 House Bill No. 712  
 House Bill No. 729  
 House Bill No. 733  
 House Bill No. 770  
 House Bill No. 778  
 House Bill No. 811  
 House Bill No. 826  
 House Bill No. 839  
 House Bill No. 879  
 House Bill No. 926

Which the President has signed.

LEO LEIDHOLM, Secretary

### REPORTS OF STANDING COMMITTEES

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 do pass.

SENATOR SORLIE, Chairman

Senator Kelly (Earl) 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 SORLIE, Chairman

Senator Beck moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 580 has had the same under consideration and recommends that the same be amended as follows:

In line 221 delete the word "Twenty-seven and insert in lieu thereof the following: "Except as limited in subdivision b of this subsection twenty-seven"

In line 240 after the word "purposes" insert the following: "except in the event such seventy-three percent of the sums received by a county shall be less than the amount of funds received by such county as the county share of motor vehicle registration fees, motor fuels tax, special fuels tax, special fuels excise tax and motor vehicle use tax for the fiscal year ending June 30, 1965, then the amount set aside in a separate fund under the jurisdiction of the board of county commissioners shall be equal to the amount received from such sources during the fiscal year ending June 30, 1965, and that allocated in the municipal highway fund in subdivision a of this subsection shall be reduced accordingly"

And renumber the lines accordingly

And when so amended recommends the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin 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. 799 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. 805 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 Appropriations to whom was referred House Bill No. 928 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Concurrent Resolution "M" has had the same under consideration and recommends that the same be amended as follows:

In line 13 delete the word "remittance" and insert in lieu thereof the word "return"

In line 15 delete the word "each" and insert in lieu thereof the word "the" and delete the words "where such"

In line 16 delete the word "revenue was derived"

In line 20 delete the word "each" and insert in lieu thereof the word "the"; delete the word "state" and insert in lieu thereof the word "states" and after the word "and" insert the following "this money shall be returned to the states using a formula which will reflect population and the effort of the state and its political subdivisions in meeting the expenses of government on a state and local basis; and"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR BECKER, Chairman

Senator Becker moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Concurrent Resolution "G-1" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SORLIE, Chairman

Senator Melland moved that the report be adopted, which motion prevailed.

#### MOTION

Senator Berube moved that Senate Concurrent Resolution "MMM" be returned to the Senate from the Committee on Education, which motion prevailed.

Senator Berube requested unanimous consent of the Senate to withdraw Senate Concurrent Resolution "MMM", which request was granted.

Senator Lips moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair, pursuant to recess taken, the President presiding.

#### MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 27, 1967

Mr. President: I have the honor to return:

Senate Bill No. 1

Senate Bill No. 228

Which the House has amended as follows:

ROY GILBREATH, Chief Clerk

#### AMENDMENTS TO SENATE BILL NO. 1

On line 65 of the Bill delete the sum "\$371,917.00" and in lieu thereof insert the sum "\$402,917.00".

On line 66 delete the sum "\$34,500.00" and in lieu thereof insert the sum "\$40,400.00".

On line 69 delete the sum "\$419,117.00" and in lieu thereof insert the sum "\$456,017.00".

In line 129 of the engrossed bill delete the figure "45,500,000.00" and insert in lieu thereof the figure "38,450,000.00"

After line 129 but before line 130 insert the following new line and material:

"Additional Foundation Program Payments	7,050,000.00
The appropriation of \$7,050,000.00 contained in the above-lined item shall become effective and remain in effect only and if and so long as the provisions of Senate Bill Number 403 as approved by the Fortieth Legislative Assembly shall become effective or remain in effect, and if the provisions of Senate Bill Number 403 as approved by the Fortieth Legislative Assembly should be suspended or terminated or should not go into effect, the above-lined item	

of \$7,050,000.00 shall likewise be suspended or terminated or shall not go into effect."

In line 130 of the engrossed bill delete the number "900,000.00" and insert in lieu thereof the number "700,000.00"

After line 130 but before line 131 insert the following new line and material:

"Additional Special Education Appropriation 200,000.00

The appropriation of \$200,000.00 contained in the above-lined item shall become effective and remain in effect only and if and so long as the provisions of Senate Bill Number 403 of the Fortieth Legislative Assembly become effective or remain in effect, and if the provisions of Senate Bill Number 403 as approved by the Fortieth Legislative Assembly should not be suspended or terminated or should not go into effect, the above-lined item in the amount of \$200,000.00 shall likewise be suspended or terminated or shall not go into effect."

On line 161 delete the sum "\$209,700.00" and in lieu thereof insert the sum "\$219,700.00".

On line 166 delete the sum "\$6,400.00" and in lieu thereof insert the sum "\$5,000.00".

On line 167 delete the sum "\$267,800.00" and in lieu thereof insert the sum "\$276,400.00".

On line 217 delete the sum "\$466,300.00" and in lieu thereof insert the sum "\$483,300.00".

On line 223 delete the sum "\$628,800.00" and in lieu thereof insert the sum "\$645,800.00".

On line 327 delete the sum "\$20,000.00" and in lieu thereof insert the sum "\$22,000.00".

On line 346 delete the sum "\$59,166,422.00" and in lieu thereof insert the sum "\$59,228,922.00".

And renumber the lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

Lines 65, 66, 69: The Committee approved two additional men for the crime bureau since the need was evident from the presentation made by the attorney general's office.

Lines 161, 166, 167: Salaries and Wages were increased to provide the Department with funds for field men to help process the loan program.

From the information submitted to the Committee by the Department the operation could be maintained with a reduction of \$1,400.00 under equipment.

Lines 217 and 223: The Committee allowed the employment of one inspector and one chemist during the next biennium. The funds however are to revert to the general fund if these positions are not filled.

Line 327: The Labor Commissioner's salary was amended not to exceed \$22,000.00 to take into account the fact that the Labor Commissioner is not included in the state officers expense account bill.

#### AMENDMENTS TO SENATE BILL NO. 228

In the third line of the title of the engrossed bill following the word "education" insert the words "and to provide for the effective date or period of the Act"

In line 18 of the engrossed bill delete the words "fifty-seven" and insert the words "fifty-eight" in lieu thereof and delete the words "seventy-two" and insert the word "eight" in lieu thereof

In line 42 of the engrossed bill after the word "paid" insert the following ".9 times"



In line 55 of the engrossed bill after the word "paid" insert the following ".9 times"

Following line 73 of the engrossed bill insert the following new section:

"SECTION 3. PROVISIONS OF ACT TO REMAIN IN EFFECT — WHEN.) The provisions of this Act shall become effective and remain in effect only if and so long as the provisions of Senate Bill Number 403 as approved by the Fortieth Legislative Assembly become effective or remain in effect. If the provisions of Senate Bill Number 403 as approved by the Fortieth Legislative Assembly should be suspended or terminated or should not go into effect, the provisions of this Act shall likewise be suspended or terminated or shall not go into effect and the provisions of sections 15-40-12 and 15-40-24 of the North Dakota Century Code in effect during the period of July 1, 1965, through June 30, 1967, shall supersede the provisions of this Act, and the moneys appropriated in Senate Bill Number 1, as approved by the Fortieth Legislative Assembly, for the purpose of carrying out the provisions of this Act, shall be available and paid only in such amounts as will be required to carry out the provisions of this section. If the provisions of this Act are suspended or terminated or do not go into effect because the provisions of Senate Bill Number 403 are likewise suspended or terminated or do not go into effect, the moneys appropriated pursuant to Senate Bill Number 1 for the purpose of carrying out the provisions of this Act, shall be paid out only in such amounts as will be required for grants-in-aid under sections 15-40-12 and 15-40-24 of the North Dakota Century Code as they were in effect during the period of July 1, 1965 through June 30, 1967."

And renumber the lines and sections accordingly.

House Chamber

Bismarck, February 27, 1967

Mr. President: I have the honor to return:

Senate Bill No. 53  
Senate Bill No. 67  
Senate Bill No. 121  
Senate Bill No. 211  
Senate Bill No. 212  
Senate Bill No. 243  
Senate Bill No. 283  
Senate Bill No. 335  
Senate Bill No. 374

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 27, 1967

Mr. President: I have the honor to return:

Senate Bill No. 236

Which the House has passed and the "emergency" failed.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 27, 1967

Mr. President: I have the honor to transmit:

House Concurrent Resolution "A-1"  
House Concurrent Resolution "I-1"

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

House Chamber  
Bismarck, February 27, 1967

Mr. President: I have the honor to return:

Senate Bill No. 103  
Senate Bill No. 277  
Senate Bill No. 289  
Senate Bill No. 318  
Senate Bill No. 323  
Senate Concurrent Resoluion "C-C-C"

Which the House has indefinitely postponed.

ROY GILBREATH, Chief Clerk

House Chamber  
Bismarck, February 27, 1967

Mr. President: I have the honor to return:

Senate Bill No. 187  
Senate Bill No. 297

Which the House has killed.

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE GOVERNOR

Bismarck, February 27, 1967

Members of the Senate  
Fortieth Legislative Assembly  
Senate Chambers  
Bismarck, North Dakota

Greetings!

As of February 25, 1967, I have signed the following Senate bills:

Senate Bill No. 78  
Senate Bill No. 82  
Senate Bill No. 110  
Senate Bill No. 111  
Senate Bill No. 119  
Senate Bill No. 123  
Senate Bill No. 130  
Senate Bill No. 133  
Senate Bill No. 136  
Senate Bill No. 138  
Senate Bill No. 140  
Senate Bill No. 142  
Senate Bill No. 143  
Senate Bill No. 150  
Senate Bill No. 159  
Senate Bill No. 181  
Senate Bill No. 194  
Senate Bill No. 198  
Senate Bill No. 210  
Senate Bill No. 216  
Senate Bill No. 255  
Senate Bill No. 285  
Senate Bill No. 286  
Senate Bill No. 312  
Senate Bill No. 317  
Senate Bill No. 322  
Senate Bill No. 334  
Senate Bill No. 378

These bills have now been filed with the Secretary of State.

Sincerely,  
WILLIAM L. GUY  
Governor

## CONSIDERATION OF AMENDMENTS

Senator Lips moved that the reading of the amendments to Senate Bill No. 401, Senate Concurrent Resolution "R-R", and House Bill No. 727, be dispensed with, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 401 as recommended by the Committee on Appropriations, and printed on pages 788 and 789 of the Senate Journal, be adopted, which motion prevailed.

Senator Becker moved that the amendments to Senate Concurrent Resolution "R-R" as recommended by the Committee on Finance and Taxation, and printed on page 789 of the Senate Journal, be adopted, which motion prevailed.

Senator Becker moved that the amendments to House Bill No. 727 as recommended by the Committee on Finance and Taxation, and printed on pages 795 and 796 of the Senate Journal, be adopted, which motion prevailed.

Senator Lips moved that the reading of the amendments to House Bills Nos. 728, 833, 904 and 914, be dispensed with, which motion prevailed.

Senator Becker moved that the amendments to House Bill No. 728 as recommended by the Committee on Finance and Taxation, and printed on page 789 of the Senate Journal, be adopted, which motion lost.

Senator Sorlie moved that House Bill No. 728 be amended as follows:

In line 42 after the period insert the following sentence: "The commission shall make arrangements with the legislative research committee for the furnishing of stenographic and secretarial assistance upon such basis as may be mutually agreeable."

In line 62 delete the figure "\$35,000.00" and insert in lieu thereof the figure "\$50,000.00"

And renumber the lines accordingly.

Which motion prevailed.

## SECOND READING OF A HOUSE BILL

**House Bill No. 728.** A Bill for an Act providing for the creation of a special commission on personal property taxes for the purpose of developing and presenting to the forty-first legislative assembly a program for the complete elimination of remaining personal property taxes, making an appropriation, and declaring an emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 37; nays, 9; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hernett	Litten	Ringsak
Becker	Hofstrand	Longmire	Robinson
Butler	Holand	Lowe	Ruemmele
Chesrown	Jacobson	Luick	Sorlie
Coughlin	Kelly, E.	Melland	Stroup
Decker	Kelly, M.	Morgan	Torgerson
Forkner	Larsen, R.	Nasset	Trenbeath
Freed	Larson, G.	Nething	Wenstrom
Geving	Lips	Redlin	Wilhite
Goldberg			

Those voting in the negative were:

Berube	Mutch	Rait	Schultz
Larson, L.	Pyle	Sands	Stafne
Meschke			

Absent and not voting:

Christensen	Kautzmann	Roen
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So the bill passed and the title was agreed to.

#### CONSIDERATION OF AMENDMENTS

Senator Becker moved that the amendments to House Bill No. 833 as recommended by the Committee on Finance and Taxation, and printed on page 790 of the Senate Journal, be adopted, which motion prevailed.

Senator Hernettt moved that the amendments to House Bill No. 904 as recommended by the Committee on Industry, Business and Labor, and printed on page 796 of the Senate Journal, be adopted, which motion prevailed.

Senator Hernettt moved that the amendments to House Bill No. 914 as recommended by the Committee on Industry, Business and Labor, and printed on page 797 of the Senate Journal, be adopted, which motion prevailed.

#### SECOND READING OF A HOUSE BILL

**House Bill No. 862.** A Bill for an Act to amend and reenact section 39-09-02 of the North Dakota Century Code, relating to motor vehicle speed limitations, and providing a termination date.

Was read the second time.

Senator Holand moved that House Bill No. 862 be amended as follows:

In line 4 delete the triple parentheses before and after the letter and period "a."

In line 6 place triple parentheses before and after the word "lower" and insert immediately thereafter the word "different"; delete the triple parentheses before the word "it"

In line 8 delete the triple parentheses following the word "exceeding" and insert in lieu thereof a colon; and delete the words "every person operating or"

Delete all of lines 9 through 20, inclusive

In line 49 delete the triple parentheses before and after the word "and"

In line 50 delete the triple parentheses before the word "Except"

In line 53 delete the triple parentheses following the period; and delete the words "Sixty miles per hour during the"

Delete all of lines 54 through 56, inclusive

In line 57 delete the triple parentheses before the letter "b"

In line 72 delete the triple parentheses following the period after the letter "d"; and delete the numeral and period "7."

In line 77 delete the triple parentheses before the letter "e" and insert triple parentheses before the word "The"

In line 79 place triple parentheses before the word "the"

In line 88 immediately following the triple parentheses insert the following language: "Four lane controlled access highways constituting a portion of the state highways known as the interstate system are hereby designated as special areas where every person operating or driving a motor vehicle of any character on such highway shall drive the same at a rate of speed no greater than is reasonable and proper under the conditions existing at the point of operation, taking into account amount and character of traffic, conditions of brakes, weight of vehicle, grade and width of high-

way, condition of surface, and freedom of obstruction to view ahead. Where no special hazard exists that requires lower speed for compliance with this section the speed of any vehicle not in excess of the limits specified in this section or established as authorized by this chapter, shall be lawful, but any speed in excess of the limits specified in this section or established as authorized in this chapter shall be unlawful."

And renumber the lines accordingly.

Which motion prevailed.

#### MOTION

Senator Lips moved that House Bill No. 862 be placed below House Bill No. 693 on the calendar, which motion prevailed.

#### REPORT OF A STANDING COMMITTEE

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 727 has had the same under consideration and recommends that the same be amended as follows:

In line 81 delete the figure \$4,000,000.00 and insert in lieu thereof \$3,500,000.00

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee reduced the appropriation from \$4,000,000.00 to \$3,500,000.00 because it concluded this to be a realistic figure to replace lost revenues to political subdivisions under the other provisions of the bill.

SENATOR SORLIE, Chairman

Senator Melland moved that the report be adopted, which motion prevailed.

#### MOTION

Senator Lips moved that the rules be suspended and that House Bill No. 727 be placed on sixth order, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

Senator Sorlie moved that the amendments to House Bill No. 727 as recommended by the Committee on Appropriations, be adopted, which motion prevailed.

#### MOTION

Senator Lips moved that the rules be suspended and that House Bill No. 727 be placed on the calendar, which motion prevailed.

#### SECOND READING OF A HOUSE BILL

**House Bill No. 727.** A Bill for an Act to create and enact subsection 23 of section 57-02-08 and section 57-20-09.1 of the North Dakota Century Code, relating to items of personal property exempt from taxation and providing discounts of twenty percent of personal property taxes upon personal property not assessed by the state board of equalization, and to amend and reenact section 57-02-04 of the North Dakota Century Code, relating to the definition of real property, allocating moneys to counties and their political subdivisions, making an appropriation, providing an effective date, and to repeal sections 18-03-09, 37-01-27, subsections 9, 10, and 11 of section 57-02-05 and section 57-15-23 of the North Dakota Century Code, relating to the definition of personal property and imposition of the per capita school tax and exemptions thereto.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 32; nays, 16; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Holand	Lowe	Robinson
Becker	Jacobson	Luick	Roen
Butler	Kelly, M.	Melland	Sorlie
Forkner	Larsen, R.	Nasset	Stroup
Freed	Larson, G.	Nething	Torgerson
Geving	Lips	Pyle	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hofstrand	Longmire	Ringsak	Wilhite

Those voting in the negative were:

Berube	Decker	Meschke	Ruemmele
Chesrown	Hernett	Morgan	Sands
Christensen	Kelly, E.	Mutch	Schultz
Coughlin	Larson, L.	Rait	Stafne

Absent and not voting:

Kautzmann

So the bill passed and the title was agreed to.

#### MOTION

Senator Lips moved that the rules be suspended and that House Bill No. 580 be placed on sixth order, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

Senator Redlin moved that the amendments to House Bill No. 580 as recommended by the Committee on Political Subdivisions, be adopted, which motion prevailed.

#### MOTION

Senator Lips moved that the rules be suspended and that House Bill No. 580 be placed on the calendar, which motion prevailed.

#### SECOND READING OF A HOUSE BILL

**House Bill No. 580.** A Bill for an Act relating to a highway tax distribution fund, and to amend and reenact sections 39-04A-02, 39-04-39, 57-40.1-07, 57-52-11, 57-53-09, and 57-54-14, relating to motor vehicle and fuel taxes and to repeal sections 39-04-39.1 and 57-54-15 of the North Dakota Century Code, relating to use and fuels taxes.

Was read the second time.

Senator Hernett moved that House Bill No. 580 be amended as follows:

Delete everything after the words "A BILL" and insert in lieu thereof the following:

For an Act to amend and reenact sections 39-04-39 and 57-40.1-07 of the 1965 Supplement to the North Dakota Century Code relating to the distribution of motor vehicle revenues; to impose a refundable municipal one-half cent per gallon excise tax on all motor vehicle fuel sold or used in this state, to be collected by the state auditor and disbursed to the municipalities for highway purposes quarterly by the state treasurer, to authorize the auditor to formulate reasonable rules and regulations required for the administration and enforcement thereof; and to repeal section 39-04-39.1 of the 1965 Supplement to the North Dakota Century Code.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:**

- 1 SECTION 1. AMENDMENT.) Section 39-04-39 of the 1965
- 1a Supplement
- 2 to the North Dakota Century Code is hereby amended and
- a reenacted to read
- 3 as follows:
- 4 39-04-39. DISTRIBUTION OF REGISTRATION FEES
- 4a COLLECTED.)

5 Any moneys in the registration fund accruing from license  
5a fees or from  
6 other like sources, in excess of the amount required to pay  
6a salaries and  
7 other necessary expenses, in accordance with the legislative  
7a assembly's  
8 appropriation for such purposes, shall be transferred and  
8a credited

9 quarterly by the state treasurer, as follows:

- 10 ((1. First, nine per cent of all fees collected pursuant to  
11 subsection 2a of section 39-04-19, and fourteen and  
12 one-half per cent of all fees collected pursuant to  
13 subsection 2b of section 39-04-19, shall be transferred  
14 quarterly to the state highway department for  
14a construction  
15 and reconstruction of roads on the secondary state  
15a highway  
16 system, and the balance of such fees shall be transferred  
17 in accordance with subsections 2 and 3 of this section;  
18 2. Fifty per cent shall be transferred quarterly to the  
18a state  
19 highway department; and  
20 3. From and after July 1, 1961, the remaining balance  
20a shall  
21 be distributed as follows:  
22 a. An amount equal to the sum credited and  
23 transferred to the counties from such fees  
24 for the fiscal year ending June 30, 1960, shall  
25 be distributed quarterly to the counties of this  
26 vehicle registrations credited to each county  
27 vehicle registrations credited to each county.  
28 Each county shall be credited with the certificates  
29 of title of all motor vehicles registered by residents  
30 of such county; and  
31 b. On or before the first day of August of each  
32 year all moneys in excess of the amount  
33 referred to in subsection 3a of this section  
34 shall be distributed as follows:  
35 (1) Thirty-five per cent of such excess to  
36 the counties of this state in the same  
37 proportions as set forth in subsection  
38 3a of this section; and  
39 (2) The balance of such excess is hereby  
40 appropriated and shall be distributed  
41 by the state treasurer and allocated  
42 to counties of this state on the basis  
43 of the per capita population of all of  
44 the incorporated cities and villages  
45 situated within such county as determined  
46 by the last official regular or special  
47 federal census or the census taken in  
48 accordance with the provisions of chapter  
49 40-02 of the North Dakota Century Code  
50 in case of a city or village incorporated  
51 subsequent to such census and shall be  
52 deposited in a special municipal highway  
53 fund of such county, which fund is hereby  
54 created, provided however, upon application  
55 by any city or village situated within such  
56 county, the county treasurer shall disburse  
57 to such city or village its proportionate share  
58 of such excess as based upon its population-as  
59 determined by such census, to be used by such  
60 city or village solely for the construction,

61 reconstruction, repair and maintenance of  
62 the public highways and streets situated therein.  
63 Any city or village which shall fail to make  
64 application for its share of such special  
65 municipal highway fund prior to June 30th of  
66 any year shall forfeit its share to the county  
67 for expenditure in accordance with law.))

68 Fifty-four per cent to the state highway fund, to be used for  
68a highway  
69 purposes.  
70 Thirty-seven per cent to the counties in proportion to the  
70a number of  
71 motor vehicles registered by residents of each county, to be  
71a used for  
72 highway purposes.  
73 Nine per cent to the incorporated municipalities in  
73a proportion to the  
74 population of each municipality as determined by the last  
74a official regular  
75 or special federal census or the census taken in accordance  
75a with the pro-  
76 visions of chapter 40-02 of the North Dakota Century Code  
76a in case of a  
77 municipality incorporated subsequent to such census, to be  
77a used for  
78 highway purposes.

79 SECTION 2. AMENDMENT.) Section 57-40.1-07 of the  
79a 1965 Supplement  
80 to the North Dakota Century Code is hereby amended and  
80a reenacted to read  
81 as follows:

82 57-40.1-07. DISTRIBUTION AND USE OF REVENUE.)  
82a Fifty per  
83 cent of the moneys accruing by virtue of section 57-40.1-02,  
83a promptly  
84 upon collection, shall be remitted by the motor vehicle  
84a registrar to the  
85 state tax commissioner and by him shall be paid to the state  
85a treasurer  
86 to be transferred and credited to the general fund and fifty  
86a per cent to  
87 the motor vehicle ((registration)) use tax fund. The motor  
87a vehicle use  
88 tax fund shall be distributed quarterly to the counties in  
88a proportion to the  
89 number of vehicles registered by residents of each county, to  
89a be used for  
90 highway purposes.

91 SECTION 3.) MUNICIPAL EXCISE TAX ON MOTOR  
91a VEHICLE FUELS.)  
92 There is hereby imposed a municipal excise tax of one-half  
92a cent per gallon  
93 on all motor vehicle fuel, as defined in chapter 57-54, sold or  
93a used in this  
94 state. Such tax shall be refundable under the provisions of  
94a chapter 57-50  
95 Such tax shall be collected by the dealer from the consumer  
95a and remitted  
96 monthly to the state auditor, who shall forthwith pay over all  
96a money thus  
97 received to the state treasurer for disbursement quarterly to  
97a the municipi-  
98 palities on a population basis to be used for highway purposes.  
98a The state



99 auditor may formulate such reasonable rules and regulations  
 99a as may be  
 100 necessary for the administration and enforcement of this  
 100a section  
 101 SECTION 4. REPEAL.) Section 39-04-39.1 of the 1965  
 101a Supplement to  
 102 the North Dakota Century Code is hereby repealed.

Which motion lost.

**ROLL CALL**

The question being on the final passage of House Bill No. 580, as amended, the roll was called and there were ayes, 35; nays, 11; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Kelly, M.	Mutch	Schultz
Coughlin	Larsen, R.	Nasset	Sorlie
Decker	Larson, G.	Nething	Stafne
Freed	Litten	Pyle	Stroup
Geving	Longmire	Redlin	Torgerson
Goldberg	Lowe	Ringsak	Trenbeath
Holand	Luick	Robinson	Wenstrom
Jacobson	Melland	Ruemmele	Wilhite
Kelly, E.	Morgan	Sands	

Those voting in the negative were:

Becker	Chesrown	Hernett	Meschke
Berube	Christensen	Larson, L.	Rait
Butler	Forkner	Lips	

Absent and not voting:

Hofstrand	Kautzmann	Roen
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So the bill passed and the title was agreed to.

Senator Redlin moved that the vote by which House Bill No. 580 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

**MOTION**

Senator Lips moved that the vote by which House Bills Nos. 727, 728, 801, 860, 898, 900 and 909 were passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

**MESSAGES TO THE HOUSE**

Senate Chamber

Bismarck, February 27, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 727  
 House Bill No. 728  
 House Bill No. 860  
 House Bill No. 900

Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 27, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 801  
 House Bill No. 898  
 House Bill No. 909  
 House Bill No. 939

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

## JOURNAL OF THE SENATE

## MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 27, 1967

Mr. President: I have the honor to return:

Senate Bill No. 386

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 27, 1967

Mr. President: I have the honor to return:

Senate Bill No. 81

Senate Bill No. 120

Senate Bill No. 124

Senate Bill No. 129

Senate Bill No. 131

Senate Bill No. 132

Senate Bill No. 153

Senate Bill No. 160

Senate Bill No. 164

Senate Bill No. 208

Senate Bill No. 246

Senate Bill No. 294

Senate Bill No. 313

Senate Bill No. 338

Senate Bill No. 341

Senate Bill No. 356

Senate Bill No. 370

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 27, 1967

Mr. President: I have the honor to return:

Senate Bill No. 223

Which the House has amended as follows:

ROY GILBREATH, Chief Clerk

In the committee amendment on House Bill No. 223 the amendment reads

"In line 11 after the word "dismissed" insert the following language "without agreement of the landlord" ". In this amendment delete the word "landlord" and insert in lieu thereof the word "defendant".

## CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Melland moved that the Senate do concur in the House amendments to Senate Bill No. 1, which motion prevailed.

Senator Melland moved that the rules be suspended and that Senate Bill No. 1 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

## SECOND READING OF A SENATE BILL

**Senate Bill No. 1.** For an Act to appropriate money for the expenses of the executive department of the state government, and for all subdivisions thereof, and for public schools, specifying the amount and time for which such appropriations shall be available, and repealing all Acts, or parts of Acts, insofar as the same shall relate to appropriations conflicting herewith or to appropriations for the same matters or purposes provided for herein and declaring an emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, 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:

Beck	Hernett	Lowe	Robinson
Becker	Hofstrand	Luick	Ruemmele
Berube	Holand	Melland	Sands
Butler	Jacobson	Meschke	Schultz
Chesrown	Kelly, E.	Morgan	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larsen, R.	Nothing	Stroup
Decker	Larson, G.	Pyle	Torgerson
Forkner	Larson, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Ringsak	Wilhite
Goldberg	Longmire		

Those voting in the negative were:

Mutch

Absent and not voting:

Kautzmann Roen

So the bill passed and the title was agreed to.

Senator Schultz moved that the absent Senators be excused, which motion prevailed.

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTY-SIXTH DAY

Bismarck, February 27, 1967

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Senator Edwin Becker, Bottineau.

Our Father, once more we come before You, thankful for all the blessings You have showered upon us. Bring us together with a new and stronger faith in our government, ourselves and in each other; and above all, a stronger faith in You, Father of us all. Grant that we may challenge the responsibilities that lie before us with wisdom, confidence and courage; these things we ask in the name of Jesus Christ, our Lord. Amen.

Roll call: All Senators present except Senators Kautzmann and Roen.

A quorum was declared by the President.

CORRECTION AND REVISION

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 788, in line 18, delete the figure "46", and insert in lieu thereof the figure "43", and in line 19, delete the figure "3" and insert in lieu thereof the figure "6"

On page 805, in line 34, delete the figure "583" and insert in lieu thereof the figure "683", and in line 35 delete the figure "583" and insert in lieu thereof the figure "683"

And when so corrected recommends that the same be approved.

SENATOR LOWE, Chairman

Senator Lowe moved that the report be adopted, which motion prevailed.

## JOURNAL OF THE SENATE

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 27, 1967

Mr. Speaker: I have the honor to return:  
House Bill No. 580  
Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senator Lips moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the chair, pursuant to recess taken, the President presiding.

## MESSAGES FROM THE HOUSE

House Chamber  
Bismarck, February 27, 1967

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 595 and the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Rep. Boustead  
Rep. Allen  
Rep. Winge

ROY GILBREATH, Chief Clerk

House Chamber  
Bismarck, February 27, 1967

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to

House Bill No. 580  
House Bill No. 727  
House Bill No. 728

ROY GILBREATH, Chief Clerk

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 27, 1967

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 1.

LEO LEIDHOLM, Secretary

## REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 1  
and find the same correctly Re-Engrossed and Enrolled.

FRANK WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

## SIGNING OF A BILL

The Secretary announced that the President was about to sign Senate Bill No. 1

And the President signed the same in the presence of the Senate.

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, February 27, 1967

Mr. Speaker: I have the honor to transmit:  
Senate Bill No. 1

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 27, 1967

Mr. President: I have the honor to return:

Senate Bill No. 1

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 27, 1967

Mr. President: I have the honor to transmit:

House Bill No. 580

House Bill No. 727

House Bill No. 728

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS

The Secretary announced that the President was about to sign

House Bill No. 580

House Bill No. 727

House Bill No. 728

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 27, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 580

House Bill No. 727

House Bill No. 728

Which the President has signed.

LEO LEIDHOLM, Secretary

Senator Lips moved that the Senate recess until 1:00 p.m., February 28, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary



"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### FIFTY-SIXTH DAY AFTER RECESS AND FIFTY-SEVENTH DAY

Bismarck, February 28, 1967

The Senate reconvened at 1:00 p.m., pursuant to recess taken, the President presiding.

#### REPORTS OF A STANDING COMMITTEE

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 7:58 o'clock a.m., February 28, 1967.

SENATOR WENSTROM, Chairman

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 81

Senate Bill No. 120

Senate Bill No. 124

Senate Bill No. 129

Senate Bill No. 131

Senate Bill No. 132

Senate Bill No. 153

Senate Bill No. 160

Senate Bill No. 164

Senate Bill No. 208

Senate Bill No. 246

Senate Bill No. 294

Senate Bill No. 313

Senate Bill No. 338

Senate Bill No. 341

Senate Bill No. 356

Senate Bill No. 370

Were delivered to the Governor for his approval at the hour of 8:13 o'clock a.m., February 28, 1967.

FRANK WENSTROM, Chairman

#### CONSIDERATION OF MESSAGE FROM THE HOUSE

Senator Lips moved that the Senate reconsider House Bill No. 782, and that House Bill No. 782 be placed at the foot of the calendar, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

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.

SENATOR ROEN, Chairman

Senator Roen 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. 732 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSACK, Chairman

Senator Ringsack moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 788 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 795 has had the same under consideration and recommends that the same be amended as follows:

In line 13 after the comma insert the following language "the county and state"

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 800 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted.

Senator Meschke requested a recorded roll call vote, which request was granted.

#### ROLL CALL

The question being on the motion of Senator Roen, the roll was called and there were ayes, 25; nays, 20; absent and not voting, 4.

Those voting in the affirmative were:

Berube	Kelly, M.	Nasset	Sorlie
Chesrown	Larsen, R.	Nothing	Stafne
Coughlin	Larson, G.	Pyle	Stroup
Decker	Longmire	Robinson	Torgerson
Freed	Lowe	Roen	Trenbeath
Hernett	Melland	Schultz	Wenstrom
Hofstrand			

Those voting in the negative were:

Beck	Goldberg	Lips	Rait
Butler	Holand	Litten	Redlin
Christensen	Jacobson	Luick	Ringsak
Forkner	Kelly, E.	Meschke	Sands
Geving	Larson, L.	Morgan	Wilhite

Absent and not voting:

Becker	Kautzmann	Mutch	Ruemmele
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So the motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 819 has had the same under consideration and recommends that the same be amended as follows:

In line 2 of the Title delete the following "57-19-02, 57-19-06,"

In line 3 of the Title delete "57-19-07" and insert in lieu thereof "21-04-18"

In line 4 of the Title delete "and reserve"

Delete lines 44 through 107 and insert in lieu thereof the following



"SECTION 4. AMENDMENT.) Section 21-04-18 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

21-04-18. INTEREST RATES.) (((The rate of interest on all public funds deposited as provided in this chapter shall not exceed two percent on daily balances subject to check or draft, credited monthly, and shall not exceed four percent on time deposits.))) Depositories of public funds in this state shall pay substantially the same rate of interest thereon as such banks pay ((to individual depositories))) upon individual deposits.

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 830 has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 848 has had the same under consideration and recommends that the same be amended as follows:

In line 10 delete the following "State and county school boards associations"

In line 11 delete "are nonprofit organizations."

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 886 has had the same under consideration and recommends that the same do pass.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Concurrent Resolution "L" has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Concurrent Resolution "S" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR REDLIN, Chairman

Senator Redlin moved that the report be adopted.

Senator Meschke requested a recorded roll call vote, which request was granted.

#### ROLL CALL

The question being on the motion of Senator Redlin, the roll was called and there were ayes, 33; nays, 12; absent and not voting, 4.

Those voting in the affirmative were:

Beck	Hofstrand	Morgan	Ruemmele
Butler	Holand	Nasset	Sands

Chesrown	Jacobson	Nothing	Schultz
Coughlin	Kelly, M.	Pyle	Sorlie
Decker	Larson, G.	Redlin	Stafne
Forkner	Lips	Ringsak	Stroup
Freed	Litten	Robinson	Torgerson
Goldberg	Melland	Roen	Trenbeath
Hernett			

Those voting in the negative were:

Becker	Geving	Larson, L.	Luick
Berube	Kelly, E.	Longmire	Meschke
Christensen	Larsen, R.	Lowe	Rait

Absent and not voting:

Kautzmann	Mutch	Wenstrom	Wilhite
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So the motion prevailed.

Senator Holand: Mr. President. I would like to explain my vote on this resolution, which vote was an affirmative one. I voted for the adoption of the report for indefinite postponement because the same subject matter is covered in Senate Concurrent Resolution "P-P", which was passed by the Senate on February 21, 1967.

Mr. President: Your Committee on Education to whom was referred Senate Concurrent Resolution "FFF" has had the same under consideration and recommends that the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Delayed Bills has had under consideration a Senate Bill to wit:

#### A BILL

For an Act to provide for the issuance by the state of bonds to finance the construction and equipment of buildings and facilities at state-supported institutions of higher education backed by the full faith and credit of the state, providing for their payment, and appropriating the proceeds of such bonds for such purposes, and declaring an emergency.

And recommends the same be introduced.

SENATOR EARL KELLY, Vice Chairman

Senator Earl Kelly moved that the report be adopted, which motion prevailed.

#### FIRST READING OF A SENATE BILL

The Committee on Delayed Bills introduced:

**Senate Bill No. 404.** A Bill for an Act to provide for the issuance by the state of bonds to finance the construction and equipment of buildings and facilities at state-supported institutions of higher education backed by the full faith and credit of the state, providing for their payment, and appropriating the proceeds of such bonds for such purposes, and declaring an emergency.

Was read the first time and referred to the Committee on Appropriations.

#### FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

**House Concurrent Resolution "A-1".** A Concurrent Resolution directing the board of administration to modify certain portions of the state capitol building to make such building more accessible and usable by the physically handicapped.

Was read the first time and referred to the Committee on State and Federal Government.

**House Concurrent Resolution "I-1".** A Concurrent Resolution applying to the Congress of the United States to call a convention

for the purpose of proposing an amendment to the Constitution of the United States, relating to apportionment.

Was read the first time and referred to the Committee on State and Federal Government.

**House Concurrent Resolution "E-2".** A Concurrent Resolution commending the Bismarck Police Commissioner and policemen for services rendered during the blizzard of February 22, 1967.

Was read the first time.

#### MOTION

Senator Lips moved that the rules be suspended and that House Concurrent Resolution "E-2" be not printed as a bill but placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF A HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution "E-2".** A Concurrent Resolution commending the Bismarck Police Commissioner and policemen for services rendered during the blizzard of February 22, 1967.

Was read the second time.

Senator Lips moved that House Concurrent Resolution "E-2" be adopted, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

Senator Becker moved that the amendments to House Concurrent Resolution "M", as recommended by the Committee on Finance and Taxation, and printed on pages 828 and 829, be adopted, which motion prevailed.

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Ringsak moved that the Senate do concur in the House amendments to Senate Bill No. 40, which motion prevailed.

Senator Ringsak moved that the rules be suspended and that Senate Bill No. 40 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

#### SECOND READING OF A SENATE BILL

**Senate Bill No. 40.** For an Act to create a method of regulating foods, drugs, and cosmetics, and to repeal sections 19-02-01, 19-02-02, 19-02-03, 19-02-04, 19-02-05, 19-02-06, 19-02-07, 19-02-08, 19-02-11, 19-02-12, 19-02-14.1, 19-02-25, 19-02-26, 19-02-27, 10-02-28, and 19-02-29 and chapter 19-09 of the North Dakota Century Code, relating to foods, drugs, and cosmetics, 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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beck	Goldberg	Longmire	Ringsak
Becker	Hernett	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kelly, E.	Meschke	Sands
Christensen	Kelly, M.	Morgan	Schultz
Coughlin	Larsen, R.	Nasset	Sorlie
Decker	Larson, G.	Nothing	Stafne
Forkner	Larson, L.	Pyle	Stroup
Freed	Lips	Rait	Torgerson
Geving	Litten	Redlin	Trenbeath

Absent and not voting:

Hofstrand            Mutch                    Wenstrom                Wilhite  
Kautzmann

So the bill passed and the title was agreed to.

Senator Schultz moved that the absent Senators be excused, which motion prevailed.

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

#### FIFTY-SEVENTH DAY

Bismarck, February 28, 1967

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Father Sullivan, St. Joseph's Roman Catholic, Mandan.

Since You have seen fit, O Heavenly Father, to delegate certain powers to your people through civil authority, we beseech You to be present to the men we have elected to exercise this stewardship in our behalf.

Give them the wisdom to legislate for the common good in such a way that they protect and promote the rights and dignity of the individual.

Give them the courage to put aside political ambitions and personal prejudices, and to shun all attempts to be used for private gain at the expense of the common good.

Give them the faith to see the future in terms of peaceful prosperity under Your loving care.

May the deliberations and decisions reached today in this assembly and its committees bring continued growth to our state and increasing opportunities to its citizens. Let us today and every day, in all our thoughts and actions, be ever mindful of Your eternal interest in our welfare and Your constant desire to share with us the responsibilities for our actions. Keep us mindful that it is in doing that we prepare to share the eternal rewards of life everlasting in Your Kingdom. Let everything we do today and every day, be done according to Your Divine Will, in the Name of the Father Who created us, The Divine Son Who redeemed us, and the Holy Spirit Who sustains us. Amen.

Roll call: All Senators present except Senators Kautzmann and Mutch.

A quorum was declared by the President.

#### CORRECTION AND REVISION

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 recommends that the same be corrected as follows:

On page 821, in line 43, delete the figure "22" and insert in lieu thereof the figure "363"

On page 833, after line 35, insert the following: "Senator Lips moved that the rules be suspended and that House Bill No. 728 be placed on second reading and final passage, as amended, which motion prevailed."

And when so corrected recommends that the same be approved.

SENATOR LOWE, Chairman

Senator Lowe moved that the report be adopted, which motion prevailed.

## FIRST READING OF A SENATE MEMORIAL RESOLUTION

Senator Lips introduced:

**Senate Memorial Resolution No. 3.** A Memorial Resolution extending sympathy and condolence to Senator Emil E. Kautzmann upon the death of his father.

Was read the first time.

## MOTION

Senator Lips moved that the rules be suspended, that Senate Memorial Resolution No. 3 be not referred to a committee, not printed as a bill but printed in the Journal, and placed on second reading and final passage, which motion prevailed.

## SENATE MEMORIAL RESOLUTION No. 3

Introduced by Senator Lips.

A memorial resolution extending sympathy and condolence to Senator Emil E. Kautzmann upon the death of his father.

- 1 WHEREAS, God in His infinite wisdom has seen fit to  
 1a summon  
 2 from our midst Mr. Emanuel Kautzmann, the father of our  
 2a colleague,  
 3 Senator Emil E. Kautzmann; and  
 4 WHEREAS, Senator Emil E. Kautzmann is held in the  
 4a highest  
 5 esteem by all members of the legislative assembly, who share  
 5a with  
 6 him his great sorrow;  
 7 NOW, THEREFORE, BE IT RESOLVED BY THE  
 8 SENATE OF THE STATE OF NORTH DAKOTA:  
 9 That we express our deepest sorrow and extend to Senator  
 10 Emil E. Kautzmann and all members of his family our sincere  
 11 sympathy and condolence in this their time of sorrow; and  
 12 BE IT FURTHER RESOLVED, that this resolution be  
 12a entered in  
 13 the journal and the secretary of state is hereby directed to  
 14 present an enrolled copy to Senator Emil E. Kautzmann and  
 14a members  
 15 of his family.

## SECOND READING OF SENATE MEMORIAL RESOLUTION

**Senate Memorial Resolution No. 3.** A Memorial Resolution extending sympathy and condolence to Senator Emil E. Kautzmann upon the death of his father.

Was read the second time.

Senator Lips moved that Senate Memorial Resolution No. 3 be adopted, which motion prevailed.

## REPORTS OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 401

And find the same correctly Engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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 "R-R"

And find the same correctly engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Ringsak moved that the Senate do concur in the House amendments to Senate Bill No. 90 which motion prevailed.

Senator Ringsak 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.

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 90.** A Bill for an Act to amend and reenact sections 54-16-03 and 54-16-04 of the North Dakota Century Code, relating to authority of emergency 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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kelly, E.	Meschke	Sands
Christensen	Kelly, M.	Morgan	Schultz
Coughlin	Larsen, R.	Nasset	Sorlie
Decker	Larson, G.	Nothing	Stafne
Forkner	Larson, L.	Pyle	Stroup
Freed	Lips	Rait	Torgerson
Geving	Litten	Redlin	Trenbeath
Goldberg			

Absent and not voting:

Kautzmann	Mutch	Wenstrom	Wilhite
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So the bill passed and the title was agreed to.

Senator Chesrown moved that the Senate do concur in the House amendments to Senate Bill No. 233, which motion prevailed.

Senator Chesrown moved that the rules be suspended and that Senate Bill No. 233 be deemed properly 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 provide for appointment of counsel for indigents and making provision for payment of such expenses.

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, 5; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Roen
Becker	Holand	Luick	Ruemmele
Berube	Jacobson	Melland	Sands
Butler	Kelly, E.	Meschke	Schultz
Chesrown	Kelly, M.	Nasset	Sorlie
Christensen	Larsen, R.	Nothing	Stafne
Coughlin	Larson, G.	Pyle	Stroup
Decker	Larson, L.	Rait	Torgerson
Forkner	Lips	Redlin	Trenbeath
Freed	Litten	Ringsak	Wenstrom
Goldberg	Longmire		

Those voting in the negative were:

Geving	Morgan	Robinson	Wilhite
Hofstrand			

Absent and not voting:

Kautzmann	Mutch
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So the bill passed and the title was agreed to.

Senator Melland moved that the Senate do concur in the House amendments to Senate Bill No. 268, which motion prevailed.

Senator Melland moved that the rules be suspended and that Senate Bill No. 268 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 268.** A Bill for an Act to create and enact sections 49-18-34.1, 49-18-38.1, 49-18-38.2 and 49-18-38.3 of the North Dakota Century Code, providing for regulation of agricultural carriers by the public service commission, and requiring hearings on applications for agricultural carrier permits, and providing for factors to be considered in issuing agricultural carrier permits, and providing for the suspension, revocation and abandonment of agricultural carrier permits, and to amend and reenact subsection 4 of section 49-18-01, sections 49-18-35, 49-18-36 and 49-18-38 of the North Dakota Century Code relating to the definition of an agricultural carrier, and clarifying those required to have agricultural carrier permits, and relating to the fee for agricultural carrier permits, and relating to the form of application for agricultural carrier permits and providing for temporary agricultural carrier permits.

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:

Beck	Hernett	Lowe	Robinson
Becker	Hofstrand	Luick	Roen
Berube	Holand	Melland	Ruemmele
Butler	Jacobson	Meschke	Saids
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Nasset	Sorlie
Coughlin	Larsen, R.	Nothing	Stafne
Decker	Larson, G.	Pyle	Stroup
Forkner	Larson, L.	Rait	Torgerson
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Ringsak	Wilhite
Goldberg	Longmire		

Absent and not voting:

Kautzmann	Mutch	Trenbeath
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So the bill passed and the title was agreed to.

Senator Becker moved that the Senate do not concur in the House amendments to Senate Bill No. 310, and that a conference committee be appointed.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on Senate Bill No. 310,

Senator Becker  
 Senator Torgerson  
 Senator Rait

Senator Ringsak moved that the Senate do concur in the House amendments to Senate Bill No. 363, which motion prevailed.

Senator Ringsak moved that the rules be suspended and that Senate Bill No. 363 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 363.** A Bill for an Act to amend and reenact sections 26-24-02, 26-24-04, and 26-24-10 of the North Dakota Century Code and to amend and reenact sections 26-24-08, 26-24-09, and 26-24-13 of the Supplement of the North Dakota Century Code, relating to the coverages afforded by the state fire and tornado fund and the percentage of assessment to Bureau rates.

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, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beck	Goldberg	Litten	Ringsak
Becker	Hernett	Lowe	Robinson
Berube	Hofstrand	Luick	Roen
Butler	Holand	Melland	Ruemmele
Chesrown	Jacobson	Meschke	Sands
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nothing	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Wenstrom
Geving	Lips	Redlin	

Absent and not voting:

Kautzmann	Mutch	Trenbeath	Wilhite
Longmire	Schultz		

So the bill passed and the title was agreed to.

Senator Roen moved that the Senate do concur in the House amendments to Senate Bill No. 228, which motion prevailed.

Senator Roen moved that the rules be suspended and that Senate Bill No. 228 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 228.** A Bill for an Act to amend and reenact section 15-40-12 of the North Dakota Century Code, relating to legislative intent as to elementary and secondary education.

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:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Redlin	Trenbeath
Goldberg	Litten	Ringsak	Wenstrom

Those voting in the negative were:

Meschke	Rait
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Absent and not voting:

Christensen      Kautzmann      Wilhite

So the bill passed and the title was agreed to.

Senator Chesrown moved that the Senate do concur in the House amendments to Senate Bill No. 223, which motion prevailed.

Senator Chesrown moved that the rules be suspended and that Senate Bill No. 223 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 223.** A Bill for an Act to require any entity of this state to pay defendant's expenses in eminent domain proceedings which after having been commenced are withdrawn or dismissed.

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:

Beck	Hofstrand	Luick	Robinson
Becker	Holand	Melland	Ruemmele
Berube	Jacobson	Meschke	Sands
Butler	Kelly, E.	Morgan	Schultz
Chesrown	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett	Lowe		

Absent and not voting:

Christensen      Kautzmann      Roen

So the bill passed and the title was agreed to.

#### REPORTS OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 64 has had the same under consideration and recommends that the House recede from its amendments.

For the Senate

Senator Wilhite  
Senator Wenstrom  
Senator Meschke

For the House

Rep. Burke  
Rep. Aas  
Rep. Glaspey

Senator Wilhite moved that the report be adopted, which motion prevailed.

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

Senator Robinson  
Senator Wenstrom  
Senator Lester Larson

For the House

Rep. Connolly  
Rep. James Peterson  
Rep. Iver Solberg

Senator Robinson moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 25 has had the same under consideration and recommends that the House recede from its amendments and that Senate Bill No. 25 be amended as follows:

Delete everything after "A Bill" and insert in lieu thereof the following:

For an Act making an appropriation for salaries and expenses of the State Library Commission.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. APPROPRIATION.) There is hereby appropriated out of any unappropriated funds in the state library commission operating fund in the state treasury the sum of \$1,023,400.00, of which \$849,000 is derived from income and collections and \$174,400.00 from the general fund in the state treasury, to be expended as provided for in Chapter 54-24 of the North Dakota Century Code, for the biennium beginning July 1, 1967 and ending June 30, 1969 to wit:

Salaries and wages	\$ 178,200.00
Fees and Services	41,000.00
Supplies and Materials	80,000.00
Equipment	24,200.00
Grants, benefits and claims	700,000.00
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Total for biennium	\$1,023,400.00
Less Estimated income	849,000.00
	<hr/>
Total general fund	\$ 174,400.00

And renumber the lines accordingly.

For the Senate

Senator R. Larson

Senator E. Kelly

Senator Wenstrom

For the House

Rep. Saugstad

Rep. Reimers

Rep. Sanstead

Senator R. Larson moved that the report be adopted, which motion prevailed.

Senator Sorlie moved that the rules be suspended and that Senate Bill No. 25 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 25.** For an Act making an appropriation for salaries and expenses of the State Library Commission.

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, 2; absent and not voting, 4.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Ringsak
Berube	Hofstrand	Lowe	Robinson
Butler	Holand	Luick	Ruemmele
Chesrown	Jacobson	Melland	Sands
Christensen	Kelly, E.	Meschke	Sorlie
Coughlin	Kelly, M.	Morgan	Stafne
Decker	Larsen, R.	Nasset	Stroup

Forkner	Larson, G.	Nething	Trenbeath
Freed	Larson, L.	Pyle	Wenstrom
Geving	Lips	Rait	Wilhite
Goldberg	Litten	Redlin	

Those voting in the negative were:  
Schultz Torgerson

Absent and not voting:  
Becker Kautzmann Mutch Roen

So the bill passed and the title was agreed to.

## SECOND READING OF A SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution "U-U".** A Concurrent Resolution for the amendment of sections 85, 90, 94, and 100 of the Constitution of the state of North Dakota relating to the powers of the judiciary, changing the selection of judges from an elective to an appointive-elective system, preserving the tenure of judges presently in office and those who would take office prior to the effective date of this amendment; to provide for the retirement, discipline and removal of supreme and district court judges; to provide for requirements to declare a law unconstitutional; providing for judicial districts, judicial council, and to repeal sections 88, 89, 92, 93, 95, 97, 98, 102, 104, 105, 106, 107, 108, 109, 112, 113, 114, 115, 116, 117, and 118, relating to procedures of state courts, all of such sections amended and repealed being a part of the Constitution of the state of North Dakota.

Was read the second time.

Senator Longmire moved that Senate Concurrent Resolution "U-U" be placed down below House Bill No. 683 on the calendar, which motion prevailed.

## SECOND READING OF HOUSE BILLS

**House Bill No. 516.** 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, on page 713 of the Senate Journal, the roll was called and there were ayes, 41; nays, 6; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Ringsak
Becker	Holand	Lowe	Robinson
Berube	Jacobson	Luick	Ruemmele
Butler	Kelly, E.	Melland	Sorlie
Chesrown	Kelly, M.	Meschke	Stafne
Christensen	Larsen, R.	Morgan	Stroup
Coughlin	Larson, G.	Nasset	Torgerson
Decker	Larson, L.	Nething	Trenbeath
Forkner	Lips	Pyle	Wenstrom
Geving	Litten	Rait	Wilhite
Goldberg			

Those voting in the negative were:

Freed	Redlin	Sands	Schultz
Hofstrand	Roen		

Absent and not voting:  
Kautzmann Mutch

So the bill passed and the title was agreed to.

**House Bill No. 600.** A Bill for an Act to amend and reenact section 4-30-03 of the 1965 Supplement to the North Dakota Century Code relating to the amount of bond to be furnished by applicants for license to purchase milk or cream from dairy producers.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, on page 714 of the Senate Journal, the roll was called and there were ayes, 41; nays, 5; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Roen
Becker	Holand	Lowe	Ruemmele
Berube	Jacobson	Luick	Sands
Butler	Kelly, E.	Melland	Schultz
Chesrown	Kelly, M.	Meschke	Sorlie
Christensen	Larsen, R.	Nasset	Stafne
Coughlin	Larson, G.	Nothing	Stroup
Decker	Larson, L.	Rait	Torgerson
Forkner	Lips	Redlin	Trenbeath
Freed	Litten	Robinson	Wenstrom
Goldberg			

Those voting in the negative were:

Hofstrand	Pyle	Ringsak	Wilhite
Morgan			

Absent and not voting:

Geving	Kautzmann	Mutch
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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 1 of section 20-03-02 of the North Dakota Century Code, relating to game and fish licenses required of owners and lessees of land.

Was 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:

Beck	Hernett	Lowe	Roen
Becker	Hofstrand	Luick	Ruemmele
Berube	Holand	Melland	Sands
Butler	Jacobson	Meschke	Schultz
Chesrown	Kelly, E.	Morgan	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larsen, R.	Nothing	Stroup
Decker	Larson, G.	Pyle	Torgerson
Forkner	Larson, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Ringsak	Wilhite
Goldberg	Longmire	Robinson	

Absent and not voting:

Kautzmann	Mutch
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So the bill passed and the title was agreed to.

**House Bill No. 638.** A Bill for an Act to require residents and nonresidents to obtain a general game license before obtaining any specific license to hunt game birds or game animals.

Was 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, 14; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hernett	Litten	Pyle
Berube	Holand	Longmire	Ringsak
Butler	Jacobson	Lowe	Robinson
Christensen	Kelly, E.	Luick	Ruemmele
Coughlin	Kelly, M.	Melland	Stafne

Decker	Larsen, R.	Meschke	Stroup
Geving	Larson, L.	Nasset	Trenbeath
Goldberg	Lips	Nothing	Wenstrom
Those voting in the negative were:			
Becker	Hofstrand	Redlin	Schultz
Chesrown	Larson, G.	Roen	Sorlie
Forkner	Morgan	Sands	Wilhite
Freed	Rait		
Absent and not voting:			
Kautzmann	Mutch	Torgerson	

So the bill passed and the title was agreed to.

**House Bill No. 639.** A Bill for an Act to amend and reenact subsection 1 of section 20-03-01 and subsection 1 of section 23-03-06 of the North Dakota Century Code, relating to authorizing the taking of game birds and game animals with a regular hunting license.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 3; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kelly, E.	Meschke	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larsen, R.	Nothing	Stroup
Decker	Larson, G.	Pyle	Trenbeath
Forkner	Larson, L.	Rait	Wenstrom
Geving	Lips	Redlin	Wilhite
Goldberg	Litten	Ringsak	

Those voting in the negative were:

Freed	Morgan	Schultz
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Absent and not voting:

Kautzmann	Mutch	Torgerson
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So the bill passed and the title was agreed to.

**House Bill No. 693.** A Bill for an Act providing for a temporary commission for the purpose of making arrangements for functions honoring the dominion of Canada and the province of Manitoba in their centennial year, and providing an appropriation, and declaring an emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 714 of the Senate Journal, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Chesrown	Kelly, E.	Meschke	Sands
Christensen	Kelly, M.	Morgan	Schultz
Coughlin	Larsen, R.	Nasset	Sorlie
Decker	Larson, G.	Nothing	Stafne
Forkner	Larson, L.	Pyle	Stroup
Freed	Lips	Rait	Torgerson
Geving	Litten	Redlin	Trenbeath
Goldberg	Longmire	Ringsak	Wenstrom
Hernett			

Those voting in the negative were:

Butler

Absent and not voting:

Kautzmann

Mutch

Wilhite

So the bill passed and the title was agreed to, and the emergency clause carried.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 28, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 799

House Bill No. 805

House Concurrent Resolution "G-1"

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

#### MESSAGE FROM THE GOVERNOR

(VETO OF SENATE BILL NO. 403)

February 27, 1967

The Honorable Charles Tighe  
President of the North Dakota Senate  
State Capitol  
Bismarck, North Dakota

Dear President Tighe:

On November 28, 1966, I presented a balanced budget and recommended that no new taxes be imposed by this legislature upon those now paying their fair share. I state publicly that the closing of tax loopholes would furnish additional revenue to apply to a college building program, the increased requirements of the University Medical Center, and for other worthy projects. I stated emphatically that beneficial tax reform could take place without increasing the total tax revenue from the taxpayers.

You have decided to increase appropriations to an extent that will force an increase in tax revenue. Tax reform and loophole closing have been ignored, for the most part, and an increase in the sales tax is the solution you offer for financing increased appropriations.

Senate Bill No. 403, which increases the sales tax, was introduced on February 23, 1967, which was 54 days after the start of this session and 89 days after I presented you my executive budget. Senate Bill 403 was not noticed to the public, nor was it given more than a token hearing before the House and Senate Tax Committees. It landed on my desk, still damp and struggling, 41 hours after it was born.

The most important subject in this session—taxes—was given the least public hearing and debate. If there was any discussion of this bill at all, it must have been in secret caucus, for there was very little notice in the news media. Both the public and the subject of taxes deserve more consideration than they are getting in this session.

Senate Bill 403 is a  $\frac{3}{4}$  of 1% sales tax to be levied in addition to the re-enactment of the 2 $\frac{1}{4}$ % sales tax. There is nothing in this bill which states what its revenue is to be used for.

Its revenue is to go to the General Fund. Other sources of revenue, such as income tax and loophole closing, apparently have been rejected as alternative sources of General Fund revenue in favor of the sales tax.

I have read in last Saturday's newspaper that this increase in the sales tax rate is being touted as an education fund tax, and as

a source of revenue for the partial repeal of personal property taxes. Every tax measure must be judged on the basis of the need for it, its fairness, and the alternative sources of tax revenue available. For this reason, my message regarding Senate Bill 403 is longer than might be expected.

Let's look closely at the personal property tax, which is being proposed for partial repeal, with replacement funds from the increased sales tax rate.

The professional man, the farmer, the businessman, the retired pensioner, and the welfare recipient all pay personal property taxes on household goods. They all pay taxes on real estate owned. They all pay sales tax on everyday living expenses. They all pay income taxes according to their net taxable income.

But here the equity abruptly ends and the inequity drastically begins. For there are many unfortunate people in North Dakota who must pay all the above taxes, plus much greater additional taxes. For no justifiable reason, one class of our society must pay far greater personal property taxes before any net income is realized. This is the class of people who have faith in North Dakota and have the courage to risk capital to earn themselves net income, and at the same time provide the jobs for their fellow North Dakotans.

These unjustly over-taxed people who pay excessive personal property taxes include the small industrialist, the storekeeper with his inventory, the repair shop owner with his equipment, the building contractor, the farmer and the rancher.

In some instances, this unjust personal property tax can be passed on wholly or in part to consumers. But in all instances, it is an economy-depressing tax on initiative, courage, and even a tax on a man's ability to obtain credit.

The farmer and rancher stand alone as those most unjustly taxed by heavy personal property taxes on their machinery and livestock. There's absolutely no way for them to pass this tax off on a consumer because a farm is one of the few businesses which has no control over the selling price of its products.

The tax program you propose to me in another bill would eliminate the personal property tax on household goods, some inconsequential farm machinery and calves. If there is any equity existing now among personal property taxpayers, it would be in the very part of the personal property tax you propose to eliminate.

You do not propose to eliminate the most viciously unfair and unequitable personal property tax—that on inventories, tools of the trade, industrial and farm machinery, and livestock. There is not even an explanation of why the cattleman is given token relief on small calves while sheep men, hog men, poultry raisers and grain farmers are largely ignored in your partial personal property tax repeal legislation.

Perhaps the most serious aspect of the failure to remove an unfair personal property tax on productive personal property such as shop equipment, heavy and light machinery, inventories of raw products and finished goods and the like, is that you have failed to lift the oppressive yoke which has been a prime factor in preventing the economic expansion in North Dakota that is now being experienced in other parts of the nation. This short-sighted omission in this 1967 tax program will retard the very economic growth in North Dakota that is our only hope in providing the constantly increasing state gross product from which the taxes of the future must be raised. Most tragically of all, the failure to lift the oppressive personal property tax yoke from capital investment will prevent the creation of the new jobs that would be necessary to

make it possible for our own children to obtain employment and settle in this state.

The personal property tax levied on farm machinery and livestock is one of the costs a farmer pays whether he makes a net profit for the year or not.

The personal property tax on all farm machinery and livestock is one of the rising costs of farming over which this state legislature can exert complete control. Federal government policies or USDA programs do not interfere in this cost situation. This legislature right now in 1967 has the power to remove this oppressive and unfair agricultural personal property tax. In so doing, it would remove one of the unfair and unnecessary economic pressures which are driving farmers from the farm and drying up hundreds of small town businesses.

I strongly and urgently advocate complete elimination of all classes of personal property tax now in this session, even though additional days of legislative deliberation may be required to do it.

If only a partial elimination of personal property taxes can be accomplished, I emphatically recommend that those taxes levied against machinery, equipment, livestock and inventories be eliminated first and now. To fail to do so and to eliminate only personal property taxes on household goods and miscellaneous farm machinery will diminish future broad-based popular support to repeal the most unfair and economy-depressing part of this tax. Total repeal of personal property taxes was accomplished in the 1965 session. It can be done again.

Senate Bill 403 proposes to increase the sales tax  $\frac{3}{4}$  of 1% in order to raise an additional \$16 million in the coming biennium. It is said that \$7 million of this additional income will go toward increasing the School Foundation Program over the \$3.8 million increase which I recommended in my budget to you.

I wish to comment on your proposed School Foundation Program increase from two directions. First, I wish to examine this sales tax increase as a justifiable source of increased support for the School Foundation program.

I wish also to examine the School Foundation program itself, and what it is doing for, or maybe to, education.

It is easily understood that personal property taxes and real estate taxes now carry the load of primary and secondary education within the local school district and within the county in which the school district is located. The 21 mill levy against all personal and real property within a county goes into a county fund which guarantees each school so much equalization program financial support for each pupil. If the 21 mills does not collect enough from the real and personal property in that county to make the total per pupil guaranteed financial support to each school, the State General Fund makes up the difference.

In a bill which has not yet reached my desk, you propose to increase the per pupil guarantee for grade students and for high school students. Obviously, the 21 mills now levied on the real and personal property in a county cannot provide this increase. The increase now and in the future years will probably come from the State's General Fund.

Since the State's General Fund must be constantly increased if the School Foundation Program is constantly increased, it becomes important to study where this increased revenue to the General Fund is to come from.

We need to be very careful in our study of from where the total support of primary and secondary education is to come.

In addition to the School Foundation Program, primary education is also supported by local school district taxes on real estate



and personal property with levies ranging from a low of 27 mills to a high of over 70 mills in one district.

Other miscellaneous school support funds come from the federal aid to education program, federal installation impact funds for schools near Air Bases, federal vocational education funds for Smith Hughes programs, federal science equipment grants, Bureau of Indian Affairs grants, State School Land Department allocations and state grants for exceptional students, vocational training and basis of need grants.

Because the 21 mill county levy and the local school levy of from 27 to over 70 mills are placed against real and personal property, it is readily seen that those who must own real or personal property to earn a living must support the cost of local education at a far greater level than those who earn a living without owning real or personal property.

Obviously, the inequities that often exist between township real estate assessments and personal property assessments within a county can create significant injustices for property owners from one township to the next within a school district and among school districts themselves within a county. It is a well known fact that there are wide variations in average levels of assessment of comparable real and personal property among counties. All of the inequities of assessment of property bear heavily on those who are financing primary and secondary education.

There are ways to bring about greater fairness. Earlier in this message, I spoke of the unfairness of the personal property tax and of the retarding effect that this tax has on our economy. In this bill, you intend to raise the sales tax by  $\frac{3}{4}$  of 1% to 3%. The sales tax should also be examined for its impact on the economy, its fairness among taxpayers and its use to support education.

The professional man, the retired pensioner, the welfare recipient, the student and, of course, the tourist all pay the sales tax on their everyday living. Some people live very well and would pay a little more. Other people in abject poverty, living from hand to mouth, would pay a little less. There would be some spread in sales tax collections from everyday living between the very wealthy and the poverty stricken, but the difference would be small in relation to their wide differences of income.

To the poverty stricken, the sales tax is a flat rate income tax. To the very wealthy, the sales tax is a declining rate income tax. Its effect on various levels of income is exactly opposite from our generally accepted principle of a graduated feature, according to income, in tax philosophy. This is one serious objection that I voice against the sales tax in general and this  $\frac{3}{4}$  of 1% increase in particular.

There is another serious deficiency in the sales tax approach in financing education. I have already pointed out that real and personal property bears about half the brunt of primary and secondary education costs. I have stated that there is absolutely no justification for personal productive property to be singled out as a special classification to be taxed for education, especially since this is over and above other taxes also paid by the personal property owner. Like everyone else, he must also pay sales taxes, income taxes, real estate taxes and the rest. But sales taxes hit the productive personal property owner hard.

There is one class of sales tax payer who is penalized more than any other under Senate Bill 403. This taxpayer is the farmer. He is already the prime financial supporter of the local school district through his real estate taxes and machinery and livestock personal property taxes. His real and personal property also contribute to the 21 mill county equalization fund.

He contributes his income taxes to the State General Fund just as do all other income earners. He pays sales tax on his everyday costs of living just as do all non-farmers pay sales taxes on their everyday cost of living. But once again the farmer is called forth to pay even more than his share. This time he gets hit hard on the sales tax.

He must pay sales tax on all purchases of equipment and machinery, buildings, fencing and water and sewage installations. He pays sales tax on all repairs to machinery, buildings, equipment and the rest. He pays sales tax on all veterinary supplies. In short, the farmer sells at wholesale but buys at retail and pays sales tax every step of the retail way. There is no class of income earner who is forced to finance education as heavily as does the farmer through real estate taxes, personal property taxes, sales taxes, income taxes and all other taxes that other more fortunate income earners pay.

When you stop to think about it, there are many other classes of income earners who have gained much more in earning power from our primary, secondary and higher education schools but are called upon under our tax laws to support education far less than the farmer is forced to support education.

Is it any wonder that our young people seek non-farm jobs. Is it any wonder that taxes are one of the fixed unavoidable costs which are forcing people to give up farming in North Dakota today. We are far too quick to blame the ills of agriculture on grasshoppers, drought, the export or import program, the USDA, the Secretary of Agriculture and other factors over which we have little control; and we are far too slow to examine our own legislature's role and responsibilities in treating the economic aches of agriculture, including an outmoded North Dakota tax structure—a structure that is in danger of being made worse by this bill rather than better.

To those who would say with enthusiasm that the sales tax would catch the tourist, I must ask you what you are proposing to increase tourism. Are the parks program, the outdoor recreation program, the historical society program, the economic development program, the travel program, the game and fish program and the highway program, as adopted by this legislature, adequately financed to foster tourism in North Dakota?

The sales tax is a regressive tax that hits the low income earner much harder than the wealthy. To camouflage the sales tax and to try to make it respectable by appearing to allocate part of it to education does not remove its shortcomings. To use part of the sales tax revenue as a trade-off for a repeal of personal property taxes on household goods is a gift to the wealthy at the expense of the poor.

I wish now to comment on the \$11 million increase over the last session's appropriation for the School Foundation Program. This is \$7 million more than the \$3.8 million increase which was proposed in my budget.

What is my attitude toward this large increase you propose? Do I understand the problems of education in North Dakota? I think I do. I am a product of a small North Dakota school. And so I can see the education problem from the standpoint of the rural student and the small school.

I have graduated from a North Dakota college and have an advanced degree from an out-of-state university. And so I understand the difficulties faced by students going into higher education from high schools with inadequated curriculum.

I have taught in a North Dakota college. And so I understand the teachers' viewpoint and the competition which seeks to attract our teachers away.

I have served on a High School District Board during a period of reorganization. And so I know the hot emotions that resist consolidation of school districts.

I have served on the State Board of Public School Education. And so I know that you cannot knit a glove that will fit perfectly all schools in the state. This is what we try to do, unfortunately.

In 1959, as a legislator in the 36th Session, I stood with 48 of the minority and 48 of the majority to pass the first School Foundation Program through the House of Representatives. The appropriation was \$19.3 million for that first biennium.

In 1965, I asked the legislature to increase the per pupil payments to 50% of the average per pupil cost. This brought about a \$10.65 million increase in the Foundation Program. We thought the School Foundation Program, which had swelled from \$19.3 million in 1959 to \$34.85 million in 1965, had been given enough of an increase to allow us to catch our breath.

The increase in the number of high school students at the existing rate of \$232 caused me to recommend an increase of \$3.8 million for the School Foundation Program to this session. This was an 11.2% increase over the actual cost of the program in the 1965-67 biennium. This increase of payments to the schools roughly corresponded to the approximate 10% increase allowed for cost of living and merit increases in the other state agencies and departments in my budget.

You have proposed to go over my recommended \$3.8 million increase by the greatest increase ever given to the Foundation Program since its start in 1959. Your proposed increase of \$11 million in 1967 closely follows a \$10.5 million increase in 1965.

I think we have to ask ourselves some questions.

Can this state afford to increase this program by 10 or more millions of dollars every two years? I don't believe we can.

Is there some new formula or study in existence today which shows that the Foundation Program needs an increase of a specific amount in this session? No, there is not. There is no way of knowing whether the increase should be \$3.8 million, \$7 million, \$11 million, or any other figure you might suggest.

Is the goal which called for the state to assume 50% of the average cost of educating a student still valid today? No, a fixed percentage is unworkable because today nearly all increases in support of education are from sources other than local school district levies. Each new increased Foundation Program appropriation is expended for increased salaries and rising costs. Per pupil costs automatically rise and the state falls back from the goal of whatever percent of support which it has set for itself.

If the legislature constantly increases Foundation payments in excess of unknown needs, are we furnishing some schools, but not all schools, with funds which make it possible to expand a curriculum or school services needlessly? I think there is evidence to support the idea that this is happening in some schools now.

Will increased Foundation Program payments keep bailing inefficient and ineffective school districts out, postponing the day of consolidation or tightening up of expenditures?

As the state takes over more and more of the responsibility to support education, are we doing all we can to bring equity in assessments on property within school districts, within a county and among counties? Our record of achievement on this front is not impressive.

Are we asking all classes of income earners to support education equitably? No, we are not. The sales tax increase and the fail-

ure to eliminate personal property taxes completely move us further from that goal.

Have we made it easier for schools to consolidate across county lines by setting up regional reorganization boards? No, we have not.

Have we instituted any intense study of our Foundation Program to see where it is taking both education and the taxpayers? No, we have not.

Do you know what will be asked of the legislature in the way of a Foundation Program increase in 1969, 1971 and into the future? I don't believe anyone would hazard a guess. Yet, we must look ahead.

I believe in the State School Foundation Program. I am proud to have supported it actively when it was passed in 1959. I sympathize with teachers and school board members because I have been one of them, and I know what they are up against.

I have worked vigorously for federal aid to education and I will continue to do so. I believe that local sources of finance for education are at the saturation point in many school districts.

But I must ask you very seriously, is this proposed increase of \$11 million in the Foundation Program good for the student? Does it improve the educational system for the student? If we are just buying time before we come to grips with the problems in primary and secondary education, this purchased time promises to be costly and more painful to some taxpayers than others.

I would be willing to accept your judgment for a need to appropriate a sum for the Foundation Program that would exceed my \$3.8 million recommendation. However, I believe \$11 million exceeds the proven need or proven worth.

I have said in my message to you at the beginning of this session that the sales tax was acceptable only under the following conditions:

- 1.) That it be balanced by other sources of income.
- 2.) That the rate not be excessive.
- 3.) That it replace a more objectionable tax in our tax structure.

None of these conditions has been met in this session and so the sales tax increase in this bill is objectionable to me.

This sales tax rate hike will produce an increased income to finance a need which was arrived at arbitrarily and by speculation.

There is no reason why some of the tax loopholes should not be closed to help finance both education and personal property tax relief. Why should some of the state's wealthiest people escape paying a dime of North Dakota income tax simply because their income is from North Dakota corporate dividends which are tax-exempt? Why do our banks escape paying any corporation taxes to the state? Why are insurance companies still paying at the same rates as they did 24 years ago?

I think we need tax reform most urgently. When we have achieved tax reform, we can decide what wants and needs and services deserve our tax support.

Senate Bill 403 falls so short of equity, fairness and proven need that I hereby veto it.

I hope that the increased appropriations of this session can first be financed from tax reform before an increase in the 2¼% sales tax is considered.

Sincerely yours,  
WILLIAM L. GUY  
Governor

## MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 28, 1967

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to

Senate Bill No. 40  
Senate Bill No. 90  
Senate Bill No. 223  
Senate Bill No. 228  
Senate Bill No. 233  
Senate Bill No. 268  
Senate Bill No. 363

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 28, 1967

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 310 and the President has appointed as a conference committee to act with a like committee from the House,

Senator Becker  
Senator Torgerson  
Senator Rait

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 28, 1967

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on

Senate Bill No. 25  
Senate Bill No. 64  
House Bill No. 508

LEO LEIDHOLM, Secretary

Senator Lips moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair, pursuant to recess taken, the President presiding.

## MOTION

Senator Lips moved that the Senate reconsider Senate Bill No. 403, and that Senate Bill No. 403 be placed at the foot of the calendar, which motion prevailed.

## REPORTS OF A STANDING COMMITTEE

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 10 delete the figure "19,643,105.00" and in lieu thereof insert "19,576,240.00"

In line 13 delete the figure "2,859,865.00" and in lieu thereof insert "2,764,555.00"

In line 15 delete the figure "5,112,800.00" and insert in lieu thereof "4,992,350.00"

In line 16 delete the figure "1,722,790.00" and in lieu thereof insert "1,715,215.00"

In line 25 delete the "line" under the figure "5,000,000.00"

After line 25 insert the following:

"STATE TOURIST BUREAU

Salaries and Wages

Fees and Services

66,865.00

95,310.00

Supplies and Materials	120,450.00
Equipment	7,575.00"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee lined the expenditures for the State Tourist Bureau so that these expenditures can be more thoroughly analysed.

SENATOR SORLIE, Chairman

Senator Luick 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 be amended as follows:

In line 8 delete the figure \$2,798,552.00 and insert in lieu thereof \$1,078,552.00

In line 14 delete the figure \$815,592.00 and insert in lieu thereof \$775,592.00

In line 15 delete the figure \$313,200.00 and insert in lieu thereof \$133,200.00

Delete all of lines 18 through 28

In line 30 delete the figure \$2,415,592.00 and insert in lieu thereof \$1,045,592.00

In line 37 delete the figure \$2,448,552.00 and insert in lieu thereof \$1,078,552.00

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee decreased salaries and wages by \$40,000.00 and fees and services by \$180,000.00 because it disallowed the requested computer. The committee's reasoning was based on Senate Bill No. 89 which provides for an LRC study of an integrated data processing center, and also stops additional purchase or rental of any computers by any state department until the study has been made and some conclusions reached.

The committee disallowed the proposed new bank building completely because it felt there was not a dire need for it at this time, particularly since the committee also disallowed the computer.

SENATOR SORLIE, Chairman

Senator Litten 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 be amended as follows:

Delete everything after the words "A BILL" and insert the following in lieu thereof:

"For an Act making an appropriation to the board of administration out of the general fund, the state highway fund, and the interest and income capitol building fund of the permanent capitol building fund for the purpose of constructing a new maintenance shop and capitol buildings and ground improvements, and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

- 1 "SECTION 1. APPROPRIATION.) There is hereby
- 2 appropriated out of any unappropriated funds in the
- 3 general fund the sum of \$136,000.00, or so much
- 4 thereof as is necessary for the construction of a
- 5 new maintenance shop to be located on the capitol
- 6 grounds subject to the approval of the capitol grounds

7 planning commission as to location and design. There  
 8 is further hereby appropriated the sum of \$147,500.00  
 9 out of the state highway fund and the sum of  
 10 \$45,000.00 from the interest and income capitol  
 11 building fund of the permanent capitol building fund,  
 12 or so much thereof as may be necessary, for improvements  
 13 to the capitol grounds, the capitol building, and for  
 14 the remodeling of the old state highway department  
 15 building.  
 16 SECTION 2. EMERGENCY.) This Act is hereby  
 17 declared to be an emergency measure and shall be in  
 18 full force and effect from and after its passage and  
 19 approval.

And when so amended recommends the same do pass.

**Statement of the Purpose of the Amendment:**

The committee designated that the new maintenance shop construction moneys should come out of the general fund rather than the capitol building fund because the committee felt the capitol building fund should not be used for this type project.

The committee increased the amount to be taken from the state highway fund from \$60,000.00 to \$147,500.00 because the committee intends the state highway department to pay for projects that were a direct result of the construction of the new highway department building. These projects are as follows:

Extension of utilities to new highway building	\$65,000.00
East parking lot improvement	27,500.00
New road complex	22,000.00
Water main from Divide Avenue	18,000.00
Renovation of old highway department building	15,000.00
	<hr/>
	\$147,500.00

The committee intends the following projects to be paid out of the capitol building fund:

Repair roof — 17th floor	\$15,000.00
Plaza renovation	30,000.00
	<hr/>
	\$45,000.00

The committee did not allow the amount of \$36,000.00 for underground wiring.

The committee did not allow the amount of \$30,000.00 for excavation work on grounds of new maintenance building and directs the National Guard to do this work.

The committee did not allow a total of \$27,000.00 worth of smaller projects to be paid out of the proposed budget, but out of existing funds in the board of administration. The projects are as follows:

Water line extension Governor's mansion	\$ 7,500.00
Razing of old maintenance shop	3,000.00
Capitol grounds markers	9,000.00
Grounds landscaping	7,500.00
	<hr/>
	\$27,000.00

SENATOR SORLIE, Chairman

Senator Coughlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 719 has had the same under consideration and recommends that the same do pass.

SENATOR SORLIE, Chairman

Senator Geying moved that the report be adopted, which motion prevailed.

## SECOND READING OF HOUSE BILLS

**House Bill No. 862.** A Bill for an Act to amend and reenact section 39-09-02 of the North Dakota Century Code, relating to motor vehicle speed limitations, and providing a termination date.

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, 32; nays, 9; absent and not voting, 8.

Those voting in the affirmative were:

Beck	Hernett	Lips	Pyle
Bulter	Hofstrand	Litten	Ringsak
Chesrown	Holand	Lowe	Robinson
Coughlin	Jacobson	Luick	Sands
Decker	Kelly, E.	Melland	Stafne
Forkner	Kelly, M.	Morgan	Stroup
Freed	Larsen, R.	Nasset	Trenbeath
Goldberg	Larson, G.	Nothing	Wilhite

Those voting in the negative were:

Berube	Larson, L.	Rait	Ruemmele
Christensen	Meschke	Redlin	Schultz
Geving			

Absent and not voting:

Becker	Longmire	Roen	Torgerson
Kautzmann	Mutch	Sorlie	Wenstrom

So the bill passed and the title was agreed to.

**House Bill No. 744.** A Bill for an Act to amend and reenact section 20-06-07 of the North Dakota Century Code, relating to methods of taking fish.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hofstrand	Luick	Robinson
Becker	Holand	Melland	Roen
Berube	Jacobson	Meschke	Ruemmele
Bulter	Kelly, E.	Morgan	Sands
Christensen	Kelly, M.	Mutch	Schultz
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett	Lowe		

Those voting in the negative were:

Chesrown

Absent and not voting:

Kautzmann Sorlie

So the bill passed and the title was agreed to.

**House Bill No. 791.** A Bill for an Act to amend and reenact section 20-02-31 of the North Dakota Century Code, relating to meetings and duties of the game and fish advisory board.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 3; absent and not voting, 5.



Those voting in the affirmative were:

Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Sands
Butler	Jacobson	Melland	Schultz
Chesrown	Kelly, E.	Morgan	Stafne
Coughlin	Kelly, M.	Mutch	Stroup
Decker	Larsen, R.	Nasset	Torgerson
Forkner	Larson, G.	Nothing	Trenbeath
Freed	Lips	Pyle	Wenstrom
Geving	Litten	Redlin	Wilhite
Goldberg			

Those voting in the negative were:

Christensen	Larson, L.	Rait
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Absent and not voting:

Kautzmann	Roen	Ruemmele	Sorlie
Meschke			

So the bill passed and the title was agreed to.

**House Bill No. 796.** A Bill for an Act to amend and reenact section 64-02-13 of the North Dakota Century Code, to require the owner of weighing and/or measuring apparatus to have the same inspected at least once each year.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 715 of the Senate Journal, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Stafne
Coughlin	Larsen, R.	Nasset	Stroup
Decker	Larson, G.	Nothing	Torgerson
Forkner	Larson, L.	Pyle	Trenbeath
Freed	Lips	Rait	Wenstrom
Geving	Litten	Redlin	Wilhite
Goldberg			

Absent and not voting:

Kautzmann	Meschke	Roen	Sorlie
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So the bill passed and the title was agreed to.

**House Bill No. 797.** A Bill for an Act to amend and reenact section 11-10-20 of the North Dakota Century Code relating to location of county offices.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 10; absent and not voting, 3.

Those voting in the affirmative were:

Berube	Hernett	Luick	Ringsak
Butler	Hofstrand	Melland	Robinson
Chesrown	Holand	Meschke	Ruemmele
Christensen	Jacobson	Mutch	Sands
Coughlin	Larsen, R.	Nasset	Schultz
Decker	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Trenbeath
Geving	Longmire	Rait	Wenstrom
Goldberg	Lowe	Redlin	Wilhite

Those voting in the negative were:

Beck	Kelly, E.	Litton	Stafne
Becker	Kelly, M.	Morgan	Torgerson
Forkner	Lips		

Absent and not voting:

Kautzmann	Roen	Sorlie
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So the bill passed and the title was agreed to.

#### MESSAGES FROM THE HOUSE

House Chamber  
Bismarck, February 28, 1967

Mr. President: I have the honor to return:

Senate Bill No. 196  
Senate Bill No. 274  
Senate Bill No. 305  
Senate Bill No. 321  
Senate Bill No. 361  
Senate Bill No. 364  
Senate Bill No. 383  
Senate Bill No. 387

Which the House has indefinitely postponed.

ROY GILBREATH, Chief Clerk

House Chamber  
Bismarck, February 28, 1967

Mr. President: I have the honor to return:

Senate Bill No. 107  
Senate Bill No. 152  
Senate Bill No. 254  
Senate Bill No. 316  
Senate Bill No. 390

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

#### SECOND READING OF HOUSE BILLS

**House Bill No. 807.** A Bill for an Act to amend and reenact sections 12-18-07 and 20-16-01 of the North Dakota Century Code, relating to the poisoning of predatory animals, insects, and rodents and the disposal of the same, and to authorize the poisoning of certain non-game species of birds.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 3; absent and not voting, 3.

Those voting in the affirmative were:

Becker	Hernett	Luick	Roen
Berube	Holand	Melland	Sands
Butler	Jacobson	Meschke	Schultz
Chesrown	Kelly, E.	Mutch	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larson, G.	Nething	Stroup
Decker	Larson, L.	Pyle	Torgerson
Forkner	Lips	Rait	Trenbeath
Freed	Litton	Redlin	Wenstrom
Geving	Longmire	Ringsak	Wilhite
Goldberg	Lowe	Robinson	

Those voting in the negative were:

Larsen, R.	Morgan	Ruemmele
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Absent and not voting:

Beck	Hofstrand	Kautzmann
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So the bill passed and the title was agreed to.

**House Bill No. 814.** A Bill for an Act to authorize the state board of higher education to transfer the custody and control of certain land presently under the custody and control of the Dickinson substation of the North Dakota state agricultural experiment station to the Dickinson state college for use by said college for the construction and maintenance of a stadium and supporting facilities, providing an appropriation, and declaring an emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 716 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Becker	Hofstrand	Luick	Roen
Berube	Holand	Melland	Ruemmele
Butler	Jacobson	Meschke	Schultz
Chesrown	Kelly, E.	Morgan	Sorlie
Christensen	Kelly, M.	Mutch	Sands
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nething	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett	Lowe	Robinson	
Absent and not voting:			
Beck	Kautzmann		

So the bill passed and the title was agreed to, and the emergency clause carried.

**House Bill No. 869.** A Bill for an Act authorizing any political subdivision, at its option, to procure liability and casualty insurance protecting the political subdivision or the employees thereof against claims or loss arising out of the operation of an airport; and providing for waiver of governmental immunity in the event such insurance is purchased.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 717 of the Senate Journal, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Becker	Hofstrand	Melland	Roen
Berube	Holand	Meschke	Ruemmele
Butler	Jacobson	Morgan	Sands
Chesrown	Kelly, E.	Mutch	Schultz
Christensen	Kelly, M.	Nasset	Sorlie
Coughlin	Larsen, R.	Nething	Stafne
Decker	Larson, L.	Pyle	Stroup
Forkner	Lips	Rait	Torgerson
Freed	Litten	Redlin	Trenbeath
Geving	Longmire	Ringsak	Wenstrom
Goldberg	Lowe	Robinson	Wilhite
Hernett	Luick		

Absent and not voting:

Beck	Kautzmann	Larson, G.
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So the bill passed and the title was agreed to.

**House Bill No. 925.** A Bill for an Act to repeal section 20-01-18 of the North Dakota Century Code, relating to the enforcement of laws governing hunting on private premises.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 11; absent and not voting, 3.

Those voting in the affirmative were:

Becker	Holand	Lowe	Ringsak
Berube	Jacobson	Luick	Robinson
Butler	Kelly, M.	Melland	Roen
Christensen	Larsen, R.	Meschke	Ruemmele
Coughlin	Larson, G.	Morgan	Stafne
Decker	Larson, L.	Mutch	Stroup
Forkner	Lips	Nasset	Trenbeath
Hernett	Litten	Nething	Wenstrom
Hofstrand	Longmire	Pyle	

Those voting in the negative were:

Chesrown	Goldberg	Redlin	Sorlie
Freed	Kelly, E.	Sands	Wilhite
Geving	Rait	Schultz	

Absent and not voting:

Beck	Kautzmann	Torgerson
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So the bill passed and the title was agreed to.

**House Bill No. 933.** A Bill for an Act to provide a state fossil.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 33; nays, 14; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hofstrand	Litten	Pyle
Becker	Holand	Longmire	Rait
Chesrown	Jacobson	Lowe	Robinson
Christensen	Kelly, E.	Luick	Ruemmele
Coughlin	Kelly, M.	Melland	Stafne
Decker	Larson, G.	Meschke	Trenbeath
Freed	Larson, L.	Nasset	Wenstrom
Geving	Lips	Nething	Wilhite
Hernett			

Those voting in the negative were:

Berube	Larsen, R.	Ringsak	Schultz
Butler	Morgan	Roen	Sorlie
Forkner	Mutch	Sands	Stroup
Goldberg	Redlin		

Absent and not voting:

Kautzmann	Torgerson
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So the bill passed and the title was agreed to.

**House Bill No. 938.** A Bill for an Act to allow municipalities to discontinue municipal parking lots when a higher and better use for the property exists.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Robinson
Becker	Hofstrand	Luick	Roen
Berube	Holand	Melland	Ruemmele
Butler	Jacobson	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larson, G.	Nething	Stroup
Decker	Larson, L.	Pyle	Torgerson

Forkner	Lips	Rait	Trenbeath
Freed	Litten	Redlin	Wenstrom
Geving	Longmire	Ringsak	Wilhite
Goldberg			

Those voting in the negative were:  
Mutch

Absent and not voting:

Kautzmann	Larsen, R.	Sorlie
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So the bill passed and the title was agreed to.

**House Bill No. 755.** A Bill for an Act to amend and reenact subsections 1 and 2 of section 39-12-04 of the 1965 Supplement to the North Dakota Century Code, relating to width, height, and length limitations on vehicles.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 633 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hernett	Luick	Roen
Becker	Hofstrand	Melland	Ruemmele
Berube	Holand	Meschke	Sands
Butler	Jacobson	Morgan	Schultz
Chesrown	Kelly, E.	Mutch	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larsen, R.	Nothing	Stroup
Decker	Larson, G.	Pyle	Torgerson
Forkner	Larson, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Ringsak	Wilhite
Goldberg	Low	Robinson	

Absent and not voting:

Kautzmann	Longmire
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So the bill passed and the title was agreed to.

#### MOTION

Senator Butler moved that the Senate reconsider the action by which House Bill No. 755 was passed, which motion prevailed.

#### SECOND READING OF A HOUSE BILL AND A HOUSE CONCURRENT RESOLUTION

**House Bill No. 755.** A Bill for an Act to amend and reenact subsections 1 and 2 of section 39-12-04 of the 1965 Supplement to the North Dakota Century Code, relating to width, height, and length limitations on vehicles.

Was read the second time.

Senator Butler moved that House Bill No. 755 be amended as follows:

In line 9 after the word "owners" insert a comma and delete the remainder of the line

Delete line 10

In line 11 delete the words "distributor's equipment"

Which motion prevailed.

Senator Butler moved that the rules be suspended and that House Bill No. 755 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 Senate Bill No. 755 as amended on page 633 of the Senate Journal and 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:

Beck	Hernett	Lowe	Robinson
Becker	Hofstrand	Luick	Roen
Berube	Holand	Melland	Ruemmele
Butler	Jacobson	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite

Absent and not voting:

Kautzmann

So the bill passed and the title was agreed to.

**House Concurrent Resolution "O".** A concurrent resolution for the amendment of sections 41, 53, and 56 of the Constitution of the state of North Dakota, relating to commencement of the term of the members of the legislative assembly; meeting times of the legislative assembly; and providing for a pre-session orientation conference.

Was read the second time.

Senator Ringsak moved that House Concurrent Resolution "O" be amended as follows:

In line 26 following the word "law" but before the period insert the words "but not later than the eighth day of January"

And renumber the lines accordingly.

Which motion prevailed.

Senator Forkner moved that the rules be suspended and that House Concurrent Resolution "O" be placed on second reading and final passage, as amended, which motion prevailed.

#### ROLL CALL

The question being on the final passage of House Concurrent Resolution "O", as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Robinson
Becker	Hofstrand	Luick	Roen
Berube	Holand	Melland	Ruemmele
Butler	Jacobson	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite

Absent and not voting:

Kautzmann

So the resolution was declared adopted.

#### MOTION

Senator Lips moved that House Bill No. 782 be placed at the head of the calendar, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 782.** 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, providing

limitations thereon, and to repeal sections 10-06-01, 10-06-02, 10-06-03, and 10-06-05 of the North Dakota Century Code, relating to the prohibition of corporate farming.

Was read the second time.

#### ROLL CALL

The question being on the passage of House Bill No. 782, which the Governor had vetoed, the roll was called and there were ayes, 35; nays, 13; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Kelly, E.	Melland	Sands
Butler	Kelly, M.	Mutch	Schultz
Coughlin	Larsen, R.	Nasset	Sorlie
Decker	Larson, G.	Nothing	Stafne
Freed	Lips	Pyle	Stroup
Goldberg	Litlen	Redlin	Torgerson
Hofstrand	Longmire	Ringsak	Trenbeath
Holand	Lowe	Robinson	Wilhite
Jacobson	Luick	Roen	

Those voting in the negative were:

Becker	Forkner	Larson, L.	Rait
Berube	Geving	Meschke	Ruemmele
Chesrown	Hernett	Morgan	Wenstrom
Christensen			

Absent and not voting:  
Kautzmann

So the bill passed and the title was agreed to.

**House Bill No. 683.** A Bill for an Act to provide for the regulation and taxation of the sale, use and distribution of alcoholic beverages and licensing of wholesalers and retailers of such beverages and to repeal Title Five of the North Dakota Century Code.

Was read the second time.

Senator Ringsak moved that House Bill No. 683 be amended as follows:

After line 22 and before line 23 of the engrossed bill insert the following new section:

"SECTION 2. EXCEPTIONS.) Nothing contained in this Act shall be construed to apply to the following articles, when they are unfit for beverage purposes:

1. Denatured alcohol produced and used pursuant to Acts of Congress, and the regulations thereunder;
2. Patent, proprietary, medical, pharmaceutical, antiseptic, and toilet preparations;
3. Flavoring extracts, syrups, and food products;
4. Scientific, chemical, and industrial products; nor to the manufacture or sale of said articles containing alcohol. This Act shall not apply to wines delivered to priests, rabbis, and ministers for sacramental use."

In line 46 of the engrossed bill after the word "disposing" delete the word "of" and insert in lieu thereof the following material: ", selling, bartering, or giving away"

In line 311 delete the following "by Chapter 5-02" and insert in lieu thereof the following: "by this law"

And renumber the lines and sections accordingly.

Which motion prevailed.

Senator Ringsak moved that the rules be suspended and that House Bill No. 683 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, on page 673 of the Senate Journal and from the floor, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hernett	Low	Ringsak
Becker	Hofstrand	Luick	Robinson
Berube	Holand	Melland	Ruemmele
Butler	Jacobson	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Wenstrom
Geving	Litten	Redlin	Wilhite
Goldberg	Longmire		
Absent and not voting:			
Kautzmann	Roen	Trenbeath	

So the bill passed and the title was agreed to.

SECOND READING OF A  
SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution "U-U".** A Concurrent Resolution for the amendment of sections 85, 90, 94, and 100 of the Constitution of the state of North Dakota relating to the powers of the judiciary, changing the selection of judges from an elective to an appointive-elective system, preserving the tenure of judges presently in office and those who would take office prior to the effective date of this amendment; to provide for the retirement, discipline and removal of supreme and district court judges; to provide for requirements to declare a law unconstitutional; providing for judicial districts, judicial council, and to repeal sections 88, 89, 92, 93, 95, 97, 98, 102, 104, 105, 106, 107, 108, 109, 112, 113, 114, 115, 116, 117, and 118, relating to procedures of state courts, all of such sections amended and repealed being a part of the Constitution of the state of North Dakota.

Was read the second time.

Senator Longmire moved that Senate Concurrent Resolution "U-U" be amended as follows:

In line 25 of the engrossed bill delete the words "judicial council" and insert in lieu thereof "supreme and district court judges"

In line 133 of the engrossed bill delete the word "any" and insert in lieu thereof the words "the supreme or district"

In line 134 of the engrossed bill after the word "the" insert in lieu thereof "supreme and district court judges, and a justice or judge of any other court may be censured, retired, or removed from his judicial office by a two-thirds vote of the"

Delete lines 150 through 159 of the engrossed bill and insert in lieu thereof the language "The supreme and district court judges or the judicial council, whichever the case may be, may, after such investigations as they or it deems necessary, order a hearing to be held before them or it concerning the censure, retirement, or removal, of such justice or judge, or they or it may in their or its discretion request the supreme court to appoint three special masters, who shall be judges of courts of record, to hear and take evidence in any such matter and to report thereon to them or it. If, after hearing or after considering the record and report of the masters, they or it find good cause therefore, they or it shall order censure, retirement, or removal as the case may be,"

And renumber the lines accordingly.

Which motion prevailed.



Senator Longmire moved that the rules be suspended and that Senate Concurrent Resolution "U-U" 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 "U-U", as amended from the floor, the roll was called and there were ayes, 32; nays, 10; absent and not voting, 7.

Those voting in the affirmative were:

Berube	Goldberg	Larson, G.	Nothing
Butler	Hernett	Larson, L.	Rait
Chesrown	Hofstrand	Lips	Ruemmele
Christensen	Holand	Litten	Schultz
Coughlin	Jacobson	Longmire	Stafne
Decker	Kelly, E.	Melland	Stroup
Freed	Kelly, M.	Meschke	Wenstrom
Geving	Larsen, R.	Nasset	Wilhite

Those voting in the negative were:

Forkner	Mutch	Ringsak	Sands
Luick	Pyle	Robinson	Torgerson
Morgan	Redlin		

Absent and not voting:

Beck	Kautzmann	Roen	Trenbeath
Becker	Lowe	Sorlie	

So the resolution lost for lack of a two-thirds majority.

#### MOTION

Senator Sorlie moved that the Senate reconsider the action by which Senate Concurrent Resolution "U-U" was lost, which motion prevailed.

#### SECOND READING OF A SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution "U-U".** A Concurrent Resolution for the amendment of sections 85, 90, 94, and 100 of the Constitution of the state of North Dakota relating to the powers of the judiciary, changing the selection of judges from an elective to an appointive-elective system, preserving the tenure of judges presently in office and those who would take office prior to the effective date of this amendment; to provide for the retirement, discipline and removal of supreme and district court judges; to provide for requirements to declare a law unconstitutional; providing for judicial districts, judicial council, and to repeal sections 88, 89, 92, 93, 95, 97, 98, 102, 104, 105, 106, 107, 108, 109, 112, 113, 114, 115, 116, 117, and 118, relating to procedures of state courts, all of such sections amended and repealed being a part of the Constitution of the state of North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the resolution, as amended from the floor, the roll was called and there were ayes, 36; nays, 8; absent and not voting, 5.

Those voting in the affirmative were:

Berube	Hernett	Lips	Rait
Bulter	Hofstrand	Litten	Ruemmele
Chesrown	Holand	Longmire	Sands
Christensen	Jacobson	Lowe	Schultz
Coughlin	Kelly, E.	Melland	Sorlie
Decker	Kelly, M.	Meschke	Stafne
Freed	Larsen, R.	Nasset	Stroup
Geving	Larson, G.	Nothing	Wenstrom
Goldberg	Larson, L.	Pyle	Wilhite

Those voting in the negative were:

Forkner	Morgan	Redlin	Robinson
Luick	Mutch	Ringsak	Torgerson
Absent and not voting:			
Beck	Kautzmann	Roen	Trenbeath
Becker			

So the resolution was declared adopted.

#### MESSAGES FROM THE HOUSE

House Chamber

Bismarck, February 28, 1967

Mr. President: I have the honor to return:

Senate Bill No. 17

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 28, 1967

Mr. President: I have the honor to return:

Senate Bill No. 43

Senate Bill No. 154

Senate Bill No. 165

Senate Bill No. 213

Senate Bill No. 278

Senate Bill No. 303

Senate Bill No. 306

Senate Bill No. 309

Senate Bill No. 337

Senate Bill No. 339

Senate Bill No. 396

Which the House has amended as follows:

#### AMENDMENTS TO SENATE BILL NO. 43

In the second line of the title delete the section number "29-06-15"

In the fifth line of the title delete the word "arrests"

In the sixth line of the title delete the words "without warrant,"

In the tenth line of the title delete the comma "," and insert a period "." in lieu thereof and delete the following language thereafter "and to repeal section 29-06-16 of"

Delete all of the eleventh line of the title inclusive

Delete all of SECTION 1. lines 1 through 30 inclusive

Delete all of SECTION 9. lines 186 and 187 inclusive

And renumber the lines and sections accordingly.

#### AMENDMENTS TO SENATE BILL NO. 154

In line 31 of the engrossed bill immediately following the period insert the words, "Provided, however, that the licensing provisions of this section shall not apply to a retailer who is required to become licensed by any municipality and any license fee levied by such municipality shall be deposited in the municipality's general fund."

And renumber the lines accordingly

#### AMENDMENTS TO SENATE BILL NO. 165

In line 80 of the engrossed bill, place triple parentheses before and after the word "October" and insert immediately thereafter the word "September"

In line 81, following the word "county" insert the word "superintendents"

In line 85, place triple parentheses before and after the word "October" and insert immediately thereafter the word "September"

In line 94, place triple parentheses before and after the word "October" and insert immediately thereafter the word "September"

In line 96, following the words "chapter on" insert the words "or before"; and after the words "December first" insert the following language: ", on or before February first payments equal to one-fourth of the total payments to each respective equalization fund"; and after the words "balance on" insert the words "or before" and place triple parentheses before and after the word "March" and insert immediately thereafter the word "April"

And renumber the lines accordingly.

#### AMENDMENTS TO SENATE BILL NO. 213

On line 12 delete the words "not exceeding one"

On line 13 delete the words "hundred fifty dollars per day"

And renumber the lines accordingly.

#### AMENDMENTS TO SENATE BILL NO. 278

In line 17 delete the following language "except those writs issued sua sponte by the supreme court"

In line 18 after the word "interested" insert the following language "except those writs issued sua sponte by the supreme court"

And renumber the lines accordingly.

#### AMENDMENTS TO SENATE BILL NO. 303

In line 21 delete the word "one" and insert the word "two" in lieu thereof

In line 23 delete the word "eleven" and insert the word "twelve" in lieu thereof

#### AMENDMENTS TO SENATE BILL NO. 306

In line 22 delete the word "public" and insert the word "the" in lieu thereof; and after the word "safety" insert the words "responsibility division"

In line 34 delete the word "hundred" and insert the word "thousand in lieu thereof

And renumber the lines accordingly.

#### AMENDMENTS TO SENATE BILL NO. 309

In the engrossed bill delete everything after the words "A BILL" and insert in lieu thereof the following:

"For an Act to amend and reenact section 41-06-08 of the North Dakota Century Code, relating to notices in auction sales and the corresponding provision of the North Dakota Uniform Commercial Code.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 41-06-08 of the North Dakota Century Code, designated as section 6-108 of the Uniform Commercial Code, is hereby amended and reenacted to read as follows:

##### 41-06-08. (6-108) AUCTION SALES

(((- "AUCTIONEER")))) 1. A bulk transfer is subject to this chapter even though it is by sale at auction, but only in the manner and with the results stated in this section.

2. The transferor shall (((furnish a list of his creditors and assist in the preparation of a schedule of the property to be sold, both prepared as before stated (section 41-06-04.))) give notice of the auction personally or by registered or certified mail at least ten days before it occurs to all creditors and to all other persons who are known to him to hold or assert claims against him.

((3. The person or persons other than the transferor who direct, control or are responsible for the auction are collectively called the "auctioneer". The auctioneer shall:

a. receive and retain the list of creditors and prepare and retain the schedule of property for the period stated in this chapter (section 41-06-04); and

b. give notice of the auction personally or by registered or certified mail at least ten days before it occurs to all persons shown on the list of creditors and to all other persons who are known to him to hold or assert claims against the transferor; and

c. assure that the net proceeds of the auction are applied as provided in this chapter (section 41-06-06).

4. Failure of the auctioneer to perform any of these duties does affect the validity of the sale or title of the purchasers, but if the auctioneer knows that the auction constitutes a bulk transfer such failure renders the auctioneer liable to the creditors of the transferor as a class for the sums owing to them from the transferor up to but not exceeding the net proceeds of the auction. If the auctioneer consists of several persons their liability is joint and several.))"

And renumber the lines accordingly.

#### AMENDMENTS TO SENATE BILL NO. 337

In line 3 delete the word "private"

In line 4 delete the word "carriers"

And renumber the lines accordingly.

#### AMENDMENTS TO SENATE BILL NO. 339

In line 13 delete the words "or village"

In line 17 delete the words "or village"

In line 21 delete the word "village"

In line 27 delete the words "or village"

After line 27 add the following new paragraph:

"Notwithstanding the provisions of this section or other provisions of law, any such parcel of real estate that is subject to a special assessment lien for improvements made by a city may be sold between annual sales by the county auditor for cash to the city at whatever price less than the minimum sales price that is agreed upon by the board of county commissioners and the governing body of the city."

And renumber the lines accordingly.

#### AMENDMENTS TO SENATE BILL NO. 396

In the first line of the title after the word "Act" insert the following language "to amend and reenact section 28-21-19 of the North Dakota Century Code, relating to a" and delete the following language "to provide for the"

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, February 28, 1967

Mr. President: I have the honor to return:

Senate Bill No. 63

Which the House has killed.

ROY GILBREATH, Chief Clerk

#### MESSAGE FROM THE GOVERNOR

Bismarck, February 28, 1967

Members of the Senate  
Fortieth Legislative Assembly  
Senate Chambers  
Bismarck, North Dakota

Greetings!

As of February 28, 1967, I have signed the following Senate Bills:

Senate Bill No. 10

Senate Bill No. 20  
 Senate Bill No. 30  
 Senate Bill No. 51  
 Senate Bill No. 65  
 Senate Bill No. 74  
 Senate Bill No. 76  
 Senate Bill No. 109  
 Senate Bill No. 116  
 Senate Bill No. 128  
 Senate Bill No. 166  
 Senate Bill No. 347  
 Senate Bill No. 175  
 Senate Bill No. 177  
 Senate Bill No. 184  
 Senate Bill No. 191  
 Senate Bill No. 199  
 Senate Bill No. 201  
 Senate Bill No. 230  
 Senate Bill No. 231  
 Senate Bill No. 244  
 Senate Bill No. 245  
 Senate Bill No. 330

These bills have now been filed with the Secretary of State.

Sincerely,  
 WILLIAM L. GUY  
 Governor

#### SECOND READING OF A HOUSE BILL

**House Bill No. 838.** A Bill for an Act to provide for the apportionment of personal property belonging to a single coal mining company operating in two or more counties.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 0; nays, 42; absent and not voting, 7.

Those voting in the negative were:

Berube	Hofstrand	Luick	Ringsak
Butler	Holand	Melland	Robinson
Chesrown	Jacobson	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire		
Absent and not voting:			
Beck	Kautzmann	Roen	Trenbeath
Becker	Low	Ruemmele	

So the bill lost.

#### COMMUNICATION

Senator Longmire moved that the communication from Chester Fritz, dated at Gstaad, Switzerland, February 23, 1967, be printed in the Journal, which motion prevailed.

Gstaad, February 23rd, 1967

Senator George Longmire  
 The Capitol  
 Bismarck, North Dakota

Dear Senator,

How very kind of you and Senators Larsen and Lowe to introduce Senate Concurrent Resolution "T".

This letter brings to you and your colleagues my best thanks and gratitude.

Yours faithfully,  
CHESTER FRITZ

#### MOTION

Senator Lips moved that House Bill No. 917 be placed at the foot of the calendar, which motion prevailed.

#### SECOND READING OF A HOUSE BILL

**House Bill No. 745.** A Bill for an Act providing an appropriation for the construction of a dormitory building and for an administration building at the International Peace Garden Music Camp, 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, 39; nays, 4; absent and not voting, 6.

Those voting in the affirmative were:

Berube	Hernett	Litten	Redlin
Butler	Hofstrand	Longmire	Ringsak
Chesrown	Holand	Lowe	Schultz
Christensen	Jacobson	Luick	Sorlie
Coughlin	Kelly, E.	Melland	Stafne
Decker	Kelly, M.	Meschke	Stroup
Forkner	Larsen, R.	Nasset	Torgerson
Freed	Larson, G.	Nothing	Trenbeath
Geving	Larson, L.	Pyle	Wenstrom
Goldberg	Lips	Rait	

Those voting in the negative were:

Morgan	Mutch	Robinson	Wilhite
Absent and not voting:			
Beck	Kautzmann	Ruemmele	Sands
Becker	Roen		

So the bill passed and the title was agreed to, and the emergency clause carried.

#### MOTION

Senator Lips moved that Senate Concurrent Resolution "N" be placed at the foot of the calendar, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 669.** A Bill for an Act to amend and reenact section 38-03-03 of the North Dakota Century Code, relating to clerical help of mine inspector.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 2; absent and not voting, 9.

Those voting in the affirmative were:

Berube	Jacobson	Luick	Ringsak
Butler	Kelly, E.	Melland	Robinson
Chesrown	Kelly, M.	Meschke	Sorlie
Christensen	Larsen, R.	Morgan	Stafne
Coughlin	Larson, G.	Mutch	Stroup
Decker	Larson, L.	Nothing	Torgerson
Forkner	Lips	Pyle	Trenbeath
Freed	Litten	Rait	Wenstrom
Hernett	Longmire	Redlin	Wilhite
Hofstrand	Lowe		

Those voting in the negative were:

Geving	Schultz
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Absent and not voting:

Beck	Holand	Nasset	Ruemmele
Becker	Kautzmann	Roen	Sands
Goldberg			

So the bill passed and the title was agreed to.

**House Bill No. 769.** A Bill for an Act to amend and reenact section 6-03-14 of the North Dakota Century Code, relating to paying and receiving stations.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:			
Berube	Hofstrand	Lowe	Ringsak
Butler	Holand	Luick	Robinson
Chesrown	Jacobson	Melland	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nothing	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire		

Those voting in the negative were:

Meschke

Absent and not voting:

Beck	Kautzmann	Ruemmele	Sands
Becker	Roen		

So the bill passed and the title was agreed to.

**House Bill No. 816.** A Bill for an Act to amend and reenact sections 37-14-01, 37-14-03.3, 37-14-03.5, 37-14-04, 37-14-06, 37-14-07, 37-14-08, and 37-14-15 of the North Dakota Century Code, relating to the veterans' aid commission and loans to veterans, and making an appropriation.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:			
Berube	Hofstrand	Lowe	Ringsak
Butler	Holand	Luick	Robinson
Chesrown	Jacobson	Melland	Schultz
Christensen	Kelly, E.	Meschke	Sorlie
Coughlin	Kelly, M.	Morgan	Stafne
Decker	Larsen, R.	Mutch	Stroup
Forkner	Larson, G.	Nasset	Torgerson
Freed	Larson, L.	Nothing	Trenbeath
Geving	Lips	Pyle	Wenstrom
Goldberg	Litten	Rait	Wilhite
Hernett	Longmire	Redlin	
Absent and not voting:			
Beck	Kautzmann	Ruemmele	Sands
Becker	Roen		

So the bill passed and the title was agreed to.

**House Bill No. 913.** A Bill for an Act to amend and reenact section 26-17-10 of the 1965 Supplement to the North Dakota Century Code, relating to exceptions for foreign insurance and surety companies having local agents.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 9; absent and not voting, 7.

Those voting in the affirmative were:

Berube	Holand	Melland	Robinson
Butler	Jacobson	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Larsen, R.	Mutch	Sorlie
Coughlin	Larson, G.	Nasset	Stafne
Decker	Larson, L.	Nething	Stroup
Forkner	Lips	Pyle	Torgerson
Geving	Litten	Rait	Trenbeath
Goldberg	Longmire	Redlin	Wenstrom
Hernett	Lowe	Ringsak	Wilhite
Hofstrand	Luick		

Absent and not voting:

Beck	Freed	Kelly, M.	Ruemmele
Becker	Kautzmann	Roen	

So the bill passed and the title was agreed to.

## MOTIONS

Senator Lips moved that House Concurrent Resolution "P" be placed at the foot of the calendar, which motion prevailed.

Senator Lips moved that House Concurrent Resolution "P-1" be placed at the foot of the calendar, which motion prevailed.

## SECOND READING OF HOUSE BILLS

**House Bill No. 511.** 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 the programs above mentioned.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, on page 745 of the Senate Journal, the roll was called and there were ayes, 42; nays, 1; absent and not voting, 6.

Those voting in the affirmative were:

Berube	Holand	Luick	Robinson
Butler	Jacobson	Melland	Sands
Chesrown	Kelly, E.	Meschke	Schultz
Christensen	Kelly, M.	Morgan	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nething	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett	Lowe		

Those voting in the negative were:

Mutch

Absent and not voting:

Beck	Hofstrand	Roen	Ruemmele
Becker	Kautzmann		

So the bill passed and the title was agreed to.

**House Bill No. 537.** For an Act to amend and reenact sections 25-09-04, 25-09-05, 25-09-06, 25-09-07, 25-09-08, and 25-09-11 of the North Dakota Century Code, relating to charges for the care and



treatment of residents of the Grafton state school, methods of determining actual liability, and disposition of revenue, and to repeal section 25-09-06.1, relating to limitations on certain claims.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 745 of the Senate Journal, the roll was called and there were ayes, 37; nays, 7; absent and not voting, 5.

Those voting in the affirmative were:

Berube	Holand	Longmire	Ringsak
Butler	Jacobson	Lowe	Sands
Coughlin	Kelly, E.	Luick	Schultz
Decker	Kelly, M.	Melland	Sorlie
Forkner	Larsen, R.	Morgan	Stafne
Freed	Larson, G.	Nasset	Stroup
Geving	Larson, L.	Nething	Trenbeath
Goldberg	Lips	Pyle	Wenstrom
Hernett	Litten	Redlin	Wilhite
Hofstrand			

Those voting in the negative were:

Chesrown	Meschke	Rait	Torgerson
Christensen	Mutch	Robinson	

Absent and not voting:

Beck	Kautzmann	Roen	Ruemmele
Becker			

So the bill passed and the title was agreed to.

**House Bill No. 628.** A Bill for an Act to establish a council on the arts and humanities, and defining its powers and duties.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 746 of the Senate Journal, the roll was called and there were ayes, 36; nays, 6; absent and not voting, 7.

Those voting in the affirmative were:

Berube	Goldberg	Lips	Nething
Butler	Hernett	Litten	Rait
Chesrown	Hofstrand	Longmire	Redlin
Christensen	Holand	Lowe	Ringsak
Coughlin	Jacobson	Luick	Sands
Decker	Kelly, E.	Melland	Sorlie
Forkner	Kelly, M.	Meschke	Stafne
Freed	Larson, G.	Morgan	Stroup
Geving	Larson, L.	Nasset	Wenstrom

Those voting in the negative were:

Mutch	Robinson	Torgerson	Wilhite
Pyle	Schultz		

Absent and not voting:

Beck	Kautzmann	Roen	Trenbeath
Becker	Larsen, R.	Ruemmele	

So the bill passed and the title was agreed to.

**House Bill No. 743.** A Bill for an Act to amend and reenact subsection 3 of section 11-10-10 of the 1965 Supplement to the North Dakota Century Code, relating to the salaries and expenses of county commissioners.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 773 of the Senate Journal, the roll was called and there were ayes, 39; nays, 2; absent and not voting, 8.

Those voting in the affirmative were:

Berube	Holand	Luick	Robinson
Butler	Jacobson	Melland	Sands
Chesrown	Kelly, E.	Meschke	Schultz
Coughlin	Kelly, M.	Morgan	Sorlie
Decker	Larsen, R.	Mutch	Stafne
Forkner	Larson, G.	Nasset	Stroup
Freed	Lips	Nothing	Torgerson
Geving	Litten	Rait	Wenstrom
Hernett	Longmire	Redlin	Wilhite
Hofstrand	Lowe	Ringsak	

Those voting in the negative were:

Larson, L. Pyle

Absent and not voting:

Beck	Christensen	Kautzmann	Ruemmele
Becker	Goldberg	Roen	Trenbeath

So the bill passed and the title was agreed to.

**House Bill No. 749.** A Bill for an Act to amend and reenact sections 18-04-05 and 18-04-07 of the North Dakota Century Code, relating to the distribution of insurance taxes to fire departments and to the disbursement of these funds by municipalities and providing an appropriation.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, as amended, on page 773 of the Senate Journal, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Berube	Holand	Lowe	Ringsak
Butler	Jacobson	Luick	Robinson
Chesrown	Kelly, E.	Melland	Sands
Christensen	Kelly, M.	Meschke	Schultz
Decker	Larsen, R.	Morgan	Sorlie
Forkner	Larson, G.	Mutch	Stafne
Freed	Larson, L.	Nasset	Stroup
Geving	Lips	Pyle	Torgerson
Goldberg	Litten	Rait	Wenstrom
Hernett	Longmire	Redlin	Wilhite
Hofstrand			

Absent and not voting:

Beck	Coughlin	Nothing	Ruemmele
Becker	Kautzmann	Roen	Trenbeath

So the bill passed and the title was agreed to.

**MOTION**

Senator Morgan moved that House Bill No. 822 be placed at the foot of the calendar, which motion prevailed.

Senator Lips moved that Senate Bill No. 95 be placed at the foot of the calendar, which motion prevailed.

**SECOND READING OF A HOUSE BILL**

**House Bill No. 504.** A Bill for an Act making an appropriation to the State Historical Board for salary, clerkhire and miscellaneous expenses and the maintenance of the State Historical Board, and declaring an emergency.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Berube	Hofstrand	Lowe	Robinson
Bulter	Holand	Luick	Sands
Chesrown	Jacobson	Melland	Schultz
Christensen	Kelly, E.	Meschke	Sorlie
Coughlin	Kelly, M.	Morgan	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nothing	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	

Absent and not voting:

Beck	Kautzmann	Roen	Ruemmele
Becker	Mutch		

So the bill passed and the title was agreed to, and the emergency clause carried.

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Lips moved that a conference committee be appointed to meet with a like committee from the House on House Bills Nos. 544 and 595, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 544,

Senator Forkner  
 Senator Coughlin  
 Senator Lester Larson

The President appointed as a Conference Committee on House Bill No. 595,

Senator Holand  
 Senator Melland  
 Senator Nasset

#### MESSAGES TO THE HOUSE

Senate Chamber  
 Bismarck, February 28, 1967

Mr. Speaker: I have the honor to inform you that the President has appointed as conference committees to act with like committees from the House,

On House Bill No. 544:

Senator Forkner  
 Senator Coughlin  
 Senator Lester Larson

On House Bill No. 595:

Senator Holand  
 Senator Melland  
 Senator Nasset

LEO LEIDHOLM, Secretary

Senate Chamber  
 Bismarck, February 28, 1967

Mr. Speaker: I have the honor to return the following:

House Bill No. 782

Which the Senate has passed over the Governor's veto.

The vote on House Bill No. 782 was:

35 Ayes  
 13 Nays  
 1 Absent

LEO LEIDHOLM, Secretary

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engross-

ment respectfully report that they have examined the following bill:

Senate Bill No. 17

And find the same correctly Enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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. 17

And the President signed the same in the presence of the Senate.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, February 28, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 17

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 28, 1967

Mr. President: I have the honor to return:

Senate Bill No. 17

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

#### MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, February 28, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 504

House Bill No. 636

House Bill No. 638

House Bill No. 639

House Bill No. 669

House Bill No. 744

House Bill No. 745

House Bill No. 769

House Bill No. 791

House Bill No. 797

House Bill No. 807

House Bill No. 816

House Bill No. 913

House Bill No. 925

House Bill No. 933

House Concurrent Resolution "E-2"

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, February 28, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 511

House Bill No. 516

House Bill No. 537

House Bill No. 600

House Bill No. 628  
 House Bill No. 683  
 House Bill No. 693  
 House Bill No. 743  
 House Bill No. 749  
 House Bill No. 755  
 House Bill No. 796  
 House Bill No. 814  
 House Bill No. 862  
 House Bill No. 869  
 House Concurrent Resolution "O"  
 Which the Senate has amended.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, February 28, 1967

Mr. President: I have the honor to transmit:

House Bill No. 532  
 House Bill No. 541  
 House Bill No. 560  
 House Bill No. 562  
 House Bill No. 583  
 House Bill No. 670  
 House Bill No. 695  
 House Bill No. 702  
 House Bill No. 705  
 House Bill No. 711  
 House Bill No. 720  
 House Bill No. 738  
 House Bill No. 739  
 House Bill No. 760  
 House Bill No. 780  
 House Bill No. 825  
 House Bill No. 840  
 House Bill No. 852  
 House Bill No. 863  
 House Bill No. 883  
 House Concurrent Resolution "I"  
 House Concurrent Resolution "X"  
 House Concurrent Resolution "B-1"

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

MOTION

Senator Lips moved that the vote by which House Bills Nos. 516, 600, 636, 638, 639, 693, 862, 744, 791, 796, 797, 807, 814, 869, 925, 933, 938, 755, House Concurrent Resolution "O", House Bills Nos. 782, 683, Senate Concurrent Resolution "UU", House Bills Nos. 745, 669, 769, 816, 913, 511, 537, 628, 743, 749 and 504 be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senator Lips moved that the Senate recess until 11:00 a.m., March 1, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary



"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### FIFTY-SEVENTH DAY AFTER RECESS AND FIFTY-EIGHTH DAY

Bismarck, March 1, 1967

The Senate convened at 11:00 a.m., pursuant to recesses taken, the President pro tem presiding.

#### REPORTS OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 17

Was delivered to the Governor for his approval at the hour of 8:16 o'clock a.m., March 1, 1967.

SENATOR WENSTROM, Chairman

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following:

Memorial Resolution No. 2

Senate Concurrent Resolution "J"

Senate Concurrent Resolution "AA"

And find the same correctly enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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. 73

Senate Bill No. 79

Senate Bill No. 114

Senate Bill No. 215

Senate Bill No. 239

Senate Bill No. 262

Senate Bill No. 300

Senate Bill No. 315

Senate Bill No. 346

And find the same correctly Enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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 "UU"

And find the same correctly Re-Engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 1, 1967

Mr. Speaker: I have the honor to transmit:  
Senate Concurrent Resolution "UU"

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

## REPORTS OF STANDING COMMITTEE

Mr. President: Your Committee on Judiciary to whom was referred House Concurrent Resolution "A" has had the same under consideration and recommends that the same be amended as follows:

In the first line of the title delete the following "121,"

In the third line of the title before the figure "128" insert the word "and" and delete the following "and Articles 36 and 40 of the"

In the fourth line of the title delete the following "Amendments,"

Delete lines 10 through 22

In line 60 place triple parentheses around the words "and villages"

In line 68 place triple parentheses around the words "and villages"

In line 73 delete the word "and"

In line 74 delete the word "villages"

In line 76 delete the words "or villages"

In line 81 place triple parentheses around the words "and villages"

In line 252 delete the words "ad valorem property"

Delete all of lines 650 through 668 and insert in lieu thereof the following: "There shall be a state board of higher education which shall administer and control state-operated educational institutions of higher learning. The board shall consist of seven members, with staggered seven-year terms, appointed by the governor, and confirmed by the senate in the manner provided by law. The board shall, in accordance with law, administer and formulate policy for all state-operated educational institutions of higher learning and shall appoint a state commissioner of higher education, who shall be the executive officer of the board and perform such duties as may be prescribed by the board.

In line 690 delete the following "36, 40,"

And renumber the sections and lines accordingly.

And when so amended recommends the same do pass.

SENATOR CHESROWN, Chairman

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 533 has had the same under consideration and recommends that the same be amended as follows:

In the fifteenth line of the title to the engrossed bill after the comma following the numerals "16-05-04" insert the numerals and comma "16-05-05,"

In the eighteenth line of the title to the engrossed bill after the comma following the numerals "16-10-01" insert the numerals and comma "16-10-02,"

In the twenty-first line of the title to the engrossed bill after the comma following the numerals "16-16-08" insert the numerals and comma "16-17-02,"



After line 597 and before line 598 insert the following new section:

**"SECTION 28. AMENDMENT.)** Section 16-05-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

**16-05-05. IN CASE NOMINEE DECLINES, CERTIFICATE VOID.)** Whenever any person nominated for public office under the provisions of this title shall, at least ((thirty)) thirty-five days before election, in writing notify the officer with whom the certificate nominating him is filed that he declines such nomination, such nomination shall be void."

In line 605 delete the triple parentheses before the word "once" and after the word "weeks"

In line 622 delete the triple parentheses before the word "for" and after the word "weeks"

After line 935 and before line 936 insert the following new section:

**"SECTION 46. AMENDMENT.)** Section 16-10-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

**16-10-02. INSPECTOR OF ELECTIONS IN TOWNSHIPS.)** The chairman of the board of supervisors in organized townships shall be inspector of elections. If the township contains more than five hundred voters, such chairman shall be inspector of elections in the precinct in which he resides and shall appoint the inspectors in all other precincts which are component parts of the township in which he is chairman of the board. If the township and any incorporated ((village)) city within its limits contain less than five hundred electors and such township and incorporated ((village)) city have but one voting place, the ((chairman)) mayor of the ((board of township supervisors)) city council shall be inspector of elections."

After lines 993 and before line 994 insert the following material:

"If such notice is not received within the time specified in this section, the inspector of election shall appoint the judge no later than one week prior to the election."

In line 1086 after the period following the word "full" insert the following material: "Provided, however, in such cases where the ballot title or the title of the legislative bill or resolution is of such length to make it physically impossible to fit such titles upon voting machines, the attorney general shall reduce such titles to a length which will allow the placing of such titles upon voting machines, but shall fully express the purpose of such amendments or questions, and such reduced version of the title shall be used on the voting machines."

After line 1402 and before line 1403 insert the following new section

**"SECTION 68. AMENDMENT.)** Section 16-17-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

**16-17-02. NUMBER OF PRECINCT COMMITTEEMEN POLITICAL PARTY ENTITLED TO - TERM.)** Each political party in each voting precinct in this state shall be entitled to elect one precinct committeeman for each two hundred and fifty votes, or major fraction thereof cast in such precinct at the last preceding presidential election for the presidential electors of such party. Each precinct shall be entitled to at least one precinct committeeman for each national party. Each precinct committeeman shall be an elector of his precinct and shall be elected to serve for a term of four years ((and until his successor is elected and qualified))."

In line 1459 place triple parentheses before and after the word "September" and insert immediately thereafter the word "November"; delete the triple parentheses after the word "the"; delete the word "each"; and place triple parentheses after the word "primary"

In line 1460 before the word "election" insert the words "each general"

In line 1517 delete the triple parentheses before the word "with-in" and after the word "days"; place triple parentheses before and after the word "thirty", and insert immediately thereafter the word "forty-five"; and delete the words "on the seventeenth"

In line 1518 delete the word "day"; delete the triple parentheses before and after the word "general"; and delete the word "primary"

In line 1911 delete the triple parentheses before the word "LOCKING"

In line 1912 delete the triple parentheses after the word "MACHINES" and insert immediately thereafter an underscored dash

In line 1914 delete the triple parentheses before the word "Voting"

In line 1919 delete the triple parentheses after the period following the word "jurisdiction"

In line 2221 delete the words "December thirty-first" and insert in lieu thereof the words "the second Tuesday in November"

And renumber the lines and sections accordingly.

And when so amended recommends the same do pass.

**SENATOR CHESROWN, Chairman**

Senator Chesrown moved that the report be adopted, which motion prevailed.

The President took over the Chair and presided.

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Holand moved that the Senate do not concur in the House amendments to Senate Bill No. 43 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. 43,

Senator Goldberg  
Senator Holand  
Senator Kelly

Senator Sorlie moved that the Senate do not concur in the House amendments to Senate Bill No. 54 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. 54,

Senator Wenstrom  
Senator Coughlin  
Senator Christensen

Senator Becker moved that the Senate do concur in the House amendments to Senate Bill No. 165. Senator Chesrown made the substitute motion that the Senate do not concur in the House amendments to Senate Bill No. 165, which motion prevailed.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a conference committee on Senate Bill No. 165,

Senator Becker  
Senator Trenbeath  
Senator Chesrown

Senator Ringsak moved that the Senate do concur in the House amendments to Senate Bill No. 278, which motion prevailed.

Senator Ringsak moved that the rules be suspended and that Senate Bill No. 278 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 278.** A Bill for an Act to create section 32-34-01.1 of the North Dakota Century Code, relating to the issuance of a writ of mandamus by the supreme court to judges of inferior courts, and to amend and reenact section 32-34-02 of the North Dakota Century Code, relating to the issuance of such writs.

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, 0; absent and not voting, 8.

Those voting in the affirmative were:

Becker	Holand	Luick	Ringsak
Berube	Jacobson	Melland	Robinson
Butler	Kelly, M.	Meschke	Roen
Chesrown	Larsen, R.	Morgan	Ruemmele
Coughlin	Larson, G.	Mutch	Sands
Decker	Larson, L.	Nasset	Schultz
Forkner	Lips	Nothing	Stafne
Freed	Litten	Pyle	Stroup
Geving	Longmire	Rait	Trenbeath
Goldberg	Low	Redlin	Wilhite
Hofstrand			

Absent and not voting:

Beck	Hernett	Kelly, E.	Torgerson
Christensen	Kautzmann	Sorlie	Wenstrom

So the bill passed and the title was agreed to.

Senator Chesrown moved that the Senate do concur in the House amendments to Senate Bill No. 303, which motion prevailed.

Senator Chesrown moved that the rules be suspended and that Senate Bill No. 303 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 303.** A Bill for an Act to provide a period of limitation within which time claims for damages may be brought against persons performing or furnishing the design, planning, supervision or observation of construction of improvements on real property.

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:

Beck	Goldberg	Low	Roen
Becker	Hernett	Luick	Ruemmele
Berube	Hofstrand	Meschke	Sands
Butler	Holand	Morgan	Schultz
Chesrown	Jacobson	Mutch	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larsen, R.	Nothing	Stroup
Decker	Larson, L.	Pyle	Torgerson
Forkner	Lips	Redlin	Trenbeath
Freed	Litten	Ringsak	Wenstrom
Geving	Longmire	Robinson	Wilhite

Absent and not voting:

Kautzmann      Larson, G.      Melland      Rait  
Kelly, E.

So the bill passed and the title was agreed to.

#### MOTION

Senator Lips moved that Senate Bill No. 401 be placed at the head of the calendar, which motion prevailed.

#### SECOND READING OF A SENATE BILL

**Senate Bill No. 401.** A Bill for an Act to make an appropriation for the operation of the state employees' retirement program, and declaring an emergency.

Was read the second time.

Senator Lips moved that Senate Bill No. 401 be amended as follows:

Delete lines 22 through 39.

In line 40, delete the numeral "4" and insert in lieu thereof the numeral "3"

Which motion prevailed.

Senator Lips moved that the rules be suspended and that Senate Bill No. 401 be deemed properly reengrossed 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. 401, as amended, on page 789 of the Senate Journal, and from the floor, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Becker	Holand	Lowe	Robinson
Berube	Jacobson	Luick	Roen
Bulter	Kautzmann	Melland	Ruemmele
Chesrown	Kelly, E.	Meschke	Sands
Coughlin	Kelly, M.	Morgan	Schultz
Decker	Larsen, R.	Nasset	Sorlie
Forkner	Larson, G.	Nothing	Stafne
Freed	Larson, L.	Pyle	Stroup
Geving	Lips	Rait	Torgerson
Goldberg	Litten	Redlin	Trenbeath
Hernett	Longmire	Ringsak	Wilhite
Hofstrand			

Those voting in the negative were:

Christensen      Mutch

Absent and not voting:

Beck      Wenstrom

So the bill passed and the title was agreed to.

Senator Lips moved that the vote by which Senate Bill No. 401 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

Senator Lips moved that the rules be suspended and that the reading of the amendments to House Bills Nos. 795, 819 and 848 be dispensed with, which motion prevailed.

Senator Roen moved that the amendments to House Bill No. 795 as recommended by the Committee on Education, and printed on page 846 of the Senate Journal, be adopted, which motion prevailed.

Senator Roen moved that the amendments to House Bill No. 819 as recommended by the Committee on Education, and printed on pages 846 and 847, of the Senate Journal, be adopted, which motion prevailed.

Senator Roen moved that the amendments to House Bill No. 848 as recommended by the Committee on Education, and printed on page 847, of the Senate Journal, be adopted, which motion prevailed.

MOTION

Senator Lips moved that the rules be suspended and that House Bills Nos. 514, 520 and 526 be placed on sixth order, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Lips moved that the rules be suspended and that the reading of the amendments to House Bills Nos. 514, 520 and 526 be dispensed with, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 514 as recommended by the Committee on Appropriations, and printed on pages 867 and 868 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 520 as recommended by the Committee on Appropriations, and printed on page 868 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 526 as recommended by the Committee on Appropriations, and printed on pages 868 and 869 of the Senate Journal, be adopted, which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Chesrown moved that the Senate do not concur in the House amendments to Senate Bill No. 309 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. 309,

- Senator Chesrown
- Senator Torgerson
- Senator Meschke

Senator Chesrown moved that the Senate do concur in the House amendments to Senate Bill No. 339, which motion prevailed.

Senator Chesrown moved that the rules be suspended and that Senate Bill No. 339 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 339.** A Bill for an Act to amend and reenact section 57-28-17 of the North Dakota Century Code, relating to the sale of county tax deed real estate by the county auditor.

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, 45; nays, 0; absent and not voting, 4.

- |                                 |            |          |
|---------------------------------|------------|----------|
| Those voting in the affirmative | were:      |          |
| Beck                            | Hofstrand  | Luick    |
| Becker                          | Holand     | Melland  |
| Butler                          | Jacobson   | Meschke  |
| Chesrown                        | Kautzmann  | Morgan   |
| Christensen                     | Kelly, M.  | Mutch    |
| Coughlin                        | Larsen, R. | Nasset   |
|                                 |            | Robinson |
|                                 |            | Roen     |
|                                 |            | Ruemmele |
|                                 |            | Sands    |
|                                 |            | Schultz  |
|                                 |            | Sorlie   |

Decker	Larson, L.	Nothing	Stafne
Forkner	Lips	Pyle	Stroup
Freed	Litten	Rait	Torgerson
Geving	Longmire	Redlin	Trenbeath
Goldberg	Lowe	Ringsak	Wilhite
Hernett			
<b>Absent and not voting:</b>			
Berube	Kelly, E.	Larson, G.	Wenstrom

So the bill passed and the title was agreed to.

Senator Chesrown moved that the Senate do concur in the House amendments to Senate Bill No. 396, which motion prevailed.

Senator Chesrown moved that the rules be suspended and that Senate Bill No. 396 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 396.** A Bill for an Act to provide for the reduction of liability of the sheriff in amercement proceedings.

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:

Beck	Holand	Luick	Roen
Becker	Jacobson	Melland	Ruemmele
Berube	Kautzmann	Meschke	Sands
Butler	Kelly, E.	Morgan	Schultz
Chesrown	Kelly, M.	Mutch	Sorlie
Christensen	Larsen, R.	Nothing	Stafne
Coughlin	Larson, G.	Pyle	Stroup
Decker	Larson, L.	Rait	Torgerson
Freed	Lips	Redlin	Trenbeath
Geving	Litten	Ringsak	Wenstrom
Goldberg	Longmire	Robinson.	Wilhite
Hernett	Lowe		

**Absent and not voting:**

Forkner	Hofstrand	Nasset
---------	-----------	--------

So the bill passed and the title was agreed to.

### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Delayed Bills has had under consideration a Senate Bill with amendments to wit:

#### A BILL

For an Act to amend and reenact section 54-03-20 of the North Dakota Century Code, relating to allowances for expenses of members of the legislative assembly.

And recommends the same be introduced.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

### FIRST READING OF A SENATE BILL

The Committee on Delayed Bills introduced:

**Senate Bill No. 405.** A Bill for an Act to amend and reenact section 54-03-20 of the North Dakota Century Code, relating to allowance for expenses of members of the legislative assembly.

Was read the first time and referred to the Committee on Appropriations.

## MOTION

Senator Ringsak moved that the rules be suspended and that Senate Bill No. 405 be not printed as a bill but printed in the Journal, which motion prevailed.

## SENATE BILL No. 405

Introduced by Committee on Delayed Bills.

## A BILL

For an Act to amend and reenact section 54-03-20 of the North Dakota Century Code, relating to allowances for expenses of members of the legislative assembly.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. AMENDMENT.) Section 54-03-20 of the 1965  
 2 Supplement to the North Dakota Century Code is hereby  
 2a amended and  
 3 reenacted to read as follows:  
 4 54-03-20. ALLOWANCE FOR LIVING AND OTHER  
 5 EXPENSES OF MEMBERS OF THE LEGISLATIVE  
 5a ASSEMBLY.)  
 6 (((Each member of the legislative assembly of the state of  
 6a North  
 7 Dakota shall be entitled to, and shall receive the sum of twelve  
 8 hundred dollars as reimbursement for his living expenses,  
 8a including  
 9 meals, lodging and uncompensated travel, and other necessary  
 9a expense  
 10 during the legislative session and thirty-five dollars for each  
 11 month of the biennium for which he was elected for  
 11a uncompensated  
 12 expenses incurred in the execution of his public duties during  
 12a the  
 13 biennium and while the legislative assembly is not in session,  
 13a which  
 14 total sum of two thousand forty dollars shall be payable as  
 14a follows:  
 15 One-half of said sum payable at the end of the thirtieth day of  
 15a the  
 16 session and the remaining one-half thereof to be paid at the  
 16a close  
 17 of the legislative session.))) Each member of the legislative  
 17a assembly  
 18 of the state of North Dakota shall be entitled to, and shall  
 18a receive  
 19 the sum of twenty-seven dollars a day, as reimbursement for  
 19a his  
 20 living expenses, including meals, lodging and uncompensated  
 20a travel  
 21 and other necessary expenses, for each calendar or natural day  
 22 during any legislative session. Such expenses shall be paid at  
 22a the  
 23 end of each month during such legislative session. In addition,  
 23a each  
 24 such member shall receive during the term for which he was  
 24a elected  
 25 for uncompensated expenses incurred in the execution of his  
 25a public  
 26 duties during the biennium, the sum of fifty dollars a month  
 27 payable for the months of March through December during  
 27a odd-numbered  
 28 years and for the months of January through December in  
 28a even-numbered

29 years, which sums shall be payable on December thirty-first of  
 29a each  
 30 such years. Provided, however, should a member die or  
 30a resign from  
 31 office during the term for which he was elected he shall be paid  
 32 only the allowance provided for in this section for the period for  
 33 which he was actually a member. Attendance at (((the  
 33a biennial))) any  
 34 session of the legislative assembly by any member thereof  
 34a shall be a  
 35 conclusive presumption of the expenditure of such expense  
 36 (((allowance))) allowances for the purposes set forth in this  
 37 section and shall be excluded from gross income for income tax  
 38 purposes. (((Said sum shall be paid in the same manner as the  
 38a regular  
 39 per diem of the members of the legislative assembly is paid.)))  
 39a The  
 40 provisions of this section shall be retroactive to January 1,  
 41 (((1965))) 1967.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Delayed Bills has had under consideration a Senate Concurrent Resolution to wit:

#### SENATE CONCURRENT RESOLUTION

A Concurrent Resolution establishing an interim legislative committee to act as conservators of the funds now held by the North Dakota Statehood Anniversary Committee and dissolving such Statehood Committee.

And recommends the same be introduced.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

#### FIRST READING OF A SENATE CONCURRENT RESOLUTION

The Committee on Delayed Bills introduced:

**Senate Concurrent Resolution "RRR".** A Concurrent Resolution establishing an interim legislative committee to act as conservators of the funds now held by the North Dakota Statehood Anniversary Committee and dissolving such Statehood Committee.

Was read the first time and referred to the Committee on State and Federal Government.

#### MOTION

Senator Lips moved that the rules be suspended, that Senate Concurrent Resolution "RRR" be not printed as a bill but printed in the Journal, which motion prevailed.

#### SENATE CONCURRENT RESOLUTION "RRR"

Introduced by the Committee on Delayed Bills.

A concurrent resolution establishing an interim legislative committee to act as conservators of the funds now held by the North Dakota Statehood Anniversary Committee and dissolving such Statehood Committee.

- 1 WHEREAS, the North Dakota Statehood Anniversary
- 1a Committee
- 2 was continued during the 1965-1967 biennium pursuant to
- 2a Senate
- 3 Concurrent Resolution "H-H" of the Thirty-ninth Legislative
- 3a Assembly
- 4 for the purpose of obtaining and placing portraits of Rough
- 4a Rider
- 5 Award recipients; and
- 6 WHEREAS, such committee has completed this project and



6a there  
 7 remains nearly six thousand dollars in the treasury of such  
 8 committee; and  
 9 WHEREAS, the committee has asked the Fortieth Legislative  
 10 Assembly for a directive concerning such funds;  
 11 NOW, THEREFORE, BE IT RESOLVED BY THE  
 12 SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE  
 13 OF REPRESENTATIVES CONCURRING THEREIN:  
 14 That a committee, consisting of two members of the House of  
 15 Representatives, appointed by the Speaker, and one member  
 15a of the  
 16 Senate, appointed by the President of the Senate, shall, after  
 17 an accounting of such funds, receive them from the North  
 17a Dakota  
 18 Statehood Anniversary Committee and cause them to be  
 18a deposited in  
 19 a place of safekeeping to await the Forty-first Legislative  
 20 Assembly's directive regarding the disposal of such funds; and  
 21 BE IT FURTHER RESOLVED, that upon completion of the  
 21a transfer  
 22 of such funds the North Dakota Statehood Anniversary  
 22a Committee  
 23 be dissolved.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:  
 Senate Bill No. 401

And find the same correctly Re-Engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber  
 Bismarck, March 1, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 401

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 532  
 House Bill No. 541  
 House Bill No. 560  
 House Bill No. 562  
 House Bill No. 583  
 House Bill No. 670  
 House Bill No. 695  
 House Bill No. 702  
 House Bill No. 705  
 House Bill No. 711  
 House Bill No. 720  
 House Bill No. 738  
 House Bill No. 739  
 House Bill No. 760  
 House Bill No. 780  
 House Bill No. 825  
 House Bill No. 840  
 House Bill No. 852

House Bill No. 863  
 House Bill No. 883  
 House Concurrent Resolution "I"  
 House Concurrent Resolution "X"  
 House Concurrent Resolution "B-1"

And the President signed the same in the presence of the Senate.

#### MESSAGE TO THE HOUSE

Senate Chamber  
 Bismarck, March 1, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 532  
 House Bill No. 541  
 House Bill No. 560  
 House Bill No. 562  
 House Bill No. 583  
 House Bill No. 670  
 House Bill No. 695  
 House Bill No. 702  
 House Bill No. 705  
 House Bill No. 711  
 House Bill No. 720  
 House Bill No. 738  
 House Bill No. 739  
 House Bill No. 760  
 House Bill No. 780  
 House Bill No. 825  
 House Bill No. 840  
 House Bill No. 852  
 House Bill No. 863  
 House Bill No. 883  
 House Concurrent Resolution "I"  
 House Concurrent Resolution "X"  
 House Concurrent Resolution "B-1"  
 Which the President has signed.

LEO LEIDHOLM, Secretary

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Delayed Bills has had under consideration a Senate Bill to wit:

#### A BILL

For an Act to provide for an interstate compact to provide for and maintain cooperation and understanding among executive, legislative, professional educational, and lay leadership upon educational problems on a nationwide basis and at the state and local levels, and providing an appropriation.

And recommends the same be introduced.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

#### FIRST READING OF A SENATE BILL

The Committee on Delayed Bills introduced:

**Senate Bill No. 406.** A Bill for an Act to provide for an interstate compact to provide for and maintain cooperation and understanding among executive, legislative, professional educational, and lay leadership upon educational problems on a nationwide basis and at the state and local levels, and providing an appropriation.

Was read the first time and referred to the Committee on Appropriations.

## MOTION

Senator Lips moved that the rules be suspended and that Senate Bill No. 406 be not printed as a bill, but printed in the Journal, which motion prevailed.

## SENATE BILL No. 406

Introduced by Senators Lips, Meschke, through the Committee on Delayed Bills.

## A BILL

For an Act to provide for an interstate compact to provide for and maintain cooperation and understanding among executive, legislative, professional educational, and lay leadership upon educational problems on a nationwide basis and at the state and local levels, and providing an appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

1 SECTION 1. COMPACT FOR EDUCATION.) The  
2 compact for education is hereby entered into and enacted  
2a into law  
3 with all jurisdictions legally joining therein, in the form  
4 substantially as follows:

## COMPACT FOR EDUCATION

## ARTICLE I

## Purpose and Policy

8 A. It is the purpose of this compact to:

9 1. Establish and maintain close cooperation and under-  
10 standing among executive, legislative, professional  
10a educational,  
11 and lay leadership on a nationwide basis at the state and  
11a local  
12 levels.

13 2. Provide a forum for the discussion, development,  
14 crystallization, and recommendation of public policy  
14a alterna-  
15 tives in the field of education.

16 3. Provide a clearing house of information on matters  
17 relating to educational problems and how they are being  
17a met  
18 in different places throughout the nation, so that the  
19 executive and legislative branches of state government  
19a and of  
20 local communities may have ready access to the  
20a experience and  
21 record of the entire country, and so that both lay and  
21a profes-  
22 sional groups in the field of education may have  
22a additional  
23 avenues for the sharing of experience and the interchange  
23a of  
24 ideas in the formation of public policy in education.

25 4. Facilitate the improvement of state and local educa-  
26 tional systems so that all of them will be able to meet  
26a adequate  
27 and desirable goals in a society which requires  
27a continuous  
28 qualitative and quantitative advance in educational  
28a opportuni-  
29 ties, methods, and facilities.

30 B. It is the policy of this compact to encourage and promote  
31 local and state initiative in the development, maintenance,  
32 improvement, and administration of educational systems  
32a and  
33 institutions in a manner which will accord with the needs

33a and  
 34 advantages of diversity among localities and states.  
 35 C. The party states recognize that each of them has an  
 35a interest  
 36 in the quality and quantity of education furnished in  
 36a each of  
 37 the other states, as well as in the excellence of its own  
 38 educational systems and institutions, because of the  
 38a highly  
 39 mobile character of individuals within the nation, and  
 39a because  
 40 the products and services contributing to the health,  
 40a welfare,  
 41 and economic advancement of each state are supplied in  
 41a signifi-  
 42 cant part by persons educated in other states.

## ARTICLE II

## State Defined

45 As used in this compact, "state" means a state, territory, or  
 46 possession of the United States, the District of Columbia, or  
 46a the  
 47 Commonwealth of Puerto Rico.

## ARTICLE III

## The Commission

50 A. The education commission of the states, hereinafter called  
 51 "the commission", is hereby established. The  
 51a commission shall  
 52 consist of seven members representing each party state.  
 52a One  
 53 of such members shall be the governor; two shall be  
 53a members  
 54 of the state legislature selected by its respective houses  
 54a and  
 55 serving in such manner as the legislature may determine;  
 55a and  
 56 four shall be appointed by and serve at the pleasure of the  
 57 governor, unless the laws of the state otherwise provide.  
 57a If  
 58 the laws of a state prevent legislators from serving on the  
 59 commission, six members shall be appointed and serve at  
 59a the  
 60 pleasure of the governor, unless the laws of the state  
 60a other-  
 61 wise provide. In addition to any other principles or  
 61a require-  
 62 ments which a state may establish for the appointment  
 62a and  
 63 service of its members of the commission, the guiding  
 63a principle  
 64 for the composition of the membership on the commission  
 64a from  
 65 each party state shall be that the members representing  
 65a such  
 66 state shall, by virtue of their training, experience,  
 66a knowledge,  
 67 or affiliations be in a position collectively to reflect  
 67a broadly  
 68 the interests of the state government, higher education,  
 68a the  
 69 state education system, local education, lay and  
 69a professional,  
 70 public and non-public educational leadership. Of those  
 71 appointees, one shall be the head of a state agency or  
 71a institu-

- 72 tion, designated by the governor, having responsibility for  
 73 one or more programs of public education. In addition to  
 74 the members of the commission representing the party  
 74a states,  
 75 there may be not to exceed ten non-voting commissioners  
 75a selected  
 76 by the steering committee for terms of one year. Such  
 76a commis-  
 77 sioners shall represent leading national organizations of  
 78 professional educators or persons concerned with  
 78a educational  
 79 administration.
- 80 B. The members of the commission shall be entitled to one  
 80a vote  
 81 each on the commission. No action of the commission  
 81a shall  
 82 be binding unless taken at a meeting at which a majority  
 82a of  
 83 the total number of votes on the commission are cast in  
 83a favor  
 84 thereof. Action of the commission shall be only at a  
 84a meeting  
 85 at which a majority of the commissioners are present.  
 85a The  
 86 commission shall meet at least once a year. In its bylaws,  
 87 and subject to such directions and limitations as may be  
 88 contained therein, the commission may delegate the  
 88a exercise  
 89 of any of its powers to the steering committee or the  
 90 executive director, except for the power to approve  
 90a budgets  
 91 or requests for appropriations, the power to make policy  
 91a recom-  
 92 mendations pursuant to article IV and adoption of the  
 92a annual  
 93 report pursuant to article III (j).
- 94 C. The commission shall have a seal.
- 95 D. The commission shall elect annually, from among its  
 95a members,  
 96 a chairman, who shall be a governor, a vice chairman  
 96a and a  
 97 treasurer. The commission shall provide for the  
 97a appointment  
 98 of an executive director. Such executive director shall  
 98a serve  
 99 at the pleasure of the commission, and together with the  
 99a treas-  
 100 urer and such other personnel as the commission may  
 100a deem  
 101 appropriate shall be bonded in such amount as the  
 101a commission  
 102 shall determine. The executive director shall be  
 102a secretary.
- 103 E. Irrespective of the civil service, personnel or other merit  
 104 system laws of any of the party states, the executive  
 104a director  
 105 subject to the approval of the steering committee shall  
 105a appoint,  
 106 remove or discharge such personnel as may be necessary  
 106a for the  
 107 performance of the functions of the commission, and shall  
 107a fix  
 108 the duties and compensation of such personnel. The  
 108a commission

- 109 in its bylaws shall provide for the personnel policies and  
 110 programs of the commission.
- 111 F. The commission may borrow, accept or contract for the  
 111a services  
 112 of personnel from any party jurisdiction, the United  
 112a States,  
 113 or any subdivision or agency of the aforementioned  
 113a governments,  
 114 or from any agency of two or more of the party  
 114a jurisdictions  
 115 or their subdivisions.
- 116 G. The commission may accept for any of its purposes and  
 116a functions  
 117 under this compact any and all donations, and grants of  
 117a money,  
 118 equipment, supplies, materials, and services, conditional or  
 119 otherwise, from any state, the United States, or any other  
 120 governmental agency, or from any person, firm,  
 120a association,  
 121 foundation, or corporation, and may receive, utilize, and  
 122 dispose of the same. Any donation or grant accepted by  
 122a the  
 123 commission pursuant to this paragraph or services  
 123a borrowed  
 124 pursuant to paragraph (f) of this article shall be reported  
 125 in the annual report of the commission. Such report shall  
 126 include the nature, amount, and conditions, if any, of the  
 127 donation, grant, or services borrowed, and the identity of  
 128 the donor or lender.
- 129 H. The commission may establish and maintain such facilities  
 129a as  
 130 may be necessary for the transacting of its business. The  
 131 commission may acquire, hold, and convey real and  
 131a personal  
 132 property and any interest therein.
- 133 I. The commission shall adopt bylaws for the conduct of its  
 134 business and shall have the power to amend and rescind  
 134a these  
 135 bylaws. The commission shall publish its bylaws in  
 135a convenient  
 136 form and shall file a copy thereof and a copy of any  
 136a amendment  
 137 thereto, with the appropriate agency or officer in each  
 137a of the  
 138 party states.
- 139 J. The commission annually shall make to the governor and  
 139a legisla-  
 140 ture of each party state a report covering the activities  
 141 of the commission for the preceding year. The commission  
 141a may  
 142 make such additional reports as it may deem desirable.

## ARTICLE IV

## Powers

- 145 In addition to authority conferred on the commission by  
 145a other  
 146 provisions of the compact, the commission shall have  
 146a authority to:
- 147 1. Collect, correlate, analyze, and interpret information  
 148 and data concerning educational needs and resources.
  - 149 2. Encourage and foster research in all aspects of education,  
 150 but with special reference to the desirable scope of  
 151 instruction, organization, administration, and  
 151a instructional

- 152 methods and standards employed or suitable for  
 152a employment  
 153 in public educational systems.  
 154 3. Develop proposals for adequate financing of education as  
 155 a whole and at each of its many levels.  
 156 4. Conduct or participate in research of the types referred  
 157 to in this article in any instance where the commission  
 158 finds that such research is necessary for the advancement  
 159 of the purposes and policies of this compact, utilizing  
 160 fully the resources of national associations, regional  
 161 compact organizations for higher education, and other  
 162 agencies and institutions, both public and private.  
 163 5. Formulate suggested policies and plans for the  
 163a improvement  
 164 of public education as a whole, or for any segment thereof,  
 165 and make recommendations with respect thereto available  
 166 to the appropriate governmental units, agencies, and public  
 167 officials.  
 168 6. Do such other things as may be necessary or incidental  
 169 to the administration of any of its authority or functions  
 170 pursuant to this compact.

## ARTICLE V

## Cooperation With Federal Government

- 173 A. If the laws of the United States specifically so provide, or  
 174 if administrative provision is made therefor within the  
 174a federal  
 175 government, the United States may be represented on the  
 175a commis-  
 176 sion by not to exceed ten representatives. Any such  
 176a representa-  
 177 tive or representatives of the United States shall be  
 178 appointed and serve in such manner as may be provided  
 178a by or  
 179 pursuant to federal law, and may be drawn from any one  
 179a or more  
 180 branches of the federal government, but no such  
 180a representative  
 181 shall have a vote on the commission.  
 182 B. The commission may provide information and make  
 182a recommendations  
 183 to any executive or legislative agency or officer of the  
 184 federal government concerning the common educational  
 184a policies  
 185 of the states, and may advise with any such agencies or  
 185a officers  
 186 concerning any matter of mutual interest.

## ARTICLE VI

## Committees

- 187  
 188  
 189 A. To assist in the expeditious conduct of its business when  
 189a the  
 190 full commission is not meeting, the commission shall  
 190a elect a  
 191 steering committee of thirty-two members which,  
 191a subject to  
 192 the provisions of this compact and consistent with the  
 192a policies  
 193 of the commission, shall be constituted and function as  
 193a pro-  
 194 vided in the bylaws of the commission. One-fourth of the  
 195 voting membership of the steering committee shall  
 195a consist of  
 196 governors, one-fourth shall consist of legislators, and the  
 197 remainder shall consist of other members of the

- 197a commission.  
 198 A federal representative on the commission may serve  
 198a with the  
 199 steering committee, but without vote. The voting  
 199a members of  
 200 the steering committee shall serve for terms of two years,  
 201 except that members elected to the first steering  
 201a committee  
 202 of the commission shall be elected as follows: sixteen for  
 203 one year and sixteen for two years. The chairman, vice  
 203a chair-  
 204 man, and treasurer of the commission shall be members  
 204a of the  
 205 steering committee and, anything in this paragraph to the  
 206 contrary notwithstanding, shall serve during their  
 206a continuance  
 207 in these offices. Vacancies in the steering committee shall  
 208 not affect its authority to act, but the commission at its  
 209 next regularly ensuing meeting following the occurrence  
 209a of  
 210 any vacancy shall fill it for the unexpired term. No  
 210a person  
 211 shall serve more than two terms as a member of the  
 211a steering  
 212 committee; provided that service for a partial term of one  
 213 year or less shall not be counted toward the two-term  
 213a limitation.
- 214 B. The commission may establish advisory and technical  
 214a committees  
 215 composed of state, local, and federal officials, and private  
 216 persons to advise it with respect to any one or more of its  
 217 functions. Any advisory or technical committee may, on  
 217a request  
 218 of the states concerned, be established to consider any  
 218a matter  
 219 of special concern to two or more of the party states.
- 220 C. The commission may establish such additional committees  
 220a as  
 221 its bylaws may provide.

## ARTICLE VII

## Finance

- 224 A. The commission shall advise the governor or designated  
 224a officer  
 225 or officers of each party state of its budget and estimated  
 226 expenditures for such period as may be required by the  
 226a laws  
 227 of that party state. Each of the commission's budgets  
 227a of es-  
 228 timated expenditures shall contain specific recommenda-  
 228a tions  
 229 of the amount or amounts to be appropriated by each of  
 229a the  
 230 party states.
- 231 B. The total amount of appropriation requests under any  
 231a budget  
 232 shall be apportioned among the party states. In making  
 232a such  
 233 apportionment, the commission shall devise and employ a  
 233a formula  
 234 which takes equitable account of the populations and  
 234a per-capita  
 235 income levels of the party states.
- 236 C. The commission shall not pledge the credit of any party



- 236a states.
- 237 The commission may meet any of its obligation in whole
- 237a or in
- 238 part with funds available to it pursuant to article III (g)
- 239 of this compact, provided that the commission takes
- 239a specific
- 240 action setting aside such funds prior to incurring an
- 240a obliga-
- 241 tion to be met in whole or in part in such manner.
- 241a Except
- 242 where the commission makes use of funds available to it
- 242a pursuant
- 243 to article III (g) thereof, the commission shall not incur
- 244 any obligation prior to the allotment of funds by the
- 244a party
- 245 states adequate to meet the same.
- 246 D. The commission shall keep accurate accounts of all
- 246a receipts
- 247 and disbursements. The receipts and disbursements of the
- 248 commission shall be subject to the audit and accounting
- 248a pro-
- 249 cedures established by its bylaws. However, all receipts
- 249a and
- 250 disbursements of funds handled by the commission shall be
- 251 audited yearly by a qualified public accountant, and the
- 251a report
- 252 of the audit shall be included in and become part of the
- 252a annual
- 253 reports of the commission.
- 254 E. The accounts of the commission shall be open at any
- 254a reasonable
- 255 time for inspection by duly constituted officers of the
- 255a party
- 256 states and by any persons authorized by the commission.
- 257 F. Nothing contained herein shall be construed to prevent
- 258 commission compliance with laws relating to audit or
- 258a inspection
- 259 of accounts by or on behalf of any government
- 259a contributing
- 260 to the support of the commission.

## ARTICLE VIII

## Eligible Parties; Entry Into and Withdrawal

- 263 A. This compact shall have as eligible parties all states,
- 264 territories, and possessions of the United States, the
- 264a District
- 265 of Columbia, and the Commonwealth of Puerto Rico. In
- 265a respect
- 266 of any such jurisdiction not having a governor, the term
- 267 "governor", as used in this compact, shall mean the
- 267a closest
- 268 equivalent official and such jurisdiction.
- 269 B. Any state or other eligible jurisdiction may enter into
- 269a this
- 270 compact and it shall become binding thereon when it has
- 270a adopted
- 271 the same: Provided that in order to enter into initial
- 271a effect,
- 272 adoption by at least ten eligible party jurisdictions shall
- 273 be required.
- 274 C. Adoption of the compact may be either by enactment
- 274a thereof or
- 275 by adherence thereto by the governor; provided that in the
- 276 absence of enactment, adherence by the governor shall

276a be suf-  
 277 ficient to make his state a party only until December 31,  
 277a 1967.  
 278 During any period when a state is participating in this  
 278a compact  
 279 through gubernatorial action, the governor shall appoint  
 279a those  
 280 persons who, in addition to himself, shall serve as the  
 280a members  
 281 of the commission from his state, and shall provide to the  
 282 commission an equitable share of the financial support  
 282a of the  
 283 commission from any source available to him.  
 284 D. Except for a withdrawal effective on December 31, 1967, in  
 285 accordance with paragraph C of this article, any party  
 285a state  
 286 may withdraw from this compact by enacting a statute  
 286a repealing  
 287 the same, but no such withdrawal shall take effect until  
 287a one  
 288 year after the governor of the withdrawing state has  
 288a given  
 289 notice in writing of the withdrawal to the governors of all  
 290 other party states. No withdrawal shall affect any  
 290a liability  
 291 already incurred by or chargeable to a party state prior to  
 292 the time of such withdrawal.

#### ARTICLE IX

##### Construction and Severability

295 This compact shall be liberally construed so as to effectuate  
 296 the purposes thereof. The provisions of this compact shall be  
 297 severable and if any phrase, clause, sentence or provision of  
 297a this  
 298 compact is declared to be contrary to the constitution of any  
 299 state or of the United States, or the application thereof to any  
 300 government, agency, person, or circumstance is held invalid,  
 300a the  
 301 validity of the remainder of this compact and the applicability  
 302 thereof to any government, agency, persons or circumstance  
 302a shall  
 303 not be affected thereby. If this compact shall be held  
 303a contrary  
 304 to the constitution of any state participating therein, the  
 304a compact  
 305 shall remain in full force and effect as to the state effected  
 306 as to all severable matters.

307 SECTION 2. BYLAWS TO BE FILED.) Pursuant to  
 308 article III (i) of the compact, the commission shall file a copy  
 309 of its bylaws and any amendment thereto with the office of  
 309a the  
 310 secretary of state.

311 SECTION 3. APPROPRIATION.) There is hereby  
 312 appropriated out of any moneys in the general fund in the  
 312a state  
 313 treasury, not otherwise appropriated, the sum of \$11,250.00 or  
 313a so  
 314 much thereof as may be necessary, to carry out the provisions  
 314a of  
 315 this Act and for the payment of the proper share of costs of  
 316 operation of the compact allocated to North Dakota for the  
 317 biennium beginning July 1, 1967, and ending June 30, 1969.

**MOTION**

Senator Lips moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair, the President presiding.

**SIGNING OF BILLS**

The Secretary announced that the President was about to sign

- Senate Bill No. 73
- Senate Bill No. 79
- Senate Bill No. 114
- Senate Bill No. 215
- Senate Bill No. 239
- Senate Bill No. 262
- Senate Bill No. 300
- Senate Bill No. 315
- Senate Bill No. 346
- Senate Concurrent Resolution "AA"
- Senate Concurrent Resolution "J"

And the President signed the same in the presence of the Senate.

**MESSAGES TO THE HOUSE**

Senate Chamber  
Bismarck, March 1, 1967

Mr. Speaker: I have the honor to transmit:

- Senate Bill No. 73
- Senate Bill No. 79
- Senate Bill No. 114
- Senate Bill No. 215
- Senate Bill No. 239
- Senate Bill No. 262
- Senate Bill No. 300
- Senate Bill No. 315
- Senate Bill No. 346
- Senate Concurrent Resolution "AA"
- Senate Concurrent Resolution "J"

Which the President has signed and your signature is respectfully requested.

**LEO LEIDHOLM, Secretary**

Senate Chamber  
Bismarck, March 1, 1967

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bills Nos. 43, 54, 165 and 309, and the President has appointed as a conference committee to act with a like committee from the House,

- Senator Goldberg
- Senator Holand
- Senator Kelly
- To act on Senate Bill No. 43.
- Senator Wenstrom
- Senator Coughlin
- Senator Christensen
- To act on Senate Bill No. 54
- Senator Becker
- Senator Trenbeath
- Senator Chesrown
- To act on Senate Bill No. 165
- Senator Chesrown
- Senator Torgerson
- Senator Meschke
- To act on Senate Bill No. 309

**LEO LEIDHOLM, Secretary**

Senate Chamber  
Bismarck, March 1, 1967

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to

Senate Bill No. 278  
Senate Bill No. 303  
Senate Bill No. 339  
Senate Bill No. 396

LEO LEIDHOLM, Secretary

**REPORT OF STANDING COMMITTEE**

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Memorial Resolution No. 2

Was delivered to the Secretary of State for his approval at the hour of 1:40 o'clock p.m., March 1, 1967.

SENATOR WENSTROM, Chairman

**MESSAGE FROM THE HOUSE**

House Chamber  
Bismarck, March 1, 1967

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to

House Bill No. 596  
House Bill No. 625  
House Bill No. 635  
House Bill No. 679  
House Bill No. 723  
House Bill No. 798  
House Bill No. 937

ROY GILBREATH, Chief Clerk

**REPORTS OF STANDING COMMITTEES**

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Concurrent Resolution "RRR" has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

Senator Ringsack 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. 794 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. 906 has had the same under consideration and recommends that the same be amended as follows:

In line 7 of the title after the word "therefor" insert the following: "and to amend and reenact section 26-01-11 of the North Dakota Century Code"

In line 43 of the engrossed bill after the word "chapter" delete "includes" and insert in lieu thereof "excludes"

In line 103 after the word "plans" insert a comma and the following: "authorized to do business in the state"

In line 395 after the first period delete the remainder of the line.

Delete all of lines 396 through 406 and insert in lieu thereof the following:

"AMENDMENT.) Section 26-01-11 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

26-01-11. COMMISSIONER OF INSURANCE TO COLLECT PREMIUM TAX — INSURANCE COMPANIES GENERALLY — DOMESTIC FIRE INSURANCE COMPANIES — COMPUTATION.) Before issuing the annual certificate required by law, the commissioner of insurance shall collect the following annual taxes from insurance companies doing business within the state:

1. From every insurance company doing business in this state except stock and mutual companies organized under the laws of this state, a tax equal in amount to two and one-half per cent of the gross amount of premiums, (((considerations for annuities,))) membership fees, and policy fees received in this state during the preceding year, such tax to be payable at the time when the annual statement of business required by law is filed:

2. From every domestic fire insurance company, whether mutual, stock, or otherwise, other than a county mutual insurance company, a tax upon its fire insurance premiums or assessments, or both, equal to one-half of one per cent of the gross premiums and assessments, less return premiums on all direct business received by it, or by its agent for it, in cash or otherwise in this state. Such tax shall be collected for the purpose of assisting in the maintenance of the fire marshal's department and shall be payable on or before April first in each 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 Industry, Business and Labor to whom was referred House Concurrent Resolution "B-2" has had the same under consideration and recommends that the same be amended as follows:

In line 21 delete the words "pro tem"

In line 24 delete the words "pro tem" and insert in lieu thereof "of the Senate"

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. 659 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 State and Federal Government to whom was referred House Concurrent Resolution "A-1" has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

Senator Ringsack 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 "I-I"

has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

Senator Ringsack moved that the report be adopted, which motion prevailed.

MESSAGES FROM THE HOUSE

House Chamber  
Bismarck, March 1, 1967

Mr. President: I have the honor to transmit:

House Bill No. 897

House Bill No. 943

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

House Chamber  
Bismarck, March 1, 1967

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Concurrent Resolution "O" and the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Rep. Burke

Rep. Aafedt

Rep. Winge

ROY GILBREATH, Chief Clerk

House Chamber  
Bismarck, March 1, 1967

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendments to

House Bill No. 537

House Bill No. 814

House Bill No. 862

And the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Rep. Haugland

Rep. Kingsbury

Rep. Giffey

To act on House Bill No. 537

Rep. Moquist

Rep. Rivinius

Rep. Glaspey

To act on House Bill No. 814

Rep. Mathiason

Rep. McDonald (21st Dist.)

Rep. Weber

To act on House Bill No. 862

ROY GILBREATH, Chief Clerk

House Chamber  
Bismarck, March 1, 1967

Mr. President: I have the honor to inform you that the House has adopted the conference committee report of the majority on House Bill No. 528.

ROY GILBREATH, Chief Clerk

House Chamber  
Bismarck, March 1, 1967

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendments to

House Bill No. 516

House Bill No. 598

House Bill No. 603

House Bill No. 706

And the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Rep. Davis

Rep. Freeman

Rep. Winge

To act on House Bill No. 516

Rep. Johnson (39th Dist.)

Rep. Burke

Rep. Erickson (4th Dist.)

To act on House Bill No. 598

Rep. Sandness

Rep. Tollefson

Rep. Giffey

To act on House Bill No. 603

Rep. Jones

Rep. Froelich

Rep. McDonald (21st Dist.)

To act on House Bill No. 706

ROY GILBREATH, Chief Clerk

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Hernettt moved that the Senate do concur in the House amendments to Senate Bill No. 154, which motion prevailed.

Senator Hernettt moved that the rules be suspended and that Senate Bill No. 154 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

**Senate Bill No. 154.** A Bill for an Act to amend and reenact section 23-15-04 of the North Dakota Century Code relating to fireworks; and providing for licensing of distributors and retailers, 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, 39; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Becker	Holand	Longmire	Ringsak
Berube	Jacobson	Lowe	Robinson
Butler	Kautzmann	Luick	Roen
Chesrown	Kelly, E.	Melland	Ruemmele
Christensen	Kelly, M.	Morgan	Sands
Coughlin	Larsen, R.	Mutch	Schultz
Forkner	Larson, G.	Nasset	Stafne
Freed	Larson, L.	Nething	Stroup
Goldberg	Lips	Rait	Torgerson
Hernettt	Litten	Redlin	
Absent and not voting:			
Beck	Hofstrand	Sorlie	Wenstrom
Decker	Meschke	Trenbeath	Wilhite
Geving	Pyle		

So the bill passed and the title was agreed to.

Senator Hernettt moved that the Senate do not concur in the House amendments to Senate Bill No. 213 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. 213,

Senator Nething  
 Senator Lowe  
 Senator Rait

Senator Kautzmann moved that the Senate do not concur in the House amendments to Senate Bill No. 306 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. 306,

Senator Kautzmann  
 Senator Coughlin  
 Senator Morgan

Senator Morgan moved that the Senate do not concur in the House amendments to Senate Bill No. 337 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. 337,

Senator Morgan  
 Senator Melland  
 Senator Butler

## CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on

House Bill No. 516  
 House Bill No. 603  
 House Bill No. 706  
 Which motion prevailed.

## APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed the following conference committees:

On House Bill No. 516,  
 Senator Robinson  
 Senator Geving  
 Senator Larson (Lester)

On House Bill No. 603,  
 Senator Larson (Guy)  
 Senator Schultz  
 Senator Roen

On House Bill No. 706  
 Senator Larson (Guy)  
 Senator Redlin  
 Senator Pyle

## REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 523 has had the same under consideration and recommends:

That the Senate recede from its amendments and that the Senate concur with the House amendments.

For the Senate  
 Senator Geving  
 Senator Beck  
 Senator M. Kelly



For the House  
Rep. Jenkins  
Rep. Freeman  
Rep. W. Erickson

Senator M. Kelly moved that the report be adopted, which motion prevailed.

#### SECOND READING OF A HOUSE BILL

**House Bill No. 523.** 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 second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nething	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips.	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

So the bill passed and the title was agreed to.

#### REPORTS OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 506 has had the same under consideration and recommends that the House do concur with the Senate amendments.

For the Senate  
Senator Melland  
Senator Litten  
Senator Christensen

For the House  
Rep. Jenkins  
Rep. Olienyk  
Rep. Solberg (Oscar)

Senator Melland moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 595 has had the same under consideration and recommends that the Senate recede from its amendment.

For the Senate  
Senator Holand  
Senator Melland  
Senator Nasset

For the House  
Rep. Boustead  
Rep. Allen  
Rep. Winge

Senator Holand moved that the report be adopted, which motion prevailed.

Senator Holand moved that the rules be suspended and that House Bill No. 595 be placed on second reading and final passage which motion prevailed.

## SECOND READING OF A HOUSE BILL

**House Bill No. 595.** A Bill for an Act to require motorcycle operators and passengers to wear protective helmets and to preclude the carrying of passengers on certain two-wheel motorcycles.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 10; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Hernett	Litten	Rait
Berube	Holand	Longmire	Ringsak
Butler	Jacobson	Lowe	Roen
Chesrown	Kautzmann	Luick	Ruemmele
Christensen	Kelly, E.	Melland	Sorlie
Decker	Kelly, M.	Meschke	Stafne
Forkner	Larsen, R.	Nasset	Torgerson
Freed	Larson, G.	Nething	Wenstrom
Geving	Larson, L.	Pyle	Wilhite
Goldberg	Lips		

Those voting in the negative were:

Beck	Morgan	Robinson	Stroup
Coughlin	Mutch	Schultz	Trenbeath
Hofstrand	Redlin		

Absent and not voting:

Sands

So the bill passed and the title was agreed to.

## CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Holand moved that the rules be suspended and that House Bill No. 528 be placed on second reading and final passage, which motion prevailed.

## SECOND READING OF A HOUSE BILL

**House Bill No. 528.** For an Act making an appropriation for salaries and expenses of the Governor's Council on Human Resources.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 21; nays, 27; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Holand	Larsen, R.	Meschke
Berube	Jacobson	Larson, L.	Rait
Chesrown	Kautzmann	Lips	Sorlie
Christensen	Kelly, E.	Longmire	Stroup
Geving	Kelly, M.	Lowe	Wenstrom
Hernett			

Those voting in the negative were:

Becker	Hofstrand	Nasset	Sands
Butler	Larson, G.	Nething	Schultz
Coughlin	Litten	Pyle	Stafne
Decker	Luick	Redlin	Torgerson
Forkner	Melland	Ringsak	Trenbeath
Freed	Morgan	Roen	Wilhite
Goldberg	Mutch	Ruemmele	

Absent and not voting:

Robinson

So the bill lost.

## MOTION

Senator Ringsak moved that the House be requested to return House Bill No. 528, which motion prevailed.

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Morgan moved that the President appoint a committee of three to meet with a like committee from the House as a conference committee on House Bill No. 598, which motion prevailed.

**APPOINTMENT OF CONFERENCE COMMITTEE**

The President appointed as a Conference Committee on House Bill No. 598,

Senator Hofstrand  
 Senator Nasset  
 Senator Berube

**MESSAGE FROM THE HOUSE**

House Chamber

Bismarck, March 1, 1967

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 310,

Rep. Dornacker  
 Rep. Boustead  
 Rep. Backes

ROY GILBREATH, Chief Clerk

**MOTION**

Senator Lips moved that Senate Bill No. 403 be placed at the head of the calendar, which motion prevailed.

**SECOND READING OF A SENATE BILL**

**Senate Bill No. 403.** A Bill for an Act to provide an additional sales and use tax of three quarters of one percent, providing a method of collection and administration, providing a penalty, and providing effective dates and declaring an emergency.

Was read the second time.

**ROLL CALL**

The question being on the passage of Senate Bill No. 403, which the Governor had vetoed, the roll was called and there were ayes, 43; nays, 6; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Ruemmele
Becker	Holand	Luick	Sands
Butler	Jacobson	Melland	Schultz
Chesrown	Kautzmann	Morgan	Sorlie
Coughlin	Kelly, E.	Nasset	Stafne
Decker	Kelly, M.	Nothing	Stroup
Forkner	Larsen, R.	Pyle	Torgerson
Freed	Larson, G.	Redlin	Trenbeath
Geving	Lips	Ringsak	Wenstrom
Goldberg	Litten	Robinson	Wilhite
Hernett	Longmire	Roen	

Those voting in the negative were:

Berube	Larson, L.	Mutch	Rait
Christensen	Meschke		

So the bill passed and the title was agreed to.

Senator Lips moved that the vote by which Senate Bill No. 403 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 1, 1967

Mr. Speaker: I have the honor to transmit the following Senate Bill:

## Senate Bill No. 403

Which the Senate has passed over the Governor's veto.

The vote 43 ayes, 6 nays.

And your favorable consideration is requested.

LEO LEIDHOLM, Secretary

## MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 1, 1967

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 900 and the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Rep. Aafedt  
Rep. Metzger  
Rep. Giffey

ROY GILBREATH, Chief Clerk

## CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Holand moved that the President appoint a committee of three to act with a like committee from the House as a conference committee on House Bill No. 900, which motion prevailed.

## APPOINTMENT OF CONFERENCE COMMITTEE

The President appointed as a Conference Committee on House Bill No. 900,

Senator Longmire  
Senator Sorlie  
Senator Butler

## FIRST READING OF A HOUSE BILL

The Committee on Delayed Bills introduced:

**House Bill No. 943.** A Bill for an Act to amend and reenact section 3, subsections 5 and 8 of section 4, sections 9 and 28, subsection 3 of section 29, and section 34 of House Bill Number 731 as approved by the Fortieth Legislative Assembly, and to amend and reenact sections 1 and 3 of Senate Bill Number 403 as approved by the Fortieth Legislative Assembly, relating to the imposition sections of the sales and use tax laws, exemptions from the sales and use taxes, records and resale certificates of retailers, to repeal section 27 of House Bill Number 731 as approved by the Fortieth Legislative Assembly, providing an effective date, and declaring an emergency.

Was read the first time and referred to the Committee on Finance and Taxation.

## REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 864 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. 865 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.

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 1, 1967

Mr. Speaker: I have the honor to inform you that the Senate requests the return of  
House Bill No. 528

LEO LEIDHOLM, Secretary

Senator Lips moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair, pursuant to recess taken, the President presiding.

## MESSAGE FROM THE HOUSE

House Chamber  
Bismarck, March 1, 1967

Mr. President: I have the honor to return:

Senate Bill No. 91

Which the House has amended as follows:

## AMENDMENTS TO SENATE BILL NO. 91

In line 9 of the engrossed bill delete the word and comma "village,"

In line 16 of the engrossed bill delete the word and comma "village,"

And renumber the lines accordingly.

ROY GILBREATH, Chief Clerk

## CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Morgan moved that the Senate do concur in the House amendments to Senate Bill No. 91.

Senator Goldberg made the substitute motion that the Senate do not concur in the House amendments to Senate Bill No. 91, which motion lost.

The question being on the motion of Senator Morgan, which motion prevailed.

Senator Morgan moved that the rules be suspended and that Senate Bill No. 91 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

## SECOND READING OF A SENATE BILL

**Senate Bill No. 91.** A Bill for an Act to amend and reenact section 40-01-20 of the North Dakota Century Code, relating to the prohibition of daylight saving time, 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, 34; nays, 15; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Morgan	Roen
Becker	Holand	Mutch	Ruemmele
Berube	Jacobson	Nasset	Sands
Chesrown	Kautzmann	Pyle	Schultz
Christensen	Kelly, M.	Rait	Sorlie
Forkner	Larson, G.	Redlin	Stroup
Freed	Larson, L.	Ringsak	Torgerson
Geving	Lowe	Robinson	Wenstrom
Hernett	Luick		

Those voting in the negative were:

Butler	Kelly, E.	Longmire	Stafne
Coughlin	Larsen, R.	Melland	Trenbeath
Decker	Lips	Meschke	Wilhite
Goldberg	Litten	Nething	

So the bill passed and the title was agreed to.

Senator Freed moved that the vote by which Senate Bill No. 91 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 1, 1967

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to

Senate Bill No. 213  
Senate Bill No. 306  
Senate Bill No. 337

And the President has appointed as a conference committee to act with a like committee from the House,

Senator Nething  
Senator Lowe  
Senator Rait-  
To act on Senate Bill No. 213  
Senator Kautzmann  
Senator Coughlin  
Senator Morgan  
To act on Senate Bill No. 306  
Senator Morgan  
Senator Melland  
Senator Butler  
To act on Senate Bill No. 337

LEO LEIDHOLM, Secretary  
Senate Chamber  
Bismarck, March 1, 1967

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,

Senator Hofstrand  
Senator Nasset  
Senator Berube  
To act on House Bill No. 598  
Senator Robinson  
Senator Geving  
Senator Larson (Lester)  
To act on House Bill No. 516  
Senator Larson (Guy)  
Senator Schultz  
Senator Roen  
To act on House Bill No. 603  
Senator Larson (Guy)  
Senator Redlin  
Senator Pyle  
To act on House Bill No. 706  
Senator Longmire  
Senator Sorlie  
Senator Butler  
To act on House Bill No. 900

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber  
Bismarck, March 1, 1967

Mr. President: I have the honor to inform you that the House has refused to return House Bill No. 528, as requested by the Senate.

ROY GILBREATH, Chief Clerk

SECOND READING OF A HOUSE BILL

**House Bill No. 509.** For an Act providing an appropriation for the paying of salaries and other administrative expenses of the office of commissioner of veterans' affairs and the veterans' aid commission.

Was 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:

Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wilhite

Absent and not voting:  
Wenstrom

So the bill passed and the title was agreed to.

MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 1, 1967

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 91

LEO LEIDHOLM, Secretary

Senate Chamber  
Bismarck, March 1, 1967

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on

House Bill No. 506

House Bill No. 523

Vote: 49 ayes

House Bill No. 595

Vote: 38 ayes, 10 nays, 1 absent

LEO LEIDHOLM, Secretary

SECOND READING OF A HOUSE BILL

**House Bill No. 928.** A Bill for an Act relating to the promotion, advertising, research and development of Irish potatoes; creating a state potato council and prescribing its powers, duties and authority; prescribing a tax on potato production, providing for its collection making an appropriation and providing penalties for the violation of this Act, and declaring an emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 3; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Redlin
Becker	Hofstrand	Low	Ringsak
Berube	Holand	Luick	Robinson
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Decker	Kelly, M.	Mutch	Sorlie
Forkner	Larson, G.	Nasset	Stafne
Freed	Larson, L.	Nothing	Stroup
Geving	Lips	Pyle	Torgerson
Goldberg	Litten	Rait	Trenbeath

Those voting in the negative were:

Coughlin	Larsen, R.	Wilhite
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Absent and not voting:

Roen	Wenstrom
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So the bill passed and the title was agreed to.

## MOTION

Senator Lips moved that House Bill No. 833 be placed at the foot of the calendar, which motion prevailed.

## SECOND READING OF HOUSE BILLS

**House Bill No. 904.** A Bill for an Act to amend and reenact section 13-04-01 of the 1965 Supplement to the North Dakota Century code, relating to bank installment loans.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, on page 796 of the Senate Journal, the roll was called and there were ayes, 43; nays, 4; absent and not voting, 2.

Those voting in the affirmative were:

Becker	Hofstrand	Low	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Morgan	Schultz
Coughlin	Kelly, E.	Mutch	Sorlie
Decker	Kelly, M.	Nasset	Stafne
Forkner	Larsen, R.	Nothing	Stroup
Freed	Larson, G.	Pyle	Torgerson
Geving	Lips	Redlin	Trenbeath
Goldberg	Litten	Ringsak	Wilhite
Hernett	Longmire	Robinson	

Those voting in the negative were:

Christensen	Larson, L.	Meschke	Rait
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Absent and not voting:

Beck	Wenstrom
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So the bill passed and the title was agreed to.

**House Bill No. 914.** A Bill for an Act to provide that automobile liability insurance shall not be canceled without proper notice, with reason for cancellation to be provided, and for nonliability of parties.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, on page 797 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.



Those voting in the affirmative were:

Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wilhite

Absent and not voting:  
Wenstrom

So the bill passed and the title was agreed to.

MOTION

Senator Lips moved that House Bill No. 917, Senate Concurrent Resolution "N", and House Concurrent Resolutions "P" and "P-1" be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF A HOUSE BILL

**House Bill No. 822.** A Bill for an Act to authorize the control, prevention, and abatement of pollution of the surface waters of the state, and providing a penalty.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, on page 774 of the Senate Journal, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nothing	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wilhite
Goldberg	Litten	Ringsak	

Those voting in the negative were:

Mutch

Absent and not voting:

Wenstrom

So the bill passed and the title was agreed to.

MOTION

Senator Lips moved that Senate Bill No. 95 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS AND  
A HOUSE CONCURRENT RESOLUTION

**House Bill No. 661.** A Bill for an Act to amend and reenact subsection 3 of section 57-15-14 of the North Dakota Century Code, relating to mill levies in high school districts.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 7; absent and not voting, 1.

Those voting in the affirmative were:

Becker	Hofstrand	Litten	Ringsak
Berube	Holand	Longmire	Roen
Butler	Jacobson	Lowe	Ruemmele
Chesrown	Kautzmann	Melland	Sands
Christensen	Kelly, E.	Meschke	Schultz
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nothing	Stroup
Freed	Larson, G.	Pyle	Torgerson
Geving	Larson, L.	Rait	Trenbeath
Goldberg	Lips	Redlin	Wilhite
Hernett			

Those voting in the negative were:

Beck	Luick	Mutch	Sorlie
Forkner	Morgan	Robinson	

Absent and not voting:

Wenstrom

So the bill passed and the title was agreed to.

**House Bill No. 830.** A Bill for an Act to amend and reenact section 15-34-12 of the North Dakota Century Code, relating to contracts for school transportation.

Was 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:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	

Absent and not voting:

Freed Wenstrom

So the bill passed and the title was agreed to.

**House Bill No. 886.** A Bill for an Act to amend and reenact Section 57-15-44 of the North Dakota Century Code relating to the city tax levy for acquiring real estate for public buildings, and repealing Sections 57-15-45 and 57-15-46 of the North Dakota Century Code.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 31; nays, 15; absent and not voting, 3.

Those voting in the affirmative were:

Berube	Hofstrand	Lips	Pyle
Butler	Holand	Litten	Redlin
Chesrown	Kautzmann	Longmire	Sands
Christensen	Kelly, E.	Lowe	Schultz
Coughlin	Kelly, M.	Luick	Sorlie

Decker	Larsen, R.	Melland	Stafne
Forkner	Larson, G.	Meschke	Stroup
Goldberg	Larson, L.	Nething	

Those voting in the negative were:

Beck	Hernett	Nasset	Ruemmele
Becker	Jacobson	Ringsak	Torgerson
Freed	Morgan	Robinson	Trenbeath
Geving	Mutch	Roen	

Absent and not voting:

Rait	Wenstrom	Wilhite
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So the bill passed and the title was agreed to.

**House Concurrent Resolution "L".** A Concurrent Resolution directing the state board of higher education to prepare a long-range ten-year plan for capital improvements at state institutions under its jurisdiction, to prepare a plan for the maximum utilization of classrooms and physical facilities, to prepare a plan for the elimination of unjustified and duplicate programs, to prepare a plan and establish the use and purpose for which each institution under its jurisdiction is intended, and to report on such plans to the subcommittee on budget of the legislative research committee by no later than December 1, 1968, and to the Forty-first Legislative Assembly.

Was read the second time.

Senator Stafne moved that House Concurrent Resolution "L" be adopted, which motion prevailed.

#### SECOND READING OF A SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution "FFF".** A Concurrent Resolution directing the legislative research committee to study the various state scholarship and loan funds administered by the state.

Was read the second time.

Senator Holand moved that Senate Concurrent Resolution "FFF" be re-referred to the Legislative Research Resolutions Committee, which motion prevailed.

#### SECOND READING OF A HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution "M".** A concurrent resolution urging the Congress of the United States to pass enabling legislation authorizing the remittance of up to ten percent of federal income taxes paid by each state to the state where such revenue originates.

Was read the second time.

Senator Decker moved that House Concurrent Resolution "M" be adopted, which motion prevailed.

#### MOTION

Senator Lips moved that the rules be suspended and that House Bill No. 719 be placed at the head of the calendar, which motion prevailed.

#### SECOND READING OF A HOUSE BILL

**House Bill No. 719.** A Bill for an Act making an appropriation for the completion of the compilation and publishing of the records of those who served in World War II and the Korean hostilities.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 11; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hofstrand	Lips	Redlin
Becker	Holand	Longmire	Ringsak

Chesrown	Jacobson	Lowe	Robinson
Christensen	Kautzmann	Luick	Ruemmele
Decker	Kelly, E.	Melland	Schultz
Forkner	Kelly, M.	Morgan	Stroup
Freed	Larsen, R.	Nasset	Torgerson
Geving	Larson, G.	Nothing	Trenbeath
Hernett	Larson, L.	Rait	Wilhite

Those voting in the negative were:

Berube	Goldberg	Mutch	Sorlie
Butler	Litten	Pyle	Stafne
Coughlin	Meschke	Sands	

Absent and not voting:  
Roen           Wenstrom

So the bill passed and the title was agreed to.

#### MOTION

Senator Lips moved that the rules be suspended and that House Bills Nos. 795, 819, 848, 514, 520 and 526 be placed at the head of the calendar, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 795.** A Bill for an Act to amend and reenact section 15-27-06 of the North Dakota Century Code, relating to limitations on power to detach and attach territory.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 846 of the Senate Journal, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nothing	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Redlin	Wilhite

Those voting in the negative were:

Rait

Absent and not voting:

Roen           Wenstrom

So the bill passed and the title was agreed to.

**House Bill No. 819.** A Bill for an Act to amend and reenact section 11-14-13, subsection 6 of section 15-29-12, and sections 21-03-40, 57-19-02, 57-19-06, and 57-19-07 of the North Dakota Century Code, providing that school district treasurers may be custodians of sinking and reserve funds of school districts when authorized by the school board and that county treasurers shall remit school funds monthly.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on pages 846 and 847 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson

Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wilhite
Goldberg	Litten	Redlin	

Absent and not voting:  
Torgerson      Wenstrom

So the bill passed and the title was agreed to.

**House Bill No. 848.** A Bill for an Act to create and enact subsection 19 of section 15-29-08 of the North Dakota Century Code relating to school board's authority to organize.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 847 of the Senate Journal, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nething	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wilhite
Goldberg	Longmire	Ringsak	

Those voting in the negative were:

Hofstrand      Wenstrom

So the bill passed and the title was agreed to.

**House Bill No. 514.** For an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the State Highway Department and to authorize expenditures for highway project construction costs.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on pages 867 and 868 of the Senate Journal, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wilhite

Absent and not voting:

Wenstrom

So the bill passed and the title was agreed to.

**House Bill No. 520.** 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 second time.

Senator Longmire moved that House Bill No. 520 be laid over one legislative day, which motion prevailed.

**House Bill No. 526.** A Bill for an Act making an appropriation to the board of administration out of the permanent capitol building fund and the interest and income capitol fund and state highway fund for the purpose of constructing a new maintenance shop and capitol buildings and ground improvements, and declaring an emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on pages 868 and 869 of the Senate Journal, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Robinson
Becker	Hofstrand	Luick	Roen
Berube	Holand	Melland	Ruemmele
Butler	Jacobson	Meschke	Sands
Chesrown	Kautzmann	Morgan	Schultz
Christensen	Kelly, E.	Nasset	Sorlie
Coughlin	Kelly, M.	Nething	Stafne
Decker	Larsen, R.	Pyle	Stroup
Forkner	Larson, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Ringsak	Wilhite
Goldberg	Longmire		

Those voting in the negative were:

Mutch Torgerson

Absent and not voting:

Larson, G.

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 1, 1967

Mr. President: I have the honor to transmit:

House Bill No. 940

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

#### FIRST READING OF A HOUSE BILL

**House Bill No. 940.** A Bill for an Act to amend and reenact section 54-03-20 of the North Dakota Century Code, relating to allowances for expenses of members of the legislative assembly, and declaring an emergency.

Was read the first time and referred to the Committee on Appropriations.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 404 has had the same under consideration and recommends that the same be amended as follows:

In line 18 delete the words "two hundred" and insert in lieu thereof the words "three hundred ninety"

In line 19 delete the words "sixty-five"

In line 29 delete the words "two hundred sixty-five" and insert in lieu thereof the words "three hundred ninety"

Following line 101 but before line 102 insert the following language:

"8.

University of North  
Dakota and School of  
Mines located at the  
City of Grand Forks  
in the county of

Grand Forks — an  
engineering building    \$125,000.00    \$675,000.00    \$800,000.00"

In line 186 delete the figure "\$463,320.00" and insert in lieu thereof the figure "\$474,320.00"

Delete lines 189 through 207 and insert in lieu thereof the following:

"Second year .....	\$464,079.00
Third year .....	453,838.00
Fourth year .....	443,597.00
Fifth year .....	433,356.00
Sixth year .....	423,115.00
Seventh year .....	412,874.00
Eighth year .....	402,633.00
Ninth year .....	392,392.00
Tenth year .....	382,151.00
Eleventh year .....	371,910.00
Twelfth year .....	361,669.00
Thirteenth year .....	351,428.00
Fourteenth year .....	341,187.00
Fifteenth year .....	330,946.00
Sixteenth year .....	320,705.00
Seventeenth year .....	310,464.00
Eighteenth year .....	300,223.00
Nineteenth year .....	289,982.00
Twentieth year .....	279,741.00"

In line 278 delete the figure "\$5,265,000.00" and insert in lieu thereof the figure "5,390,000.00"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

**Statement of the Purpose of the Amendment:**

The amendments in this bill center around the construction of an engineering building at UND. The funds for this building were deleted from House Bill No. 501 and inserted here so that it becomes a part of the building priority list of the board of higher education because the need for this building has been established and the availability of \$410,000.00 in private funds has been determined in contributing to the construction of this building.

**SENATOR SORLIE, Chairman**

Senator Litten moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 405 has had the same under consideration and recommends that the same be amended as follows:

In the third line of the title after the word "assembly" but before the period insert a comma and the words "and declaring an emergency"

Delete lines 18 through 41 and insert in lieu thereof the following language: "of the state of North Dakota shall be entitled to, and shall receive the sum of twenty-five dollars a day, as reimbursement for his living expenses, including meals, lodging, uncompensated travel, and other necessary expenses, for each calendar or natural day during any legislative session. Such expenses shall be paid at the end of each month during such legislative session.

In addition, each such member shall receive during the term for which he was elected, for uncompensated expenses incurred in the execution of his public duties during the biennium, the sum of thirty-five dollars a month, which sum shall be payable every six months commencing on July 1, 1967, and every six months thereafter. Provided, however, should a member die or resign from office during his term, he shall be paid only the allowances provided for in this section for the period for which he was actually a member.

Attendance at ((the biennial)) any session of the legislative assembly by any member thereof shall be a conclusive presumption of the expenditure of such expense ((allowance)) allowances for the purpose set forth in this section and shall be excluded from gross income for income tax purposes. (((Said sum shall be paid in the same manner as the regular per diem of the members of the legislative assembly is paid.))) The provisions of this section shall be retroactive to January 1, (((1965))) 1967.

**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."

And renumber the lines accordingly

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The amendments of this bill are as follows: reduction of living expense allowance during legislative session from \$27.00 to \$25.00; reduction of monthly allowance during the biennium from \$50.00 to \$35.00. The monthly allowance is to be paid twice a year commencing July 1, 1967.

**SENATOR SORLIE, Chairman**

Senator Melland moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 406 has had the same under consideration and recommends that the same do pass.

**SENATOR SORLIE, Chairman**

Senator Larsen (Richard) moved that the report be adopted, which motion prevailed.

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:

In line 14 delete the figure \$13,653,267.00 and insert in lieu thereof \$13,629,167.00

In line 18 delete the figure \$16,773,476.00 and insert in lieu thereof \$16,749,376.00

In line 20 delete the figure \$11,078,934.00 and insert in lieu thereof \$11,054,834.00

Delete all of line 28

In line 29 delete the figure \$11,764,934.00 and insert in lieu thereof \$11,615,834.00

In line 40 delete the figure \$11,164,025.00 and insert in lieu thereof \$11,140,025.00



In line 43 delete the figure \$749,785.00 and insert in lieu thereof \$553,785.00

In line 44 delete the figure \$14,287,991.00 and insert in lieu thereof \$14,067,991.00

In line 46 delete the figure \$9,007,859.00 and insert in lieu thereof \$8,787,859.00

In line 53 delete the figure \$9,313,159.00 and insert in lieu thereof \$9,093,159.00

In line 119 delete the figure \$85,750.00 and insert in lieu thereof \$78,750.00

In line 123 delete the figure \$3,299,835.00 and insert in lieu thereof \$3,292,835.00

In line 151 delete the figure \$35,268,988.00 and insert in lieu thereof \$34,892,888.00

After line 175 insert the following: "SECTION 4. APPROPRIATION.) There is hereby appropriated out of any moneys in the state treasury the sum of \$130,000.00 or so much thereof as may be necessary to the state board of higher education to be transferred as needed and required to the respective operating funds of colleges and universities under the board's control for making payments to faculty members of these colleges and universities who are on sabbatical leave approved by the board of higher education during the biennium beginning July 1, 1967, and ending June 30, 1969."

"SECTION 5. NEW PROGRAMS AND ACTIVITIES.) No new courses, programs or activities shall be commenced at any institution of higher learning under the control of the board of higher education during the biennium beginning July 1, 1967 and ending June 30, 1969 until the board of higher education shall first report such proposed new courses, programs and activities in writing to the subcommittee on budget of the legislative research committee. The board shall in addition thereto provide such additional information to such subcommittee in regard thereto as it may request. The legislative research committee shall report upon such new courses, programs and activities to the forty-first legislative assembly."

And renumber the lines and sections accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee took sabbatical leave moneys in the amount of \$48,100.00 out of the UND and NDSU budgets and provided for sabbatical leave money in the amount of \$130,000.00 to the board of higher education in Section 4. The committee decided no school should have money for sabbatical leaves in its budget and should get same via the board of higher education as the board sees fit.

Line 28: The committee deleted the \$125,000.00 for the engineering building at UND because the committee decided that all proposed new buildings for higher education should be on the boards' building priority list.

Line 43: The committee denied the \$196,000.00 for a computer at NDSU because of Senate Bill No. 89 which provides for a study by Legislative Research Committee regarding an integrated data processing system.

Line 119: The committee decreased special assessments at Minot State College by \$7,000.00 because the actual cost is that much less than the original estimate.

Section 5: The committee added this section to direct the board of higher education to inform Legislative Research Committee's budget committee of new programs during the biennium.

SENATOR SORLIE, Chairman.

Senator Litten moved that the report be adopted, which motion prevailed.

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 be amended as follows:

In line 10 delete " deleting Forester," and insert in lieu thereof "positions.")

Delete all of lines 11 and 12

In line 20 delete the figure \$4,351,742.00 and insert in lieu thereof \$4,334,142.00

In line 24 delete the figure \$5,851,785.00 and insert in lieu thereof \$5,834,185.00

In line 26 delete the figure \$3,489,420.00 and insert in lieu thereof \$3,471, 820.00

In line 31 delete the figure \$4,130,420.00 and insert in lieu thereof \$4,112,820.00

In line 91 delete the figure \$5,950,693.00 and insert in lieu thereof \$5,933,093.00

After line 115 add the following: "SECTION 5.) The board of higher education along with the dean of the main experiment station is hereby directed and authorized to phase out any branch experiment station which in their good judgment is not contributing substantially to the over all research programs in agriculture in the state of North Dakota."

And renumber the lines and sections accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee deducted \$17,600.00 from salaries and wages in the main station because the House Appropriations Committee added this same amount onto the salaries and wages of the Carrington station for an agriculture engineer.

SENATOR SORLIE, Chairman

Senator Litten moved that the report be adopted, which motion prevailed.

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:

In line 3 delete the figure \$1,953,350.00 and insert in lieu thereof \$1,961,450.00

In line 15 delete the figure \$101,500.00 and insert in lieu thereof \$109,600.00

In line 16 delete the figure \$1,953,350.00 and insert in lieu thereof \$1,961,450.00

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The committee allowed an increase of \$8,100.00 in equipment for eye examination equipment.

SENATOR SORLIE, Chairman

Senator Christensen moved that the report be adopted, which motion prevailed.

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 be amended as follows:

In line 9 delete the figure \$1,083,196.00 and insert in lieu thereof \$1,107,298.00

In line 10 delete the figure \$704,000.00 and insert in lieu thereof \$763,808.00

In line 11 delete the figure \$379,196.00 and insert in lieu thereof \$343,490.00

In line 15 delete the figure \$775,253.00 and insert in lieu thereof \$757,405.00

In line 16 delete the figure \$142,090.00 and insert in lieu thereof \$141,270.00

In line 17 delete the figure \$110,753.00 and insert in lieu thereof \$113,165.00

In line 18 delete the figure \$40,100.00 and insert in lieu thereof \$43,650.00

After line 19 add the following:

"Purchase Riverdale Marina at Garrison Lake State Park \$36,808.00"

In line 21 delete the figure \$1,083,196.00 and insert in lieu thereof \$1,107,298.00

In line 22 delete the figure \$60,000.00 and insert in lieu thereof \$119,808.00

In line 24 delete the figure \$379,196.00 and insert in lieu thereof \$343,490.00

After line 26 add the following: SECTION 4.) The moneys herein appropriated in accordance with budget categories for salaries and wages pertaining to workload change, different services, or added facilities shall be made available only after certification to the executive office of the budget that such changes, services, or facilities have been added, or that newly anticipated employees are actually in the employ of the state.

And renumber the lines and sections accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

From lines 15 through 18 the committee deducted a total of \$35,706.00 to comply with Senate Bill 281 which transfers five historical sites from the park service to the state historical board.

From lines 15 through 18 the committee added a total of \$23,000.00 to pay for costs of operating the Riverdale Marina six months out of the year, including the employment of two men for this purpose.

The committee increased the estimated state park fund income by \$59,808.00 which is the total amount of increase in the purchase of the Riverdale Marina in the amount of \$36,808.00 and the cost of operating this marina in the amount of \$23,000.00.

SENATOR SORLIE, Chairman

Senator Litten 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 be amended as follows:

In line 15 delete the "line" under the figure "\$35,000.00"

After line 15 insert the following:

"Compensation of state representative to,  
and state's share of expenses of,  
Red-Souris-Rainy River Basins Commission \$95,000.00"

In line 16 delete the figure \$948,269.00 and insert in lieu thereof \$1,043,269.00

In line 21 after the word "obligations" delete the period and insert in lieu thereof the following: "for the biennium beginning July 1, 1967 and ending June 30, 1969."

In line 32 delete the words "Any appropriation in the contract fund shall"

Delete all of lines 33 through 37

And renumber the lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The insertion in line 21 and deletion in part of line 32 and all of lines 33 through 37 disallow the contract fund to be a continuing fund. The moneys for any unfinished projects at the end of the biennium must be reappropriated and any funds for new projects must be appropriated each biennium.

This allows for a closer analysis of the projects by the legislature, leaves more money in the general fund, and makes this budget more consistent with others.

SENATOR SORLIE, Chairman

Senator Melland 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 do pass.

SENATOR SORLIE, Chairman

Senator Coughlin moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 777 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 943 has had the same under consideration and recommends that the same do pass.

SENATOR BECKER, Chairman

Senator Becker 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 "E-1" has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

Senator Ringsack moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education to whom was referred House Bill No. 884 has had the same under consideration and recommends that the same be amended as follows:

AMENDMENTS TO HOUSE BILL No. 884, AS ENGROSSED

In the first line of the title delete the word "and" between the numerals "15-40-18" and "15-40-19" and insert a comma in lieu thereof

In the second line of the title delete the words "subsection 11 of section 57-01-06," and delete the word "section" preceding the numerals "57-15-24"

In the third line of the title insert after the comma the word "relating" and delete the word "delete"

In the fourth line of the title delete the comma and the word "and" at the end of the line and insert a period in lieu thereof

Delete the fifth, sixth, seventh and eighth lines of the title

Delete the triple parentheses in lines 5, 12, 20, 27, 28, 31 and 36 of the bill

In line 66 of the bill delete the period and the triple parentheses at the end of the line and insert in lieu thereof the following:

“; provided, however, that the amount to be certified by the superintendent of public instruction and levied by the county auditor in each of the years 1967 through 1975 shall be as follows:

A. In the year 1967:

1. In each county having a county average that is less than the state average the amount levied shall be the sum of —
  - (a) the product obtained by multiplying the taxable valuation of property in the county by twenty-one mills, and
  - (b) one-tenth of the difference between the amount computed in (a), immediately above, and the amount that would have been levied pursuant to this section if this proviso had not been in effect.
2. In each county having a county average that is more than the state average the amount levied shall be the difference between —
  - (a) the product obtained by multiplying the taxable valuation of property in the county by twenty-one mills, and
  - (b) one-tenth of the difference between the amount computed in (a), immediately above, and the amount that would have been levied pursuant to this section if this proviso had not been in effect.

B. In the year 1968:

1. In each county having a county average that is less than the state average the amount levied shall be the sum of —
  - (a) the product obtained by multiplying the taxable valuation of property in the county by twenty-one mills, and
  - (b) two-tenths of the difference between the amount computed in (a), immediately above, and the amount that would have been levied pursuant to this section if this proviso had not been in effect.
2. In each county having a county average that is more than the state average the amount levied shall be the difference between —
  - (a) the product obtained by multiplying the taxable valuation of property in the county by twenty-one mills, and
  - (b) two-tenths of the difference between the amount computed in (a), immediately above, and the amount that would have been levied pursuant to this section if this proviso had not been in effect.

C. In the year 1969:

1. In each county having a county average that is less than the state average the amount levied shall be the sum of —
  - (a) the product obtained by multiplying the taxable valuation of property in the county by twenty-one mills, and
  - (b) three-tenths of the difference between the amount computed in (a), immediately above, and the amount that would have been levied pursuant to this section if this proviso had not been in effect.
2. In each county having a county average that is more than

the state average the amount levied shall be the difference between —

- (a) the product obtained by multiplying the taxable valuation of property in the county by twenty-one mills, and
- (b) three-tenths of the difference between the amount computed in (a), immediately above, and the amount that would have been levied pursuant to this section if this proviso had not been in effect.

D. In the year 1970:

1. In each county having a county average that is less than the state average the amount levied shall be the sum of —
  - (a) the product obtained by multiplying the taxable valuation of property in the county by twenty-one mills, and
  - (b) four-tenths of the difference between the amount computed in (a), immediately above, and the amount that would have been levied pursuant to this section if this proviso had not been in effect.
2. In each county having a county average that is more than the state average the amount levied shall be the difference between —
  - (a) the product obtained by multiplying the taxable valuation of property in the county by twenty-one mills, and
  - (b) four-tenths of the difference between the amount computed in (a), immediately above, and the amount that would have been levied pursuant to this section if this proviso had not been in effect.

E. In the year 1971:

1. In each county having a county average that is less than the state average the amount levied shall be the sum of —
  - (a) the product obtained by multiplying the taxable valuation of property in the county by twenty-one mills, and
  - (b) five-tenths of the difference between the amount computed in (a), immediately above, and the amount that would have been levied pursuant to this section if this proviso had not been in effect.
2. In each county having a county average that is more than the state average the amount levied shall be the difference between —
  - (a) the product obtained by multiplying the taxable valuation of property in the county by twenty-one mills, and
  - (b) five-tenths of the difference between the amount computed in (a), immediately above, and the amount that would have been levied pursuant to this section if this proviso had not been in effect.

F. In the year 1972:

1. In each county having a county average that is less than the state average the amount levied shall be the sum of —
  - (a) the product obtained by multiplying the taxable valuation of property in the county by twenty-one mills, and
  - (b) six-tenths of the difference between the amount computed in (a), immediately above, and the amount that would have been levied pursuant to this section if this proviso had not been in effect.

2. In each county having a county average that is more than the state average the amount levied shall be the difference between —
    - (a) the product obtained by multiplying the taxable valuation of property in the county by twenty-one mills, and
    - (b) six-tenths of the difference between the amount computed in (a), immediately above, and the amount that would have been levied pursuant to this section if this proviso had not been in effect.
- G. In the year 1973:
1. In each county having a county average that is less than the state average the amount levied shall be the sum of —
    - (a) the product obtained by multiplying the taxable valuation of property in the county by twenty-one mills, and
    - (b) seven-tenths of the difference between the amount computed in (a), immediately above, and the amount that would have been levied pursuant to this section if this proviso had not been in effect.
  2. In each county having a county average that is more than the state average the amount levied shall be the difference between —
    - (a) the product obtained by multiplying the taxable valuation of property in the county by twenty-one mills, and
    - (b) seven-tenths of the difference between the amount computed in (a), immediately above, and the amount that would have been levied pursuant to this section if this proviso had not been in effect.
- H. In the year 1974:
1. In each county having a county average that is less than the state average the amount levied shall be the sum of —
    - (a) the product obtained by multiplying the taxable valuation of property in the county by twenty-one mills, and
    - (b) eight-tenths of the difference between the amount computed in (a), immediately above, and the amount that would have been levied pursuant to this section if this proviso had not been in effect.
  2. In each county having a county average that is more than the state average the amount levied shall be the difference between —
    - (a) the product obtained by multiplying the taxable valuation of property in the county by twenty-one mills, and
    - (b) eight-tenths of the difference between the amount computed in (a), immediately above, and the amount that would have been levied pursuant to this section if this proviso had not been in effect.
- I. In the year 1975:
1. In each county having a county average that is less than the state average the amount levied shall be the sum of —
    - (a) the product obtained by multiplying the taxable valuation of property in the county by twenty-one mills, and
    - (b) nine-tenths of the difference between the amount computed in (a), immediately above, and the amount

that would have been levied pursuant to this section if this proviso had not been in effect.

2. In each county having a county average that is more than the state average the amount levied shall be the difference between —
  - (a) the product obtained by multiplying the taxable valuation of property in the county by twenty-one mills, and
  - (b) nine-tenths of the difference between the amount computed in (a), immediately above, and the amount that would have been levied pursuant to this section if this proviso had not been in effect.

At the end of line 98 insert the following language:

“, on or before February first payments equal to one-fourth of the total payments made to each respective equalization fund”

In line 99 delete the word “March” and insert the word “April” in lieu thereof

Delete all of lines 100, 101, 102 and 103

In line 112 delete the triple parentheses

In line 116 insert after the word “than” the words “or more than”

In line 119 after the word “instruction” insert the words “pursuant to section 15-40-18”

Delete the triple parentheses at the end of line 121

Delete all of lines 124 and 125

Renumber the sections and lines accordingly.

Senator Roen

Senator Larson

Senator Trenbeath

Senator Ruemmele

Senator Pyle

Senator Nasset

Senator Berube

Senator Longmire

And when so amended recommends the same do pass.

SENATOR ROEN, Chairman

Senator Roen moved that the report be adopted.

Mr. President: Your Committee on Education to whom was referred House Bill No. 884 has had the same under consideration and a minority recommends that the same be indefinitely postponed.

Senator Redlin

Senator Schultz

Senator Stafne

SENATOR ROEN, Chairman

Senator Redlin moved that the report of the minority be substituted for that of the majority, which motion lost.

The question being on the motion of Senator Roen, which motion prevailed.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 940 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SORLIE, Chairman

Senator Melland moved that the report be adopted, which motion prevailed.

Senator Schultz moved that the absent Senators be excused which motion prevailed.

Senator Lips moved that the Senate adjourn which motion prevailed.



## FIFTY-EIGHTH DAY

Bismarck, March 1, 1967

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Rev. Stephen Knudsen, First Lutheran, Mandan.

As we pause to remember you, O God, at the beginning of this legislative day, we are painfully aware that we are preoccupied with our own problems. The time for our special labors seems to be in short supply and we are feeling the frustration that belongs to all men of not being able to accomplish all that we desire to accomplish.

Help us to see that it is precisely this failure that caused You to offer to mankind Your strength and forgiveness in the first place. Give us an awareness that You are not just an Observer in the gallery, but a Working Member of this Senate with all who will have it so. So, make this brief pause to be more than simply saying "hello" to You as we rush on with our own business.

And if we come to acknowledge Your Presence here at all times, deliver us from the temptation to make You partisan. Grant us the grace to understand that Your Great Concern is that we behave like men and treat each other as human beings, that we learn to value faithfulness more than success, and that we come to be more eager to build than to destroy, more eager to understand than to condemn.

We can't do it alone, so come, O God; stay with us a while. Amen.

Roll call: All Senators present except Senator Wilhite.

A quorum was declared by the President.

## CORRECTION AND REVISION

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 finds the same correct.

SENATOR LOWE

Senator Lowe moved that the report be adopted, which motion prevailed.  
correct.

## MOTION

Senator Lips moved that the vote by which House Bills Nos. 509, 928, 904, 914, 822, 661, 830, 886, 719, 795, 819, 848, 514 and 526 were passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

## REPORTS OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 31  
Senate Bill No. 58  
Senate Bill No. 224  
Senate Bill No. 237  
Senate Bill No. 259  
Senate Bill No. 267  
Senate Bill No. 343  
Senate Bill No. 357

And find the same correctly Enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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. 71

Senate Bill No. 100

Senate Bill No. 179

Senate Bill No. 251

And find the same correctly Engrossed and Enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

Senator Lips moved that the Senate recess until 9:00 a.m., March 2, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary

"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### FIFTY-EIGHTH DAY AFTER RECESS AND FIFTY-NINTH DAY

Bismarck, March 2, 1967

The Senate convened at 9:00 a.m., pursuant to recess taken, the President presiding.

#### MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 2, 1967

Mr. President: I have the honor to transmit the following Senate Bill:

Senate Bill No. 403

Which the House has passed over the Governor's veto.

The vote: 75 ayes, 22 nays, 1 absent and not voting.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 2, 1967

Mr. President: I have the honor to transmit the following House Bills:

House Bill No. 615

House Bill No. 941

Which the House has passed over the Governor's veto.

The vote:

House Bill No. 615

76 ayes, 20 nays, 2 absent, not voting

House Bill No. 941

77 ayes, 20 nays, 1 absent, not voting.

And your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 2, 1967

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on

Senate Bill No. 43

Senate Bill No. 54

Senate Bill No. 165

Senate Bill No. 213

Senate Bill No. 306

Senate Bill No. 309

Senate Bill No. 337

Rep. Kelsch

Rep. Hensrud

Rep. Winge

To act on Senate Bill No. 43

Rep. Tweten  
 Rep. Peterson (5th Dist.)  
 Rep. Solberg (9th Dist.)  
 To act on Senate Bill No. 54  
 Rep. Brown  
 Rep. DeKrey  
 Rep. Link  
 To act on Senate Bill No. 165  
 Rep. Metzger  
 Rep. Dahl  
 Rep. Sanstead  
 To act on Senate Bill No. 213  
 Rep. Boyum  
 Rep. Lee  
 Rep. Kuehn  
 To act on Senate Bill No. 306  
 Rep. Knudson  
 Rep. Sandness  
 Rep. Sanstead  
 To act on Senate Bill No. 309  
 Rep. Hickie  
 Rep. McDonald (21st Dist.)  
 Rep. DeKrey  
 To act on Senate Bill No. 337

ROY GILBREATH, Chief Clerk

MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 2, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 509  
 House Bill No. 661  
 House Bill No. 830  
 House Bill No. 886  
 House Bill No. 928  
 House Concurrent Resolution "L"  
 Which the Senate passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 2, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 514  
 House Bill No. 526  
 House Bill No. 719  
 House Bill No. 795  
 House Bill No. 819  
 House Bill No. 822  
 House Bill No. 848  
 House Bill No. 904  
 House Bill No. 914  
 House Concurrent Resolution "M"  
 Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 2, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 732  
 House Bill No. 788  
 House Bill No. 800

House Bill No. 838

House Concurrent Resolution "S"

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 2, 1967

Mr. President: I have the honor to return:

Senate Bill No. 6

Senate Bill No. 26

Senate Bill No. 172

Senate Bill No. 193

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk.

House Chamber

Bismarck, March 2, 1967

Mr. President: I have the honor to return:

Senate Bill No. 61

Senate Bill No. 66

Senate Bill No. 83

Senate Bill No. 99

Senate Bill No. 145

Senate Bill No. 192

Senate Bill No. 235

Senate Bill No. 295

Senate Bill No. 326

Senate Bill No. 332

Senate Bill No. 344

Senate Bill No. 369

Senate Concurrent Resolution "R"

Senate Concurrent Resolution "S"

Senate Concurrent Resolution "W"

Senate Concurrent Resolution "B-B"

Senate Concurrent Resolution "I-I"

Senate Concurrent Resolution "N-N"

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 2, 1967

Mr. President: I have the honor to return:

Senate Bill No. 87

Senate Bill No. 96

Senate Bill No. 155

Senate Bill No. 207

Which the House has indefinitely postponed.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 2, 1967

Mr. President: I have the honor to return:

Senate Bill No. 106

Senate Bill No. 287

Which the House has killed.

ROY GILBREATH, Chief Clerk

House Chamber  
Bismarck, March 2, 1967

Mr. President: I have the honor to return:

Senate Bill No. 105  
Senate Bill No. 112  
Senate Bill No. 126  
Senate Bill No. 158  
Senate Bill No. 185  
Senate Bill No. 205  
Senate Bill No. 249  
Senate Bill No. 299  
Senate Bill No. 354  
Senate Concurrent Resolution "P-P"

Which the House has amended as follows:

ROY GILBREATH, Chief Clerk

**AMENDMENTS TO SENATE BILL No. 105**

In line 227 of the engrossed bill delete the following language  
", in a bank which is a member of the"

In line 228 of the engrossed bill delete the following language  
"Federal Deposit Insurance Corporation"

In line 229 of the engrossed bill after the word "funds" insert the following language "and is a member of the Federal Deposit Insurance Corporation"

And renumber the lines accordingly.

**AMENDMENTS TO SENATE BILL No. 112**

In the second line of the title after the word "fund" insert the following language ", and declaring an emergency"

After line 30 insert the following new section

"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."

And renumber the lines and sections accordingly.

**AMENDMENTS TO SENATE BILL No. 126**

Delete everything after the words "A BILL" and insert in lieu thereof the following:

"For an Act to require insurance adjusters, attorneys, and any other person who has taken a statement of any individual for the purpose of possible use in a lawsuit arising out of a tortious act to provide a copy of the statement to the person from whom said statement was taken.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:**

**SECTION 1. COPIES OF STATEMENTS TO BE PROVIDED.)**

Every insurance adjuster, attorney, or any other person who takes the statement of an individual, who may be a party to possible litigation, for use or possible use in the preparation of or trying of a civil suit arising out of a tortious act, and whether said statement be in writing or by any device which records matters stated, other than depositions and court proceedings, shall provide a copy of the statement to the person from whom said statement was taken within thirty days of the making of the statement. No such statement shall be used directly or indirectly in connection with a civil action unless submitted to the person as required herein."

And renumber the lines accordingly.

**AMENDMENTS TO SENATE BILL No. 158**

Delete everything after the words "A BILL" and insert in lieu thereof the following material:

"For an Act providing for regional planning and zoning commissions for areas adjacent to cities, and repealing chapter 11-34 of the North Dakota Century Code, relating to county zoning adjacent to cities.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. REGIONAL COMMISSIONS — APPOINTMENT — POWERS.) The governing boards of counties, municipal corporations, and organized townships may cooperate to form, organize, and administer a regional planning and zoning commission for the region defined as may be agreed upon by the governing bodies of such political subdivisions. The regional commission membership shall consist of five members; namely, one from the board of county commissioners, two from the rural region affected, and two from the municipality, the members from each to be appointed by the respective governing boards. The proportion of cost of regional planning, zoning, studies, and surveys to be borne respectively by each of the said political subdivisions in the region, shall be such as may be agreed upon by their governing boards. The regional commissions, when requested by the governing board of a political subdivision in its region, may exercise any of the powers which are specified and granted to counties, municipal corporations, or organized townships in matters of planning and zoning. Upon organization of such commission, publication and hearing procedures shall be conducted pursuant to sections 11-33-08 and 11-33-09 of the North Dakota Century Code. Appeal from a decision of the commission may be taken to the district court.

SECTION 2. ZONING OF TERRITORY ADJACENT TO CITIES.) Until the organization of either a regional planning and zoning commission as provided herein or township or county zoning commission pursuant to sections 58-03-11 through 58-03-15 and chapter 11-33, respectively, of the North Dakota Century Code, any municipal corporation which shall determine to use zoning regulations shall have exclusive jurisdiction and power to zone over all land over which it has authority to control subdivisions and platting of land as provided in section 40-48-18 of the North Dakota Century Code.

SECTION 3. REPEAL.) Chapter 11-34 of the North Dakota Century Code is hereby repealed."

And renumber the lines accordingly.

#### AMENDMENTS TO SENATE BILL No. 185

Delete all of the words in the first, second and third lines of the title and insert the following language:

"For an Act to create and enact subsection 6 of section 39-05-02 of the North Dakota Century Code, relating to vehicles exempt from registration and to amend and reenact subsection 1 and subdivision b of subsection 2 of section 39-04-18 of the North Dakota Century Code, relating to the registration of motor vehicles."

In line 18 place triple parentheses before the word "a" and after the word "flat"

After line 31 add the following language:

"SECTION 2. AMENDMENT.) Subdivision b of subsection 2 of section 39-04-18 of the 1965 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

b. Motor vehicles owned and operated by Indian mission schools or by this state or any of its agencies, departments or political subdivisions, including school districts possessing a motor vehicle or vehicles used for driver education instruction, provided, however, that such vehicles shall display license plates provided by the motor vehicle registrar at actual cost.

SECTION 3.) Subsection 6 of section 39-05-02 of the North Dakota Century Code is hereby created and enacted to read as follows:

6. Vehicles in possession of school districts, used for driver education instruction."

And renumber the lines accordingly.

#### AMENDMENTS TO SENATE BILL No. 205

In line 5 of the engrossed bill, following the word "trained" delete the word "and" and insert in lieu thereof the word "or"

In line 47, insert a period following the word "county" and delete the remaining language

Delete lines 48, 49, 50, 51 and 52

In line 58 following the word "city" insert the words "or township"

In line 60 delete the word "full-time" and following the word "city" insert the words "or township"

In line 62 following the word "city" and before the period, insert the words "or township"

In line 64 following the word "city" insert the words "or township" and following the word "serves" delete the comma and insert a "period" and delete the remaining language

Delete lines 65, 66, 67, 68 and 69

In line 99 delete the word "The" and insert in lieu thereof the words "Except as provided for in section 57-14-05, the"

In line 173 before the "comma" insert the following language

"and approved by the county commissioners' association"

In line 229 following the word "city" insert the words "or township"

In line 245 following the word "city" insert the words "or township"

In line 266 following the word "appropriate: and before the period insert the following " , but machinery and equipment which is rented by the owner in the course of a bona fide rental business where a sales or use tax is collected on the retail value shall not be assessed in any district in the first year after its purchase"

In line 285 following the period, insert the following language "The board of county commissioners, for good cause shown, may waive the penalty provided in this section."

And renumber the lines accordingly.

#### AMENDMENTS TO SENATE BILL No. 249

In line 24 delete the word "inmates" and insert the word "residents"

In line 28 delete the word "inmates" and insert the word "residents"

In line 39 delete the word "inmates" and insert the word "residents"

In line 45 delete the word "inmates" and insert the word "residents"

Delete all of lines 50, 51, 52, 53, 54, 55, and 56

In line 67 delete the word "inmates" and insert the word "residents"

In line 96 delete the word "inmates" and insert the word "residents"

And renumber the lines and sections accordingly.

#### AMENDMENTS TO SENATE BILL No. 299

In line 54 of the engrossed bill delete the words "superintendent of public"



In line 55 of the engrossed bill delete the words "instruction of North Dakota" and insert the following language thereafter "state board of public school education"

And renumber the lines accordingly.

#### AMENDMENTS TO SENATE BILL No. 354

In the fourth line of the title to the engrossed bill delete the following material: "and to amend and reenact section 20-03-06 of the North"

Delete all of the fifth line of the title to the engrossed bill

In the sixth line of the title to the engrossed bill delete the following material: "and fishing licenses"

Delete lines 1 through 34 of the engrossed bill

And renumber the lines and sections accordingly.

#### AMENDMENTS TO SENATE CONCURRENT RESOLUTION "P-P"

In line 20 delete the word "other" and insert in lieu thereof the words "any fund"

In line 21 delete the word "funds"

And renumber the lines accordingly.

#### CHANGE IN CONFERENCE COMMITTEE

Senator Becker moved that his name be removed from the Conference Committee on Senate Bill No. 165, and that the name of Senator Rait be inserted as a member of the Conference Committee on Senate Bill No. 165, which motion prevailed.

#### MOTION

Senator Sorlie moved that House Bill No. 833 be placed at the foot of the calendar, which motion prevailed.

#### SECOND READING OF A HOUSE BILL

**House Bill No. 917.** A Bill for an Act to amend chapter 57-38 of the North Dakota Century Code by creating and enacting a new section thereto, relating to the election of a corporation to have its undistributable taxable income included in the gross income of its shareholders; and to provide an effective date.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Becker	Holand	Lowe	Ruemmele
Berube	Jacobson	Luick	Sands
Butler	Kelly, E.	Melland	Schultz
Chesrown	Kelly, M.	Meschke	Sorlie
Coughlin	Larsen, R.	Morgan	Stafne
Decker	Larson, G.	Nasset	Stroup
Forkner	Larson, L.	Nothing	Torgerson
Freed	Lips	Pyle	Trenbeath
Geving	Litten	Rait	Wenstrom
Goldberg	Longmire	Redlin	Wilhite
Hernett		Robinson	

Absent and not voting:

Beck	Hofstrand	Mutch	Roen
Christensen	Kautzmann	Ringsak	

So the bill passed and the title was agreed to.

#### SECOND READING OF A SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution "N".** A Concurrent Resolution to amend and reenact section 174 of the Constitution of the state

of North Dakota, relating to the four-mill levy for state expenses and to authorize a bond issue.

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, 24; nays, 20; absent and not voting, 5.

Those voting in the affirmative were:

Berube	Jacobson	Litten	Rait
Butler	Kelly, M.	Longmire	Redlin
Chesrown	Larsen, R.	Lowe	Stafne
Christensen	Larson, G.	Melland	Stroup
Goldberg	Larson, L.	Meschke	Trenbeath
Holand	Lips	Pyle	Wenstrom

Those voting in the negative were:

Beck	Freed	Morgan	Sands
Becker	Geving	Nasset	Schultz
Coughlin	Hernett	Nething	Sorlie
Decker	Kelly, E.	Robinson	Torgerson
Forkner	Luick	Ruemmele	Wilhite

Absent and not voting:

Hofstrand	Mutch	Ringsak	Roen
Kautzmann			

So the resolution was declared lost for lack of a majority.

#### SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

**House Concurrent Resolution "P".** A concurrent resolution urging the president and the congress to review the fiscal relationships of the several states and the federal government.

Was read the second time.

Senator Decker moved that House Concurrent Resolution "P" be adopted, which motion prevailed.

**House Concurrent Resolution "P-1".** A Concurrent Resolution authorizing and directing the state department of health to inspect the health and sanitary conditions of railroad locomotives and cabooses subject to the jurisdiction of the public service commission.

Was read the second time.

Senator Lowe moved that House Concurrent Resolution "P-1" be adopted, which motion prevailed.

#### MOTION

Senator Lips moved that Senate Bill No. 95 be placed at the foot of the calendar, which motion prevailed.

#### SECOND READING OF A SENATE BILL AND A SENATE CONCURRENT RESOLUTION

**Senate Bill No. 406.** A Bill for an Act to provide for an interstate compact to provide for and maintain cooperation and understanding among executive, legislative, professional educational, and lay leadership upon educational problems on a nationwide basis and at the state and local levels, and providing an appropriation.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 5; absent and not voting, 6.

Those voting in the affirmative were:

Beck	Goldberg	Litten	Redlin
Becker	Hernett	Longmire	Roen

Berube	Holand	Lowe	Ruemmele
Butler	Jacobson	Luick	Sorlie
Chesrown	Kelly, E.	Meschke	Stafne
Christensen	Kelly, M.	Nasset	Stroup
Decker	Larsen, R.	Nething	Torgerson
Forkner	Larson, G.	Pyle	Wenstrom
Freed	Larson, L.	Rait	Wilhite
Geving	Lips		
Those voting in the negative were:			
Coughlin	Robinson	Sands	Schultz
Morgan			
Absent and not voting:			
Hofstrand	Melland	Ringsak	Trenbeath
Kautzmann	Mutch		

So the bill passed and the title was agreed to.

**Senate Concurrent Resolution "RRR".** A Concurrent Resolution establishing an interim legislative committee to act as conservators of the funds now held by the North Dakota Statehood Anniversary Committee and dissolving such Statehood Committee.

Was read the second time.

Senator Forkner: Mr. President. I rise on a point of personal privilege and I ask that the letter I will read be printed in the Journal.

George Engelter, Pres.  
North Dakota Diamond Jubilee Committee  
Bismarck, N. Dak.

February 22, 1967

George:

This is the standing of the current bank account of the Committee as of today.

On our last report dated March 3, 1965 we had the sum of \$6,447.94.

Since that time we have received \$5.79 and \$10.10 in interest for the almost two years involved -- on our savings account at the First National Bank of Bismarck.

We received \$245.92 and \$211.59 in interest on our Certificate of Deposit at the same bank for portions of the two years involved.

This amounts to \$473.49 interest received.

Our expenses or paid outs were \$125.00 to Chase Studios of Washington, D. C. for photographs and \$848.04 to Emmett Morgan of Minneapolis for portraits.

The Certificate of Deposit has now been cashed and transferred into the Savings Account at the First National Bank of Bismarck in hopes that we could wind up the committee at our next meeting and donate the money to some fund, preferably the Heritage Building Fund for the State of North Dakota.

The accounting shows \$6,447.94 plus \$473.49 receipts less expenses of \$973.04 leaving a bank balance of \$5,948.39.

I am holding the bank book and all of our records. If Senator Forkner or anyone else could be prevailed upon to audit the records, I would try to be available at any time.

Hoping this is the information you desired, I am,

Very truly yours,  
SAM TOLCHINSKY, Treas.  
The Governor's Committee  
North Dakota Diamond Jubilee

The question being on the final passage of Senate Concurrent Resolution "RRR".

Senator Forkner moved that Senate Concurrent Resolution "RRR" be adopted, which motion prevailed.

#### MOTION

Senator Sorlie moved that House Bill No. 527 be placed at the foot of the calendar, which motion prevailed.

#### SECOND READING OF A HOUSE BILL

**House Bill No. 794.** A Bill for an Act to provide for the qualification and licensing of insurance agents; and providing a penalty; and to repeal sections 26-10-13, 26-17-01, 26-17-03, 26-17-04, and 26-17-05 of the North Dakota Century Code relating to licensing, liability, suspension and revocation of licenses, and review of the commissioner's orders.

Was read the second time.

Senator Lips moved that House Bill No. 794 be placed at the foot of the calendar.

Senator Decker made the substitute motion that House Bill No. 794 be re-referred to the Committee on Appropriations, which motion prevailed.

#### MOTION

Senator Lips moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair, pursuant to recess taken, the President presiding.

#### CONSIDERATION OF AMENDMENTS

Senator Lips moved that the rules be suspended and that the reading of the amendments to Senate Bills Nos. 404 and 405, House Bills Nos. 501, 502, 503, 505, 524, 533, 884, 906, and House Concurrent Resolutions "A" and "B-2", be dispensed with, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 404 as recommended by the Committee on Appropriations and printed on page 933 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to Senate Bill No. 405 as recommended by the Committee on Appropriations and printed on pages 933 and 934 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 501 as recommended by the Committee on Appropriations and printed on pages 934 and 935 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 502 as recommended by the Committee on Appropriations and printed on page 936 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 503 as recommended by the Committee on Appropriations and printed on page 936 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 505 as recommended by the Committee on Appropriations and printed on pages 936 to 938 of the Senate Journal, be adopted, which motion prevailed.

Senator Sorlie moved that the amendments to House Bill No. 524 as recommended by the Committee on Appropriations and printed on pages 937 of the Senate Journal, be adopted, which motion prevailed.

Senator Melland moved that House Bill No. 524 be further amended as follows:

In line 3 of the engrossed bill delete the figure "948,269.00" and insert in lieu thereof the figure "1,043,269.00"

Which motion prevailed.

Senator Chesrown moved that the amendments to House Bill No. 533 as recommended by the Committee on Appropriations and printed on pages 894 to 896 of the Senate Journal, be adopted, which motion prevailed.

Senator Roen moved that the amendments to House Bill No. 884 as recommended by the Committee on Education and printed on pages 938 to 942 of the Senate Journal, be adopted, which motion prevailed.

Senator Hernettt moved that the amendments to House Bill No. 906 as recommended by the Committee on Industry, Business and Labor and printed on pages 914 and 915 of the Senate Journal, be adopted, which motion prevailed.

Senator Chesrown moved that the amendments to House Concurrent Resolution "A" as recommended by the Committee on Judiciary, and printed on page 894 of the Senate Journal, be adopted, which motion prevailed.

Senator Hernettt moved that the amendments to House Concurrent Resolution "B-2" as recommended by the Committee on Industry, Business and Labor and printed on page 915 of the Senate Journal, be adopted, which motion prevailed.

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a conference committee on House Bills Nos. 537, 814, 862 and House Concurrent Resolution "O", which motion prevailed.

#### APPOINTMENT OF CONFERENCE COMMITTEES

The President appointed as a Conference Committee on House Bill No. 537, Senators Longmire, Nething and Rait.

The President appointed as a Conference Committee on House Bill No. 814, Senators Nasset, Jacobson and Berube.

The President appointed as a Conference Committee on House Bill No. 862, Senators Holand, Luick and Roen.

The President appointed as a Conference Committee on House Concurrent Resolution "O", Senators Forkner, Holand and Stroup.

Senator Trenbeath moved that the Senate do not concur in the House amendments to Senate Bill No. 354, and that a conference committee be appointed, which motion prevailed.

The President appointed as a Conference Committee on Senate Bill No. 354,

Senator Becker

Senator Pyle

Senator Christensen

#### REPORTS OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 544 has had the same under consideration and recommends that the House do concur with the Senate amendments.

For the Senate

Senator Forkner

Senator Coughlin

Senator Larson (Lester)

For the House

Rep. Goodman

Rep. Giffey

Rep. Mathiason

Rep. Goodman moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 516 has had the same under consideration and recommends that the House do concur with the Senate Amendments.

For the Senate  
 Senator Robinson  
 Senator Geving  
 Senator Larson (Lester)

For the House  
 Rep. Davis  
 Rep. Freeman  
 Rep. Winge

Senator Robinson moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 43 has had the same under consideration and recommends that the Senate do concur with the House Amendment.

For the Senate  
 Senator Holand  
 Senator Kelly (M.)  
 Senator Goldberg

For the House  
 Rep. Kelsch  
 Rep. Hensrud  
 Rep. Winge

Senator Holand moved that the report be adopted, which motion prevailed.

#### SECOND READING OF A SENATE BILL

**Senate Bill No. 43.** For an Act to create and enact subsection 12 of section 39-03-09 and to amend and reenact sections 29-06-15, 39-03-02, 39-03-03, 39-03-04, 39-03-07, subsection 2 of section 39-03-13, and section 39-03A-18 of the North Dakota Century Code, relating to the powers of the Highway Patrol, arrests without warrants, the appointment, removal, and duties of the superintendent, assistant superintendent, and patrolmen, the qualifications of patrolmen, the powers and salary of the superintendent, and to the compulsory termination of employment of patrolmen, and to repeal section 29-06-16 of the North Dakota Century Code, relating to arrests at night.

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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Roen
Becker	Holand	Luick	Ruemmele
Berube	Jacobson	Melland	Sands
Butler	Kelly, E.	Meschke	Schultz
Christensen	Kelly, M.	Morgan	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nething	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Robinson	Wilhite
Hernett			

Absent and not voting:

Chesrown            Kautzmann            Mutch            Ringsak

So the bill passed and the title was agreed to.

Senator Holand moved that the rules be suspended and that Senate Bill No. 43 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**SIGNING OF BILLS**

The Secretary announced that the President was about to sign

- Senate Bill No. 31
- Senate Bill No. 58
- Senate Bill No. 71
- Senate Bill No. 100
- Senate Bill No. 179
- Senate Bill No. 224
- Senate Bill No. 237
- Senate Bill No. 251
- Senate Bill No. 259
- Senate Bill No. 267
- Senate Bill No. 343
- Senate Bill No. 357

And the President signed the same in the presence of the Senate.

**MESSAGE TO THE HOUSE**

Senate Chamber  
Bismarck, March 2, 1967

Mr. Speaker: I have the honor to transmit:

- Senate Bill No. 31
- Senate Bill No. 58
- Senate Bill No. 71
- Senate Bill No. 100
- Senate Bill No. 179
- Senate Bill No. 224
- Senate Bill No. 237
- Senate Bill No. 251
- Senate Bill No. 259
- Senate Bill No. 267
- Senate Bill No. 343
- Senate Bill No. 357

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

**MESSAGES FROM THE HOUSE**

House Chamber  
Bismarck, March 2, 1967

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendments to

- House Bill No. 526
- House Bill No. 819

And the Speaker has appointed as a conference committee to act with a like committee from the Senate,

- Rep. Halcrow
- Rep. Saugstad
- Rep. Backes
- To act on House Bill No. 526
- Rep. Johnson (23rd Dist.)
- Rep. Ferguson
- Rep. Skaar
- To act on House Bill No. 819

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 2, 1967

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 822 and the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Rep. Kelsch

Rep. Burke

Rep. Williamson

To act on House Bill No. 822

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 2, 1967

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills Nos. 514, 719, 795, 848, 904, 914 and House Concurrent Resolution "M".

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 2, 1967

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills Nos. 511, 555, 600, 604, 628, 683, 693, 718, 743, 749, 755, 792, 796, 803, 804, 821, 823, 841, and 869.

ROY GILBREATH, Chief Clerk

## MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 2, 1967

Mr. President: I have the honor to return:

Senate Bill No. 73

Senate Bill No. 79

Senate Bill No. 114

Senate Bill No. 215

Senate Bill No. 239

Senate Bill No. 262

Senate Bill No. 300

Senate Bill No. 315

Senate Bill No. 346

Senate Concurrent Resolution "J"

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

## MOTION

Senator Lips moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the chair, the President presiding.

## MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 2, 1967

Mr. President: I have the honor to return:

Senate Bill No. 45

Senate Bill No. 60

Senate Bill No. 89

Senate Bill No. 188

Senate Bill No. 240

Which the House has amended as follows:

ROY GILBREATH, Chief Clerk



## AMENDMENTS TO SENATE BILL No. 45

In line 20 of the engrossed bill insert the following new sentence before the word "Effective": "Effective January 1, 1968, all applicants holding a valid North Dakota driver's license making application for a renewal of such license, shall be issued a class 3 license without being subjected to an examination as herein provided."; and following the word "applicants" insert the following new words: ", except those holding a valid North Dakota driver's license who will be issued a class 3 license, applying"

And renumber the lines accordingly.

## AMENDMENTS TO SENATE BILL No. 60

In the title of the engrossed bill delete the words "an amputee" and insert in lieu thereof the words "a person who is a paraplegic or has lost the use of one or both hands"

In line 1 of the engrossed bill delete the word "AMPUTEES" and insert the words "CERTAIN HANDICAPPED PERSONS"

In line 2 of the engrossed bill after the word "who" delete the words "has had one or more arms amputated" and insert in lieu thereof the words "is a paraplegic or has lost the use of one or both arms"

And renumber the lines accordingly.

## AMENDMENTS TO SENATE BILL No. 89

In line 70 of the Bill after the word "institution" insert the following: ", except the North Dakota Employment Security Bureau, a wholly federally financed state agency which is participating in a national automatic data processing program,"

And renumber the lines accordingly.

## AMENDMENTS TO SENATE BILL No. 188

Following line 37 of the engrossed bill insert the following new paragraph:

"If the funds appropriated for the purpose of carrying out the provisions of this section should prove to be insufficient based on the number of students in attendance at a junior college or educational center as provided in this section, the amounts to be paid to such junior colleges or educational centers shall be reduced in such a manner so that the payments for each student in attendance at a junior college or educational center will be made on a pro rata basis."

And renumber the lines accordingly.

## AMENDMENTS TO SENATE BILL No. 240

In line 23 delete the word "shall" and insert the word "may"

In line 24 after the word "license" insert the following "or stamp"

In line 24 delete the words "for any"

Delete all of lines 25 and 26

In line 38 delete the following language "and service fees" and insert in lieu thereof "or stamp"

And renumber the lines accordingly.

## MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 2, 1967

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,

Senator Longmire

Senator Nething

Senator Rait

To serve on House Bill No. 537

Senator Nasset  
 Senator Jacobson  
 Senator Berube  
 To serve on House Bill No. 814

Senator Holand  
 Senator Luick  
 Senator Roen  
 To serve on House Bill No. 862

Senator Forkner  
 Senator Holand  
 Senator Stroup

To serve on House Concurrent Resolution "O"

LEO LEIDHOLM, Secretary

Senate Chamber  
 Bismarck, March 2, 1967

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 354 and the President has appointed as a conference committee to act with a like committee from the House,

Senator Decker  
 Senator Pyle  
 Senator Christensen

LEO LEIDHOLM, Secretary

Senate Chamber  
 Bismarck, March 2, 1967

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on

Senate Bill No. 43  
 House Bill No. 516  
 House Bill No. 544

LEO LEIDHOLM, Secretary

#### REPORTS OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 73  
 Senate Bill No. 79  
 Senate Bill No. 114  
 Senate Bill No. 215  
 Senate Bill No. 239  
 Senate Bill No. 262  
 Senate Bill No. 300  
 Senate Bill No. 315  
 Senate Bill No. 346

Were delivered to the Governor for his approval at the hour of 1:20 o'clock p.m., March 2, 1967.

SENATOR WENSTROM, Chairman

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution "J"

Was delivered to the Secretary of State at the hour of 1:20 o'clock p.m., March 2, 1967.

SENATOR WENSTROM, Chairman

#### MOTION

Senator Lips moved that the rules be suspended and that Senate Bills Nos. 404, 405, House Bills Nos. 501, 502, 503, 505, 524, 533, 884, 906, and House Concurrent Resolutions "A" and "B-2" be placed at the head of the calendar, which motion prevailed.

LEO LEIDHOLM, Secretary

## SECOND READING OF A SENATE BILL

**Senate Bill No. 404.** A Bill for an Act to provide for the issuance by the state of bonds to finance the construction and equipment of buildings and facilities at state-supported institutions of higher education backed by the full faith and credit of the state, providing for their payment, and appropriating the proceeds of such bonds for such purposes, and declaring an emergency.

Was read the second time.

Senator Wilhite moved that Senate Bill No. 404 be placed at the foot of the calendar, which motion lost.

## ROLL CALL

The question being on the final passage of the bill, as amended on page 933 of the Senate Journal, the roll was called and there were ayes, 30; nays, 19; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Jacobson	Longmire	Roen
Butler	Kautzmann	Lowe	Ruemmele
Chesrown	Kelly, E.	Melland	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nothing	Stroup
Freed	Larson, G.	Pyle	Trenbeath
Goldberg	Lips	Redlin	Wenstrom
Holand	Litten		

Those voting in the negative were:

Becker	Hernett	Morgan	Sands
Berube	Hofstrand	Mutch	Schultz
Coughlin	Larson, L.	Rait	Torgerson
Forkner	Luick	Ringsak	Wilhite
Geving	Meschke	Robinson	

So the bill passed and the title was agreed to.

Senator Freed. Mr. President. I would like to explain my vote on Senate Bill No. 404. I am for the necessary college building requirements. I was for this bill until I discovered that the priority list described in Senate Bill No. 250 was changed. I had been assured prior in this session that the list would be adhered to. Because of this change in the priority list switch I thought seriously about voting against this bill, and you will note I wavered before voting. I want the record to show, if it will, I am very disappointed that this priority list that was made by the Board of Higher Education, has already been changed and it is hard to tell how far they will go in changing it before the next session. I was told that if I supported this bill that this list would be followed as originally set forth and no one told me that there was a switch from this original list. This is the reason for my hesitancy in voting for this bill.

Senator Wilhite: Mr. President. I want to explain my vote on Senate Bill No. 404. I have no objections to college buildings, I am against this method of financing.

I see no reason for changing the method at this time.

## MOTION

Senator Lips moved that the vote by which Senate Bills Nos. 404 and 406, and House Bill No. 917 were passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

## MESSAGES FROM THE HOUSE

House Chamber  
Bismarck, March 2, 1967

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 287.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 2, 1967

Mr. President: I have the honor to transmit the following House Bill:

House Bill No. 727

Which the House has passed over the Governor's veto.

The vote: 75 ayes, 21 nays, 2 absent and not voting.

And your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

#### MOTION

Senator Roen moved that the Senate reconsider the action by which Senate Concurrent Resolution "N" was lost, which motion prevailed.

#### SECOND READING OF A SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution "N".** A Concurrent Resolution to amend and reenact section 174 of the Constitution of the state of North Dakota, relating to the four-mill levy for state expenses and to authorize a bond issue.

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, 24; nays, 24; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Holand	Litten	Redlin
Berube	Jacobson	Longmire	Roen
Butler	Kautzmann	Low	Stafne
Chesrown	Larsen, R.	Melland	Stroup
Christensen	Larson, L.	Meschke	Trenbeath
Goldberg	Lips	Rait	Wenstrom

Those voting in the negative were:

Becker	Hernett	Mutch	Ruemmele
Coughlin	Hofstrand	Nasset	Sands
Decker	Kelly, E.	Nething	Schultz
Forkner	Kelly, M.	Pyle	Sorlie
Freed	Luick	Ringsak	Torgerson
Geving	Morgan	Robinson	Wilhite

Absent and not voting:

Larson, G.

So the resolution lost for lack of a majority.

#### MOTION

Senator Wenstrom moved that Senate Bill No. 287 be returned to the House as requested, which motion prevailed.

#### SECOND READING OF A SENATE BILL

**Senate Bill No. 405.** A Bill for an Act to amend and reenact section 54-03-20 of the North Dakota Century Code, relating to allowances for expenses of members of the legislative assembly, and declaring an emergency.

Was read the second time.

Senator Forkner moved that Senate Bill No. 405 be placed at the foot of the calendar, which motion prevailed.

Senator Schultz moved that the absent Senators be excused, which motion prevailed.

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

## FIFTY-NINTH DAY

Bismarck, March 2, 1967

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Chaplain Pastor Robert L. Richardson, Capitol Heights Baptist Church, Bismarck.

Roll call: All Senators present.

A quorum was declared by the President.

## CORRECTION AND REVISION

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 893, line 8, correct spelling of word "recess"

On page 916, delete all of line 11 (House Bill No. 897)

And when so corrected recommends that the same be approved.

SENATOR LOWE, Chairman

Senator Lowe moved that the report be adopted, which motion prevailed.

## MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 2, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 659

House Bill No. 864

House Bill No. 865

House Bill No. 777

House Bill No. 940

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 2, 1967

Mr. Speaker: I have the honor to return Senate Bill No. 287 which the House has requested.

LEO LEIDHOLM, Secretary

## REPORTS OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 67

Senate Bill No. 121

Senate Bill No. 190

Senate Bill No. 212

Senate Bill No. 283

Senate Bill No. 329

Senate Bill No. 371

Senate Bill No. 389

And find the same correctly Enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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. 173

And find the same correctly engrossed and enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 501.** For an Act making an appropriation for the general operation, 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, on pages 934 and 935 of the Senate Journal, the roll was called and there were ayes, 48; nays, 1; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nething	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite

Those voting in the negative were:

Mutch

So the bill passed and the title was agreed to.

**House Bill No. 502.** For an Act making an appropriation for the general operation, maintenance, and improvements of the extension division and experiment stations of North Dakota State University of Agriculture and Applied Science.

Was read the second time.

Senator Redlin moved that House Bill No. 502 be amended as follows:

Delete all of Section 5 of the Senate amendment.

Which motion lost.

#### ROLL CALL

The question being on the final passage of the bill, on page 936 of the Senate Journal, the roll was called and there were ayes, 45; nays, 4; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hernett	Litten	Rait
Becker	Hofstrand	Longmire	Ringsak
Berube	Holand	Lowe	Robinson
Butler	Jacobson	Luick	Sands
Chesrown	Kautzmann	Melland	Sorlie
Christensen	Kelly, E.	Meschke	Stafne
Coughlin	Kelly, M.	Morgan	Stroup
Decker	Larsen, R.	Mutch	Torgerson
Forkner	Larson, G.	Nasset	Trenbeath
Freed	Larson, L.	Nething	Wenstrom
Geving	Lips	Pyle	Wilhite
Goldberg			

Those voting in the negative were:

Redlin	Roen	Ruemmele	Schultz
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So the bill passed and the title was agreed to.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- Senate Bill No. 404
- Senate Bill No. 405

And find the same correctly engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 2, 1967

Mr. Speaker: I have the honor to transmit:

- Senate Bill No. 404
- Senate Bill No. 406
- Senate Concurrent Resolution "RRR"

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

SIGNING OF BILLS

The Secretary announced that the President was about to sign

- Senate Bill No. 67
- Senate Bill No. 121
- Senate Bill No. 173
- Senate Bill No. 190
- Senate Bill No. 212
- Senate Bill No. 283
- Senate Bill No. 329
- Senate Bill No. 371
- Senate Bill No. 389

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 2, 1967

Mr. Speaker: I have the honor to transmit:

- Senate Bill No. 67
- Senate Bill No. 121
- Senate Bill No. 173
- Senate Bill No. 190
- Senate Bill No. 212
- Senate Bill No. 283
- Senate Bill No. 329
- Senate Bill No. 371
- Senate Bill No. 389

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

MOTION

Senator Ringsak moved that Senate Bill No. 405 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 405. A Bill for an Act to amend and reenact section 54-03-20 of the North Dakota Century Code, relating to allowances for expenses of members of the legislative assembly, and declaring an emergency.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, on pages 933 and 934 of the Senate Journal, the roll was called and there were ayes, 36; nays, 13; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Freed	Litten	Ringsak
Becker	Goldberg	Longmire	Roen
Berube	Hernett	Lowe	Ruemmele
Butler	Holand	Luick	Schultz
Chesrown	Kautzmann	Melland	Sorlie
Christensen	Kelly, E.	Meschke	Stafne
Coughlin	Kelly, M.	Morgan	Stroup
Decker	Larsen, R.	Nething	Trenbeath
Forkner	Larsen, G.	Rait	Wenstrom

Those voting in the negative were:

Geving	Lips	Pyle	Sands
Hofstrand	Mutch	Redlin	Torgerson
Jacobson	Nasset	Robinson	Wilhite
Larson, L.			

So the bill passed and the title was agreed to, and the emergency clause carried.

Senator Ringsak moved that the vote by which Senate Bill No. 405 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## MOTION

Senator Lips moved that the vote by which House Bills Nos. 501 and 502 were passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

## MESSAGES FROM THE SENATE

House Chamber

Bismarck, March 2, 1967

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 354,

Rep. Mueller

Rep. Duncan

Rep. Winge

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 2, 1967

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on

Senate Bill No. 213

Senate Bill No. 43

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 2, 1967

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on

House Bill No. 516

ROY GILBREATH, Chief Clerk

## MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 2, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 917



House Concurrent Resolution "P"  
House Concurrent Resolution "P-1"  
Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 2, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 501

House Bill No. 502

Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 2, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 405

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

#### MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 2, 1967

Mr. President: I have the honor to return:

Senate Bill No. 31

Senate Bill No. 58

Senate Bill No. 71

Senate Bill No. 100

Senate Bill No. 179

Senate Bill No. 224

Senate Bill No. 237

Senate Bill No. 251

Senate Bill No. 259

Senate Bill No. 267

Senate Bill No. 343

Senate Bill No. 357

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 2, 1967

Mr. President: I have the honor to transmit:

House Bill No. 512

House Bill No. 522

House Bill No. 529

House Bill No. 577

House Bill No. 584

House Bill No. 588

House Bill No. 646

House Bill No. 647

House Bill No. 655

House Bill No. 686

House Bill No. 736

House Bill No. 747

House Bill No. 766

House Bill No. 783

House Bill No. 784

House Bill No. 809

House Bill No. 827

House Bill No. 842  
 House Bill No. 843  
 House Bill No. 844  
 House Bill No. 845  
 House Bill No. 846  
 House Bill No. 859  
 House Bill No. 895  
 House Bill No. 889  
 House Bill No. 911  
 House Concurrent Resolution "Y"

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

#### REPORT OF A STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 31  
 Senate Bill No. 58  
 Senate Bill No. 71  
 Senate Bill No. 100  
 Senate Bill No. 179  
 Senate Bill No. 224  
 Senate Bill No. 237  
 Senate Bill No. 251  
 Senate Bill No. 259  
 Senate Bill No. 267  
 Senate Bill No. 343  
 Senate Bill No. 357

Were delivered to the Governor for his approval at the hour of 3:25 o'clock p.m., March 2, 1967.

FRANK WENSTROM, Chairman

Senator Lips moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the chair, pursuant to recess taken, the President presiding.

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Delayed Bills has had under consideration a Senate Concurrent Resolution to wit:

#### SENATE CONCURRENT RESOLUTION

A Concurrent Resolution relating to the acceptance by the state of television transmitting antennas.

And recommends the same be introduced.

SENATOR KAUTZMANN, Chairman

Senator Kautzmann moved that the report be adopted, which motion prevailed.

#### FIRST READING OF A SENATE CONCURRENT RESOLUTION

The Committee on Delayed Bills introduced:

**Senate Concurrent Resolution "SSS".** A Concurrent Resolution relating to the acceptance by the state of television transmitting antennas.

Was read the first time.

Senator Lips moved that the rules be suspended and that Senate Concurrent Resolution "SSS" be not referred to committee, not printed as a bill but printed in the Journal, and placed on second reading and final passage, which motion prevailed.

## SENATE CONCURRENT RESOLUTION "SSS"

Introduced by the Committee on Delayed Bills.

A concurrent resolution relating to the acceptance by the state of television transmitting antennas.

- 1 WHEREAS, the state of North Dakota has accepted as a gift a  
 2 television transmitting antenna and transmitting equipment,  
 2a and  
 3 other television transmitting antennas may be offered to the  
 3a state  
 4 as a gift; and  
 5 WHEREAS, the acceptance of ownership of such antennas  
 5a by the  
 6 state has the effect of removing such property from the  
 6a property  
 7 tax rolls, thereby reducing the tax revenue of local govern-  
 7a ments;  
 8 and  
 9 WHEREAS, the acceptance of ownership of such antennas  
 9a commits  
 10 the state to long-term obligations for maintenance and  
 10a operation  
 11 of such equipment and property without the prior approval  
 11a of the  
 12 legislative assembly; and  
 13 WHEREAS, it is possible that a study of the technical and  
 13a economic  
 14 aspects of television transmission facilities might indicate that  
 15 it is preferable to make use of privately owned wire or cable  
 16 transmission facilities for educational television purposes;  
 17 NOW, THEREFORE, BE IT RESOLVED BY THE  
 18 SENATE OF THE STATE OF NORTH DAKOTA, THE  
 19 HOUSE OF REPRESENTATIVES CONCURRING THEREIN:  
 20 That the departments, agencies, and institutions of the state  
 20a are  
 21 hereby directed to refrain from accepting the transfer by gift or  
 22 otherwise of television antennas unless such acceptance and  
 22a transfer  
 23 has been specifically approved by the legislative assembly.

## SECOND READING

## OF A SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution "SSS".** A Concurrent Resolution relating to the acceptance by the state of television transmitting antennas.

Was read the second time.

Senator Lips moved that Senate Concurrent Resolution "SSS" be adopted, which motion prevailed.

## CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Trenbeath moved that the Senate do occur in the House amendments to Senate Bill No. 60, which motion prevailed.

Senator Trenbeath moved that the rules be suspended and that Senate Bill No. 60 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 60.** For an Act to allow an amputee to hunt game with a crossbow.

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:

Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Freed	Larson, G.	Nething	Torgerson
Forkner	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite

Absent and not voting:

Roen

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. 240, which motion prevailed.

Senator Trenbeath moved that the rules be suspended and that Senate Bill No. 240 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 240.** A Bill for an Act to amend and reenact section 20-03-21 of the North Dakota Century Code, relating to the issuance of game licenses.

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:

Beck	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Morgan	Sands
Christensen	Kelly, E.	Mutch	Schultz
Coughlin	Kelly, M.	Nasset	Sorlie
Decker	Larsen, R.	Nething	Stafne
Forkner	Larson, G.	Pyle	Stroup
Freed	Larson, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Hernett	Longmire		

Those voting in the negative were:

Meschke

Absent and not voting:

Becker Torgerson

So the bill passed and the title was agreed to.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 503.** For an Act making an appropriation out of the state highway fund in 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, on page 936 of the Senate Journal, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Redlin
Becker	Hofstrand	Lowe	Ringsak
Butler	Holand	Luick	Robinson
Chesrown	Jacobson	Melland	Ruemmele
Christensen	Kautzmann	Meschke	Sands
Coughlin	Kelly, M.	Morgan	Schultz
Decker	Larsen, R.	Mutch	Sorlie
Forkner	Larsen, G.	Nasset	Stafne
Freed	Larson, L.	Nothing	Stroup
Geving	Lips	Pyle	Wenstrom
Goldberg	Litten	Rait	Wilhite

Absent and not voting:

Berube	Roen	Torgerson	Trenbeath
Kelly, E.			

So the bill passed and the title was agreed to.

**House Bill No. 505.** A Bill for an Act making an appropriation to the North Dakota Park Service for administration, operation, maintenance, and development of state parks.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on page 505 of the Senate Journal, the roll was called and there were ayes, 45; nays, 3; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hofstrand	Longmire	Ringsak
Becker	Holand	Lowe	Robinson
Berube	Jacobson	Luick	Roen
Chesrown	Kautzmann	Meschke	Ruemmele
Christensen	Kelly, E.	Morgan	Sands
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larsen, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite
Hernett			

Those voting in the negative were:

Butler	Melland	Schultz
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Absent and not voting:

Trenbeath

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 2, 1967

Mr. President: I have the honor to transmit House Bill No. 714 which the House has passed over the Governor's veto.

The vote on House Bill No. 714 is: 69 ayes, 24 nays, 5 absent, not voting.

And your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

#### SECOND READING OF HOUSE BILLS

**House Bill No. 524.** For an Act making an appropriation to the State Water Conservation commission for general administrative expenses, maintenance and construction of dams; planning, surveying and construction expenses of multiple purpose water projects; and organizing water conservation and irrigation districts.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, on page 937 of the Senate Journal and 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:

Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sortie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite

Absent and not voting:  
Trenbeath

So the bill passed and the title was agreed to.

**House Bill No. 533.** For an Act to create and enact sections 16-04-02.1 and 40-09-17 of the North Dakota Century Code, providing a certificate of endorsement form, and providing for restrictions for members of the board of city commissioners, to provide that certain questions relating to financing political subdivisions shall not be submitted to the electorate for a specified time after the failure to approve such measures, to provide that political parties shall reorganize on a legislative district basis in 1967, 1968, and every two years thereafter, and to amend and reenact sections 1-01-50, 5-01-13, subsection 6 of section 11-11-14, sections 15-28-05, 15-28-06, 15-28-09, 16-01-02, 16-01-07, 16-03-01, 16-03-02, 16-04-02, 16-04-03, 16-04-04, 16-04-05, 16-04-06, 16-04-08, 16-04-11, 16-04-13, 16-04-15.1, 16-04-17, subsection 4 of section 16-04-20, sections 16-04-21, 16-04-26, 16-04-29, 16-05-03, 16-05-04, 16-06-02, 16-06-04, 16-07-01, 16-07-02, 16-07-04, 16-07-09, 16-07-12, 16-08-04, 16-08-05, 16-08-07, 16-09-01, 16-09-02, 16-09-03, 16-09-05, 16-09-06, 16-09-07, 16-10-01, 16-10-04, 16-10-06, 16-10-08, 16-10-17, 16-11-05, 16-11-07, 16-11-09, 16-11-11, 16-11-12, 16-12-04, 16-12-10, 16-12-14, 16-13-07, 16-13-13, 16-13-14, 16-13-16, 16-13-20, 16-13-21, 16-13-24, 16-13-33, 16-16-08, 16-17-06, 16-17-08, 16-17-09, 16-17-10, 16-17-11, 16-17-13, 16-17-15, 16-17-16, subsection 3 of section 16-18-01, sections 16-18-03, 16-18-05, 16-18-06, 16-18-09, 16-18-14, 16-18-17, 16-18-18, 16-18-19, 16-20-04, 16-20-08, 16-20-17.1, 16-20-19, 16-21-03, 40-02-07, 40-02-11, 40-04-02, 40-08-08, 40-08-09, 40-12-08, 40-21-02, 40-21-07, 40-21-09, 40-21-12, 40-52-04, subsection 5 of section 54-01-26, and section 58-04-05, all of the North Dakota Century Code, relating to voting and elections and election petitions, polling places, officials, publications, certificates of endorsement, political parties, ballots, campaign expenses, residency, and procedures, and to repeal sections 16-01-13, 16-04-22, 16-04-23, 16-04-24, 16-05-07, 16-07-11, 16-10-07, 16-11-08, 16-13-22, 16-18-10, 16-18-13, 16-20-02, 16-20-03, and 18-20-21, relating to placing measures on the ballot, the filling of vacancies, the appointment of judges of election, and the method of filing statements of campaign expenses.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, as amended, on pages 894 and 896 of the Senate Journal, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson

Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nothing	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Wenstrom
Geving	Lips	Redlin	Wilhite
Goldberg	Litten		

Those voting in the negative were:  
Mutch

Absent and not voting:  
Roen                      Trenbeath

So the bill passed and the title was agreed to.

#### MOTION

Senator Lips moved that House Bill No. 884 be placed at the foot of the calendar, which motion prevailed.

#### SECOND READING OF HOUSE BILLS AND A HOUSE CONCURRENT RESOLUTION

**House Bill No. 906.** A Bill for an Act relating to unauthorized insurance, classifying transactions constituting doing an insurance business, subjecting those insurers and their agents to the jurisdiction and regulation of the commissioner of insurance, levying a tax on gross premiums, providing for the issuance of process and jurisdiction of court proceedings, providing exceptions and defining violations and providing penalties therefor.

Was read the second time.

Senator Larson (Richard) moved that House Bill No. 906 be amended as follows:

Following section 13 of the engrossed bill insert the following new section:

“SECTION 14. NONAPPLICATION OF ACT.) This Act shall not apply to any life insurance company organized and operated, without profit to any private shareholder or individual, exclusively for the purpose of aiding educational or scientific institutions organized and operated without profit to any private shareholder or individual by issuing insurance and annuity contracts direct from the home office of the company and without agents or representatives in this state only to or for the benefit of such institutions and to individuals engaged in the services of such institutions; nor shall this section apply to any life, disability or annuity contracts issued by such life insurance company, provided such contracts otherwise comply with the statutes.”

And renumber the lines and sections accordingly.

Which motion lost.

**House Bill No. 906.** A Bill for an Act relating to unauthorized insurance, classifying transactions constituting doing an insurance business, subjecting those insurers and their agents to the jurisdiction and regulation of the commissioner of insurance, levying a tax on gross premiums, providing for the issuance of process and jurisdiction of court proceedings, providing exceptions and defining violations and providing penalties therefor.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, on pages 914 and 915 of the Senate Journal and 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:

Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nothing	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	

Absent and not voting:

Beck Trenbeath

So the bill passed and the title was agreed to.

**House Concurrent Resolution "A".** A concurrent resolution to amend and reenact sections 121, 124, 125, 127, and 129, relating to the voting franchise and to repeal sections 122, 123, 126, 128, and Articles 36 and 40 of the Amendments, relating to the voting franchise; to amend and reenact section 130, relating to municipal corporations; to repeal sections 132, 133, 135, 136, 137, 138, 140, 141, 142, 143, 144, 145, and 146, relating to other corporations; to repeal section 151, relating to education; to amend and reenact sections 153, 154, 155, and 156, relating to school and public lands and to repeal sections 157, 158, 159, 160, 161, 162, and 164, relating to school and public lands; to amend and reenact sections 168, 170, 172, and 173, relating to county and township organization and to repeal section 166, relating to county and township organization; to amend and reenact sections 176 and 179, relating to revenue and taxation; to amend and reenact sections 185 and 186, relating to public debt and public works; to repeal section 187 and Articles 59 and 65, relating to public debt and public works; to amend and reenact section 202, relating to methods of amending the state Constitution; to amend and reenact Article 33 of the Amendments, relating to recall provisions; to amend and reenact section 212, relating to the exchange "black lists"; to repeal sections 209 and 214, relating to the labor of children and original legislative apportionment; to amend and reenact section 215, relating to public institutions, and to repeal section 216 and Article 19 of the Amendments, relating to public institutions; to amend and reenact Article 54 of the Amendments relating to the state board of higher education; to amend and reenact Article 56 of the Amendments relating to gasoline taxes; and to repeal sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26 of the Schedule to the Constitution of the state of North Dakota; all such sections and Articles of Amendments, amended and repealed, being a part of the Constitution of the state of North Dakota.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the resolution, as amended on page 894 of the Senate Journal, the roll was called and there were ayes, 34; nays, 13; absent and not voting, 2.

Those voting in the affirmative were:

Becker	Hofstrand	Longmire	Ruemmele
Berube	Holand	Lowe	Sands
Butler	Jacobson	Luick	Schultz
Chesrown	Kelly, E.	Melland	Sorlie
Christensen	Kelly, M.	Meschke	Stafne
Forkner	Larsen, R.	Nasset	Stroup
Freed	Larson, L.	Nothing	Wenstrom



Goldberg	Lips	Rait	Wilhite
Hernett	Litten		
Those voting in the negative were:			
Coughlin	Morgan	Redlin	Roen
Decker	Mutch	Ringsak	Torgerson
Geving	Pyle	Robinson	Trenbeath
Larson, G.			

Absent and not voting:

Beck	Kautzmann
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So the resolution was declared adopted.

**House Concurrent Resolution "B-2".** A Concurrent Resolution requesting that a two-year study be made of the laws relating to certificates of public convenience and necessity for extensions of service by electric suppliers and the extensions of electric transmission and distribution lines of electric utilities.

Was read the second time.

Senator Hernett moved that House Concurrent Resolution "B-2" be adopted, which motion prevailed.

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Roen moved that the Senate do concur in the House amendments to Senate Bill No. 299, which motion prevailed.

Senator Roen moved that the rules be suspended and that Senate Bill No. 299 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**SECOND READING OF A SENATE BILL**

**Senate Bill No. 299.** A Bill for an Act to create and enact section 15-27-20 and to amend and reenact section 15-40-15 of the North Dakota Century Code, relating to students affected by attachment and reorganization of school districts who historically attended schools in bordering states and reciprocal agreements of the superintendent of public instruction with educational agencies of other states.

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, 45; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Becker	Jacobson	Luick	Robinson
Butler	Kautzmann	Melland	Roen
Chesrown	Kelly, E.	Meschke	Ruemmele
Christensen	Kelly, M.	Morgan	Schultz
Coughlin	Larsen, R.	Mutch	Sorlie
Decker	Larson, G.	Nasset	Stafne
Forkner	Larson, L.	Nothing	Stroup
Freed	Lips	Pyle	Torgerson
Goldberg	Litten	Rait	Trenbeath
Hernett	Longmire	Redlin	Wenstrom
Hofstrand	Lowe	Ringsak	Wilhite
Holand			

Absent and not voting:

Beck	Berube	Geving	Sands
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So the bill passed and the title was agreed to.

**REPORT OF STANDING COMMITTEE**

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 794 has had the same under consideration and recommends that the same do pass.

**SENATOR SORLIE, Chairman**

Senator Melland moved that the report be adopted, which motion prevailed.

#### MOTION

Senator Lips moved that the vote by which House Bills Nos. 503, 505, 524, 533 and 906 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 2, 1967

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to

Senate Bill No. 60

Senate Bill No. 240

LEO LEIDHOLM, Secretary

Senate Chamber  
Bismarck, March 2, 1967

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "SSS"

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign

House Bill No. 512

House Bill No. 522

House Bill No. 529

House Bill No. 577

House Bill No. 584

House Bill No. 588

House Bill No. 646

House Bill No. 647

House Bill No. 655

House Bill No. 686

House Bill No. 736

House Bill No. 747

House Bill No. 766

House Bill No. 783

House Bill No. 784

House Bill No. 809

House Bill No. 827

House Bill No. 842

House Bill No. 843

House Bill No. 844

House Bill No. 845

House Bill No. 846

House Bill No. 859

House Bill No. 895

House Bill No. 889

House Bill No. 911

House Concurrent Resolution "Y"

And the President signed the same in the presence of the Senate.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 2, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 512

House Bill No. 522

House Bill No. 529  
House Bill No. 577  
House Bill No. 584  
House Bill No. 588  
House Bill No. 646  
House Bill No. 647  
House Bill No. 655  
House Bill No. 686  
House Bill No. 736  
House Bill No. 747  
House Bill No. 766  
House Bill No. 783  
House Bill No. 784  
House Bill No. 809  
House Bill No. 827  
House Bill No. 842  
House Bill No. 843  
House Bill No. 844  
House Bill No. 845  
House Bill No. 846  
House Bill No. 859  
House Bill No. 895  
House Bill No. 889  
House Bill No. 911  
House Concurrent Resolution "Y"  
Which the President has signed.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE GOVERNOR

Bismarck, March 2, 1967

Members of the Senate  
Fortieth Legislative Assembly  
Senate Chambers  
Bismarck, North Dakota

Greetings!

As of March 1, 1967, I have signed the following Senate Bills:

Senate Bill No. 81  
Senate Bill No. 120  
Senate Bill No. 124  
Senate Bill No. 129  
Senate Bill No. 131  
Senate Bill No. 132  
Senate Bill No. 153  
Senate Bill No. 160  
Senate Bill No. 164  
Senate Bill No. 208  
Senate Bill No. 246  
Senate Bill No. 294  
Senate Bill No. 313  
Senate Bill No. 338  
Senate Bill No. 341  
Senate Bill No. 356  
Senate Bill No. 370

These bills have now been filed with the Secretary of State.

Sincerely,  
WILLIAM L. GUY  
Governor

MOTION

Senator Lips moved that House Concurrent Resolution "E-1" be placed at the head of the calendar, which motion prevailed.

SECOND READING  
OF A HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution "E-1".** A Concurrent Resolution directing the attorney general to petition the interstate commerce commission to alter the western boundary of the central standard time zone so that the mountain standard time zone in North Dakota would begin at the west bank of the Missouri River, in North Dakota.

Was read the second time.

Senator Kautzmann moved that House Concurrent Resolution "E-1" be amended as follows:

In line 19 after the second comma, insert the following: "except as to the City of Mandan, North Dakota, and an area within six miles in all directions of the City limits of said City of Mandan, North Dakota, which shall be included in the central standard time zone as a matter of convenience for the cities of Mandan and Bismarck, North Dakota"

Which motion prevailed.

Senator Ringsak moved that the rules be suspended and that Senate Concurrent Resolution "E-1" be deemed properly engrossed and placed on second reading and final passage, as amended from the floor, which motion prevailed.

The question being on the final passage of House Concurrent Resolution "E-1" as amended from the floor, Senator Ringsak moved that House Concurrent Resolution "E-1" be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 2, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 503  
House Bill No. 505  
House Bill No. 524  
House Bill No. 533  
House Bill No. 906  
House Concurrent Resolution "A"  
House Concurrent Resolution "B-2"  
House Concurrent Resolution "E-1"

Which the Senate has amended.

LEO LEIDHOLM, Secretary  
Senate Chamber  
Bismarck, March 2, 1967

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 299.

LEO LEIDHOLM, Secretary

Senator Lips moved that the Senate recess until 9:00 a.m., March 3, 1967, which motion prevailed.

LEO LEIDHOLM, Secretary

"Buy North Dakota Products"

# Journal of the Senate



## Fortieth Legislative Assembly

### FIFTY-NINTH DAY AFTER RECESS AND SIXTIETH DAY

Bismarck, March 3, 1967

The Senate convened at 9:00 a.m., pursuant to recess taken, the President presiding.

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to return:

Senate Bill No. 21

Senate Bill No. 171

Senate Bill No. 180

Senate Bill No. 182

Senate Bill No. 214

Senate Bill No. 275

Senate Bill No. 287

Senate Bill No. 288

Senate Bill No. 298

Senate Bill No. 293

Senate Bill No. 319

Senate Bill No. 320

Senate Bill No. 327

Senate Bill No. 393

Senate Bill No. 397

Senate Bill No. 400

Senate Bill No. 401

Senate Bill No. 402

Senate Concurrent Resolution "JJ"

Senate Concurrent Resolution "UU"

Senate Concurrent Resolution "LLL"

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bills Nos. 526, 819 and 822. Which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 526,

Senator Robinson

Senator Coughlin

Senator Christensen

The President appointed as a Conference Committee on House Bill No. 819,

Senator Larson (Guy)

Senator Redlin

Senator Berube

The President appointed as a Conference Committee on House Bill No. 822,

Senator Wilhite  
 Senator Decker  
 Senator Christensen

#### MOTION

Senator Lips moved that the House be requested to return Senate Bill No. 350, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1967

Mr. Speaker: I have the honor to inform you that the Senate requests the return of Senate Bill No. 350.

LEO LEIDHOLM, Secretary

Senator Forkner: Mr. President, I rise on a point of personal privilege and request that my remarks be printed in the Journal.

Members of the Senate: During this session of the legislative assembly we have had more bills and resolutions introduced in the Senate and the House of Representatives than ever before in the history of North Dakota. We have worked days and nights, both in committees and on the floor, to process these bills and resolutions and have given every person interested in them an opportunity to voice their opinions. Yet, unlike past sessions of the legislative assembly, it appears that we are going to finish this session within the sixty-day limitation set by our constitution. I never imagined that with the issues facing us, and the large number of bills and resolutions to be processed, that it would be possible to finish within the sixty days allowed by the Constitution. Perhaps this will never happen again. Of course a great amount of credit must be given to the floor leaders for their able guidance in reaching this milestone, but also, it is obvious that this goal would not have been reached without the able functioning of the machinery that makes the legislative assembly operate — the employees. We Senators can only direct the operations of the legislative assembly — it is the employees that actually carry out the directions, and if the employees are not efficient, neither is the Senate or the whole legislative process for that matter. I think the Senate should recognize the fact that the employees of the Senate have proven to be the most cooperative and efficient in the history of the Senate. This is easily proved by reviewing the tasks that the employees faced and successfully accomplished. At this time I would like to congratulate the employees of the Senate for a job well done, and ask that they accept my sincere gratitude and that the members of the Senate join me in extending my congratulations and gratitude. I hope that we may continue to have such wonderful employees in the future, in fact, it is absolutely necessary that we do in order to manipulate the sometimes unwieldy legislative process.

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Holand 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,

Senator Butler  
 Senator Melland  
 Senator Larson (Lester)

Senator Becker moved that the Senate do not concur in the

House amendments to Senate Bill No. 205 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. 205,

Senator Becker  
Senator Torgerson  
Senator Raitt

Senator Holand moved that the Senate do concur in the House amendments to Senate Bill No. 89, which motion prevailed.

Senator Holand moved that the rules be suspended and that Senate Bill No. 89 be deemed properly 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. 89.** A Bill for an Act relating to a study by the legislative research committee for the development of a plan for an integrated data processing and data retrieval system for the state of North Dakota, temporarily limiting the acquisition of new data processing equipment, and providing for an appropriation.

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:

Beck	Hernett	Lowe	Roen
Becker	Holand	Luick	Ruemmele
Berube	Jacobson	Melland	Sands
Butler	Kautzmann	Meschke	Schultz
Chesrown	Kelly, E.	Morgan	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larsen, R.	Nothing	Stroup
Decker	Larson, G.	Pyle	Torgerson
Forkner	Larson, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Ringsak	Wilhite
Goldberg	Longmire	Robinson	

Absent and not voting:  
Hofstrand Mutch

So the bill passed and the title was agreed to.

Senator Roen moved that the Senate do concur in the House amendments to Senate Bill No. 112, which motion prevailed.

Senator Roen moved that the rules be suspended and that Senate Bill No. 112 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 112.** For an Act to amend and reenact section 15-39-40 of the North Dakota Century Code, relating to teachers' insurance retirement fund, 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:

Beck	Hernett	Lowe	Roen
Becker	Holand	Luick	Ruemmele

Berube	Jacobson	Melland	Sands
Butler	Kautzmann	Meschke	Schultz
Chesrown	Kelly, E.	Morgan	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larsen, R.	Nothing	Stroup
Decker	Larson, G.	Pyle	Torgerson
Forkner	Larson, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Ringsak	Wilhite
Goldberg	Longmire	Robinson	
Absent and not voting:			
Hofstrand	Mutch		

So the bill passed and the title was agreed to, and the emergency clause carried.

Senator Chesrown moved that the Senate do concur in the House amendments to Senate Bill No. 126, which motion prevailed.

Senator Chesrown moved that the rules be suspended and that Senate Bill No. 126 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 126.** A Bill for an Act to require insurance adjusters, attorneys, and any other person who has taken a statement of any individual for the purpose of possible use in a lawsuit arising out of a tortious act to provide a copy of the statement to the person from whom said statement was taken, 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, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Nasset	Sorlie
Coughlin	Larsen, R.	Nothing	Stafne
Decker	Larson, G.	Pyle	Stroup
Forkner	Larson, L.	Rait	Torgerson
Freed	Lips	Redlin	Trenbeath
Geving	Litten	Ringsak	Wenstrom
Goldberg	Longmire		
Absent and not voting:			
Hofstrand	Mutch	Wilhite	

So the bill passed and the title was agreed to.

Senator Litten moved that the Senate do concur in the House amendments to Senate Bill No. 158, which motion prevailed.

Senator Lips moved that the rules be suspended and that Senate Bill No. 158 be deemed properly reengrossed 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 providing for regional planning and zoning commissions for areas adjacent to cities and repealing Chapter 11-34, and sections 58-03-11, 58-03-12, 58-03-13, 58-03-14, and 58-03-15 of the North Dakota Century Code and amending and reenacting section 11-33-20 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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Robinson
Becker	Holand	Lowe	Roen
Berube	Jacobson	Luick	Ruemmele
Butler	Kautzmann	Melland	Sands
Chesrown	Kelly, E.	Meschke	Schultz
Coughlin	Kelly, M.	Morgan	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Redlin	Trenbeath
Goldberg	Litten	Ringsak	Wenstrom

Absent and not voting:

Christensen	Mutch	Rait	Wilhite
Hofstrand			

So the bill passed and the title was agreed to.

Senator Holand moved that the Senate do concur in the House amendments to Senate Bill No. 185, which motion prevailed.

Senator Holand moved that the rules be suspended and that Senate Bill No. 185 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 185.** For an Act to amend and reenact subsection 1 of section 39-04-18 of the 1965 Supplement to the North Dakota Century Code, relating to registration 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, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Beck	Goldberg	Litten	Ringsak
Becker	Hernett	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nething	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Redlin	Wenstrom
Geving			

Absent and not voting:

Hofstrand	Longmire	Rait	Trenbeath
Larson, G.	Mutch	Sands	Wilhite

So the bill passed and the title was agreed to.

Senator Roen moved that the Senate do concur in the House amendments to Senate Bill No. 188, which motion prevailed.

Senator Roen moved that the rules be suspended and that Senate Bill No. 188 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 188.** For an Act to amend and reenact section 15-18-07 of the 1965 Supplement to the North Dakota Century Code relating to state aid for junior colleges or educational centers.

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:

Beck	Goldberg	Litten	Robinson
Becker	Hernett	Longmire	Roen
Berube	Holand	Lowe	Ruemmele
Butler	Jacobson	Luick	Sands
Chesrown	Kautzmann	Melland	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nothing	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Redlin	Trenbeath
Geving	Lips	Ringsak	Wenstrom

Those voting in the negative were:

Meschke Rait

Absent and not voting:

Hofstrand Mutch Wilhite

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. 249.

Senator Ringsak made the substitute motion that the Senate do not concur in the House amendments to Senate Bill No. 249 and that a conference committee be appointed, which motion prevailed.

The President appointed as a conference committee on Senate Bill No. 249,

Senator Ringsak  
Senator Longmire  
Senator Rait

Senator Redlin moved that the Senate do concur in the House amendments to Senate Concurrent Resolution "PP", which motion prevailed.

Senator Redlin moved that the rules be suspended and that Senate Concurrent Resolution "PP" be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Concurrent Resolution "P-P".** A Concurrent Resolution for the amendment of the Constitution of the state of North Dakota, relating to issuance of dedicated revenue bonds by political subdivisions of the state and providing the methods for repayment thereof.

Was read the second time.

## ROLL CALL

The question being on the final passage of the resolution as amended by the House, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Roen
Becker	Holand	Luick	Ruemmele
Berube	Jacobson	Melland	Sands
Butler	Kautzmann	Meschke	Schultz
Chesrown	Kelly, E.	Morgan	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larsen, R.	Nothing	Stroup
Decker	Larson, G.	Pyle	Torgerson
Forkner	Larson, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom

Geving	Litten	Ringsak	Wilhite
Goldberg	Longmire	Robinson	
Absent and not voting:			
Hofstrand	Mutch		

So the resolution was declared adopted.

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 3, 1967

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bills Nos. 45 and 205 and the President has appointed as a conference committee to act with a like committee from the House,

Senator Butler  
Senator Melland  
Senator Larson (Lester)  
To act on Senate Bill No. 45  
Senator Becker  
Senator Tongerson  
Senator Rait  
To act on Senate Bill No. 205

LEO LEIDHOLM, Secretary

## REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 598 has had the same under consideration and recommends that the Senate does recede from amendments.

For the Senate  
Senator Hofstrand  
Senator Nasset  
Senator Berube

For the House  
Rep. Johnson (Dist. 39)  
Rep. Burke  
Rep. Erickson (Dist. 4)

Senator Hofstrand moved that the report be adopted, which motion prevailed.

Senator Nasset moved that the rules be suspended and that House Bill No. 598 be placed on second reading and final passage, which motion prevailed.

## SECOND READING OF A HOUSE BILL

**House Bill No. 598.** A Bill for an Act to amend and reenact subsection 1 of section 36-04-06 of the North Dakota Century Code, relating to the bonds required of livestock dealers and agents.

Was read the second time.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Holand	Luick	Roen
Becker	Jacobson	Melland	Ruemmele
Berube	Kautzmann	Meschke	Sands
Butler	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Nasset	Sorlie
Coughlin	Larsen, R.	Nething	Stafne
Decker	Larson, G.	Pyle	Stroup
Forkner	Larson, L.	Rait	Torgerson
Freed	Lips	Redlin	Trenbeath
Geving	Litten	Ringsak	Wenstrom
Goldberg	Longmire	Robinson	Wilhite
Hernett	Lowe		

Absent and not voting:

Chesrown            Hofstrand            Mutch

So the bill passed and the title was agreed to.

### MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1967

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,

Senator Robinson

Senator Coughlin

Senator Christensen

To act on House Bill No. 526

Senator Larson (Guy)

Senator Redlin

Senator Berube

To act on House Bill No. 819

Senator Wilhite

Senator Decker

Senator Christensen

To act on House Bill No. 822

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 3, 1967

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 249 and the President has appointed as a conference committee to act with a like committee from the House,

Senator Longmire

Senator Ringsak

Senator Rait

LEO LEIDHOLM, Secretary

### MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to transmit:

House Bill No. 897

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to return:

Senate Bill No. 324

Which the House has amended as follows:

#### AMENDMENT TO SENATE BILL NO. 324

Line 17, change \$150,000 to \$110,000

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to return:

Senate Bill No. 55

Senate Bill No. 225

Senate Bill No. 264

Senate Bill No. 345  
Senate Concurrent Resolution "Y"  
Which the House has killed.

ROY GILBREATH, Chief Clerk  
House Chamber  
Bismarck, March 3, 1967

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to

House Bill No. 508  
House Bill No. 503  
House Bill No. 502  
House Concurrent Resolution "B-2"

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE HOUSE

House Chamber  
Bismarck, March 3, 1967

Mr. President: I have the honor to return:

Senate Bill No. 2  
Senate Bill No. 3  
Senate Bill No. 7  
Senate Bill No. 8  
Senate Bill No. 14  
Senate Bill No. 222  
Senate Bill No. 302  
Senate Bill No. 311  
Senate Bill No. 380  
Senate Bill No. 388

Which the House has amended as follows:

ROY GILBREATH, Chief Clerk

AMENDMENTS TO SENATE BILL NO. 2

On line 15 of the Bill delete the sum "\$359,518.00" and in lieu thereof insert the sum "\$319,518.00"

On line 19 delete the sum "\$44,000.00" and in lieu thereof insert the sum "\$37,000.00".

On line 20 delete the sum "\$415,718.00" and in lieu thereof insert the sum "\$368,718.00".

On line 30 delete the sum "\$775,452.00" and in lieu thereof insert the sum "\$608,000.00".

On line 32 delete the sum "\$114,000.00" and in lieu thereof insert the sum "\$107,900.00".

On line 33 delete the sum "\$939,452.00" and in lieu thereof insert the sum "\$765,900.00".

On line 34 delete the sum "\$1,396,210.00" and in lieu thereof insert the sum "\$1,175,658.00".

AMENDMENTS TO SENATE BILL NO. 3

In the last line of the title before the period insert the words "and declaring certain lined items to be emergency measures"

In line 14 before the numeral "41ST" insert the words "BIENNIUM AND"

After line 18 and before line 19 insert a new line item as follows:  
"Supplies and materials, 40th Legislative Assembly 20,000.00

The above line item of 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."

In line 19 delete the figure "665,600.00" and insert in lieu thereof the figure "685,600.00"

In line 22 delete the figure "5,980.00" and insert in lieu thereof the figure "7,870.00"

In line 26 delete the figure "13,421.00" and insert in lieu thereof the figure "15,311.00"

In line 29 delete the figure "181,736.00" and insert in lieu thereof the figure "223,116.00"

In line 30 delete the figure "95,170.00" and insert in lieu thereof the figure "104,170.00"

In line 33 delete the figure "286,906.00" and insert in lieu thereof the figure "337,286.00"

In line 34 delete the figure "965,927.00" and insert in lieu thereof the figure "1,038,197.00"

And renumber the lines accordingly.

#### AMENDMENTS TO SENATE BILL NO. 7

On line 4 of the Bill delete the sum "\$2,200,142.00" and in lieu thereof insert the sum "\$2,556,662.00".

On line 8 delete the sum "\$1,635,142.00" and in lieu thereof insert the sum "\$1,897,337.00".

On line 9 delete the sum "\$74,000.00" and in lieu thereof insert the sum "\$84,000.00".

On line 10 delete the sum "\$420,000.00" and in lieu thereof insert the sum "\$502,025.00".

On line 11 delete the sum "\$56,500.00" and in lieu thereof insert the sum "\$58,800.00".

On line 15 delete the sum "\$2,200,142.00" and in lieu thereof insert the sum "\$2,556,662.00".

On line 17 delete the sum \$1,974,142.00" and in lieu thereof insert the sum "\$2,330,662.00".

On line 21 delete the sum "\$2,200,142.00" and in lieu thereof insert the sum "\$2,556,662.00"

#### AMENDMENTS TO SENATE BILL NO. 8

In line 3 of the engrossed bill delete the figure "9,806,029.00" and insert in lieu thereof the figure "9,506,029.00"

In line 13 delete the figure "1,200,000.00" and insert in lieu thereof the figure "900,000.00"

Following line 13 and before line 14 insert the following language: "Provided, however, the \$900,000.00 hereby appropriated for the adolescent treatment center building shall be reduced by such amounts as may be made available by the federal government for the construction of such building."

In line 14 delete the figure "\$9,806,029.00" and insert in lieu thereof the figure "\$9,506,029.00"

In line 16 delete the figure "\$6,006,029.00" and insert in lieu thereof the figure "\$5,706,029.00"

In line 20 delete the figure "9,806,029.00" and insert in lieu thereof the figure "9,506,029.00"

#### AMENDMENTS TO SENATE NO. 14

On line 3 of the Bill delete the sum "\$232,100.00" and in lieu thereof insert the sum "\$100,100.00".

On line 5 delete the words and numbers "biennium beginning July 1, 1967, and" and in lieu thereof insert the words and numbers "period beginning July 1, 1967, through December 31, 1967, to wit:"

Delete line 6.

On line 7 delete the sum "\$78,200.00" and in lieu thereof insert the sum "\$25,000.00".

On line 9 delete the sum and words "\$18,000.00 for the biennium" and in lieu thereof insert the sum and words "\$4,500.00 for the period from July 1, 1967 through December 31, 1967".

On line 10 delete the sum "\$46,400.00" and in lieu thereof insert the sum "\$23,000.00".

On line 11 delete the sum "\$6,500.00" and in lieu thereof insert the sum "\$2,000.00".

On line 12 delete the sum "\$1,000.00" and in lieu thereof insert the sum "\$100.00".

On line 13 delete the sum "\$150,000.00" and in lieu thereof insert the sum "\$50,000.00".

On line 14 delete the sum "\$282,100.00" and in lieu thereof insert the sum "\$100,100.00".

And renumber the lines accordingly.

#### AMENDMENTS TO SENATE BILL NO. 222

In line 12 of the engrossed bill insert (triple parentheses) before and after the hyphenated word "twenty-eight" and before the word "mills" insert "thirty-three"

In line 17 delete the words "not to exceed thirty-"

Delete lines 18 and 19

In line 20 delete the words "cities with a population of five thousand or less," and insert in lieu thereof the words "by not more than five mills,"

And renumber the lines accordingly.

#### AMENDMENTS TO SENATE BILL 302

In line 26 of the original bill following the period, insert the following sentence:

"Provided that the cleaning or grading of grain taxed pursuant to chapter 57-03 shall not constitute processing or manufacturing for the purposes of this subsection and such grain shall not be exempt under the provisions of this section."

#### AMENDMENTS TO SENATE BILL No. 311

In the second line of the title following the comma after the figure "54-10-22" insert the word "and"

In the third line of the title delete the comma, word and figure ", and 54-10-24"

In line 73 delete the word "each" and insert in lieu thereof the words "once every two years, or at more frequent intervals if the state auditor, in his discretion, deems it advisable"

Delete all of line 74

In line 75 delete the words "it advisable"

In line 83 delete the words "twenty-five" and insert in lieu thereof the word "forty"

In line 87 delete the words "and typing"

Following line 92 but before line 93 insert the following language:

"Provided, further, that the board of county commissioners may provide for an annual audit by a certified public accountant for any or all of the offices and boards set forth in this section, and such audit report shall be in such form and contain such information as the state auditor may require in addition to other information, and in such case the state auditor shall not be required to make the examination heretofore provided for in this section. Two copies of such audit reports shall be filed with the state auditor and one copy with the state bonding fund by the certified public accountant making such audit at the same time that the report is delivered to the officer or board audited, and the board of county commissioners shall not pay the fee for such audit until evidence of such filing is

furnished. The state auditor may require the correction of any irregularities, objectionable accounting procedures, or illegal actions on the part of such officers or boards disclosed by such audit reports, and failure to make such corrections shall result in audits being resumed by the state auditor until such irregularities, procedures, or illegal actions are corrected, and fees for such audits, so resumed, shall be paid in accordance with this section."

In line 98 following the word "audit" insert the words and commas ", at least once every two years,"

Delete lines 108 through 116

In line 117 delete the words and period "tion shall be audited at least once each year."

In line 141 delete the words "twenty-five" and insert in lieu thereof the word "forty"

Delete lines 199 through 214

In line 217 delete the figure "54-10-19" and insert in lieu thereof the figure "54-10-18"

In line 234 delete the figure "54-10-20" and insert in lieu thereof the figure "54-10-19"

In line 257 delete the figure "54-10-21" and insert in lieu thereof the figure "54-10-20"

In line 266 delete the word "ten" and insert in lieu thereof the word "forty"

In line 267 delete the words and comma "his actual traveling expenses," and insert in lieu thereof the words "shall be paid traveling expenses at the same rate as is paid other state employees which compensation and expenses are"

In line 272 delete the figure "54-10-22" and insert in lieu thereof the figure "54-10-21"

Delete lines 277 through 286

In line 289 delete the figure "54-10-23" and insert in lieu thereof the figure "54-10-22"

In line 309 delete the figure "54-10-24" and insert in lieu thereof the figure "54-10-23"

And renumber the sections and lines accordingly.

#### AMENDMENTS TO SENATE BILL No. 380

In line 56 of the engrossed bill, delete the words "required to pay only fifty percent" and insert in lieu thereof the words "entitled to a sixty-dollar-per-semester or forty-dollar-per-quarter reduction, whichever the case may be,"

In line 59 of the engrossed bill delete the numeral "4" and insert in lieu thereof the numeral "5"

After line 59 and before line 60 insert the following new section:

"SECTION 4. PRIVATE INSTITUTIONS AND JUNIOR COLLEGES MAY CREDIT VETERANS WITH A REDUCTION OF MANDATORY ADMISSION FEES.) Any veteran who qualifies pursuant to the provisions of this Act and who shall receive a certification of such qualifications as determined and certified by the commissioner of veterans' affairs of the department of veterans' affairs and who shall be admitted and enrolled in a junior college established pursuant to the provisions of chapter 15-18 of the North Dakota Century Code or a private institution of higher learning located within this state may be credited sixty dollars per semester or forty dollars per quarter, whichever the case may be, by the institution in which he is enrolled, on the mandatory admission fees charged at such institution for each semester or quarter during which such veteran shall have become enrolled within the limitations provided for in section 5 of this Act."



In line 79 immediately following the period insert the following language: "Provided, however, that if the state of North Dakota shall provide for future benefits or bonuses, the amounts received under the provisions of this Act shall be deducted from such future benefits or bonuses if the Act or Acts for future benefits or bonuses so provides."

In line 80 delete the words "OF HIGHER EDUCATION"

In line 82 delete the words "Each institution under"

Delete lines 83 through 88, inclusive

In line 89 delete the word "institution" and insert in lieu thereof the following material: "Each private institution of higher learning or junior college crediting a veteran's mandatory admission fee under the authority of section 4 of this Act and each institution of higher learning under the control and administration of the board of higher education"

In line 106 delete the words "fifty percent of" and insert in lieu thereof the following material: "sixty dollars per semester or forty dollars per quarter, whichever the case may be, on"

In line 109 after the word "education" insert the following material: "and each private institution of higher learning or junior college crediting a veteran's mandatory admission fee, under the authority of section 4 of this Act,"

And renumber the lines and sections accordingly

#### AMENDMENTS TO SENATE BILL No. 388

In the second line of the title delete the word "and"

Delete all of the third line of the title

In the fourth line of the title delete the words and comma "use of assets of the capitol building fund," and following the word "for" delete the word "the" and insert in lieu thereof the word "an"

In the fifth line of the title delete the words "of such funds"

In line 33 delete the words "APPROPRIATIONS FOR LEGISLATIVE" and insert in lieu thereof the word "APPROPRIATION"

In line 34 delete the words "OFFICE BUILDING —"

In line 35 delete the words "TO APPROVE PLANS FOR BUILDING — CONTRACT FOR CONSTRUCTION"

Delete lines 36 through 53

In line 54 delete the word "further"

In line 55 delete the figure "\$10,000.00" and insert in lieu thereof the figure "\$5,000.00"

In line 59 delete the figure "1971" and insert in lieu thereof the figure "1969"

Delete lines 60 through 100

And renumber the lines accordingly.

#### MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to

House Bill No. 533

House Bill No. 906

House Concurrent Resolution "A"

House Concurrent Resolution "E-1"

And the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Rep. Hilleboe

Rep. Kelsch

Rep. Gackle

To act on House Bill No. 533

Rep. Dornacker  
 Rep. Bunker  
 Rep. Backes  
 To act on House Bill No. 906

Rep. Brown  
 Rep. Unruh  
 Rep. Backes  
 To act on House Concurrent Resolution "A"

Rep. Boyum  
 Rep. Jenkins  
 Rep. Weber  
 To act on House Concurrent Resolution "E-1"

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 3, 1967

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  
 House Bill No. 505  
 House Bill No. 524

And the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Rep. Reimers  
 Rep. Tweten  
 Rep. Opedahl

To act on House Bill No. 501

Rep. Davis  
 Rep. Bullis  
 Rep. Solberg (9)

To act on House Bill No. 505

Rep. Burke  
 Rep. Larson (16)  
 Rep. Opedahl

To act on House Bill No. 524

ROY GILBREATH, Chief Clerk

Senator Lips moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair, pursuant to recess taken, the President presiding.

#### MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 63.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to return Senate Bill No. 350 which the Senate has requested.

ROY GILBREATH, Chief Clerk

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Lips moved that the President appoint a committee of three to meet with a like committee from the House as a conference committee on House Bills Nos. 501, 505, 524, 533 and 906, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 501

Senator Litten  
 Senator (R.) Larsen  
 Senator Coughlin

The President appointed as a Conference Committee on House Bill No. 505

Senator Robinson  
 Senator Coughlin  
 Senator Larson (Lester)

The President appointed as a Conference Committee on House Bill No. 524

Senator Kelly (Milton)  
 Senator Geving  
 Senator Christensen

The President appointed as a Conference Committee on House Bill No. 533

Senator Chesrown  
 Senator Holand  
 Senator Meschke

The President appointed as a Conference Committee on House Bill No. 906

Senator Decker  
 Senator Goldberg  
 Senator Rait

The President appointed as a Conference Committee on House Concurrent Resolution "A",

Senator Longmire  
 Senator Freed  
 Senator Meschke

The President appointed as a Conference Committee on House Concurrent Resolution "E-1",

Senator Freed  
 Senator Stroup  
 Senator Jacobson

Senator Roen moved that the Senate do concur in the House amendments to Senate Bill No. 105, which motion prevailed.

Senator Roen moved that the rules be suspended and that Senate Bill No. 105 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**SECOND READING OF A SENATE BILL**

**Senate Bill No. 105.** For an Act to amend and reenact sections 15-55-01, 15-55-02, 15-55-02.1, 15-55-03, 15-55-04, 15-55-05, 15-55-06, 15-55-07, 15-55-09, 15-55-10 and 15-55-14 of the North Dakota Century Code relating to the issuance of revenue bonds for the construction of buildings and other campus improvements at the state institutions of higher learning.

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, 3; absent and not voting, 7.

Those voting in the affirmative were:

Beck	Jacobson	Melland	Ruemmele
Becker	Kautzmann	Morgan	Sands
Chesrown	Kelly, E.	Mutch	Schultz
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larson, G.	Nething	Stroup

Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Redlin	Trenbeath
Geving	Litten	Ringsak	Wenstrom
Hernett	Lowe	Robinson	Wilhite
Holand	Luick	Roen	

Those voting in the negative were:

Christensen	Meschke	Rait
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Absent and not voting:

Berube	Goldberg	Larsen, R.	Sorlie
Bulter	Hofstrand	Longmire	

So the bill passed and the title was agreed to.

Senator Lips moved for a call of the Senate, which motion prevailed.

Senator Lips moved that the call of the Senate be dispensed with, which motion prevailed.

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Lips moved that the Senate reconsider House Bill No. 941, which the Governor has vetoed, and that House Bill No. 941 be placed at the head of the calendar, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 941.** A Bill for an Act to create and enact a new chapter to the North Dakota Century Code imposing a three-quarters of one percent motor vehicle excise tax, exemptions there-to, manner of collection, penalties, allocation of revenue and to repeal chapters 57-39.1 and 57-40.1 of the North Dakota Century Code.

Was read the second time.

#### ROLL CALL

The question being on passage of House Bill No. 941, which the Governor has vetoed, the roll was called and there were ayes, 41; nays, 7; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Holand	Lowe	Ruemmele
Becker	Jacobson	Luick	Sands
Bulter	Kautzmann	Melland	Schultz
Chesrown	Kelly, E.	Nasset	Sorlie
Coughlin	Kelly, M.	Nething	Stafne
Decker	Larsen, R.	Pyle	Stroup
Forkner	Larson, G.	Redlin	Torgerson
Freed	Lips	Ringsak	Trenbeath
Geving	Litten	Robinson	Wenstrom
Goldberg	Longmire	Roen	Wilhite
Hernett			

Those voting in the negative were:

Berube	Larson, L.	Morgan	Rait
Christensen	Meschke	Mutch	

Absent and not voting:

Hofstrand

So the bill passed and the title was agreed to.

Senator Lips moved that the Senate reconsider House Bill No. 714, which the Governor has vetoed, and that House Bill No. 714 be placed at the head of the calendar, which motion prevailed.

**House Bill No. 714.** A Bill for an Act to amend and reenact sections 26-24-08 and 26-24-09 of the North Dakota Century Code, relating to insurance on public buildings.

Was read the second time.

Senator Meschke requested that the Governor's objections to House Bill No. 714 be read, which request was granted.

## ROLL CALL

The question being on the passage of House Bill No. 714, which the Governor has vetoed, the roll was called and there were ayes, 34; nays, 14; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Kautzmann	Melland	Sands
Becker	Kelly, E.	Morgan	Schultz
Butler	Kelly, M.	Mutch	Stafne
Coughlin	Larsen, R.	Nasset	Stroup
Decker	Larsen, G.	Nothing	Torgerson
Forkner	Lips	Pyle	Trenbeath
Freed	Litten	Ringsak	Wenstrom
Goldberg	Longmire	Robinson	Wilhite
Jacobson	Lowe		

Those voting in the negative were:

Berube	Hernett	Meschke	Roen
Chesrown	Holand	Rait	Ruemmele
Christensen	Larsen, L.	Redlin	Sorlie

Geving Luick  
Absent and not voting:  
Hofstrand

So the bill passed and the title was agreed to.

Senator Lips moved that the Senate reconsider House Bill No. 615, which the Governor has vetoed, and that House Bill No. 615 be placed at the head of the calendar, which motion prevailed.

**House Bill No. 615.** A Bill for an Act to repeal chapter 26-22 of the North Dakota Century Code, relating to the hail insurance department and providing an effective date.

Was read the second time.

Senator Meschke requested that the objections of the Governor to House Bill No. 615 be read, which request was granted.

## ROLL CALL

The question being on the passage of House Bill No. 615, which the Governor has vetoed, the roll was called and there were ayes, 38; nays, 10; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Jacobson	Melland	Sands
Becker	Kautzmann	Mutch	Schultz
Butler	Kelly, E.	Nasset	Sorlie
Coughlin	Kelly, M.	Nothing	Stafne
Decker	Larsen, R.	Pyle	Stroup
Forkner	Larsen, G.	Redlin	Torgerson
Geving	Lips	Ringsak	Trenbeath
Goldberg	Litten	Robinson	Wenstrom
Hernett	Longmire	Roen	Wilhite
Holand	Lowe		

Those voting in the negative were:

Berube	Freed	Meschke	Rait
Chesrown	Larsen, L.	Morgan	Ruemmele
Christensen	Luick		

Absent and not voting:  
Hofstrand

So the bill passed and the title was agreed to.

Senator Lips moved that the vote by which House Bills Nos. 941, 714 and 615, were passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

## MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1967

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,

Senator Litten  
 Senator Larsen (R.)  
 Senator Coughlin  
 To act on House Bill No. 501  
 Senator Robinson  
 Senator Coughlin  
 Senator Larson (Lester)  
 To act on House Bill No. 505  
 Senator Kelly (M.)  
 Senator Geving  
 Senator Christensen  
 To act on House Bill No. 524  
 Senator Chesrown  
 Senator Holand  
 Senator Meschke  
 To act on House Bill No. 533  
 Senator Decker  
 Senator Goldberg  
 Senator Rait  
 To act on House Bill No. 906

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 3, 1967

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,

Senator Longmire  
 Senator Freed  
 Senator Meschke  
 To act on House Concurrent Resolution "A"  
 Senator Freed  
 Senator Stroup  
 Senator Jacobsen  
 To act on House Concurrent Resolution "E-1"

LEO LEIDHOLM, Secretary

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to return:

Senate Bill No. 67  
 Senate Bill No. 121  
 Senate Bill No. 173  
 Senate Bill No. 190  
 Senate Bill No. 212  
 Senate Bill No. 283  
 Senate Bill No. 329  
 Senate Bill No. 371  
 Senate Bill No. 389  
 Senate Concurrent Resolution "AA"

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

#### MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1967

Mr. Speaker: I have the honor to inform you that the Senate

has concurred in the House amendment to

Senate Bill No. 89  
 Senate Bill No. 105  
 Senate Bill No. 112  
 Senate Bill No. 126  
 Senate Bill No. 158  
 Senate Bill No. 185  
 Senate Bill No. 188

Senate Concurrent Resolution "PP"

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 3, 1967

Mr. Speaker: I have the honor to return the following House Bills No. 615, 714, and 941 which the Senate passed over the Governor's veto.

The vote on House Bill No. 615:

38 Ayes  
 10 Nays  
 1 Absent

The vote on House Bill No. 714:

34 Ayes  
 14 Nays  
 1 Absent

The vote on House Bill No. 941:

41 Ayes  
 7 Nays  
 1 Absent

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

Bismarck, March 3, 1967

House Chamber

Mr. President: I have the honor to transmit:

House Bill No. 513  
 House Bill No. 517  
 House Bill No. 521  
 House Bill No. 528  
 House Bill No. 676  
 House Bill No. 697  
 House Bill No. 717  
 House Bill No. 774  
 House Bill No. 776  
 House Bill No. 785  
 House Bill No. 937

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1967

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on House Bill No. 598  
 Vote: 46 ayes; 0, nays; 3 absent.

LEO LEIDHOLM, Secretary

REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 67  
 Senate Bill No. 121

Senate Bill No. 173  
 Senate Bill No. 190  
 Senate Bill No. 212  
 Senate Bill No. 283  
 Senate Bill No. 329  
 Senate Bill No. 371  
 Senate Bill No. 389

Were delivered to the Governor for his approval at the hour of 1:15 o'clock p.m., March 3, 1967.

SENATOR WENSTROM, Chairman

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution "AA"

Was delivered to the Secretary of State at the hour of 1:20 o'clock p.m., March 3, 1967.

SENATOR WENSTROM, Chairman

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign.

House Bill No. 513  
 House Bill No. 517  
 House Bill No. 521  
 House Bill No. 528  
 House Bill No. 676  
 House Bill No. 697  
 House Bill No. 717  
 House Bill No. 774  
 House Bill No. 776  
 House Bill No. 785  
 House Bill No. 937

And the President signed the same in the presence of the Senate.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 513  
 House Bill No. 517  
 House Bill No. 521  
 House Bill No. 528  
 House Bill No. 676  
 House Bill No. 697  
 House Bill No. 717  
 House Bill No. 774  
 House Bill No. 776  
 House Bill No. 785  
 House Bill No. 937

LEO LEIDHOLM, Secretary

#### MOTION

Senator Ringsak moved that the House be requested to return Senate Concurrent Resolution "U-U", which motion prevailed.

Senator Lips moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the chair, pursuant to recess taken, the President presiding.

#### MOTION

Senator Lips moved that Senate Bill No. 63 be returned to the House as requested, which motion prevailed.



## MESSAGES FROM THE HOUSE

House Chamber  
Bismarck, March 3, 1967

Mr. President: I have the honor to return:

Senate Bill No. 98

Senate Bill No. 221

Senate Bill No. 281

Senate Bill No. 282

Senate Concurrent Resolution "F-F"

Senate Concurrent Resolution "O-O"

Which the House has amended as follows:

ROY GILBREATH, Chief Clerk

## AMENDMENTS TO SENATE BILL No. 98

In line 56 after the semicolon ";" insert the following language "an insured financial institution" is one, deposits (including a savings, share, certificate or deposit account) in which are, in whole or in part, insured by the federal deposit insurance corporation, or by the federal savings and loan insurance corporation;"

In line 97 place triple parentheses around the word "of" and insert the word "or" in lieu thereof

In line 117 after the parentheses insert the numeral "1".

In line 118 place triple parentheses around the word "person"

In line 121 place triple parentheses around the numeral "1." and insert the letter "a." in lieu thereof

In line 123 place triple parentheses around the word "person"

In line 127 place triple parentheses around the numeral "2." and insert the letter "b." in lieu thereof

In line 147 place triple parentheses around the numeral "3." and insert the letter "c." in lieu thereof

In line 150 delete the triple parentheses after the word "person" and place triple parentheses after the second comma ","

In line 151 place triple parentheses before the first word "a" and after the comma ","

In line 156 place triple parentheses around the numeral "4." and insert the letter "d." in lieu thereof

In line 160 after the second comma delete the words "an adult"

Delete all of line 161 inclusive

In line 166 before the word "Any" insert the numeral "2."

In line 168 before the first word "A" insert the numeral "2."

In line 169 place triple parentheses around the words "this section" and insert the words "subsection 1" in lieu thereof

In line 171 place triple parentheses around the word "section" and insert the word "subsection" in lieu thereof

In line 178 after the parentheses insert the numeral "1."

In line 184 before the word "By" insert the numeral "2."

In line 187 after the comma ";" insert the following language "financial institution, life insurance company,"

In line 193 after the parentheses insert the numeral "1."

In line 195 place triple parentheses around the following ", and:" and insert a period "." in lieu thereof

In line 196 place triple parentheses around the numeral "1." and insert the numeral "2." in lieu thereof

In line 206 place triple parentheses around the semicolon ";" and insert a period "." in lieu thereof

In line 207 place triple parentheses around the numeral "2." and insert the numeral "3." in lieu thereof

In line 212 place triple parentheses around the semicolon “;” and insert a period “.” in lieu thereof

In line 213 place triple parentheses around the numeral “3.” and insert the numeral “4.” in lieu thereof

In line 218 place triple parentheses around the semicolon “;” and insert a period “.” in lieu thereof

In line 219 place triple parentheses around the numeral “4.” and insert the numeral “5.” in lieu thereof

In line 226 after the word “chapter” insert the following language “or hold money so given in an account in the financial institution to which it was paid or delivered by the donor.” and place triple parentheses around the semicolon “;”

In line 227 place triple parentheses around the numeral “5.” and insert the numeral “6.” in lieu thereof

In line 239 place triple parentheses around the semicolon “;” and insert a period “.” in lieu thereof

In line 240 place triple parentheses around the numeral “6.” and insert the numeral “7.” in lieu thereof

In line 254 place triple parentheses around the semicolon “;” and insert a period “.” in lieu thereof

In line 255 place triple parentheses around the numeral “7.” and insert the numeral “8.” in lieu thereof

In line 259 place triple parentheses around the semicolon “;” and insert a period “.” in lieu thereof

In line 260 place triple parentheses around the numeral “8.” and insert the numeral “9.” in lieu thereof

In line 264 delete the triple parentheses around the period “.” and delete the semicolon “;”

In line 265 delete the numeral “9.” and insert the numeral “10.” in lieu thereof

In line 300 delete the following language “subdivision a of subsection 2” and insert “subsection 1” in lieu thereof

In line 332 delete the colon “:”

In line 333 delete the words “a. Resigns” and insert the word “resigns” in lieu thereof and delete the semicolon “;” and insert a comma “,” in lieu thereof

In line 334 delete the colon “:” and insert a semicolon “;” in lieu thereof

In line 335 delete the numeral “(1)” and insert the letter “a.” in lieu thereof

In line 343 delete the numeral “(2)” and insert the letter “b.” in lieu thereof

In line 359 place triple parentheses around the letter “c.” and insert the numeral “3.” in lieu thereof

In line 363 delete the following language “subdivision a of subsection 2 of this section” and insert “subsection 1” in lieu thereof

In line 369 delete the word “subdivision”

In line 370 delete the following language “a of subsection 2 of this section” and insert “subsection 1” in lieu thereof

In line 374 delete the following language “subdivision a of subsection 2 of this section” and insert “subsection 1” in lieu thereof

In line 379 delete the following “subdivision a of”

In line 380 delete the following “2 of this section” and insert the numeral “1” in lieu thereof

In line 386 delete the following language “subdivision a of subsection 2 of this section” and insert “subsection 1” in lieu thereof

And renumber the lines and sections accordingly.

## AMENDMENTS TO SENATE BILL No. 221

In line 15 of the Bill after the word "much" insert the word "thereof" and after the word "building" delete the words "outside of" and insert in lieu thereof the words "at"

## AMENDMENTS TO SENATE BILL No. 281

On Line 2 of the Bill delete the words "Fort Abercrombie".

On Line 7 delete the sum "\$41,000.00" and in lieu thereof insert the sum "\$23,000.00".

On Line 10 delete the words "Fort Abercrombie".

On Line 14 delete the entire line.

On Line 17 delete the sum "\$41,000.00" and in lieu thereof insert the sum "\$23,000.00".

And renumber the lines accordingly.

On Line 6 of the Bill delete the words "treasury, not otherwise" and in lieu thereof insert the words "park service".

On Line 7 delete the word "appropriated".

## AMENDMENTS TO SENATE BILL No. 282

In line 31 after "commissioner," place triple parentheses around the following language "commissioner of agriculture and labor,"

In line 75 delete the word "of" and insert in lieu thereof the words "or the"

## AMENDMENTS TO SENATE CONCURRENT RESOLUTION "F-F"

In the 5th line of the title of the engrossed bill delete the word "favorable"

In line 23 of the engrossed bill after the word "hope" delete the following language: "that a favorable report there."

In line 24 delete the following language and comma: "on can be developed, and"

And renumber the lines accordingly.

## AMENDMENTS TO SENATE CONCURRENT RESOLUTION "O-O"

In line 4 delete the word "general" and insert the word "primary" in lieu thereof and delete the word "November" and insert the word "September" in lieu thereof

## MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to transmit:

House Concurrent Resolution "G-2"

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on

Senate Bill No. 54: 60 Ayes, 32 Nays, 6 Absent, not voting.

Senate Bill No. 306: 84 Ayes, 6 Nays, 8 Absent, not voting.

Senate Bill No. 309: 81 Ayes, 6 Nays, 11 Absent, not voting.

House Bill No. 603: 93 Ayes, 0 Nays, 5 Absent, not voting.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to return:

Senate Concurrent Resolution "SSS"

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1967

Mr. Speaker: I have the honor to return Senate Bill No. 63, which the House has requested

LEO LEIDHOLM, Secretary

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Holand moved that the Senate do not concur in the House amendments to Senate Bill No. 755 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. 755,

Senator Morgan

Senator Roen

Senator Butler

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1967

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. 755

Senator Morgan

Senator Roen

Senator Butler

LEO LEIDHOLM, Secretary

#### REPORTS OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 354 has had the same under consideration and recommends that the Senate do concur with the House amendment.

For the Senate

Senator Decker

Senator Pyle

Senator Christensen

For the House

Rep. Mueller

Rep. Winge

Rep. Duncan

Senator Decker moved that the report be adopted, which motion prevailed.

Senator Decker moved that the rules be suspended and that Senate Bill No. 354 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

#### SECOND READING OF A SENATE BILL

**Senate Bill No. 354.** A Bill for an Act to create and enact section 20-03-28.1 of the North Dakota Century Code, relating to the shipment of upland game and migratory waterfowl by nonresidents licensed to hunt in this state and to amend and reenact section 20-03-06 of the North Dakota Century Code, relating to non-resident hunting, trapping, and fishing licenses.

Was 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:

Beck	Hofstrand	Lowe	Ringsak
Becker	Jacobson	Luick	Robinson
Berube	Kautzmann	Melland	Roen
Butler	Kelly, E.	Meschke	Schultz
Chesrown	Kelly, M.	Morgan	Sorlie
Christensen	Larsen, R.	Mutch	Stafne
Coughlin	Larson, G.	Nasset	Stroup
Decker	Larson, L.	Nething	Torgerson
Forkner	Lips	Pyle	Trenbeath
Geving	Litten	Rait	Wenstrom
Goldberg	Longmire	Redlin	Wilhite
Hernett			

Absent and not voting:

Freed	Holand	Ruemmele	Sands
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So the bill passed and the title was agreed to.

## REPORTS OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 526 has had the same under consideration and recommends that the Senate recede from its amendments and that the bill be further amended as follows:

Delete everything after the words "A BILL" and insert the following in lieu thereof:

"For an Act making an appropriation to the board of administration out of the general fund, the state highway fund and the interest and income capitol building fund for the purpose of constructing a new maintenance shop and capitol buildings and ground improvements, and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. APPROPRIATION.) There is hereby appropriated to the state board of administration out of any unappropriated funds in the general fund of the sum of \$136,000.00, or so much thereof as may be necessary for the construction of a new maintenance shop to be located on the capitol grounds subject to the approval of the capitol grounds planning commission as to location and design, and the sum of \$36,000.00 or so much thereof as may be necessary from the general fund for underground wiring on the capitol grounds.

SECTION 2. APPROPRIATION.) There is hereby appropriated to the state board of administration out of any unappropriated funds in the state highway fund the sum of \$132,500.00 or so much thereof as may be necessary, for the purpose of facilities and improvements made necessary by the construction of the state highway department building, to-wit:

Extension of utilities to new highway building	\$65,000.00
East parking lot improvement	27,500.00
New road complex	22,000.00
Water main from Divide Avenue	18,000.00

Total	\$132,500.00
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SECTION 3. APPROPRIATION.) There is hereby appropriated to the state board of administration out of any unappropriated funds in the interest and income capitol building fund of the permanent capitol building fund the sum of \$45,000.00, or so much thereof as may be necessary, for repair and renovation of the state capitol building as follows:

Repair of roof — 17th floor	\$15,000.00
Plaza renovation	30,000.00
Total	\$45,000.00

SECTION 4. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

And when so amended that the same do pass.

For the Senate

Senator Robinson  
 Senator Christensen  
 Senator Coughlin

For the House

Rep. Halcrow  
 Rep. Saugstad  
 Rep. Backes

Senator Coughlin moved that the report be adopted, which motion prevailed.

Senator Robinson moved that the rules be suspended and that House Bill No. 526 be placed on second reading and final passage, as amended in Conference Committee, which motion prevailed.

**House Bill No. 526.** A Bill for an Act making an appropriation to the board of administration out of the permanent capitol building fund and the interest and income capitol fund and state highway fund for the purpose of constructing a new maintenance shop and capitol buildings and ground improvements, and declaring an emergency.

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:

Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nefthing	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite

Absent and not voting:

Sands

So the bill passed and the title was agreed to and the emergency clause carried.

Mr. President: Your Conference Committee to whom was referred House Bill No. 533 has had the same under consideration and recommends:

That the House concur with the Senate amendments and recommends that it be further amended as follows:

In line 406 delete the word "once"

In line 407 delete the triple parentheses before the word "once" and after the word "weeks"; delete the words "at least" and delete the words "no later"

In line 408 delete the words "than one week and no earlier than two weeks"

In line 607 delete "no later than one week, and no earlier than two weeks"

In line 623 delete "no later than one week and no earlier than two weeks"

In line 1915 delete the word "ten" and insert in lieu thereof the word "twenty"

In line 2222 delete the following "and in the year 1968 and each two years thereafter and insert in lieu thereof "and thereafter as provided by law"

And renumber the lines accordingly.

For the Senate  
 Senator Chesrown  
 Senator Holand  
 Senator Meschke

For the House  
 Rep. Gackle  
 Rep. Hilleboe  
 Rep. Kelsch

Senator Chesrown moved that the report be adopted, which motion prevailed.

Senator Chesrown moved that the rules be suspended and that House Bill No. 533 be placed on second reading and final passage, as amended in conference committee, which motion prevailed.

**House Bill No. 533.** For an Act to create and enact sections 16-04-02.1 and 40-09-17 of the North Dakota Century Code, providing a certificate of endorsement form, and providing for restrictions for members of the board of city commissioners, to provide that certain questions relating to financing political subdivisions shall not be submitted to the electorate for a specified time after the failure to approve such measures, to provide that political parties shall reorganize on a legislative district basis in 1967, 1968, and every two years thereafter, and to amend and reenact sections 1-01-50, 5-01-13, subsection 6 of section 11-11-14, sections 15-28-05, 15-28-06, 15-28-09, 16-01-02, 16-01-07, 16-03-01, 16-03-02, 16-04-02, 16-04-03, 16-04-04, 16-04-05, 16-04-06, 16-04-08, 16-04-11, 16-04-13, 16-04-15.1, 16-04-17, subsection 4 of section 16-04-20, sections 16-04-21, 16-04-26, 16-04-29, 16-05-03, 16-05-04, 16-06-02, 16-06-04, 16-07-01, 16-07-02, 16-07-04, 16-07-09, 16-07-12, 16-08-04, 16-08-05, 16-08-07, 16-09-01, 16-09-02, 16-09-03, 16-09-05, 16-09-06, 16-09-07, 16-10-01, 16-10-04, 16-10-06, 16-10-08, 16-10-17, 16-11-05, 16-11-07, 16-11-09, 16-11-11, 16-11-12, 16-12-04, 16-12-10, 16-12-14, 16-13-07, 16-13-13, 16-13-14, 16-13-16, 16-13-20, 16-13-21, 16-13-24, 16-13-33, 16-16-08, 16-17-06, 16-17-08, 16-17-09, 16-17-10, 16-17-11, 16-17-13, 16-17-15, 16-17-16, subsection 3 of section 16-18-01, sections 16-18-03, 16-18-05, 16-18-06, 16-18-09, 16-18-14, 16-18-17, 16-18-18, 16-18-19, 16-20-04, 16-20-08, 16-20-17.1, 16-20-19, 16-21-03, 40-02-07, 40-02-11, 40-04-02, 40-08-08, 40-08-09, 40-12-08, 40-21-02, 40-21-07, 40-21-09, 40-21-12, 40-52-04, subsection 5 of section 54-01-26, and section 58-04-05, all of the North Dakota Century Code, relating to voting and elections and election petitions, polling places, officials, publications, certificates of endorsement, political parties, ballots, campaign expenses, residency, and procedures, and to repeal sections 16-01-13, 16-04-22, 16-04-23, 16-04-24, 16-05-07, 16-07-11, 16-10-07, 16-11-08, 16-13-22, 16-18-10, 16-18-13, 16-20-02, 16-20-03, and 16-20-21, relating to placing measures on the ballot, the filling of vacancies, the appointment of judges of election, and the method of filing statements of campaign expenses.

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, 1; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Roen
Becker	Holand	Luick	Ruemmele
Berube	Jacobson	Melland	Sands
Butler	Kautzmann	Meschke	Schultz
Chesrown	Kelly, E.	Morgan	Sorlie
Christensen	Kelly, M.	Nasset	Stafne
Coughlin	Larsen, R.	Nething	Stroup
Decker	Larson, G.	Pyle	Torgerson
Forkner	Larson, L.	Rait	Trenbeath
Freed	Lips	Redlin	Wenstrom
Geving	Litten	Ringsak	Wilhite.
Goldberg	Longmire	Robinson	

Those voting in the negative were:

Mutch

Absent and not voting:

Hofstrand

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred House Bill No. 537 has had the same under consideration and recommends that the House of Representatives concur in the Senate amendments and that House Bill No. 537 be further amended as follows:

In line 140 of the engrossed bill after the word "dollars" and before the underlined period insert the words "per annum, payable in equal monthly installments or as the board of administration shall otherwise direct"

And renumber the lines accordingly.

For the Senate

Senator Longmire

Senator Nething

Senator Rait

For the House

Rep. Kingsbury

Rep. Haugland

Rep. Giffey

Senator Longmire moved that the report be adopted, which motion prevailed.

Senator Longmire moved that the rules be suspended and that House Bill No. 537 be placed on second reading and final passage, as amended in Conference Committee, which motion prevailed.

**House Bill No. 537.** For an Act to amend and reenact sections 25-09-04, 25-09-05, 25-09-06, 25-09-07, 25-09-08, and 25-09-11 of the North Dakota Century Code, relating to charges for the care and treatment of residents of the Grafton state school, methods of determining actual liability, and disposition of revenue, and to repeal section 25-09-06.1, relating to limitations on certain claims.

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, 1.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne



Decker	Larsen, R.	Nothing	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Wenstrom
Geving	Lips	Redlin	Wilhite
Goldberg	Litten	Ringsak	

**Absent and not voting:**

Mutch	Trenbeath
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So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred House Bill No. 603 has had the same under consideration and recommends that the House do concur with the Senate amendments.

For the Senate  
 Senator Longmire  
 Senator Pyle  
 Senator Redlin

For the House  
 Rep. Sandness  
 Rep. Giffey  
 Rep. Tollefson

Rep. Tollefson moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 706 has had the same under consideration and recommends that the Senate recede from its amendments.

For the Senate  
 Senator Roen  
 Senator Larson (Guy)  
 Senator Nasset

For the House  
 Rep. Jones  
 Rep. Froelich  
 Rep. McDonald

Senator Roen moved that the report be adopted, which motion prevailed.

Senator Roen moved that the rules be suspended and that House Bill No. 706 be placed on second reading and final passage, which motion prevailed.

**House Bill No. 706.** A Bill for an Act to provide for the establishment of junior college boards of control.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Morgan	Sands
Chesrown	Kelly, E.	Mutch	Schultz
Christensen	Kelly, M.	Nasset	Sorlie
Coughlin	Larson, G.	Nothing	Stafne
Decker	Larson, L.	Pyle	Stroup
Forkner	Lips	Rait	Torgerson
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

Those voting in the negative were:

Larsen, R.	Meschke
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Absent and not voting:  
 Freed                      Trenbeath

So the bill passed and the title was agreed to.

#### MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on Senate Bill No. 337 and then killed the bill:

29 Ayes, 66 Nays, 3 Absent, not voting.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to inform you that the Speaker has appointed as conference committees to act with like committees from the Senate, on Senate Bills Nos. 45, 205 and 249:

To serve on Senate Bill No. 45

Rep. Hensrud  
 Rep. McDonald (21st Dist.)  
 Rep. Giffey

To serve on Senate Bill No. 205

Rep. Strinden  
 Rep. Dahl  
 Rep. Weber

To serve on Senate Bill No. 249

Rep. Kingsbury  
 Rep. Hensrud  
 Rep. Williamson

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to return:

Senate Bill No. 37

Which the House has killed.

ROY GILBREATH, Chief Clerk

#### REPORTS OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 755 has had the same under consideration and recommends:

That the Senate recede from its amendments.

For the Senate  
 Senator Morgan  
 Senator Roen  
 Senator Butler

For the House  
 Rep. Boustead  
 Rep. Schaffer  
 Rep. Ganser

Senator Butler moved that the report be adopted, which motion prevailed.

Senator Morgan moved that the rules be suspended and that House Bill No. 755 be placed on second reading and final passage, which motion prevailed.

**House Bill No. 755.** A Bill for an Act to amend and reenact subsections 1 and 2 of section 39-12-04 of the 1965 Supplement to the

North Dakota Century Code, relating to width, height, and length limitations on vehicles.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 0.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen
Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nething	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite
Hernett			

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred House Bill No. 814 has had the same under consideration and recommends:

That the Senate recede from its amendments.

For the Senate

Senator Nasset  
Senator Jacobson  
Senator Berube

For the House

Rep. Moquist  
Rep. Rivinius  
Rep. Glaspey

Senator Nasset moved that the report be adopted, which motion prevailed.

Senator Nasset moved that the rules be suspended and that House Bill No. 814 be placed on second reading and final passage, which motion prevailed.

**House Bill No. 814.** A Bill for an Act to authorize the state board of higher education to transfer the custody and control of certain land presently under the custody and control of the Dickinson substation of the North Dakota state agricultural experiment station to the Dickinson state college for use by said college for the construction and maintenance of a stadium and supporting facilities, providing an appropriation, and declaring an emergency.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Ruemmele
Chesrown	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larson, G.	Nething	Torgerson

Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite
Absent and not voting:			
Schultz			

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred House Bill No. 819 has had the same under consideration and recommends:

That the House do concur with the Senate amendments.

For the Senate

Senator Larson (32)

Senator Redlin

Senator Berube

For the House

Rep. Johnson (23)

Rep. Ferguson

Rep. Skaar

Senator Larson (32) moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 862 has had the same under consideration and recommends:

That the House do concur with the Senate amendments.

For the Senate

Senator Holand

Senator Roen

Senator Luick

For the House

Rep. Mathiason

Rep. McDonald (Dist. 21)

Rep. Weber

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Concurrent Resolution "O" has had the same under consideration and recommends:

That the House do concur with the Senate amendments.

For the Senate

Senator Forkner

Senator Holand

Senator Stroup

For the House

Rep. Burke

Rep. Winge

Rep. Aafedt

Senator Forkner moved that the report be adopted, which motion prevailed.

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 3, 1967

Mr. President: The House requests the return of Senate Concurrent Resolution "U-U".

ROY GILBREATH, Chief Clerk

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1967

Mr. Speaker: I have the honor to return Senate Concurrent Resolution "U-U" which the House has requested.

LEO LEIDHOLM, Secretary

## REPORTS OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 165 has had the same under consideration and a majority of your Committee recommends:

That the House amendments be laid on the table.

For the majority:

For the Senate  
 Senator Chesrown  
 Senator Rait

For the House  
 Rep. Brown  
 Rep. DeKrey

Senator Chesrown moved that the report be adopted.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 165 has had the same under consideration and a minority of your Committee recommends:

That the Senate concurs with the House amendments.

For the minority:

For the Senate  
 Senator Trenbeath

For the House  
 Rep. Link

Senator Trenbeath moved that the report be adopted, which motion prevailed.

Senator Trenbeath moved that the report of the minority be substituted for that of the majority.

Senator Trenbeath requested a recorded vote, which request was granted.

## ROLL CALL

The question being on the motion of Senator Trenbeath, the roll was called and there were ayes; 26, nays, 22; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Kautzmann	Luick	Robinson
Becker	Kelly, E.	Melland	Roen
Coughlin	Larsen, R.	Morgan	Ruemmele
Decker	Larson, G.	Nasset	Sorlie
Forkner	Lips	Pyle	Trenbeath
Freed	Longmire	Ringsak	Wilhite
Jacobson	Low		

Those voting in the negative were:

Berube	Hernett	Meschke	Sands
Butler	Hofstrand	Mutch	Schultz
Chesrown	Holand	Nething	Stafne
Christensen	Kelly, M.	Rait	Stroup
Geving	Larson, L.	Redlin	Wenstrom
Goldberg	Litten		

Absent and not voting:

Torgerson

So the motion was declared carried.

Senator Trenbeath moved that the rules be suspended and that Senate Bill No. 165 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 165.** A Bill for an Act to amend and reenact sections 15-40-18 and 15-40-19, subsection 4 of section 57-01-05, subsection 11 of section 57-01-06, and section 57-15-24 of the North Dakota Century Code, relating to sales ratio studies, manner of

certifying per-pupil payments, and the duties of the state supervisor of assessments, and to repeal section 57-01-08, relating to county equalization fund payments and the sales ratio study.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 20; nays, 29; absent and not voting, 0.

Those voting in the affirmative were:

Becker	Kautzmann	Luick	Robinson
Coughlin	Larsen, R.	Morgan	Roen
Decker	Lips	Nasset	Ruemmele
Freed	Longmire	Pyle	Sorlie
Jacobson	Lowe	Ringsak	Trenbeath

Those voting in the negative were:

Beck	Hernett	Litten	Sands
Berube	Hofstrand	Melland	Schultz
Butler	Holand	Meschke	Stafne
Chesrown	Kelly, E.	Mutch	Stroup
Christensen	Kelly, M.	Nothing	Torgerson
Forkner	Larson, G.	Rait	Wenstrom
Geving	Larson, L.	Redlin	Wilhite
Goldberg			

So the bill lost.

Senator Redlin moved that the vote by which Senate Bill No. 165 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 213 has had the same under consideration and recommends:

That the Senate do concur with the House amendments.

For the Senate  
 Senator Nothing  
 Senator Lowe  
 Senator Rait

For the House  
 Rep. Metzger  
 Rep. Dahl  
 Rep. Sanstead

Senator Nothing moved that the report be adopted, which motion prevailed.

Senator Lowe moved that the rules be suspended and that Senate Bill No. 213 be deemed properly 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 provide for the appointment of mediators to labor disputes and the compensation therefor.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 5; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Kautzmann	Luick	Robinson
Becker	Kelly, E.	Melland	Ruemmele
Chesrown	Kelly, M.	Meschke	Sands
Coughlin	Larsen, R.	Morgan	Schultz
Decker	Larson, G.	Mutch	Sorlie

Freed	Larson, L.	Nasset	Stroup
Geving	Lips	Nething	Torgerson
Hernett	Litten	Rait	Trenbeath
Hofstrand	Longmire	Redlin	Wenstrom
Holand	Lowe	Ringsak	Wilhite
Jacobson			

Those voting in the negative were:

Butler	Goldberg	Pyle	Stafne
Forkner			

Absent and not voting:

Berube	Christensen	Roen
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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. 47 has had the same under consideration and recommends:

That the House recede from its amendments and that Senate Bill No. 47 be amended as follows:

In line 12 delete the word "shall" and insert in lieu thereof the word "may" and delete the following "in the following cases;"

Delete all of lines 13 through 15

In line 16 delete the following "2. When" and insert in lieu the word "when"

In line 19 delete the word "justice"

In line 21 delete the words "in a county other than that in which" and insert in lieu thereof "or county court of increased jurisdiction"

In line 22 delete the words "the municipal court is located"

And renumber the lines accordingly.

For the Senate

Senator Chesrown  
Senator Longmire  
Senator Meschke

For the House

Rep. Fossum  
Rep. Kelsch  
Rep. Eagles

Senator Chesrown moved that the report be adopted, which motion prevailed.

Senator Longmire moved that the rules be suspended and that Senate Bill No. 47 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 47.** For an Act to provide for an affidavit of prejudice and a change of venue in municipal courts and to amend and reenact sections 40-18-03 and 40-18-07 of the 1965 Supplement to the North Dakota Century Code, relating to the vacancy in office and temporary absence of municipal judges, and relating to the issuance of warrants by municipal judges, and to repeal section 40-18-10 of the 1965 Supplement to the North Dakota Century Code, relating to the procedure governing trials for misdemeanors before municipal judges.

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:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Roen

Berube	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Meschke	Sands
Christensen	Kelly, E.	Morgan	Schultz
Coughlin	Kelly, M.	Mutch	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larson, G.	Nething	Stroup
Freed	Larson, L.	Pyle	Torgerson
Geving	Lips	Rait	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	Wilhite

Absent and not voting:  
Chesrown

So the bill passed and the title was agreed to.

#### MOTION

Senator Decker moved that the House be requested to return House Bill No. 877, which motion lost.

#### MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on

Senate Bill No. 354  
House Bill No. 598  
House Bill No. 706  
House Bill No. 755  
House Bill No. 814

ROY GILBREATH, Chief Clerk

#### REPORTS OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 54 has had the same under consideration and recommends:

That the House recede from its amendments and that Senate Bill No. 54 be amended as follows:

In line 4 of the bill delete the sum \$300,000.00 and insert in lieu thereof \$400,000.00

In line 12 delete the sum \$165,538.00 and insert in lieu thereof \$265,538.00

In line 13 delete the sum \$300,000.00 and insert in lieu thereof \$400,000.00

For the Senate  
Senator Wenstrom  
Senator Coughlin  
Senator Christensen

For the House  
Rep. Tweten  
Rep. Peterson (James)  
Rep. Solberg (Oscar)

Senator Coughlin moved that the report be adopted, which motion prevailed.

Senator Wenstrom moved that the rules be suspended and that Senate Bill No. 54 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 54.** For an Act making an appropriation to the state Outdoor Recreation Agency for funding the planning, acquisition and development of outdoor recreation agencies and activities.

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, 39; nays, 7; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Holand	Longmire	Robinson
Chesrown	Jacobson	Lowe	Sands
Christensen	Kautzmann	Luick	Schultz
Coughlin	Kelly, E.	Melland	Sorlie
Decker	Kelly, M.	Meschke	Stafne
Forkner	Larsen, R.	Nasset	Stroup
Freed	Larson, G.	Nothing	Trenbeath
Geving	Larson, L.	Pyle	Wenstrom
Hernett	Lips	Rait	Wilhite
Hofstrand	Litten	Redlin	

Those voting in the negative were:

Goldberg	Mutch	Roen	Torgerson
Morgan	Ringsak	Ruemmele	

Absent and not voting:

Becker	Berube	Butler
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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. 306 has had the same under consideration and recommends that the House recedes from their amendments.

For the Senate

Senator Kautzmann

Senator Coughlin

Senator Morgan

For the House

Rep. Boyum

Rep. Kuehn

Rep. Lee

Senator Kautzmann moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 309 has had the same under consideration and recommends that the House recede from its amendments.

For the Senate

Senator Chesrown

Senator Torgerson

Senator Meschke

For the House

Rep. Knudson

Rep. Sandness

Rep. Sanstead

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 310 has had the same under consideration and recommends:

That the House recede from its amendments and that Senate Bill No. 310 be amended as follows:

In line 20 following the word "and" insert the following: "ten dollars or over of dividends or interest if an information return for such amount is also required to be filed for federal income tax purposes, and"

For the Senate

Senator Becker

Senator Torgerson

Senator Rait

For the House  
 Rep. Backes  
 Rep. Boustead  
 Rep. Dornacker

Senator Becker moved that the report be adopted, which motion prevailed.

Senator Becker moved that the rules be suspended and that Senate Bill No. 310 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 310.** A Bill for an Act to Amend and reenact section 57-38-42 of the North Dakota Century Code, relating to information and partnership returns.

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:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nothing	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Larson, L.	Rait	Wenstrom
Geving	Lips	Redlin	Wilhite
Goldberg	Litten	Ringsak	

Absent and not voting:

Nasset Trenbeath

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 337 has had the same under consideration and recommends that the House recede from its amendments.

For the Senate  
 Senator Morgan  
 Senator Melland  
 Senator Butler

For the House  
 Rep. Hickie  
 Rep. McDonald  
 Rep. DeKrey

Senator Morgan moved that the report be adopted, which motion prevailed.

### REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 45 has had the same under consideration and the Senate concurs with House amendments.

For the Senate  
 Senator Butler  
 Senator Melland  
 Senator Larson (Lester)

For the House  
 Rep. Hensrud  
 Rep. McDonald (T.)  
 Rep. Giffey

Senator Larson moved that the report be adopted, which motion prevailed.

Senator Melland moved that the rules be suspended and that Senate Bill No. 45 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 45.** For an Act to amend and reenact section 39-06-14 of the North Dakota Century Code, relating to the issuance of licenses to operate motor vehicles.

Was 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:

Beck	Hernett	Longmire	Ringsak
Becker	Hofstrand	Lowe	Robinson
Berube	Holand	Luick	Roen
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larsen, G.	Nothing	Torgerson
Freed	Larsen, L.	Pyle	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Litten	Redlin	Wilhite

Those voting in the negative were:

Ruemmele

So the bill passed and the title was agreed to.

#### REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 822 has had the same under consideration and recommends:

That the Senate recede from its amendments and recommends further that the Senate amends as follows:

In line 232 delete the "comma" and insert a "period" and delete the words "except to the"

Delete line 233.

For the Senate

Senator Wilhite  
 Senator Decker  
 Senator Christensen

For the House

Rep. Kelsch  
 Rep. Burke  
 Rep. Williamson

Senator Wilhite moved that the report be adopted, which motion prevailed.

Senator Wilhite moved that the rules be suspended and that House Bill No. 822 be placed on second reading and final passage, as amended in Conference Committee, which motion prevailed.

#### SECOND READING OF A HOUSE BILL

**House Bill No. 822.** A Bill for an Act to authorize the control, prevention, and abatement of pollution of the surface waters of the state, and providing a penalty.

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 negative were:

Beck	Hofstrand	Lowe	Roen
Becker	Holand	Luick	Ruemmele
Berube	Jacobson	Melland	Sands
Butler	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nothing	Stroup
Forkner	Larson, G.	Rait	Torgerson
Freed	Larson, L.	Redlin	Trenbeath
Geving	Lips	Ringsak	Wenstrom
Goldberg	Litten	Robinson	Wilhite
Hernett	Longmire		

Those voting in the negative were:

Mutch

Absent and not voting:

Chesrown Pyle

So the bill passed and the title was agreed to.

Senator Redlin moved that the Senate do not concur in the House amendments to Senate Bill No. 222 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. 222,

Senator Litten  
Senator Sands  
Senator Berube

## MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1967

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 222 and the President has appointed as a conference committee to act with a like committee from the House,

Senator Litten  
Senator Sands  
Senator Berube

LEO LEIDHOLM, Secretary

## FIRST READING OF A HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution "G-2".** A Concurrent Resolution paying tribute to North Dakota men who have died in Vietnam.

Was read the first time.

Senator Lips moved that the rules be suspended, that House Concurrent Resolution "G-2" be not referred to committee, but placed on second reading and final passage, which motion prevailed.

## SECOND READING OF A HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution "G-2".** A Concurrent Resolution paying tribute to North Dakota men who have died in Vietnam.

Was read the second time.

Senator Lips moved that House Concurrent Resolution "G-2" be adopted, which motion prevailed.

FRIDAY, MARCH 3, 1967

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MESSAGES FROM THE HOUSE

House Chamber  
Bismarck, March 3, 1967

Mr. President: I have the honor to return:

Senate Bill No. 44

Which the House has amended as follows:

ROY GILBREATH, Chief Clerk

AMENDMENTS TO SENATE BILL NO. 44

In the title of the engrossed bill delete all the words in line eleven

In the twelfth line of the title delete the following words and comma: "beyond their normal lanes of travel,"

In the fourteenth line of the title delete the section number and comma "39-06-30"

In line 110 of the engrossed bill delete "19" and insert "18" in lieu thereof

In line 147 after the word "applicant" insert the words "applying for first license"

In line 152 after the period delete the words "All first appli-"

Delete all of lines 153, 154, 155, 156, 157

In line 158 delete "rected vision of the applicant."

In line 159 delete the words "ninety days" and insert the words "six months" in lieu thereof

Delete all of lines 224 through 235 inclusive

In line 337 before the word "personal" insert the word "serious"

Delete all of SECTION 19

And renumber the lines and sections accordingly.

House Chamber  
Bismarck, March 3, 1967

Mr. President: I have the honor to return:

Senate Bill No. 63

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 3, 1967

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee reports on

House Bill No. 526, Vote 48-0-1

House Bill No. 533, Vote 47-1-1

House Bill No. 537, Vote 47-0-2

House Bill No. 603

House Bill No. 706

House Bill No. 755

House Bill No. 814

House Bill No. 819

House Bill No. 822, Vote 46-1-2

House Bill No. 862

House Concurrent Resolution "O"

LEO LEIDHOLM, Secretary

Senate Chamber  
Bismarck, March 3, 1967

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on

Senate Bill No. 45

Senate Bill No. 47  
 Senate Bill No. 54  
 Senate Bill No. 213  
 Senate Bill No. 306  
 Senate Bill No. 309  
 Senate Bill No. 310  
 Senate Bill No. 354

LEO LEIDHOLM, Secretary

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill:

Senate Bill No. 319

And find the same correctly Enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

Senator Lips moved that the Senate be at ease, subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair, pursuant to recess taken, the president presiding.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Ringsak moved that the Senate do not concur in the House amendments to Senate Bill No. 221 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. 221

Senator Stroup  
 Senator Jacobson  
 Senator Goldberg

Senator Ringsak moved that the Senate do concur in the House amendments to Senate Bill No. 282, which motion prevailed.

Senator Ringsak moved that the rules be suspended and that Senate Bill No. 282 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL

**Senate Bill No. 282.** A Bill for an Act to create and enact subsection 11 of section 55-01-02, section 55-02-01.3, subsections 9 and 10 of section 55-08-03, and to amend and reenact section 55-01-01 and subsections 9 and 10 of section 55-01-02, all of the North Dakota Century Code, relating to the state historical society and the superintendent thereof.

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, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beck	Hofstrand	Luick	Ruemmele
Becker	Holand	Melland	Sands
Berube	Jacobson	Meschke	Schultz
Butler	Kautzmann	Morgan	Sorlie
Chesrown	Kelly, E.	Mutch	Stafne
Christensen	Kelly, M.	Nasset	Stroup
Forkner	Larson, G.	Nething	Torgerson
Freed	Larson, L.	Pyle	Trenbeath
Geving	Lips	Redlin	Wenstrom

Goldberg	Litten	Ringsak	Wilhite
Hernett	Lowe	Robinson	
Absent and not voting:			
Coughlin	Larsen, R.	Rait	Roen
Decker	Longmire		

So the bill passed and the title was agreed to.

Senator Sorlie moved that the Senate do not concur in the House amendments to Senate Bill No. 2 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. 2,

Senator Melland  
 Senator Luick  
 Senator Kelly (Milton)

#### MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 222

Rep. Hilleboe  
 Rep. Welder  
 Rep. Backes

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 3, 1967

Mr. President: The House requests the return of Senate Bill No. 402.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on

House Bill No. 537: 75 Ayes, 0 Nays, 23 Absent, not voting

House Bill No. 819: 81 Ayes, 0 Nays, 17 Absent, not voting

House Bill No. 822: 74 Ayes, 13 Nays, 11 Absent, not voting

House Bill No. 862: 65 Ayes, 26 Nays, 7 Absent, not voting

House Concurrent Resolution "O": 90 Ayes, 0 Nays, 8 Absent, not voting

ROY GILBREATH, Chief Clerk

#### MOTION

Senator Holand moved that Senate Bill No. 402 be returned to the House as requested, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1967

Mr. Speaker: I have the honor to return Senate Bill No. 402, which the House has requested.

LEO LEIDHOLM, Secretary

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Sorlie moved that the Senate do not concur in the House amendments to Senate Bill No. 7 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. 7,

Senator Beck  
 Senator Geving  
 Senator Kelly (Earl)

Senator Melland moved that the Senate do concur in the House amendments to Senate Bill No. 8, which motion prevailed.

Senator Melland moved that the rules be suspended and that Senate Bill No. 8 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

## SECOND READING OF A SENATE BILL

**Senate Bill No. 8.** 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 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, 5; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Goldberg	Litten	Rait
Becker	Hernett	Longmire	Redlin
Berube	Holand	Lowe	Robinson
Butler	Jacobson	Luick	Ruemmele
Chesrown	Kautzmann	Melland	Sorlie
Christensen	Kelly, E.	Meschke	Stafne
Coughlin	Kelly, M.	Morgan	Stroup
Decker	Larsen, R.	Nasset	Torgerson
Forkner	Larson, G.	Nething	Trenbeath
Freed	Larson, L.	Pyle	Wenstrom
Geving	Lips		

Those voting in the negative were:

Hofstrand	Ringsak	Sands	Schultz
Mutch			

Absent and not voting:

Roen                      Wilhite

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 8 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Ringsak: Mr. President: I wish to explain my vote on Senate Bill No. 8. I voted no, not because I think the Jamestown Hospital Budget is wrong, but because I differ on the nine hundred thousand dollars allocated to the Adolescent Center. This sum of money should certainly include fixtures and all equipment; and even with this the need for a 100-bed hospital for the adolescent center has not been proven to me. Here we have the state of Michigan with over seven million population. They only have two centers, one a 150 bed hospital started ten years ago with 62 patients. They now have 150 patients in their hospital of which 94 attend any day school; and they give outpatient treatment to approximately 1,000 per year. Their turnover of patients is approximately every ten months. However, what scares me is that their salary per year is two million, four hundred thousand dollars which makes four million, eight hundred thousand dollars



in the biennium. Take 2/3 of that to determine the cost of a 100 bed hospital and you have one million six hundred thousand dollars salary for 45-100 children. Can this state afford this? It is my opinion that we would be better off as a state to contract these youngsters out to the state of Nebraska or some other state that is not already overburdened with expenses and not filled up with their own state personnel. It is for these reasons, and many others too numerous to enumerate, that I have voted no.

#### MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 3, 1967

Mr. President: The House requests the return of Senate Bill No. 337 after the Senate has acted on the Conference Committee report.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 3, 1967

Mr. President: The House requests the return of Senate Bill No. 47 after the Senate has acted on the Conference Committee Report.

ROY GILBREATH, Chief Clerk

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Robinson moved that the Senate do concur in the House amendments to Senate Bill No. 14, which motion prevailed.

Senator Robinson moved that the rules be suspended and that Senate Bill No. 14 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

#### SECOND READING OF A SENATE BILL

**Senate Bill No. 14.** For an Act making an appropriation for the operation and maintenance of the State Hail Insurance Department.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, by the House, the roll was called and there were ayes, 41; nays, 3; absent and not voting, 5.

Those voting in the affirmative were:

Becker	Jacobson	Melland	Ruemmele
Butler	Kautzmann	Morgan	Sands
Chesrown	Kelly, E.	Mutch	Schultz
Coughlin	Kelly, M.	Nasset	Sorlie
Decker	Larsen, R.	Nothing	Stafne
Forkner	Larson, G.	Pyle	Stroup
Geving	Lips	Rait	Torgerson
Goldberg	Litten	Redlin	Trenbeath
Hernett	Lowe	Ringsak	Wenstrom
Hofstrand	Luick	Robinson	Wilhite
Holand			

Those voting in the negative were:

Berube Christensen Larson, L.

Absent and not voting:

Beck	Longmire	Meschke	Roen
Freed			

So the bill passed and the title was agreed to.

Senator Holand moved that rules be suspended and that the reading of House amendments to Senate Bill No. 44 be dispensed with, which motion prevailed.

Senator Holand moved that the Senate do not concur in the House amendments to Senate Bill No. 44 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. 44

Senator Forkner  
Senator Coughlin  
Senator Kelly (Milton)

Senator Sorlie moved that the Senate do not concur in the House amendments to Senate Bill No. 281 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. 281

Senator Robnison  
Senator Coughlin  
Senator Larson (Lester)

Senator Sorlie moved that the Senate do not concur in the House amendments to Senate Bill No. 388 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. 388

Senator Litten  
Senator Hernet  
Senator Christensen

Senator Chesrown moved that the rules be suspended and that the reading of the House amendments to Senate Bill No. 98, which motion prevailed.

Senator Chesrown moved that the Senate do concur in the House amendments to Senate Bill No. 98, which motion prevailed.

Senator Chesrown moved that the rules be suspended and that Senate Bill No. 98 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

#### SECOND READING OF A SENATE BILL

**Senate Bill No. 98.** For an Act to amend and reenact sections 47-24-01, 47-24-02, 47-24-03, 47-24-04, 47-24-06, and 47-24-07 of the North Dakota Century Code, relating to the North Dakota Uniform Gifts to Minors Act.

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:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Luick	Ruemmele
Berube	Jacobson	Melland	Sands
Butler	Kautzmann	Mutch	Schultz
Chesrown	Kelly, E.	Nasset	Sorlie
Coughlin	Kelly, M.	Nething	Stafne
Decker	Larsen, R.	Pyle	Stroup
Forkner	Larsen, G.	Rait	Trenbeath
Geving	Larson, L.	Redlin	Wenstrom
Goldberg	Lips	Ringsak	Wilhite
Hernet	Litten		

Absent and not voting:

Christensen	Longmire	Morgan	Torgerson
Freed	Meschke	Roen	

So the bill passed and the title was agreed to.

Senator Torgerson moved that the Senate do concur in the House amendments to Senate Bill No. 380, which motion prevailed.

Senator Holand moved that further action on the House amendments to Senate Bill No. 380 be deferred for two hours, which motion prevailed.

#### MESSAGES FROM THE HOUSE

House Chamber  
Bismarck, March 3, 1967

Mr. President: The House requests the return of Senate Bill No. 319.

ROY GILBREATH, Chief Clerk

House Chamber  
Bismarck, March 3, 1967

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Concurrent Resolution "B-2" and the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Rep. Saugstad  
Rep. Halcrow  
Rep. Erickson (4th Dist.)

ROY GILBREATH, Chief Clerk

#### MOTION

Senator Lips moved that the Senate reconsider the action by which House Bill No. 528 was lost after adoption of majority Conference Committee report, which motion prevailed.

#### SECOND READING OF A HOUSE BILL

**House Bill No. 528.** For an Act making an appropriation for salaries and expenses of the Governor's Council on Human Resources. Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 29; nays, 19; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Kautzmann	Longmire	Redlin
Berube	Kelly, E.	Lowe	Ruemmele
Chesrown	Kelly, M.	Melland	Sorlie
Christensen	Larsen, R.	Meschke	Stafne
Decker	Larson, L.	Nasset	Stroup
Freed	Lips	Nething	Trenbeath
Hernett	Litten	Rait	Wenstrom
Holand			

Those voting in the negative were:

Becker	Goldberg	Morgan	Sands
Butler	Hofstrand	Mutch	Schultz
Coughlin	Jacobson	Pyle	Torgerson
Forkner	Larson, G.	Ringsak	Wilhite
Geving	Luick	Robinson	

Absent and not voting:  
Roen

So the bill passed and the title was agreed to.

Senator Lips moved that the vote by which House Bill No. 528 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Morgan moved that the Senate do concur in the House amendments to Senate Concurrent Resolution "F-F", which motion prevailed.

Senator Morgan moved that the rules be suspended and that Senate Concurrent Resolution "F-F" be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

#### SECOND READING OF A SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution "FF".** A concurrent resolution supporting needed channel improvements in and related to Antelope Creek west and north of Wahpeton, North Dakota, and urging the Corps of Engineers to expedite completion of its investigation and the formulation of a favorable report thereon.

Was read the second time.

Senator Morgan moved that Senate Concurrent Resolution "F-F" be adopted, which motion prevailed.

Senator Sorlie moved that the Senate do not concur in the House amendments to Senate Bill No. 3 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. 3,

Senator Coughlin  
Senator Wenstrom  
Senator Richard Larsen

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 3, 1967

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bills Nos. 2, 7, 44, 221, 281 and 288, and the President has appointed as a conference committee to act with a like committee from the House,

To act on Senate Bill No. 2  
Senator Melland  
Senator Luick  
Senator M. Kelly

To act on Senate Bill No. 7  
Senator Beck  
Senator Geving  
Senator E. Kelly

To act on Senate Bill No. 44  
Senator Forkner  
Senator Coughlin  
Senator M. Kelly

To act on Senate Bill No. 221  
Senator Stroup  
Senator Jacobson  
Senator Goldberg

To act on Senate Bill No. 281  
Senator Robinson  
Senator Coughlin  
Senator L. Larson

To act on Senate Bill No. 388  
Senator Litten  
Senator Hernettt  
Senator Christensen

LEO LEIDHOLM, Secretary

## MESSAGE FROM THE HOUSE

House Chamber  
Bismarck, March 3, 1967

Mr. President: The House requests the return of Senate Bill No. 222.

ROY GILBREATH, Chief Clerk

## REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 222 has had the same under consideration and recommends:

That the Senate do concur with the House amendments and recommends further that Senate Bill No. 222 be amended as follows:

In line 6 of the engrossed bill insert triple parentheses before and after the word "twenty-six" and after the second triple parentheses insert the word "thirty-one"

Renumber the lines accordingly.

For the Senate  
Senator Litten  
Senator Sands  
Senator Berube

For the House  
Rep. Hilleboe  
Rep. Boustead  
Rep. Backes

Senator Litten moved that the report be adopted, which motion prevailed.

Senator Redlin moved that the rules be suspended and that Senate Bill No. 222 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

## SECOND READING OF A SENATE BILL

Senate Bill No. 222. A Bill for an Act to amend and reenact section 57-15-08 of the North Dakota Century Code, relating to tax levy limitations in cities.

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, 27; nays, 21; absent and not voting, 1.

Those voting in the affirmative were:

Berube	Kelly, E.	Melland	Sands
Butler	Larsen, R.	Meschke	Schultz
Christensen	Larson, L.	Nasset	Stafne
Coughlin	Lips	Nothing	Stroup
Decker	Litten	Pyle	Wenstrom
Goldberg	Longmire	Rait	Wilhite
Kautzmann	Low	Redlin	

Those voting in the negative were:

Beck	Hernett	Larson, G.	Robinson
Becker	Hofstrand	Luick	Ruemmele
Chesrown	Holand	Morgan	Sorlie
Forkner	Jacobson	Mutch	Torgerson
Freed	Kelly, M.	Ringsak	Trenbeath
Geving			

Absent and not voting:

Roen

So the bill passed and the title was agreed to.

Senator Goldberg moved that the vote by which Senate Bill No. 222 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, 1967

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 3 and the President has appointed as a Conference Committee to act with a like committee from the House

Senator Coughlin  
Senator Wenstrom  
Senator Larson (R.)

LEO LEIDHOLM, Secretary

#### REPORTS OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following:

Senate Bill No. 53  
Senate Bill No. 211  
Senate Bill No. 243  
Senate Bill No. 335  
Senate Bill No. 374

And find the same correctly enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom 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. 40

And find the same correctly engrossed and enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

Senator Lips moved that the Senate be at ease subject to the call of the Chair, which motion prevailed.

The Senate reconvened at the call of the Chair, pursuant to recess taken, the President presiding.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1967

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills Nos. 8, 14, 98 and 282.

LEO LEIDHOLM, Secretary

#### MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on

House Bill No. 526  
House Bill No. 533  
House Bill No. 900

ROY GILBREATH, Chief Clerk

House Chamber  
Bismarck, March 3, 1967

Mr. President: I have the honor to transmit:

- House Bill No. 596
- House Bill No. 604
- House Bill No. 635
- House Bill No. 657
- House Bill No. 699
- House Bill No. 803
- House Bill No. 821
- House Bill No. 898
- House Bill No. 909
- House Bill No. 939

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk  
MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 3, 1967

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "G-2"

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

REPORTS OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Concurrent Resolution "E-1" has had the same under consideration and recommends that the House do concur with the Senate amendments.

For the Senate  
Senator Freed  
Senator Jacobson  
Senator Stroup

For the House  
Rep. Boyum  
Rep. Weber  
Rep. Jenkins

Senator Freed moved that the report be adopted, which motion prevailed.

Senator Longmire moved that the rules be suspended and that the reading of the amendments on the Conference Committee Report on House Bill No. 900 be dispensed with, which motion prevailed.

REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 900 has had the same under consideration and recommends:

That the Senate recede from its amendments and that the House Bill No. 900 be amended as follows:

Delete everything after the words "A BILL," and insert in lieu thereof the following:

"For an Act to amend and reenact subdivision b of subsection 2 and subsection 5 of section 39-04-19 of the North Dakota Century Code, relating to motor vehicle registration fees.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Subdivision b of subsection 2 of section 39-04-19 of the 1965 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

- b. School buses and trucks or combination trucks and trailers, including commercial and noncommercial trucks except those trucks or combinations of trucks and trailers which qualify for registration under subsection 5 of this section:

Gross Weights	Years Registered			
	1st, 2nd, and 3rd Years	4th and 5th Years	6th and 7th Years	8th and Subsequent Years
0- 4,000	\$ 18.00	\$ 14.50	\$ 10.75	\$ 10.00
4,001- 6,000	23.25	18.50	14.00	10.00
6,001- 8,000	28.50	22.75	17.00	10.00
8,001-10,000	33.75	27.00	20.25	11.75
10,001-12,000	39.00	31.25	23.50	13.75
12,001-14,000	44.25	35.50	26.50	15.50
14,001-16,000	49.50	39.50	29.75	17.25
16,001-18,000	54.75	43.75	32.75	19.25
18,001-20,000	60.00	48.00	36.00	21.00
20,001-22,000	65.25	52.25	39.25	22.75
22,001-24,000	70.50	56.50	42.25	24.75

  

Gross Weights	1st, 2nd, 3rd and 4th Years	5th, 6th, 7th, 8th and 9th Years	10th and Subsequent Years
	24,001-26,000	\$155.00	\$124.00
26,001-28,000	190.00	152.00	133.00
28,001-30,000	225.00	180.00	157.50
30,001-32,000	260.00	208.00	182.00
32,001-34,000	295.00	236.00	206.50
34,001-36,000	330.00	264.00	231.00
36,001-38,000	365.00	292.00	255.50
38,001-40,000	400.00	320.00	280.00
40,001-42,000	435.00	348.00	304.50
42,001-44,000	470.00	376.00	329.00
44,001-46,000	505.00	404.00	353.50
46,001-48,000	540.00	432.00	378.00
48,001-50,000	575.00	460.00	402.50
50,001-52,000	610.00	488.00	427.00
52,001-54,000	645.00	516.00	451.50
54,001-56,000	680.00	544.00	476.00
56,001-58,000	715.00	572.00	500.50
58,001-60,000	750.00	600.00	525.00
60,001-62,000	785.00	628.00	549.50
62,001-64,000	820.00	656.00	574.00
64,001-66,000	855.00	684.00	598.50
66,001-68,000	890.00	712.00	623.00
68,001-70,000	925.00	740.00	647.50
70,001-72,000	960.00	768.00	672.00
72,001-73,280	995.00	796.00	696.50

SECTION 2. AMENDMENT.) Subsection 5 of section 39-04-19 of the 1965 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

5. (((Vehicles having a gross weight of more than 24,000 pounds but not more than 57,000 pounds and which are used as farm vehicles only, shall be entitled to registration upon payment of fifty percent of the fee prescribed in subsection 2b of this section.))) Trucks or combinations of trucks and trailers which are used as farm vehicles only, shall be entitled to registration pursuant to the following fee schedule and the provisions of this subsection. (((A farm vehicle))) Farm vehicles shall be considered, for the purpose of this subsection, as (((a motor vehicle))) trucks or combinations of trucks and trailers owned and operated by a bona fide resident farmer who uses such ((vehicle)) vehicles exclusively for trans-



porting his own property between farms and the usual local trading places and not for hire. The registrar shall issue a distinctive registration plate for such vehicles.

Gross Weights	1st, 2nd, and 3rd Years	4th and 5th Years	6th and 7th Years	8th and Subsequent Years
0- 4,000	\$ 18.00	\$ 14.50	\$ 10.75	\$ 10.00
4,001- 6,000	23.25	18.50	14.00	10.00
6,001- 8,000	28.50	22.75	17.00	10.00
8,001-10,000	33.75	27.00	20.25	11.75
10,001-11,999	39.00	31.25	23.50	13.75
12,001-14,000	44.25	35.50	26.50	15.50
14,001-16,000	49.50	39.50	29.75	17.25
16,001-18,000	54.75	43.75	32.75	19.25
18,001-20,000	60.00	48.00	36.00	21.00
20,001-22,000	65.25	52.25	39.25	22.75
22,001-24,000	70.50	56.50	42.25	24.75
24,001-26,000	75.50	60.50	45.25	26.75
26,001-28,000	85.50	68.50	51.25	30.75
28,001-30,000	95.50	76.50	57.25	34.75
30,001-32,000	105.50	84.50	63.25	38.75
32,001-34,000	115.50	92.50	69.25	42.75
34,001-36,000	125.50	100.50	75.25	46.75
36,001-38,000	135.50	108.50	81.25	50.75
38,001-40,000	145.50	116.50	87.25	54.75
40,001-42,000	155.50	124.50	93.25	58.75
42,001-44,000	165.50	132.50	99.25	62.75
44,001-46,000	175.50	140.50	105.25	66.75
46,001-48,000	185.50	148.50	111.25	70.75
48,001-50,000	195.50	156.50	117.25	74.75
50,001-52,000	205.50	164.50	123.25	78.75
52,001-54,000	215.50	172.50	129.25	82.75
54,001-56,000	225.50	180.50	135.25	86.75
56,001-58,000	235.50	188.50	141.25	90.75

Gross Weights	1st, 2nd, 3rd and 4th Years	5th, 6th, 7th, 8th and 9th Years	10th and Subsequent Years
58,001-60,000	750.00	600.00	525.00
60,001-62,000	785.00	628.00	549.50
62,001-64,000	820.00	656.00	574.00
64,001-66,000	855.00	684.00	598.50
66,001-68,000	890.00	712.00	623.00
68,001-70,000	925.00	740.00	647.50
70,001-72,000	960.00	768.00	672.00
72,001-73,280	995.00	796.00	696.50

And renumber the lines and sections accordingly.

For the Senate

Senator Longmire

Senator Butler

Senator Sorlie

For the House

Rep. Aafedt

Rep. Giffey

Rep. Metzger

Senator Longmire moved that the report be adopted, which motion prevailed.

Senator Longmire moved that the rules be suspended and that House Bill No. 900 be placed on second reading and final passage, as amended in Conference Committee, which motion prevailed.

## SECOND READING OF A HOUSE BILL

**House Bill No. 900.** A Bill for an Act to amend and reenact subsection 5 of section 39-04-19 of the North Dakota Century Code, relating to motor vehicle registration fees.

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, 33; nays, 12; absent and not voting, 4.

Those voting in the affirmative were:

Beck	Kelly, M.	Nasset	Schultz
Becker	Larsen, R.	Nothing	Sorlie
Chesrown	Lips	Pyle	Stafne
Decker	Longmire	Ringsak	Stroup
Freed	Lowe	Robinson	Torgerson
Geving	Luick	Roen	Trenbeath
Hernett	Melland	Ruemmele	Wenstrom
Hofstrand	Morgan	Sands	Wilhite
Holand			

Those voting in the negative were:

Butler	Goldberg	Larson, G.	Meschke
Christensen	Jacobson	Larson, L.	Rait
Coughlin	Kelly, E.	Litten	Redlin

Absent and not voting:

Berube	Forkner	Kautzmann	Mutch
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So the bill passed and the title was agreed to.

## MOTION

Senator Sorlie moved that the name of Senator Wenstrom be substituted for the name of Coughlin on House Bills Nos. 505 and Senate Bill No 281, which motion prevailed.

Senator Goldberg moved that Senate Bill No. 319 be not returned to the House, which motion prevailed.

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 3, 1967

Mr. Speaker: I have the honor to inform you that the President has appointed Senator Wenstrom to replace Senator Coughlin to serve on the Conference Committee on House Bill No. 505.

Mr. Speaker: I have the honor to inform you that the President has appointed Senator Wenstrom to replace Senator Coughlin to serve on the Conference Committee on Senate Bill No. 281.

LEO LEIDHOLM, Secretary

## REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 249 has had the same under consideration and recommends that the Senate concur in the House amendments and that Senate Bill No. 249 be further amended as follows:

Delete line 26.

After line 29 insert the following:

"and

5. Appropriate arrangements are made for a medical and psychological examination of each resident at least once every six months."

And renumber the lines accordingly.

For the Senate  
Senator Longmire  
Senator Ringsak  
Senator Rait

For the House  
Rep. Giffey  
Rep. Hensrud  
Rep. Kingsbury

Senator Longmire moved that the report be adopted, which motion prevailed.

Senator Longmire moved that the rules be suspended and that Senate Bill No. 249 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

#### SECOND READING OF A SENATE BILL

**Senate Bill No. 249.** A Bill for an Act to provide for the purchasing of residential care, custody, training, treatment or education of the mentally retarded by the state from private, nonprofit, charitable organizations.

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, 6; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Goldberg	Lips	Redlin
Becker	Hernett	Litten	Ruemmele
Berube	Hofstrand	Longmire	Sands
Butler	Holand	Lowe	Schultz
Chesrown	Jacobson	Luick	Sorlie
Christensen	Kelly, E.	Melland	Stafne
Coughlin	Kelly, M.	Meschke	Stroup
Decker	Larsen, R.	Nasset	Trenbeath
Forkner	Larson, G.	Pyle	Wenstrom
Freed	Larson, L.	Rait	Wilhite
Geving			

Those voting in the negative were:

Morgan	Nething	Robinson	Roen
Mutch	Ringsak		

Absent and not voting:

Kautzmann	Torgerson
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So the bill passed and the title was agreed to.

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Becker moved that the Senate do concur in the House amendments to Senate Bill No. 302, which motion prevailed.

Senator Becker moved that the rules be suspended and that Senate Bill No. 302 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

#### SECOND READING OF A SENATE BILL

**Senate Bill No. 302.** A Bill for an Act to amend and reenact section 57-02-42 of the North Dakota Century Code, relating to the definition of personal property in transit and the exemption of such property from the personal property tax.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, as amended, in the House, the roll was called and there were ayes, 39; nays, 8; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Ruemmele
Becker	Hofstrand	Lowe	Sands

Butler	Holand	Luick	Schultz
Chesrown	Jacobson	Melland	Sorlie
Coughlin	Kelly, E.	Mutch	Stafne
Decker	Kelly, M.	Nasset	Stroup
Forkner	Larsen, R.	Nothing	Trenbeath
Freed	Larson, G.	Pyle	Wenstrom
Geving	Lips	Redlin	Wilhite
Goldberg	Litten	Robinson	

Those voting in the negative were:

Berube	Larson, L.	Morgan	Ringsak
Christensen	Meschke	Rait	Roen

Absent and not voting:  
Kautzmann      Torgerson

So the bill passed and the title was agreed to.

Senator Becker moved that the vote by which Senate Bill No. 302 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### MOTION

Senator Ringsak moved that the rules be suspended and that the reading of the amendments to Senate Bill No. 311 be dispensed with, which motion prevailed.

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Ringsak moved that the Senate do concur in the House amendments to Senate Bill No. 311, which motion prevailed.

Senator Ringsak moved that the rules be suspended and that Senate Bill No. 311 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 311.** A Bill for an Act to create and enact sections 54-10-13, 54-10-14, 54-10-15, 54-10-16, 54-10-17, 54-10-18, 54-10-19, 54-10-20, 54-10-21, 54-10-22, 54-10-23, and 54-10-24 and to amend and reenact sections 6-01-25, 11-30-03, 15-60-07, 57-50-01, 57-50-02, 57-50-04, 57-50-06, 57-50-07, 57-50-11.1, 57-52-02, subsection 4 of section 57-52-03, and sections 57-52-04, 57-52-05, 57-52-06, 57-52-07, 57-52-08, 57-52-09, 57-52-10, 57-52-11, 57-52-12, 57-52-13, 57-52-14, 57-52-15, 57-52-16, 57-52-17, 57-53-03, 57-53-05, 57-53-10, subsection 6 of section 57-54-03, and sections 57-54-04, 57-54-05, 57-54-06, 57-54-07, 57-54-09, 57-54-11, 57-54-12, 57-54-13, 57-54-15, 57-54-16, 57-54-17, 57-54-20, 57-54-22, subsection 7 of section 57-54.1-03, and sections 57-54.1-07, 57-54.1-08, 57-54.1-09, 57-54.1-10, 57-54.1-11, 57-54.1-13, 57-56-02, and 57-56-03 of the North Dakota Century Code, relating to general governmental reorganization of the departments and offices of state examiner, state auditor, and state tax commissioner relating to their powers and duties relating to auditing of political subdivisions of this state and the collection and refund of special fuels tax and tax levy, motor vehicle fuel tax, importers for use tax, and aviation fuel tax, and to repeal sections 6-01-21.1, 6-01-21.2, 6-01-21.3, 6-01-21.4, 6-01-22, 6-01-23, 6-01-24, 6-01-26, 6-01-27, and 6-01-28 of the North Dakota Century Code, relating to the state examiner's auditing duties with respect to the state's political subdivisions and providing an effective date.

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:

Beck	Holand	Melland	Ruemmele
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Becker	Jacobson	Meschke	Sands
Butler	Kelly, E.	Morgan	Schultz
Chesrown	Kelly, M.	Nasset	Sorlie
Decker	Larson, G.	Nothing	Stafne
Forkner	Larson, L.	Pyle	Stroup
Freed	Lips	Rait	Torgerson
Geving	Litten	Redlin	Trenbeath
Goldberg	Longmire	Ringsak	Wenstrom
Hernett	Lowe	Robinson	Wilhite
Hofstrand	Luick	Roen	

Those voting in the negative were:

Berube	Christensen	Mutch
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Absent and not voting:

Coughlin	Kautzmann	Larsen, R.
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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. 324, which motion prevailed.

Senator Ringsak moved that the rules be suspended and that Senate Bill No. 324 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 324.** A Bill for an Act to authorize the board of administration to accept donations, gifts, grants, and bequests for the construction of a chapel at Grafton state school, and providing for a special fund in the state treasury for such purpose, and making an appropriation.

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:

Beck	Hernett	Lowe	Robinson
Becker	Hofstrand	Luick	Roen
Berube	Holand	Melland	Ruemmele
Butler	Jacobson	Meschke	Sands
Chesrown	Kelly, E.	Morgan	Schultz
Christensen	Kelly, M.	Mutch	Sorlie
Coughlin	Larsen, R.	Nasset	Stafne
Decker	Larson, G.	Nothing	Stroup
Forkner	Larson, L.	Pyle	Torgerson
Freed	Lips	Rait	Trenbeath
Geving	Litten	Redlin	Wenstrom
Goldberg	Longmire	Ringsak	Wilhite

Absent and not voting:

Kautzmann

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. 380, which motion prevailed.

Senator Longmire moved that the rules be suspended and that Senate Bill No. 380 be deemed properly reengrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 380.** A Bill for an Act to provide educational assistance to the North Dakota veterans who have served in the armed forces of the United States for a period of more than one hundred eighty days from and after August 5, 1964, and providing an appropriation therefor.

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, 38; nays, 9; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Kelly, E.	Meschke	Ruemmele
Becker	Kelly, M.	Morgan	Sands
Berube	Larsen, R.	Nasset	Schultz
Chesrown	Larson, G.	Nothing	Sorlie
Christensen	Larson, L.	Rait	Stroup
Decker	Lips	Redlin	Torgerson
Freed	Longmire	Ringsak	Trenbeath
Geving	Lowe	Robinson	Wenstrom
Hofstrand	Luick	Roen	Wilhite
Jacobson	Melland		

Those voting in the negative were:

Butler	Goldberg	Litten	Pyle
Coughlin	Holand	Mutch	Stafne

Forkner

Absent and not voting:

Hernett	Kautzmann
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So the bill passed and the title was agreed to.

Senator Holand: I rise to explain my vote. Mr. President. Members of the Senate. I am a veteran and I have two sons who will likely benefit under this bill you have just passed. I did not speak against this bill but I voted against it because I feel that by it we are opening a door which can never be closed. The appropriations carried in this bill is small indeed compared with the cost of the program in even five or six years from now. I believe North Dakota cannot afford this program by which it undertakes to underwrite the college education of all service men in the future.

Senator Chesrown moved that the Senate do concur in the House amendments to Senate Concurrent Resolution "OO", which motion prevailed.

Senator Chesrown moved that the rules be suspended and that Senate Concurrent Resolution "OO" be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Concurrent Resolution "O-O".** A Concurrent Resolution for the amendment of section 121 of the Constitution of the state of North Dakota, relating to the elective franchise lowering the voting age from twenty-one to nineteen.

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, 39; nays, 8; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Goldberg	Lips	Pyle
Becker	Hernett	Litten	Redlin
Butler	Hofstrand	Longmire	Ruemmele
Chesrown	Holand	Lowe	Sorlie
Christensen	Jacobson	Luick	Stafne
Coughlin	Kelly, E.	Melland	Stroup
Decker	Kelly, M.	Meschke	Trenbeath
Forkner	Larsen, R.	Morgan	Wenstrom
Freed	Larson, G.	Nasset	Wilhite
Geving	Larson, L.	Nothing	

Those voting in the negative were:

Berube	Rait	Robinson	Sands
Mutch	Ringsak	Roen	Schultz

Absent and not voting:  
Kautzmann      Torgerson

So the resolution was declared adopted.

#### REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Concurrent Resolution "A" has had the same under consideration and recommends that the House do concur with the Senate amendments.

For the Senate  
Senator Longmire  
Senator Freed  
Senator Meschke

For the House  
Rep. Unruh  
Rep. Brown  
Rep. Backes

Senator Longmire moved that the report be adopted, which motion prevailed.

#### REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Legislative Research Resolutions to whom was referred Senate Concurrent Resolution "FFF" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Research Resolutions to whom was referred Senate Concurrent Resolution "A" has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Research Resolutions to whom was referred Senate Concurrent Resolution "C" has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Research Resolutions to whom was referred Senate Concurrent Resolution "G" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Research Resolutions to whom was referred Senate Concurrent Resolution "O" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Research Resolutions to whom was referred Senate Concurrent Resolution "V" has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Senator Forkner moved that the Senate reconsider the action by which the committee report on Senate Concurrent Resolution "V" was adopted, which motion prevailed.

Senator Forkner moved that Senate Concurrent Resolution "V" be indefinitely postponed, which motion prevailed.

Mr. President: Your Committee on Legislative Research Resolutions to whom was referred Senate Concurrent Resolution "DD" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Research Resolutions to whom was referred Senate Concurrent Resolution "HH" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Research Resolutions to whom was referred Senate Concurrent Resolution "KK" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion lost.

Senator Goldberg moved that Senate Concurrent Resolution "KK" be placed on the calendar, 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 be indefinitely postponed.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, 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 be indefinitely postponed.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Research Resolutions to whom was referred Senate Concurrent Resolution "SS" has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Research Resolutions to whom was referred Senate Concurrent Resolution "TT" has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Research Resolu-



tions to whom was referred Senate Concurrent Resolution "AAA" has had the same under consideration and recommends that the same be amended as follows:

In the last line of the title before the period insert the words "and the management and investment practices of all public funds belonging to the state"

In line 17 after the semicolon insert the word "and"

After line 17 but before line 18 insert the following language:

"WHEREAS, the public funds of the state are presently managed and invested by a number of agencies of the state and in accordance with many separate and diverse laws; and

WHEREAS, there is a need to make a study of the management and investment practices concerning such funds;"

In line 27 after the comma insert the words

"and to make a study of the management and investment practices of all public funds of the state to determine whether better methods of management and investment practices can be formulated,"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Senator Holand moved that the rules be suspended and that Senate Concurrent Resolution "AAA" be placed on sixth order, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

Senator Holand moved that the amendments to Senate Concurrent Resolution "AAA" be adopted, which motion prevailed.

Senator Holand moved that the rules be suspended and that Senate Concurrent Resolution "AAA" be deemed properly re-engrossed and placed on second reading and final passage, as amended, which motion prevailed.

#### SECOND READING OF A SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution "AAA".** A Concurrent Resolution directing the legislative research committee to study the state employees' retirement program.

Was read the second time.

Senator Holand moved that Senate Concurrent Resolution "AAA" be adopted, which motion prevailed.

#### REPORTS OF A STANDING COMMITTEE

Mr. President: Your Committee on Legislative Research Resolutions to whom was referred Senate Concurrent Resolution "BBB" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Research Resolutions to whom was referred Senate Concurrent Resolution "DDD" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Research Resolutions to whom was referred Senate Concurrent Resolution "EEE" has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Research Resolutions to whom was referred Senate Concurrent Resolution "HHH" has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Research Resolutions to whom was referred Senate Concurrent Resolution "JJJ" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion lost.

Senator Trenbeath moved that Senate Concurrent Resolution "JJJ" be placed on the calendar, which motion prevailed.

Mr. President: Your Committee on Legislative Research Resolutions to whom was referred Senate Concurrent Resolution "KKK" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Research Resolutions to whom was referred Senate Concurrent Resolution "OOO" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Research Resolutions to whom was referred Senate Concurrent Resolution "PPP" has had the same under consideration and recommends that the same do pass.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Legislative Research Resolutions to whom was referred Senate Concurrent Resolution "QQQ" has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR HOLAND, Chairman

Senator Holand moved that the report be adopted, which motion prevailed.

#### MESSAGES FROM THE HOUSE

House Chamber  
Bismarck, March 3, 1967

Mr. President: I have the honor to transmit:  
House Concurrent Resolution "I-2"  
House Concurrent Resolution "H-2"  
Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to inform you that the House has adopted the Minority Conference Committee Report on Senate Bill No. 165

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bills Nos. 2, 3, 7, 44, 221, 281 and 388,

To act on Senate Bill No. 2

Rep. Bullis  
Rep. Peterson (5th Dist.)  
Rep. Opedahl

To act on Senate Bill No. 3

Rep. Halcrow  
Rep. Saugstad  
Rep. Solberg (9th Dist.)

To act on Senate Bill No. 7

Rep. Freeman  
Rep. Connolly  
Rep. Solberg (9th Dist.)

To act on Senate Bill No. 44

Rep. Aafedt  
Rep. Mathiason  
Rep. Winge

To act on Senate Bill No. 221

Rep. Rundle  
Rep. Lee  
Rep. Hickie

To act on Senate Bill No. 281

Rep. Stoltenow  
Rep. Burke  
Rep. Opedahl

To act on Senate Bill No. 388

Rep. Saugstad  
Rep. Davis  
Rep. Giffey

ROY GILBREATH, Chief Clerk

## MESSAGES TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1967

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to

Senate Bill No. 302  
Senate Bill No. 311  
Senate Bill No. 324  
Senate Bill No. 380  
Senate Concurrent Resolution "O-O"

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 3, 1967

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on

House Bill No. 900

Vote: 33 ayes, 12 nays, 4 absent

House Concurrent Resolution "A"  
House Concurrent Resolution "E-1"  
Senate Bill No. 249

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to return:

Senate Concurrent Resolution "U-U"  
Senate Bill No. 402

Which the House has amended as follows:

ROY GILBREATH, Chief Clerk

AMENDMENTS TO SENATE CONCURRENT RESOLUTION "U-U"

In line 152 delete the period "." and insert the following "; or" in lieu thereof

After line 152 insert the following new subsection:

"(7) Lack of judicial competence in the performance of his duties."

And renumber the lines accordingly.

AMENDMENTS TO SENATE BILL No. 402

In the last line of the title after the word "assembly" but before the period insert the words "and providing an appropriation"

In line 14 delete the words "senate bill number 180 of the fortieth"

In line 15 delete the words "legislative session" and insert in lieu thereof the words "section 2 of this Act"

Following line 24 insert the following new section:

"SECTION 2. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund, not otherwise appropriated, the sum of \$500.00, or so much thereof as may be necessary, for the purpose of carrying out the provisions of Section 1 of this Act."

And renumber the lines accordingly.

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to return:

Senate Bill No. 405  
Senate Bill No. 406  
Senate Concurrent Resolution "RRR"

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to transmit:

House Concurrent Resolution "W"  
House Concurrent Resolution "T-1"  
House Concurrent Resolution "D-2"

Which the House has passed and your favorable consideration is requested.

ROY GILBREATH, Chief Clerk

SECOND READING OF HOUSE BILLS  
AND A HOUSE CONCURRENT RESOLUTION

**House Bill No. 943.** A Bill for an Act to amend and reenact section 3, subsections 5 and 8 of section 4, sections 9 and 28, subsection 3 of section 29, and section 34 of House Bill Number 731 as

approved by the Fortieth Legislative Assembly, and to amend and reenact sections 1 and 3 of Senate Bill Number 403 as approved by the Fortieth Legislative Assembly, relating to the imposition sections of the sales and use tax laws, exemptions from the sales and use taxes, records and resale certificates of retailers, to repeal section 27 of House Bill Number 731 as approved by the Fortieth Legislative Assembly, providing an effective date, and declaring an emergency.

Was read the second time.

Senator Holand: Mr. President. I rise on a point of personal privilege and I want my remarks recorded in the Journal.

It has been brought to my attention by persons and through the papers that the state taxpayers assistance service has been discontinued in various larger cities around the state. I am advised that on the door of Room 205 of the Manchester Building at Fargo, there appears a sign which reads, "Notice. Office closed due to the legislature's ten percent cut in the tax department appropriation, the taxpayer assistance must be discontinued." Signed: "North Dakota Tax Department"

Now, Mr. President, this is a new low in political deception and I believe this body and the people of our state should know about it.

First, it should be understood by us and the public that until July 1, 1967 the Tax Department will be operating under funds we appropriated in 1965. Nothing has been done to reduce those funds. The tax commissioner's decision to discontinue the taxpayer service is nothing but a scheme to deceive the public in an attempt to antagonize people toward a Republican controlled legislature.

Second, the public should know that this legislature has increased, not decreased, the budget of the Tax Department for the next two years by more than \$151,000.00.

Such activity is, in my judgment, beneath the dignity of a constitutional officer of this state!

#### ROLL CALL

The question being on the final passage of House Bill No. 943, the roll was called and there were ayes, 43; nays, 4; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hofstrand	Luick	Ruemmele
Becker	Holand	Melland	Sands
Butler	Jacobson	Morgan	Schultz
Chesrown	Kelly, E.	Mutch	Sorlie
Coughlin	Kelly, M.	Nasset	Stafne
Decker	Larsen, R.	Nething	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Lips	Redlin	Trenbeath
Geving	Litten	Ringsak	Wenstrom
Goldberg	Longmire	Robinson	Wilhite
Hernett	Low	Roen	

Those voting in the negative were:

Christensen	Larson, L.	Meschke	Rait
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Absent and not voting:

Berube	Kautzmann
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So the bill passed and the title was agreed to and the emergency clause carried.

**House Concurrent Resolution "A-1".** A Concurrent Resolution directing the board of administration to modify certain portions of the state capitol building to make such building more accessible and usable by the physically handicapped.

Was read the second time.

Senator Ringsak moved that House Concurrent Resolution "A-1" be adopted, which motion prevailed.

**House Concurrent Resolution "I-1".** A Concurrent Resolution applying to the Congress of the United States to call a convention for the purpose of proposing an amendment to the Constitution of the United States, relating to apportionment.

Was read the second time.

Senator Meschke requested a recorded roll call vote, which request was granted.

#### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 39; nays, 8; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Holand	Melland	Ruemmele
Becker	Jacobson	Morgan	Sands
Chesrown	Kelly, E.	Mutch	Schultz
Coughlin	Kelly, M.	Nasset	Sorlie
Decker	Larsen, R.	Nothing	Stroup
Forkner	Larson, G.	Pyle	Torgerson
Freed	Lips	Redlin	Trenbeath
Geving	Longmire	Ringsak	Wenstrom
Hernett	Lowe	Robinson	Wilhite
Hofstrand	Luick	Roen	

Those voting in the negative were:

Butler	Goldberg	Litten	Rait
Christensen	Larson, L.	Meschke	Stafne

Absent and not voting:

Berube	Kautzmann
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So the resolution was declared adopted.

**House Bill No. 833.** A Bill for an Act creating and enacting sections 57-38-58, 57-38-59, 57-38-60, 57-38-61, 57-38-62, 57-38-63, and 57-38-64 of the North Dakota Century Code, relating to withholding of income taxes from wages of nonresident employees, declaration and payment of estimated income, amendment of declaration, and providing an effective date and penalties.

Was read the second time.

Senator Becker moved that House Bill No. 833 be amended as follows:

In line 28 delete the word "includes" and insert in lieu thereof the word "means"

In line 48 delete the words "one hundred and fifty" and insert in lieu thereof the words "four hundred"

In line 50 delete the word "twenty" and insert in lieu thereof the word "thirty"

In line 69 at beginning of line before the word "employee" insert the word "nonresident"

And renumber the lines accordingly.

Which motion prevailed.

Senator Becker moved that House Bill No. 833 be further amended as follows:

In line 30 following the word "for" insert the words "or during"

In line 42 delete the word "all"

In line 43 after the word "from" insert the word "their"

In line 44 after the word "percentages" insert a comma; and after the comma following the word "commissioner" insert the words "multiplied times"

In line 46 delete the comma

In line 47 after the word "amended" insert the following: ", as will approximate the income taxes due the state"

In line 74 following the word "employee" insert the word "wilfully"

In line 167 delete the words "taxable income" and insert in lieu thereof the words "estimated tax due the state"

In line 169 delete the word "sixty" and insert in lieu thereof the word "forty"

And renumber the lines accordingly.

Which motion prevailed.

Senator Sorlie moved that House Bill No. 833 be further amended as follows:

In the last line of the title before the period insert the words "and making an appropriation"

Before Section 9 insert the following new section:

"SECTION 9. APPROPRIATION.) There is hereby appropriated out of moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$94,400.00, or so much thereof as may be necessary for the administration of this Act for the biennium beginning July 1, 1967, and ending June 30, 1969, as follows:

Salaries and Wages .....	\$41,400.00
Fees and Services .....	41,000.00
Supplies and Materials .....	12,000.00
<b>Total .....</b>	<b>\$94,400.00"</b>

And renumber the lines and sections accordingly.

Senator Lips moved that further consideration of the motion of Senator Sorlie to amend House Bill No. 833, be deferred until the next legislative day, which motion lost.

The question being on the motion of Senator Sorlie to further amend House Bill No. 833, which motion lost.

Senator Becker moved that House Bill No. 833 as amended from the floor be placed at the foot of the calendar, which motion prevailed.

**House Bill No. 527.** For an Act making an appropriation for the purpose of administering the provisions of Chapter 54-50 of the North Dakota Century Code.

Was read the second time.

Senator Sorlie moved that House Bill No. 527 be indefinitely postponed, which motion prevailed.

MESSAGE FROM THE HOUSE

Senate Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on

House Concurrent Resolution "E-1"

And adopted the resolution by voice vote.

ROY GILBREATH, Chief Clerk

Senator Lips moved that the Senate stand at ease subject to the call of the chair, which motion prevailed.

LEO LEIDHOLM, Secretary





"Buy North Dakota Products"

# Journal of the Senate



Fortieth Legislative Assembly

FIFTY-NINTH DAY AFTER RECESS AND  
SIXTIETH DAY

Bismarck, March 3, 1967

The Senate convened at the call of the chair, the President presiding.

## SIGNING OF BILLS

The Secretary announced that the President was about to sign

House Bill No. 596  
House Bill No. 604  
House Bill No. 635  
House Bill No. 657  
House Bill No. 699  
House Bill No. 803  
House Bill No. 821  
House Bill No. 898  
House Bill No. 909  
House Bill No. 939

And the President signed the same in the presence of the Senate.

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 3, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 596  
House Bill No. 604  
House Bill No. 635  
House Bill No. 657  
House Bill No. 699  
House Bill No. 803  
House Bill No. 821  
House Bill No. 898  
House Bill No. 909  
House Bill No. 939

Which the President has signed.

LEO LEIDHOLM, Secretary

## SIGNING OF BILLS

The Secretary announced that the President was about to sign

Senate Bill No. 40  
Senate Bill No. 53  
Senate Bill No. 211  
Senate Bill No. 243  
Senate Bill No. 319  
Senate Bill No. 335  
Senate Bill No. 374

And the President signed the same in the presence of the Senate.

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 3, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 40  
Senate Bill No. 53  
Senate Bill No. 211  
Senate Bill No. 243  
Senate Bill No. 335  
Senate Bill No. 374

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

## MESSAGES FROM THE HOUSE

House Chamber  
Bismarck, March 3, 1967

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on

Senate Bill No. 25. 63 Ayes, 11 Nays, 24 Absent, not voting.  
Senate Bill No. 64. 74 Ayes, 1 Nay, 23 Absent, not voting.  
House Bill No. 508

ROY GILBREATH, Chief Clerk

House Chamber  
Bismarck, March 3, 1967

Mr. President: I have the honor to inform you the House has refused to concur in the Senate amendment to House Bill No. 755 and the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Rep. Boustead  
Rep. Schaffer  
Rep. Ganser

ROY GILBREATH, Chief Clerk

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 3, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 943  
House Concurrent Resolution "A-1"  
House Concurrent Resolution "I-1"

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

## MESSAGE FROM THE HOUSE

House Chamber  
Bismarck, March 3, 1967

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to

House Bill No. 604  
House Bill No. 718  
House Bill No. 792  
House Bill No. 803  
House Bill No. 804  
House Bill No. 821  
House Bill No. 823  
House Bill No. 841

ROY GILBREATH, Chief Clerk

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 3, 1967

Mr. Speaker: I have the honor to inform you that the Senate has refused to return Senate Bill No. 319.

LEO LEIDHOLM, Secretary

## MESSAGES FROM THE HOUSE

House Chamber  
Bismarck, March 3, 1967

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on

House Concurrent Resolution "A"

House Bill No. 508

House Bill No. 544

House Bill No. 598

House Bill No. 706

House Bill No. 814

ROY GILBREATH, Chief Clerk

House Chamber  
Bismarck, March 3, 1967

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 884 and the Speaker has appointed as a conference committee to act with a like committee from the Senate,

Rep. Johnson (23rd Dist.)

Rep. Bier

Rep. Skaar

ROY GILBREATH, Chief Clerk

## REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 7 has had the same under consideration and recommends:

That the Senate concur with the House amendments and recommends further that the House amendments be further amended as follows:

On Line 4 of the Bill delete the sum "\$2,200,142.00" and in lieu thereof insert the sum "\$2,330,662.00".

On Line 21 delete the sum "\$2,200,142.00" and in lieu thereof insert the sum "\$2,330,662.00".

For the Senate

Senator Beck

Senator Geving

Senator Earl Kelly

For the House

Rep. Freeman

Rep. Connolly

Rep. O. Solberg

Senator Beck moved that the report be adopted, which motion prevailed.

Senator Lips moved that the rules be suspended and that Senate Bill No. 7 be deemed properly engrossed and placed on second reading and final passage, as amended in Conference Committee, which motion prevailed.

## SECOND READING OF A SENATE BILL

**Senate Bill No. 7.** 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 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, 39; nays, 0; absent and not voting, 10.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Robinson
Becker	Holand	Melland	Ruemmele
Butler	Jacobson	Meschke	Sands
Chesrown	Kautzmann	Morgan	Schultz
Christensen	Kelly, E.	Mutch	Sorlie
Forkner	Larson, G.	Nasset	Stafne
Freed	Larson, L.	Nething	Torgerson
Geving	Lips	Pyle	Trenbeath
Goldberg	Litten	Redlin	Wenstrom
Hernett	Longmire	Ringsak	

Absent and not voting:

Berube	Kelly, M.	Rait	Stroup
Coughlin	Larsen, R.	Roen	Wilhite
Decker	Luick		

So the bill passed and the title was agreed to.

## MOTION

Senator Hernett moved that the Senate do not accede to the request of the House for the return of Senate Bill No. 222, which motion prevailed.

## MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1967

Mr. Speaker: I have the honor to inform you that the Senate has refused to return Senate Bill No. 222.

LEO LEIDHOLM, Secretary

## CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Chesrown moved that the Senate do concur in the House amendments to Senate Bill No. 402, which motion prevailed.

Senator Chesrown moved that the rules be suspended and that Senate Bill No. 402 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

SECOND READING OF A SENATE BILL AND A  
SENATE CONCURRENT RESOLUTION

**Senate Bill No. 402.** A Bill for an Act providing for a temporary governor's committee for the purpose of evaluating the report of the national crime commission and making a report to the governor and the forty-first legislative assembly.

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, 34; nays, 7; absent and not voting, 8.

Those voting in the affirmative were:

Becker	Hernett	Lowe	Redlin
Butler	Hofstrand	Luick	Roen
Chesrown	Jacobson	Melland	Ruemmele
Christensen	Kautzmann	Meschke	Schultz
Coughlin	Kelly, M.	Morgan	Sorlie
Forkner	Larson, G.	Nasset	Stroup
Freed	Larson, L.	Nething	Trenbeath
Geving	Lips	Rait	Wenstrom
Goldberg	Longmire		

Those voting in the negative were:

Beck	Mutch	Sands	Torgerson
Kelly, E.	Robinson	Stafne	
Absent and not voting:			
Berube	Holand	Litten	Ringsak
Decker	Larsen, R.	Pyle	Wilhite

So the bill passed and the title was agreed to.

Senator Chesrown moved that the Senate do concur in the House amendments to Senate Concurrent Resolution "UU", which motion prevailed.

Senator Chesrown moved that the rules be suspended and that Senate Concurrent Resolution "UU" be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Concurrent Resolution "U-U".** A Concurrent Resolution for the amendment of sections 85, 90, 94, and 100 of the Constitution of the state of North Dakota relating to the powers of the judiciary, changing the selection of judges from an elective to an appointive-elective system, preserving the tenure of judges presently in office and those who would take office prior to the effective date of this amendment; to provide for the retirement, discipline and removal of supreme and district court judges; to provide for requirements to declare a law unconstitutional; providing for judicial districts, judicial council, and to repeal sections 88, 89, 92, 93, 95, 97, 98, 102, 104, 105, 106, 107, 108, 109, 112, 113, 114, 115, 116, 117, and 118, relating to procedures of state courts, all of such sections amended and repealed being a part of the Constitution of the state of North Dakota.

Was read the second time.

### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 30; nays, 17; absent and not voting, 2.

Those voting in the affirmative were:

Berube	Jacobson	Lowe	Ringsak
Butler	Kautzmann	Melland	Ruemmele
Chesrown	Kelly, M.	Meschke	Schultz
Christensen	Larsen, R.	Morgan	Stafne
Decker	Larson, G.	Nasset	Stroup
Freed	Larson, L.	Nething	Wenstrom
Goldberg	Lips	Rait	Wilhite
Holand	Longmire		

Those voting in the negative were:

Beck	Hernett	Mutch	Sands
Becker	Hofstrand	Redlin	Sorlie
Coughlin	Kelly, E.	Robinson	Torgerson
Forkner	Luick	Roen	Trenbeath
Geving			

Absent and not voting:

Litten	Pyle
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So the motion was declared adopted.

### REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2 has had the same under consideration and recommends:

That the House recede from its amendments and that Senate Bill No. 2 be amended as follows:

On line 15 of the bill delete the sum "\$359,518.00" and in lieu thereof insert the sum "\$319,518.00"

On line 19 delete the sum "\$44,000.00" and in lieu thereof insert the sum "\$37,000.00"

On line 20 delete the sum "\$415,718.00" and in lieu thereof insert the sum "\$368,718.00"

On line 30 delete the sum "\$775,452.00" and in lieu thereof insert the sum "\$623,452.00"

On line 32 delete the sum "\$114,000.00" and in lieu thereof insert the sum "\$107,900.00"

On line 33 delete the sum "\$939,452.00" and in lieu thereof insert the sum "\$781,352.00"

On line 34 delete the sum \$1,396,210.00" and in lieu thereof insert the sum "\$1,191,110.00"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The Legislature approved the salary of supreme court judges of \$18,000.00 per year. With this increase of salaries from the present level \$40,000.00 could be reduced from their original request for salaries.

The Legislature approved the salary of \$16,000.00 for the present district court judges. Since the original request for the judges was \$20,000.00 per judge the appropriation could be reduced by \$167,452.00.

Lines 19 and 32: The judges' retirement was reduced in accordance with the decrease in the salary item.

Line 30 includes \$15,452.00 for payment of the state's share for social security, OASIS, hospitalization insurance and workmen's compensation.

For the Senate  
 Senator Melland  
 Senator Luick  
 Senator Kelly (M.)

For the House  
 Rep. Bullis  
 Rep. Peterson (J.)  
 Rep. Opedahl

Senator Melland moved that the report be adopted, which motion prevailed.

Senator Melland moved that the rules be suspended and that Senate Bill No. 2 be deemed properly engrossed and placed on second reading and final passage, as amended in Conference Committee, which motion prevailed.

#### SECOND READING OF A SENATE BILL

**Senate Bill No. 2.** For an Act to appropriate money for the expenses of the Judicial branch of government, specifying the amount and time for which such appropriation 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, 47; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:			
Beck	Hernett	Lowe	Roen
Becker	Hofstrand	Luick	Ruemmele
Berube	Holand	Melland	Sands

Butler	Jacobson	Meschke	Schultz
Chesrown	Kautzmann	Morgan	Sorlie
Christensen	Kelly, E.	Mutch	Stafne
Coughlin	Kelly, M.	Nasset	Stroup
Decker	Larsen, R.	Nething	Torgerson
Forkner	Larson, L.	Rait	Trenbeath
Freud	Lips	Redlin	Wenstrom
Geving	Litton	Ringsak	Wilhite
Goldberg	Longmire	Robinson	

Absent and not voting:

Larson, G.

Pyle

So the bill passed and the title was agreed to.

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Concurrent Resolution "B-2", which motion prevailed.

The President appointed as a Conference Committee on House Concurrent Resolution "B-2"

Senator Hernet

Senator Ringsak

Senator Rait

#### MOTION

Senator Lips moved that Senate Bill No. 95 be placed at the foot of the calendar, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1967

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee to act with a like committee from the House, on House Concurrent Resolution "B-2"

Senator Hernet

Senator Ringsak

Senator Rait

LEO LEIDHOLM, Secretary

#### MOTION

Senator Holand moved that the Senate reconsider the action by which Senate Concurrent Resolution "FFF" was indefinitely postponed, which motion prevailed.

#### SECOND READING OF A SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution "FFF".** A Concurrent Resolution directing the legislative research committee to study the various state scholarship and loan funds administered by the state.

Was read the second time.

Senator Holand moved that Senate Concurrent Resolution "FFF" be adopted, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 884.** A Bill for an Act to amend and reenact sections 15-40-18 and 15-40-19, subsection 11 of section 57-01-06, and section 57-15-24 of the North Dakota Century Code, to delete the use of sales ratio studies in computing state aid to county equalization funds, and to provide that such study shall not apply to agricultural and ranch lands, and to repeal section 57-01-08, relating to the effective date when such study shall be used in regard to computing per-pupil payments.

Was read the second time.

Senator Trenbeath.

Mr. President: I want my remarks printed in the Journal.

The 1963 Legislature undertook and adopted a new method of determining assessed valuations for the real estate commercial and residential property categories in the State of North Dakota. They felt the new approach would be useful in promoting equity in assessments, thereby making each county pay its proportion of the state per pupil cost of education, without acquiring their undue share from the state level.

The newly devised sales ratio system was used as the basis for determining whether a county should be penalized or forgiven in dollar amounts. The method adopted proved to be so inaccurate that the 1965 session postponed any future penalties on counties for a two year period, thinking that improvements in sales samples used would develop into a "truer and fairer" value of assessing.

Another two years has gone by and greater inequities are developing. In 1963 I cautioned this assembly that we were probably headed into trouble, and in 1965 the Legislature passed legislation that postponed the sales ratio penalty application for two years. The reasons were obvious to me because my county was penalized \$75,000 on the first penalty year. I knew we had the highest farm real estate assessments in the State of North Dakota, and a group of farmers had requested our county commissioners at that time to reduce assessments in the farm machinery category because we were also assessing these categories higher than anyone else in the State of North Dakota. This led me to explore the reasons for our county's penalty, and over the past three years I have examined every sales sample used in determining our county's assessments in the categories affected. I do not believe there is any other member of the Legislature that has done this thorough an examination of just how this system works and why it can never be acceptable.

Other states are using sales ratio studies as one weighing factor in determining assessed values, but in no state do they apply penalties such as we are doing in North Dakota. One state, Oklahoma, withholds monies from counties who they feel are not assessing high enough. This is a completely different situation, as local school districts can then determine for themselves how high they wish to increase their levies to make up the difference. North Dakota takes the reverse approach.

It has been stated there are many court cases in other states saying that actual sales samples can be used for determining assessments, but if you examine their constitutions and their statutes, you will find a definition of "market value" to be an "actual sale price" or "actual market value". Our taxation statutes use the definitions of "fair and true value" or "fair market value" and it means the usual sale price. In no case does it say the "actual sale price" or the "actual market value".

I intend to point out a few specific reasons why the use of sales samples alone is wrong in determining assessments, primarily in the farm real estate and commercial property categories in the rural counties:

1. The most serious defect in the present studies is the result of using sales samples of a small or expansion nature bearing no relation to the income ability of an economic unit, yet all property in that category is to be penalized or assessed on the basis of these unrealistic or unusual small sales. For example, how would anyone like to buy a tractor, one part at a time, and then be assessed on the basis of that cost?

2. All assessed property in a county should be considered before penalties are applied. The present sales ratio studies give no credit to counties assessing personal property higher than they do in other



counties. For example, Kidder County assesses real estate very high and personal property very low, and because the sales ratio studies are not taken on personal property, Kidder County receives an undue share of credit from the penalty counties that assess their personal property very high.

3. Penalties are applied on studies that are two years old, which gives no credit for what counties have done to raise their assessments in the interim. Also, highly assessed categories within penalized counties suffer the same mill levy penalty as the under assessed categories, a very real inequity.

4. Samples used are too limited in number to be representative, yet samples occurring prior to 1960 have been thrown out in the last study.

5. Farm land along county lines and even on the same farm will have a 50 to 80 percent variance in assessed value, a more serious inequity than presently exists. What incentive can ever result in these situations for county commissioners to make corrections in assessments within their counties on farm real estate when they receive many thousands of dollars of forgiveness from other counties that are penalized? Commercial property in Pembina County went from 17.9 to 29.9 in just two years, due to the few sales that occurred. These gyrations occur in categories in other counties. How could you ever expect taxpayers and governing bodies to exist or operate under such circumstances?

6. The argument always used for adopting the sales ratio approach has been to point a finger of accusation at counties, suggesting they are lowering their assessed values to take advantage of the education foundation program. In the last two years, only two counties have lowered their assessments in the categories which sales ratio affect, and these two counties are benefiting from the penalty applied to other counties. It simply is not true that counties are lowering their assessments to take advantage of the state foundation fund. For instance, Ward County, in the categories concerned, assessed valuations have risen from 45 to 53 million dollars in just two years and their penalty has risen from 43 thousand to 164 thousand dollars.

To sum it all up, we embarked upon a new method of seeking equity in assessments, but after three years we find that we are creating greater inequities in the area of assessed valuation. The only approach that can be successful is for the State Equalization Board work with county commissioners, to effect reasonable changes, as a last resort they themselves must change assessments within counties, based on other determinations besides the sole use of sales samples.

Another major corrective measure would be the mandatory county supervisor of assessments, who can be guided from the state level in determining "true and fair" sales in commercial and residential categories. The supervisor could assist county and township equalization boards in the use of soil classification maps that are nearly completed for the whole State of North Dakota. This is the right criteria for determining assessed values on farm real estate.

I hope in the years ahead that we can make the accomplishments we have failed to make in the past number of years by pursuing a different approach in determining assessment property valuations.

#### ROLL CALL

The question being on the final passage of House Bill No. 884, as amended on pages 938 to 942 of the Senate Journal, the roll was called and there were ayes, 22; nays, 26; absent and not voting, 1.

Those voting in the affirmative were:			
Coughlin	Larsen, R.	Nasset	Ruemmele
Decker	Pyle	Sorlie	

Freed	Longmire	Ringsak	Trenbeath
Hofstrand	Lowe	Robinson	Wilhite
Jacobson	Luick	Roen	Wenstrom
Kautzmann	Morgan		

Those voting in the negative were:

Beck	Geving	Litten	Redlin
Becker	Goldberg	Melland	Sands
Berube	Hernett	Meschke	Schultz
Butler	Holand	Mutch	Stafne
Chesrown	Kelly, E.	Nething	Stroup
Christensen	Kelly, M.	Rait	Torgerson
Forkner	Larson, L.		

Absent and not voting:  
Larson, G.

So the bill lost.

Senator Chesrown moved that the vote by which House Bill No. 884 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

**House Bill No. 794.** A Bill for an Act to provide for the qualification and licensing of insurance agents; and providing a penalty; and to repeal sections 26-10-13, 26-17-01, 26-17-03, 26-17-04, and 26-17-05 of the North Dakota Century Code relating to licensing, liability, suspension and revocation of licenses, and review of the commissioner's orders.

Was read the second time.

Senator Sorlie moved that House Bill No. 794 be amended as follows:

In line 10 following the word "contract" and before the period insert the following language: "nor shall it include officers and members of county mutual insurance companies writing only property insurance, other than casualty insurance, for the county mutual insurance companies of which they are officers or members"

And renumber the lines accordingly.

Which motion lost.

#### 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:

Berube	Freed	Lips	Nething
Butler	Geving	Litten	Rait
Chesrown	Goldberg	Longmire	Robinson
Christensen	Hernett	Lowe	Stroup
Coughlin	Holand	Melland	Wenstrom
Decker	Kautzmann	Meschke	Wilhite
Forkner	Kelly, E.		

Those voting in the negative were:

Beck	Larson, L.	Redlin	Schultz
Becker	Luick	Ringsak	Sorlie
Hofstrand	Morgan	Roen	Stafne
Jacobson	Mutch	Ruemmele	Torgerson
Kelly, M.	Nasset	Sands	Trenbeath
Larsen, R.	Pyle		

Absent and not voting:  
Larson, G.

So the bill passed and the title was agreed to.

Senator Goldberg moved that the vote by which House Bill No. 794 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

**House Bill No. 833.** A Bill for an Act creating and enacting sections 57-38-58, 57-38-59, 57-38-60, 57-38-61, 57-38-62, 57-38-63, and 57-38-64 of the North Dakota Century Code, relating to withholding of income taxes from wages of nonresident employees, declaration and payment of estimated income, amendment of declaration, and providing an effective date and penalties.

Was read the second time.

Senator Becker moved that House Bill No. 833 be amended as follows:

In line 189, delete the following "December 31" and insert in lieu thereof "June 30"

Senator Holand moved that House Bill No. 833 be placed at the foot of the calendar, which motion prevailed.

#### MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on

Senate Bill No. 45

House Concurrent Resolution "A"

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on

Senate Bill No. 2 — 90 ayes, 0 nays, 7 absent  
 Senate Bill No. 7 — 81 ayes, 0 nays, 17 absent  
 Senate Bill No. 47 — 89 ayes, 2 nays, 7 absent  
 Senate Bill No. 222 — 73 ayes, 17 nays, 8 absent  
 Senate Bill No. 249 — 77 ayes, 15 nays, 6 absent  
 Senate Bill No. 310 — 90 ayes, 0 nays, 8 absent

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to inform you that the Speaker has appointed

Rep. Davis  
 Rep. Bullis  
 Rep. Solberg (9th Dist.)

to replace

Rep. Stoltenow  
 Rep. Burke  
 Rep. Opedahl

To serve on the Conference Committee on Senate Bill No. 281.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 860,

And then indefinitely postponed House Bill No. 860.

ROY GILBREATH, Chief Clerk

#### SECOND READING OF SENATE CONCURRENT RESOLUTIONS

**Senate Concurrent Resolution "A"** A concurrent resolution directing the legislative research committee to carry out a compre-

hensive study of vehicle inspection and other related highway safety problems.

Was read the second time.

Senator Holand moved that Senate Concurrent Resolution "A" be adopted, which motion prevailed.

**Senate Concurrent Resolution "C"**. A concurrent resolution directing the legislative research committee to study and determine those powers and rights to be granted to home rule cities as presently authorized under section 130 of the state Constitution.

Was read the second time.

Senator Holand moved that Senate Concurrent Resolution "C" be adopted, which motion prevailed.

**Senate Concurrent Resolution "KK"**. A Concurrent Resolution directing the Legislative Research Committee to carry out a comprehensive study of business and industrial legislative incentives.

Was read the second time.

Senator Holand moved that Senate Concurrent Resolution "KK" be adopted, which motion prevailed.

**Senate Concurrent Resolution "S-S"**. A Concurrent Resolution directing the legislative research committee to study the feasibility of providing property tax limitations based upon current market value and to study other areas relating to property taxes levied for the purpose of improving assessment practices.

Was read the second time.

Senator Holand moved that Senate Concurrent Resolution "S-S" be adopted, which motion prevailed.

**Senate Concurrent Resolution "T-T"**. A Concurrent Resolution directing a study by the legislative research committee of alternative methods of taxation of mineral rights.

Was read the second time.

Senator Holand moved that Senate Concurrent Resolution "T-T" be adopted, which motion prevailed.

**Senate Concurrent Resolution "EEE"**. A Concurrent Resolution relating to a study by the legislative research committee of the feasibility of modifying the doctrine of governmental immunity.

Was read the second time.

Senator Holand moved that Senate Concurrent Resolution "EEE" be adopted, which motion prevailed.

**Senate Concurrent Resolution "HHH"**. A Concurrent Resolution directing the legislative research committee to study the farming operations of the various institutions of the state of North Dakota.

Was read the second time.

Senator Holand moved that Senate Concurrent Resolution "HHH" be adopted, which motion prevailed.

**Senate Concurrent Resolution "JJJ"**. A Concurrent Resolution authorizing and directing the legislative research committee to study the feasibility of placing the administration of certain agricultural activities that are now administered by separate state boards, commissions and institutions under the jurisdiction of the state department of agriculture.

Was read the second time.

Senator Holand moved that Senate Concurrent Resolution "JJJ" be adopted, which motion prevailed.

**Senate Concurrent Resolution "PPP"**. A Concurrent Resolution directing the legislative research committee to study and review the feasibility of adopting a merit system for all state employees.

Was read the second time.

Senator Holand moved that Senate Concurrent Resolution "PPP" be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber  
Bismarck, March 3, 1967

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on

Senate Bill No. 44

Senate Bill No. 281: 88 ayes, 0 nays, 10 absent

ROY GILBREATH, Chief Clerk

MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 3, 1967

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "A"

Senate Concurrent Resolution "C"

Senate Concurrent Resolution "KK"

Senate Concurrent Resolution "SS"

Senate Concurrent Resolution "TT"

Senate Concurrent Resolution "AAA"

Senate Concurrent Resolution "EEE"

Senate Concurrent Resolution "FFF"

Senate Concurrent Resolution "HHH"

Senate Concurrent Resolution "JJJ"

Senate Concurrent Resolution "PPP"

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber  
Bismarck, March 3, 1967

Mr. Speaker: I have the honor to return.

House Bill No. 794

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber  
Bismarck, March 3, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 884

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolution:

Senate Concurrent Resolution "AAA"

And find the same correctly re-engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 3, 1967

Mr. Speaker: I have the honor to inform you that the Senate has adopted the Conference Committee report on

Senate Bill No. 2

LEO LEIDHOLM, Secretary

Senate Chamber  
Bismarck, March 3, 1967

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 402 and Senate Concurrent Resolution "UU"

LEO LEIDHOLM, Secretary

Senator Lips moved that the Senate recess subject to the call of the Chair, which motion prevailed.

The Senate convened at the call of the Chair, pursuant to recess taken, the President presiding.

#### MOTION

Senator Becker moved that House Bill No. 833 be placed at the head of the calendar, which motion prevailed.

#### SECOND READING OF A HOUSE BILL

**House Bill No. 833.** A Bill for an Act creating and enacting sections 57-38-58, 57-38-59, 57-38-60, 57-38-61, 57-38-62, 57-38-63, and 57-38-64 of the North Dakota Century Code, relating to withholding of income taxes from wages of nonresident employees, declaration and payment of estimated income, amendment of declaration, and providing an effective date and penalties.

Was read the second time.

The question being on the motion of Senator Becker that House Bill No. 833 be amended as follows:

In line 189, delete the following "December 31" and insert in lieu thereof "June 30",

Which motion prevailed.

Senator Meschke moved that House Bill No. 833 be amended as follows:

In the title of the bill delete the amendments to the title that appear on page 790 of the Senate Journal

In the fourth line of the title delete the word "nonresident"

Preceding the period at the end of the title insert the following:

" and to repeal section 57-38-36 of the North Dakota Century Code"

Delete lines 28 through 37, inclusive

In line 42 delete the word "nonresident"

In line 44 delete the comma and insert in lieu thereof the word "of"

In line 47 delete the semi-colon and the remainder of the line and insert a period in lieu thereof.

Delete all of lines 48, 49 and 50

Delete all of lines 68 through 78, inclusive

In line 85, 94, 103 and 108 delete the word "nonresident"

Delete lines 163 through 169, inclusive, and insert in lieu thereof the following:

"Every taxpayer shall, at the time prescribed in section 57-38-63 make a declaration of his estimated tax on taxable income from sources from which no income tax was withheld pursuant to this Act if his tax thereon can reasonably be expected to exceed forty dollars for the taxable year."

Delete all of section 8 of the engrossed bill and insert in lieu thereof the following new section 8:

"SECTION 8. REPEAL.) Section 57-38-36 of the North Dakota Century Code is hereby repealed."

At the end of the last line of Section 9 of the engrossed bill de-

lete the date "December 31" and insert in lieu thereof "July 1" so as to change the effective date.

Renumber the lines accordingly.

Senator Meschke requested a recorded vote, which request was granted.

#### ROLL CALL

The question being on the motion of Senator Meschke, the roll was called and there were ayes, 7; nays, 39; absent and not voting, 3.

Those voting in the affirmative were:

Becker	Christensen	Larson, L.	Rait
Berube	Kelly, M.	Meschke	

Those voting in the negative were:

Beck	Hofstrand	Lowe	Robinson
Butler	Holand	Luick	Ruemmele
Chesrown	Jacobson	Melland	Schultz
Coughlin	Kautzmann	Morgan	Sorlie
Decker	Kelly, E.	Mutch	Stafne
Forkner	Larsen, R.	Nasset	Stroup
Freed	Larson, G.	Nething	Trenbeath
Geving	Lips	Pyle	Wenstrom
Goldberg	Litten	Redlin	Wilhite
Hernett	Longmire	Ringsak	

Absent and not voting:

Roen	Sands	Torgerson
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So the motion was declared lost.

Senator Becker moved that the rules be suspended and that House Bill No. 833 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. 833, as amended, on page 790 of the Senate Journal, and from the floor, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Ruemmele
Berube	Holand	Luick	Sands
Butler	Jacobson	Melland	Schultz
Chesrown	Kautzmann	Meschke	Sorlie
Christensen	Kelly, E.	Morgan	Stafne
Coughlin	Kelly, M.	Nasset	Stroup
Decker	Larsen, R.	Nething	Torgerson
Forkner	Larson, G.	Pyle	Trenbeath
Freed	Larson, L.	Rait	Wenstrom
Geving	Lips	Redlin	Wilhite
Goldberg	Litten	Ringsak	

Those voting in the negative were:

Mutch

Absent and not voting:

Roen

So the bill passed and the title was agreed to.

#### CONSIDERATION OF MESSAGE FROM GOVERNOR SECOND READING OF A SENATE BILL

**Senate Bill No. 95.** For an Act to amend and reenact section 61-01-14 of the 1965 Supplement to the North Dakota Century Code, relating to the fouling of public water.

Was read the second time.

## ROLL CALL

The question being on the passage of Senate Bill No. 95 which the Governor has vetoed, the roll was called and there were ayes, 28; nays, 17; absent and not voting, 4.

Those voting in the affirmative were:

Butler	Hofstrand	Longmire	Sands
Chesrown	Jacobson	Lowe	Schultz
Coughlin	Kautzmann	Nasset	Stafne
Decker	Kelly, E.	Redlin	Stroup
Freed	Kelly, M.	Ringsak	Torgerson
Goldberg	Larsen, R.	Robinson	Trenbeath
Hernett	Litten	Ruemmele	Wenstrom

Those voting in the negative were:

Becker	Larson, L.	Meschke	Pyle
Berube	Lips	Morgan	Rait
Christensen	Luick	Mutch	Sorlie
Geving	Melland	Nothing	Wilhite
Larson, G.			

Absent and not voting:

Beck	Forkner	Holand	Roen
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So the bill failed to receive the necessary two-thirds vote.

## CONSIDERATION OF MESSAGES FROM THE GOVERNOR

Senator Lips moved that the Senate reconsider House Bill No. 591, which the Governor has vetoed, and that House Bill No. 591 be placed on the calendar, which motion prevailed.

## SECOND READING OF HOUSE BILLS

**House Bill No. 591.** A Bill for an Act to amend and reenact section 39-04-39.1 of the 1965 Supplement to the North Dakota Century Code, relating to the distribution of motor vehicle use tax to local highway funds.

Was read the second time.

## ROLL CALL

The question being on the passage of House Bill No. 591, which the Governor has vetoed, the roll was called and there were ayes, 0; nays, 47; absent and not voting, 2.

Those voting in the negative were:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Luick	Ruemmele
Berube	Holand	Melland	Sands
Butler	Jacobson	Meschke	Schultz
Chesrown	Kautzmann	Morgan	Sorlie
Christensen	Kelly, E.	Mutch	Stafne
Coughlin	Kelly, M.	Nasset	Stroup
Decker	Larsen, R.	Nothing	Torgerson
Forkner	Larson, G.	Pyle	Trenbeath
Freed	Larson, L.	Rait	Wenstrom
Geving	Lips	Redlin	Wilhite
Goldberg	Litten	Ringsak	

Absent, not voting.

Lowe	Roen
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So the bill failed to receive the necessary two-thirds vote.

Senator Lips moved that the Senate reconsider House Bill No. 727, which the Governor has vetoed, and that House Bill No. 727 be placed on the calendar, which motion prevailed.

**House Bill No. 727.** A Bill for an Act to create and enact subsection 23 of section 57-02-08 and section 57-20-09.1 of the North Dakota Century Code, relating to items of personal property exempt from taxation and providing discounts of twenty percent of personal property taxes upon personal property not assessed by the state



board of equalization, and to amend and reenact section 57-02-04 of the North Dakota Century Code, relating to the definition of real property, allocating moneys to counties and their political subdivisions, making an appropriation, providing an effective date, and to repeal sections 18-03-09, 37-01-27, subsections 9, 10, and 11 of section 57-02-05 and section 57-15-23 of the North Dakota Century Code, relating to the definition of personal property and imposition of the per capita school tax and exemptions thereto.

Was read the second time.

Senator Meschke requested that the veto message of the Governor be read from the desk.

### ROLL CALL

The question being on the passage of House Bill No. 727, which the Governor has vetoed, the roll was called and there were ayes, 22; nays, 26; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Holand	Luick	Ruemmele
Becker	Larsen, R.	Melland	Sorlie
Berube	Lips	Morgan	Stafne
Freed	Litten	Nething	Torgerson
Geving	Longmire	Redlin	Wenstrom
Hofstrand	Lowe		

Those voting in the negative were:

Butler	Hernett	Meschke	Robinson
Chesrown	Jacobson	Mutch	Sands
Christensen	Kautzmann	Nasset	Schultz
Coughlin	Kelly, E.	Pyle	Stroup
Decker	Kelly, M.	Rait	Trenbeath
Forkner	Larson, G.	Ringsak	Wilhite
Goldberg	Larson, L.		

Absent and not voting:

Roen

So the bill failed to receive the necessary two-thirds vote.

Senator Lips: Mr. President, Members of the Senate. I rise on a point of personal privilege and request that my remarks be printed in the Journal.

The Governor has seen fit to veto the personal property elimination which had been passed by the legislature. This will be unwelcome news for the thousands of North Dakotans who have been looking forward to the elimination of this "nuisance" tax. It is odd that the Governor's position has changed so drastically in two years. In his message to the legislature in 1965, he said, "We should begin by eliminating the tax on household goods, musical instruments and clothing. This portion of the tax, even though probably improperly administered at the present, affects everyone and is the most troublesome and expensive to administer." The Governor now says, "The alternative that you have chosen to eliminate personal property taxes on household goods, miscellaneous farm machinery and young calves is not acceptable to me. If there is any fairness in the personal property tax, it would probably be in that part of the tax on household goods which you propose to eliminate . . ."

This legislature has reviewed every possible known method for the elimination of personal property taxes and is unable to find a fair, acceptable answer to this problem. It is our belief that elimination of the tax on household goods and miscellaneous farm machinery will not deter from the further consideration of the subject of total elimination. Evidently the Governor shared this point of view two years ago but has seen fit to change his colors in light of political interest. I believe that the Governor's inter-

est in total repeal goes only as far as the subject has political value to him.

Senator Becker: Mr. President. Gentlemen of the Senate. I rise on a point of personal privilege and I would like my remarks printed in the Journal.

Just a moment ago the minority floor leader, representing his party, told the Senate that a bill by the minority party had been introduced in the House of Representatives to cause a general withholding of state income tax. I have before me a list of the 48 bills that the minority introduced in the House of Representatives. I have carefully reviewed the titles to each of these 48 bills and find that the Senate minority leader is misinformed.

Senator Meschke. Mr. President. Members of the Senate. I have one single statement for the record, I do not have a written copy. In view of the fact that the majority leader has inserted a statement, I think it is interesting to observe that this part of the patchwork tax program considered by this session, could not even have secured enough votes for passage at this time, let alone a two-thirds to override the Governor's veto.

**House Bill No. 520.** 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 second time.

Senator Sorlie moved that House Bill No. 520 be amended as follows:

In line 8 delete the figure \$1,078,552.00 and insert in lieu thereof \$1,093,552.00

In line 20 delete the figure \$25,000.00 and insert in lieu thereof \$40,000.00

In line 21 delete the figure \$2,765,592.00 and insert in lieu thereof \$2,780,592.00

In line 28 delete the figure \$2,798,552.00 and insert in lieu thereof \$1,093,552.00

Which motion prevailed.

Senator Sorlie moved that the rules be suspended and that House Bill No. 520 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. 520, as amended from the floor, the roll was called and there were ayes, 43; nays, 3; absent and not voting, 3.

Those voting in the affirmative were:			
Beck	Hernett	Litten	Ringsak
Berube	Hofstrand	Luick	Robinson
Butler	Holand	Melland	Roen
Chesrown	Jacobson	Meschke	Ruemmele
Christensen	Kautzmann	Morgan	Sands
Coughlin	Kelly, E.	Mutch	Sorlie
Decker	Kelly, M.	Nasset	Stafne
Forkner	Larsen, R.	Nething	Stroup
Freed	Larson, G.	Pyle	Trenbeath
Geving	Larson, L.	Rait	Wenstrom
Goldberg	Lips	Redlin	

Those voting in the negative were:

Longmire            Lowe            Schultz

Absent and not voting:

Becker            Torgerson            Wilhite

So the bill passed and the title was agreed to.

Senator Lips moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

SIXTIETH DAY

Bismarck, March 3, 1967

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Senator Guy Larson, Bismarck.

Roll call: All Senators present.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fifty-eighth day after recess and the fifty-ninth day and recommends that the same be corrected as follows:

On page 956 after line 44 insert the following:

"Senator Holand moved that the rules be suspended and that Senate Bill No. 43 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed."

On page 957 delete lines 5, 6, 7 and 8.

And when so corrected recommends that the same be approved.

SENATOR LOWE, Chairman

Senator Lowe moved that the report be adopted, which motion prevailed.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution "W".** A Concurrent Resolution directing the legislative research committee to conduct a study of the eminent domain laws and judicial decisions in this state relating thereto and the practices of land appraisals connected therewith, for the purpose of determining the advisability of revising such laws, and to prepare appropriate bills for submission to and consideration by the Forty-first Legislative Assembly.

Was read the first time.

Senator Lips moved that the rules be suspended and that House Concurrent Resolution "W" be not referred to committee but placed on second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution "W".** A Concurrent Resolution directing the legislative research committee to conduct a study of the eminent domain laws and judicial decisions in this state relating thereto and the practices of land appraisals connected therewith, for the purpose of determining the advisability of revising such laws, and to prepare appropriate bills for submission to and consideration by the Forty-first Legislative Assembly.

Was read the second time.

Senator Lips moved that House Concurrent Resolution "W" be adopted, which motion prevailed.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution "T-1.** A Concurrent Resolution directing the legislative research committee to conduct a study of the advisability of confining young adults between the ages of eighteen and twenty-one at the state penitentiary, state farm or North Dakota industrial school.

Was read the first time.

Senator Lips moved that the rules be suspended and that House Concurrent Resolution "T-1" be not referred to committee, but

placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF A HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution "T-1.** A Concurrent Resolution directing the legislative research committee to conduct a study of the advisability of confining young adults between the ages of eighteen and twenty-one at the state penitentiary, state farm or North Dakota industrial school.

Was read the second time.

Senator Ringsak moved that House Concurrent Resolution "T-1" be indefinitely postponed, which motion prevailed.

#### FIRST READING OF A HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution "D-2"** A Concurrent Resolution directing the legislative research committee with the cooperation of the state board of higher education and state board of public school education to conduct a study of vocational and technical education, and to make a report to the legislative assembly.

Was read the first time.

Senator Lips moved that the rules be suspended and that House Concurrent Resolution "D-2" be placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF A HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution "D-2"** A Concurrent Resolution directing the legislative research committee with the cooperation of the state board of higher education and state board of public school education to conduct a study of vocational and technical education, and to make a report to the legislative assembly.

Was read the second time.

Senator Lips moved that House Concurrent Resolution "D-2" be adopted, which motion prevailed.

#### FIRST READING OF A HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution "H-2".** A Concurrent Resolution providing for the completion of the legislative journals of the house and senate.

Was read the first time.

Senator Lips moved that the rules be suspended and that House Concurrent Resolution "H-2" be not referred to committee but placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF A HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution "H-2".** A Concurrent Resolution providing for the completion of the legislative journals of the house and 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, 43; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Beck	Jacobson	Luick	Robinson
Butler	Kautzmann	Melland	Roen
Chesrown	Kelly, E.	Meschke	Ruemmele
Coughlin	Kelly, M.	Morgan	Sands
Decker	Larsen, R.	Mutch	Schultz
Forkner	Larson, G.	Nasset	Sorlie
Freed	Larson, L.	Nothing	Stafne
Geving	Lips	Pyle	Stroup

Goldberg	Litten	Rait	Wenstrom
Hofstrand	Longmire	Redlin	Wilhite
Holand	Lowe	Ringsak	

Absent and not voting:

Becker	Christensen	Torgerson	Trenbeath
Berube	Hernett		

So the resolution was declared adopted.

#### FIRST READING OF A HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution "I-2".** 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.

Senator Lips moved that the rules be suspended and that House Concurrent Resolution "I-2" be not referred to committee but placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF A HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution "I-2".** 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 second time.

Senator Robinson moved that House Concurrent Resolution "I-2" be amended as follows:

In line 37 after the semi-colon insert the following "Della Erickson, Committee Clerk for three days;"

In line 66 after the semi-colon insert the following "Della Erickson, Committee Clerk at fourteen dollars per day;"

And renumber the lines accordingly.

Which motion prevailed.

Senator Robinson moved that the rules be suspended and that House Concurrent Resolution "I-1" 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 Concurrent Resolution "I-1", 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:

Beck	Holand	Lowe	Ringsak
Berube	Jacobson	Luick	Robinson
Butler	Kautzmann	Melland	Roen
Coughlin	Kelly, E.	Meschke	Ruemmele
Decker	Kelly, M.	Morgan	Sands
Forkner	Larsen, R.	Mutch	Sorlie
Freed	Larsen, G.	Nasset	Stafne
Geving	Larson, L.	Nothing	Stroup
Goldberg	Lips	Pyle	Wenstrom
Hernett	Litten	Redlin	Wilhite
Hofstrand	Longmire		

Absent and not voting:

Becker	Christensen	Schultz	Trenbeath
Chesrown	Rait	Torgerson	

So the resolution was declared adopted.

## MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 3, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 527

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

## REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 3 has had the same under consideration and recommends:

That the House recede from its amendments and that the bill be further amended as follows:

In the last line of the title before the period insert the words "and declaring an emergency"

In line 14 before the numeral "41ST" insert the words "BIENNIUM AND 40TH AND"; and delete the word "ASSEMBLY" and insert in lieu thereof the word "ASSEMBLIES"

After line 16 and before line 17 insert a new line item as follows:

"Additional expense of legislators for 40th Legislative Session pursuant to Senate Bill 405	44,100.00
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The above line item of 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."

After line 18 and before line 19 insert two line items as follows:

"Supplies and materials, 40th Legislative Assembly	20,000.00
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The above line item of 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.

Expenses of Committee created pursuant to House Concurrent Resolution B-2	5,000.00"
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In line 19 delete the figure "665,600.00" and insert in lieu thereof the figure "734,700.00"

In line 22 delete the figure "5,980.00" and insert in lieu thereof the figure "7,870.00"

In line 26 delete the figure "13,421.00" and insert in lieu thereof the figure "15,311.00"

In line 29 delete the figure "181,736.00" and insert in lieu thereof the figure "217,116.00"

In line 30 delete the figure "95,170.00" and insert in lieu thereof the figure "104,170.00"

In line 33 delete the figure "286,906.00" and insert in lieu thereof the figure "331,286.00"

In line 34 delete the figure "965,927.00" and insert in lieu thereof the figure "1,081,297.00"

And renumber the lines accordingly.

And when so amended that the bill do pass.

For the Senate

Senator Coughlin  
Senator Wenstrom  
Senator Larsen (R.)

For the Home

Rep. Halcrow  
Rep. Saugstad  
Rep. Solberg (O.)

Senator Coughlin moved that the report be adopted, which motion prevailed.

Senator Coughlin moved that the rules be suspended and that Senate Bill No. 3 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 3.** For an Act to appropriate money for the expenses of the legislative branch of government, specifying the amount and time for which such appropriation 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, 43; nays, 3; absent and not voting, 3.

Those voting in the affirmative were:

Beck	Hofstrand	Longmire	Ringsak
Berube	Holand	Lowe	Roen
Butler	Jacobson	Luick	Ruemmele
Chesrown	Kautzmann	Melland	Sands
Christensen	Kelly, E.	Meschke	Schultz
Coughlin	Kelly, M.	Morgan	Sorlie
Decker	Larsen, R.	Nasset	Stafne
Forkner	Larsen, G.	Nothing	Trenbeath
Freed	Larson, L.	Pyle	Wenstrom
Goldberg	Lips	Rait	Wilhite
Hernett	Litten	Redlin	

Those voting in the negative were:

Geving	Mutch	Robinson
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Absent and not voting:

Becker	Stroup	Torgerson
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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. 221 has had the same under consideration and recommends:

That the House recede from its amendments and that Senate Bill No. 221 be amended as follows:

In line 15 after the word "much" insert "thereof" and after the word "building" delete the word "outside" and insert in lieu thereof the following: "within one mile"

Renumber the lines accordingly.

For the Senate

Senator Stroup  
 Senator Jacobson  
 Senator Goldberg

For the House

Rep. Rundle  
 Rep. Lee  
 Rep. Hickie

Senator Stroup moved that the report be adopted, which motion prevailed.

Senator Stroup moved that the rules be suspended and that Senate Bill No. 221 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 221.** A Bill for an Act to sell the North Dakota state highway maintenance building in Medora, and to construct a

new maintenance building out of the funds derived therefrom, and declaring an emergency.

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, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Beck	Hernett	Lowe	Ringsak
Berube	Holand	Luick	Robinson
Butler	Jacobson	Melland	Roen
Chesrown	Kautzmann	Meschke	Ruemmele
Christensen	Kelly, E.	Morgan	Sands
Coughlin	Larsen, R.	Mutch	Schultz
Decker	Larson, G.	Nasset	Stafne
Forkner	Larson, L.	Nething	Stroup
Freed	Lips	Pyle	Trenbeath
Geving	Litten	Rait	Wenstrom
Goldberg	Longmire	Redlin	Wilhite

Absent and not voting:

Becker	Kelly, M.	Sorlie	Torgerson
Hofstrand			

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 281 has had the same under consideration and recommends:

That the Senate do concur with the House amendments on lines 2, 10, 14 and 17 of the engrossed bill.

That the House recede from its amendments on lines 6 and 7 of the engrossed bill.

For the Senate

Senator Robinson  
 Senator Wenstrom  
 Senator Larson (L.)

For the House

Rep. Davis  
 Rep. Bullis  
 Rep. Solberg (O.)

Senator Robinson moved that the report be adopted, which motion prevailed.

Senator Robinson moved that the rules be suspended and that Senate Bill No. 281 be deemed properly re-engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 281.** A Bill for an Act to transfer certain historical sites now under the control of the state park service to the state historical board, and making an appropriation.

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:

Beck	Holand	Longmire	Robinson
Berube	Jacobson	Lowe	Roen
Butler	Kautzmann	Luick	Ruemmele
Chesrown	Kelly, E.	Melland	Sands
Coughlin	Kelly, M.	Morgan	Schultz
Decker	Larsen, R.	Mutch	Sorlie



Forkner	Larson, G.	Nasset	Stafne
Freed	Larson, L.	Nething	Trenbeath
Geving	Lips	Pyle	Wenstrom
Goldberg	Litten	Ringsak	Wilhite
Hernett			

Those voting in the negative were:

Christensen	Meschke	Rait	Redlin
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Absent and not voting:

Becker	Hofstrand	Stroup	Torgerson
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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. 388 has had the same under consideration and recommends:

That the House recede from its amendments and that the bill be further amended as follows:

In line 3 of the title delete the words "authorization for the construction of" and insert in lieu thereof the words "studies and plans for improvement in"; and after the word "facilities" insert a comma and delete the words "through the"

In line 4 of the title delete the word "the" and insert in lieu thereof the word "an"

In line 5 of the title delete the words "of such funds"

Delete lines 33 through 100 inclusive and insert the following in lieu thereof:

"SECTION 2. CAPITOL BUILDING FUND TO BE ADMINISTERED BY THE CAPITOL GROUNDS PLANNING COMMISSION — CERTAIN FUNDS DEDICATED FOR USE TO CONSTRUCT LEGISLATIVE WING.) Notwithstanding any other provision of law, the capitol grounds planning commission, acting through the state land commissioner and the state land department, shall have general powers to superintend the administration of the capitol building fund, its interest and income fund, and its investments and properties. It may cause any lands now held in such funds to be sold at market value, direct the conversion of any securities now held by such funds to cash, approve expenditures from such funds subject to law and legislative appropriations, and to do all other things necessary to carry out the intent and purposes of this section.

Provided further, all moneys and other property and the income therefrom in the capitol building fund, except as otherwise appropriated by section 3 of this Act or by other Acts of the fortieth legislative assembly, are hereby dedicated and reserved to the exclusive purpose of the construction of an addition to the legislative wing of the state capitol building, and the capitol grounds planning commission shall take necessary steps to accumulate and conserve the money and property and the income therefrom in the capitol building fund for such purpose.

SECTION 3. APPROPRIATION AND STUDY OF LEGISLATIVE FACILITIES.) There is hereby appropriated out of any moneys in the capitol building fund, not otherwise appropriated, the sum of \$30,000.00, or so much thereof as may be necessary, to the capitol grounds planning commission for the purpose of defraying the expenses of the commission and carrying out its duties during the biennium beginning July 1, 1967, and ending June 30, 1969. The capitol grounds planning commission shall conduct a study of legislative facilities and shall explore the feasibility of adapting additional space within the existing capitol building for use by the legislative assembly for committee rooms, office space and other legislative needs. If in the opinion of the commission the provision of additional space within the capitol building is not feasible, practical, or that such space cannot reasonably be made

available, it shall then prepare specific plans or alternative plans for a suitable wing or an addition to the legislative wing for the provision of sufficient space to reasonably meet the present and foreseeable future needs of the legislative assembly."

And renumber the lines accordingly.

And when so amended that the same do pass.

For the Senate

Senator Hernett

Senator Litten

Senator Christensen

For the House

Rep. Saugstad

Rep. Davis

Rep. Giffey

Senator Hernett moved that the report be adopted, which motion prevailed.

Senator Hernett moved that the rules be suspended and that Senate Bill No. 388 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

**Senate Bill No. 388.** A Bill for an Act to amend and reenact section 1 of chapter 314 of the 1965 session laws, relating to the capitol grounds planning commission and authorization for the construction of legislative facilities through the use of assets of the capitol building fund, and providing for the appropriation of such funds.

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, 35; nays, 8; absent and not voting, 6.

Those voting in the affirmative were:

Beck	Hernett	Lips	Rajt
Berube	Holand	Litten	Redlin
Butler	Jacobson	Longmire	Ringsak
Christensen	Kautzmann	Lowe	Ruemmele
Coughlin	Kelly, E.	Luick	Stafne
Decker	Kelly, M.	Melland	Stroup
Forkner	Larsen, R.	Nasset	Trenbeath
Freed	Larsen, G.	Nething	Wenstrom
Goldberg	Larsen, L.	Pyle	

Those voting in the negative were:

Geving	Mutch	Roen	Schultz
Morgan	Robinson	Sands	Wilhite
Absent and not voting:			
Becker	Hofstrand	Sorlie	Torgerson
Chesrown	Meschke		

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE HOUSE

House Chamber  
Bismarck, March 3, 1967

Mr. President: I have the honor to return:

Senate Bill No. 63

Which the House has amended as follows:

ROY GILBREATH, Chief Clerk

#### AMENDMENTS TO SENATE BILL No. 63

In the last line of the title of the engrossed bill before the period insert a comma and the following material: "and declaring an emergency"

After line 11 and before line 12 of the engrossed bill insert the following material:

**SECTION 2. EXEMPTION.)** Nothing in this Act shall apply to any person who in good faith observes a day other than Sunday as the Sabbath if he refrains from engaging in or conducting business or labor for profit and closes his place of business to the public on that day."

Delete lines 69 thru 77 inclusive

After line 113 of the engrossed bill insert the following material:

**"SECTION 11. EMERGENCY.)** This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

And renumber the lines and sections accordingly.

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Longmire moved that the Senate do concur in the House amendments to Senate Bill No. 63, which motion prevailed.

Senator Longmire moved that the rules be suspended and that Senate Bill No. 63 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

#### SECOND READING OF A SENATE BILL

**Senate Bill No. 63.** For an Act relating to the observance of Sunday as a day of rest, to provide exceptions thereto, to provide for injunctive relief and penalties for violations thereof, and to amend and reenact section 40-05-03 of the North Dakota Century Code, relating to the regulation and inspection of food markets in cities having a population over fifteen thousand, and to repeal sections 12-21-14, 12-21-15, 12-21-16, 12-21-17, 12-21-20, 12-21-21, and 12-21-22 of the North Dakota Century Code, relating to Sunday closing laws.

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, 30; nays, 12; absent and not voting, 7.

Those voting in the affirmative were:

Butler	Jacobson	Longmire	Rait
Christensen	Kautzmann	Lowe	Ringsak
Coughlin	Kelly, E.	Luick	Ruemmele
Decker	Kelly, M.	Melland	Stafne
Goldberg	Larsen, R.	Nasset	Stroup
Hernett	Larson, G.	Nething	Wenstrom
Hofstrand	Larson, L.	Pyle	Wilhite
Holand	Litten		

Those voting in the negative were:

Beck	Geving	Mutch	Roen
Forkner	Lips	Redlin	Sands
Freed	Morgan	Robinson	Schultz

Absent and not voting:

Becker	Chesrown	Sorlie	Trenbeath
Berube	Meschke	Torgerson	

So the bill passed and the title was agreed to and the emergency clause carried.

#### REPORTS OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 505 has had the same under consideration and recommends:

That the House do concur with the Senate amendments and recommends further that the Senate amendments be further amended as follows:

In line 9 delete the figure \$1,107,298.00 and insert in lieu thereof \$1,117,298.00

In line 11 delete the figure \$343,490.00 and insert in lieu thereof \$353,490.00

In line 15 delete the figure \$757,405.00 and insert in lieu thereof \$762,405.00

In line 16 delete the figure \$141,270.00 and insert in lieu thereof \$146,270.00

In line 21 delete the figure \$1,107,298.00 and insert in lieu thereof \$1,117,298.00

In line 24 delete the figure \$343,490.00 and insert in lieu thereof \$353,490.00

For the Senate  
 Senator Robinson  
 Senator Wenstrom  
 Senator Lester Larson

For the House  
 Rep. Davis  
 Rep. Bullis  
 Rep. Oscar Solberg

Senator Robinson moved that the report be adopted, which motion prevailed.

Senator Robinson moved that the rules be suspended and that House Bill No. 505 be placed on second reading and final passage, as amended in conference committee, which motion prevailed.

**House Bill No. 505.** A Bill for an Act making an appropriation to the North Dakota Park Service for administration, operation, maintenance, and development of state parks.

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:

Beck	Goldberg	Longmire	Ringsak
Berube	Hernett	Lowe	Robinson
Butler	Jacobson	Luick	Roen
Chesrown	Kautzmann	Meschke	Ruemmele
Christensen	Kelly, M.	Morgan	Schultz
Coughlin	Larsen, R.	Mutch	Sorlie
Decker	Larson, G.	Nasset	Stafne
Forkner	Larson, L.	Nething	Stroup
Freed	Lips	Pyle	Wenstrom
Geving	Litten	Rait	Willhite

Those voting in the negative were:

Hofstrand	Melland	Redlin	Sands
Kelly, E.			

Absent and not voting:

Becker	Holand	Torgerson	Trenbeath
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So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred House Bill No. 524 has had the same under consideration and recommends:

The House do concur with the Senate amendments.

For the Senate  
 Senator Kelly (15)  
 Senator Geving  
 Senator Christensen

For the House  
Rep. Burke  
Rep. Larson (16)  
Rep. Opedahl

Senator Kelly (15) moved that the report be adopted, which motion prevailed.

## MESSAGE FROM THE HOUSE

House Chamber  
Bismarck, March 3, 1967

Mr. President: I have the honor to return:

Senate Bill No. 40  
Senate Bill No. 53  
Senate Bill No. 211  
Senate Bill No. 243  
Senate Bill No. 335  
Senate Bill No. 374

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

## MESSAGES TO THE HOUSE

Senate Chamber  
Bismarck, March 3, 1967

Mr. Speaker: I have the honor to transmit Senate Bill No. 95, vetoed by the Governor was reconsidered by the Senate.

The Vote:

28 Ayes, 17 Nays, 4 absent

Lost for lack of two-thirds constitutional majority.

LEO LEIDHOLM, Secretary

Senate Chamber  
Bismarck, March 3, 1967

Mr. Speaker: I have the honor to return House Bills Nos. 591 and 727.

House Bill No. 591 vetoed by the Governor was reconsidered by the Senate. The vote:

0 Ayes, 47 Nays, 2 absent

Reconsideration lost.

House Bill No. 727 vetoed by the Governor was reconsidered by the Senate. The vote:

22 Ayes, 26 Nays, 1 absent

Reconsideration lost.

LEO LEIDHOLM, Secretary

Senate Chamber  
Bismarck, March 3, 1967

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee reports on

Senate Bill No. 3

Senate Bill No. 7

Senate Bill No. 221

Senate Bill No. 281

Senate Bill No. 388

House Bill No. 505 — Vote: 40 Ayes, 5 Nays, 4 absent

House Bill No. 524

LEO LEIDHOLM, Secretary

Senate Chamber  
Bismarck, March 3, 1967

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 63.

LEO LEIDHOLM, Secretary

Senate Chamber  
Bismarck, March 3, 1967

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "W"  
House Concurrent Resolution "D-2"  
House Concurrent Resolution "H-2"  
House Concurrent Resolution "T-1"

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber  
Bismarck, March 3, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 520  
House Bill No. 833  
House Concurrent Resolution "I-2"

Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber  
Bismarck, March 3, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 319

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

Senator Lips moved that the Senate do not accede to the request of the House for the return of Senate Bill No. 337, which motion prevailed.

Senate Chamber  
Bismarck, March 3, 1967

Mr. Speaker: I have the honor to inform you that the Senate has refused to return Senate Bill No. 337, which the House requested.

LEO LEIDHOLM, Secretary

Senator Lips moved that the Senate recess subject to the call of the chair, which motion prevailed.

The Senate reconvened at the call of the chair, pursuant to recess taken, the President presiding.

#### MESSAGES FROM THE HOUSE

House Chamber  
Bismarck, March 3, 1967

Mr. President: The House has reconsidered its action by which it adopted the Conference Committee report on Senate Bill No. 44 and has not adopted the Conference Committee Report.

The Speaker has appointed as a Conference Committee to act with a like Committee from the Senate,

Rep. Aafedt  
Rep. Mathiason  
Rep. Winge

ROY GILBREATH, Chief Clerk

House Chamber  
Bismarck, March 3, 1967

Mr. President: I have the honor to return:

Senate Bill No. 319

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

House Chamber  
Bismarck, March 3, 1967

Mr. President: I have the honor to return:

Senate Concurrent Resolution "A"  
Senate Concurrent Resolution "C"  
Senate Concurrent Resolution "K-K"  
Senate Concurrent Resolution "T-T"  
Senate Concurrent Resolution "AAA"  
Senate Concurrent Resolution "EEE"  
Senate Concurrent Resolution "FFF"  
Senate Concurrent Resolution "HHH"  
Senate Concurrent Resolution "JJJ"  
Senate Concurrent Resolution "PPP"

Which the House has passed unchanged.

ROY GILBREATH, Chief Clerk

#### REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 319

Was delivered to the Governor for his approval at the hour of 11:00 o'clock a.m., March 3, 1967.

SENATOR WENSTROM, Chairman

#### MESSAGES FROM THE HOUSE

House Chamber  
Bismarck, March 3, 1967

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendments to House Bills Nos. 520 and 833 and the Speaker has appointed as a conference committee to act with a like committee from the Senate,

On House Bill No. 520

Rep. Saugstad  
Rep. Halcrow  
Rep. Dick

On House Bill No. 833

Rep. Aas  
Rep. Boustead  
Rep. Backes

ROY GILBREATH, Chief Clerk

House Chamber  
Bismarck, March 3, 1967

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Concurrent Resolution "I-2".

ROY GILBREATH, Chief Clerk

Senator Sorlie moved that the Senate do not concur in the House amendments to Senate Bill No. 520 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. 520,

Senator Kautzmann  
Senator Wenstrom  
Senator Beck

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Lips moved that the Senate do not concur in the House amendments to Senate Bill No. 833 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. 833,

Senator Chesrown  
 Senator Butler  
 Senator Rait

## MESSAGES TO THE HOUSE

Senate Chamber  
 Bismarck, March 3, 1967

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. 833,

Senator Chesrown  
 Senator Butler  
 Senator Rait

LEO LEIDHOLM, Secretary

Senate Chamber  
 Bismarck, March 3, 1967

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. 520,

Senator Kautzmann  
 Senator Beck  
 Senator Wenstrom

LEO LEIDHOLM, Secretary

## REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Concurrent Resolution No. "B-2" has had the same under consideration and recommends:

That since the committee is unable to agree, that it be discharged and a new conference committee appointed.

For the Senate  
 Senator Hernet  
 Senator Ringsak  
 Senator Rait

For the House  
 Rep. Saugstad  
 Rep. Halcrow  
 Rep. Wm. Erickson

Senator Hernet moved that the report be adopted, which motion prevailed.

## APPOINTMENT OF A NEW CONFERENCE COMMITTEE

The President appointed as a Conference Committee on House Concurrent Resolution "B-2",

Senator Forkner  
 Senator Stroup  
 Senator Christensen

## MESSAGE TO THE HOUSE

Senate Chamber  
 Bismarck, March 3, 1967

Mr. Speaker: I have the honor to inform you that the President has appointed a new conference committee to act with a like committee from the House, on House Concurrent Resolution "B-2",

Senator Forkner  
 Senator Stroup  
 Senator Christensen

LEO LEIDHOLM, Secretary



## REPORTS OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 44 has had the same under consideration and recommends:

That the Senate concur with the House amendments and recommends further that the House amendments be further amended as follows:

After line 223 insert the following:

"SECTION 9. AMENDMENT.) Section 39-06-30 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

39-06-30. CONVICTION — MEANING AND EFFECT.) For the purposes of ((this chapter)) subsection 9 of section 39-06-03 and sections 39-06-31 and 39-06-32 of the North Dakota Century Code the term "conviction" shall mean a final conviction for violation of state motor vehicle laws or for violation of municipal motor vehicle ordinances including offenses listed in section 39-06-31. Also, for the purposes of this chapter a forfeiture of bail or collateral deposited to secure a defendant's appearance in court, which forfeiture has not been vacated, shall be equivalent to a conviction."

And renumber the sections lines accordingly.

For the Senate

Senator Forkner  
Senator Kelly (M.)  
Senator Coughlin

For the House

Rep. Aafedt  
Rep. Mathiason  
Rep. Winge

Senator Forkner moved that the report be adopted, which motion prevailed.

Senator Forkner moved that the rules be suspended and that Senate Bill No. 44 be deemed properly engrossed and placed on second reading and final passage, as amended by the House, which motion prevailed.

Senate Bill No. 44. A Bill for an Act to create and enact sections 39-01-01.1 and 39-06-33.1 of the North Dakota Century Code, providing for a declaration of legislative intent and the authority to suspend licenses for convictions of traffic violations resulting in the death or personal injury of another or serious property damage, and to provide the commissioner with the authority to suspend the licenses of juveniles, the courts with the authority to recognize out-of-state revocations and cancellations, the state toxicologist with the authority to perform blood tests on traffic fatalities and providing an appropriation therefor, and to require escorts for implements of husbandry extending beyond their normal lanes of travel, and to amend and reenact subsections 2 and 9 of section 39-06-03, sections 39-06-04, 39-06-14, 39-06-19, 39-06-23, 39-06-24, 39-06-29, 39-06-30, 39-06-31, 39-06-32, 39-06-33, 39-06-37, 39-06-38, 39-06-39, and subsection 7 of section 39-06-40 of the North Dakota Century Code, relating to the issuance, suspension, expiration, renewal, and revocation of operator licenses and instructional permits and judicial proceedings relating thereto, and to repeal section 39-06-15 of the North Dakota Century Code, relating to appointments by the commissioner of agents to issue driver licenses.

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:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Butler	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larsen, G.	Nething	Torgerson
Freed	Larsen, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite

Absent and not voting:

Pyle

So the bill passed and the title was agreed to.

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 that the Senate amendments be further amended as follows:

In Section 5, Line 2, delete the word "courses" and after the word "or" delete the word "activities" and in lieu thereof insert the word "departments".

For the Senate

Senator Litten

Senator Larsen (R.)

Senator Coughlin

For the House

Rep. Reimers

Rep. Tweten

Rep. Opedahl

Senator Coughlin moved that the report be adopted, which motion prevailed.

Senator Litten moved that rules be suspended and that House Bill No. 501 be placed on second reading and final passage, as amended in Conference Committee, which motion prevailed.

**House Bill No. 501.** For an Act making an appropriation for the general operation, 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, 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:

Beck	Hernett	Longmire	Robinson
Becker	Hofstrand	Lowe	Roen
Berube	Holand	Luick	Ruemmele
Bulter	Jacobson	Melland	Sands
Chesrown	Kautzmann	Meschke	Schultz
Christensen	Kelly, E.	Morgan	Sorlie
Coughlin	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nasset	Stroup
Forkner	Larsen, G.	Nething	Torgerson
Freed	Larsen, L.	Rait	Trenbeath
Geving	Lips	Redlin	Wenstrom
Goldberg	Litten	Ringsak	Wilhite

Absent and not voting:

Pyle

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred House Bill No. 833 has had the same under consideration and recommends:

That the House do concur with the Senate amendments.

For the Senate

Senator Chesrown

Senator Butler

Senator Rait

For the House

Rep. Aas

Rep. Boustead

Rep. Backes

Senator Chesrown moved that the report be adopted, which motion prevailed.

Mr. President: The Majority of your Conference Committee to whom was referred House Bill No. 906 has had the same under consideration and recommends:

That the House do concur with the Senate amendments and recommends it be further amended as follows:

"SECTION 13. NONAPPLICATION OF ACT.) This act, except Section 5 thereof, shall not apply to any life insurance company organized and operated, without profit to any private shareholder or individual, exclusively for the purpose of aiding educational or scientific institutions organized and operated without profit to any private shareholder or individual by issuing insurance and annuity contracts direct from the home office of the company and without agents or representatives in this state only to or for the benefit of such institutions and to individuals engaged in the services of such institutions; nor shall this section apply to any life, disability or annuity contracts issued by such life insurance company, provided such contracts otherwise comply with the statutes. And, provided further, that any such company:

1. Comply with the provisions of subsection 1, 2, 3, 6, and 8 of section 26-09-01 of the North Dakota Century Code;

2. File copies of the contracts available to qualified persons in this state with the insurance commissioner:

3. Comply with section 26-07-05 of the North Dakota Century Code; and,

4. Pays annually a filing fee in the sum of \$500.00."

And renumber the lines and sections accordingly.

For the Senate

Senator Goldberg

Senator Decker

For the House

Rep. Dornacker

Rep. Bunker

Senator Decker moved that the report be adopted.

Mr. President: The Minority of your Conference Committee to whom was referred House Bill No. 906 has had the same under consideration and recommends:

That the House do concur with the Senate amendments and recommends it not be further amended.

For the Senate

Senator Rait

For the House

Rep. Backes

Senator Rait moved that the report of the minority be substituted for that of the majority, which motion lost.

The question being on the motion of Senator Decker that the report of the majority be adopted, which motion prevailed.

Senator Lips moved that rules be suspended and that House Bill No. 906 be placed on second reading and final passage, as amended, in Conference Committee, which motion prevailed.

**House Bill No. 906.** A Bill for an Act relating to unauthorized insurance, classifying transactions constituting doing an insurance business, subjecting those insurers and their agents to the jurisdiction and regulation of the commissioner of insurance, levying a tax on gross premiums, providing for the issuance of process and jurisdiction of court proceedings, providing exceptions and defining violations and providing penalties therefor.

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, 38; nays, 6; absent and not voting, 5.

Those voting in the affirmative were:

Beck	Hofstrand	Lowe	Ruemmele
Becker	Holand	Luick	Sands
Butler	Jacobson	Melland	Schultz
Chesrown	Kautzmann	Mutch	Sorlie
Decker	Kelly, E.	Nasset	Stafne
Forkner	Kelly, M.	Nething	Stroup
Freed	Larsen, R.	Redlin	Torgerson
Geving	Larson, G.	Ringsak	Wenstrom
Goldberg	Lips	Robinson	Wilhite
Hernett	Litten		

Those voting in the negative were:

Berube	Coughlin	Meschke	Rait
Christensen	Larson, L.		

Absent and not voting:

Longmire	Pyle	Roen	Trenbeath
Morgan			

So the bill passed and the title was agreed to.

Senator Goldberg moved that the vote by which House Bill No. 906 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### MOTION

Senator Torgerson moved that the Senate reconsider the action by which Senate Bill No. 63 was declared passed, which motion prevailed.

#### SECOND READING OF A SENATE BILL

**Senate Bill No. 63.** For an Act relating to the observance of Sunday as a day of rest, to provide exceptions thereto, to provide for injunctive relief and penalties for violations thereof, and to amend and reenact section 40-05-03 of the North Dakota Century Code, relating to the regulation and inspection of food markets in cities having a population over fifteen thousand, and to repeal sections 12-21-14, 12-21-15, 12-21-16, 12-21-17, 12-21-20, 12-21-21, and 12-21-22 of the North Dakota Century Code, relating to Sunday closing laws.

Was read the second time.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 1.

Those voting in the affirmative were:

Beck	Hernett	Longmire	Roen
Becker	Hofstrand	Lowe	Ruemmele
Berube	Holand	Luick	Sands
Butler	Jacobson	Melland	Schultz
Chesrown	Kautzmann	Meschke	Sorlie
Christensen	Kelly, E.	Morgan	Stafne
Coughlin	Kelly, M.	Nasset	Stroup
Decker	Larsen, R.	Nething	Torgerson
Forkner	Larson, G.	Rait	Trenbeath
Freed	Larson, L.	Redlin	Wenstrom
Geving	Lips	Ringsak	Wilhite
Goldberg	Litten		

Those voting in the negative were:

Mutch Robinson

Absent and not voting:

Pyle

So the bill passed and the title was agreed to and the emergency clause carried.

Senator Nething moved that the vote by which Senate Bill No. 63 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 520 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 15 delete the figure "313,200.00" and insert in lieu thereof the figure "133,200.00"

Delete lines 18 through 28 inclusive

In line 29 delete the figure "25,000.00" and insert in lieu thereof the figure "40,000.00"

In line 30 delete the figure "2,415,592.00" and insert in lieu thereof the figure "1,100,592.00"

In line 37 delete the figure "2,448,552.00" and insert in lieu thereof the figure "1,133,552.00"

And renumber the lines accordingly.

For the Senate

Senator Kautzmann

Senator Wenstrom

Senator Beck

For the House

Rep. Saugstad

Rep. Halcrow

Rep. Dick

Senator Kautzmann moved that the report be adopted, which motion prevailed.

Senator Kautzmann moved that the rules be suspended and that House Bill No. 520 be placed on second reading and final passage, which motion prevailed.

**House Bill No. 520.** 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 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:

Beck	Hofstrand	Melland	Ruemmele
Becker	Holand	Meschke	Sands
Berube	Jacobson	Morgan	Schultz
Butler	Kautzmann	Mutch	Sorlie
Chesrown	Kelly, E.	Nasset	Stafne
Christensen	Kelly, M.	Nothing	Stroup
Decker	Larson, G.	Rait	Torgerson
Forkner	Larson, L.	Redlin	Trenbeath
Freed	Lips	Ringsak	Wenstrom
Goldberg	Litten	Roen	Wilhite
Hernett	Luick		

Those voting in the negative were:

Coughlin	Larsen, R.	Lowe	Robinson
Geving	Longmire		

Absent and not voting:

Pyle

So the bill passed and the title was agreed to.

## MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1967

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee reports on

Senate Bill No. 3

Senate Bill No. 44

House Bill No. 501 — Vote: 48 Ayes, 0 Nays, 1 absent

House Bill No. 520 — Vote: 42 Ayes, 6 Nays, 1 absent

House Bill No. 833

House Bill No. 906 — Vote: 38 Ayes, 6 Nays, 5 absent

LEO LEIDHOLM, Secretary

## EXECUTIVE SESSION

Senator Lips moved that the Senate resolve itself into an Executive Session and receive a message from the Governor, which motion prevailed.

Messages from the Governor were read requesting confirmation of the following appointments:

Public-School Education — (12-21-17) as amended —

Paul Dalager, Bismarck, July 18, 1966 - July 1, 1972.

Board of Higher Education —

Martin G. Kruse of Kindred, July 1, 1967 to July 1, 1974.

Board of Trustees of the Soldiers Home:

James M. Morris of Jamestown to succeed Mr. Alex Wilkinson of Buchanan, deceased, to serve balance of Mr. Wilkinson's term which extends to July 1, 1971.

The following statement was read into the record by Senator Holand:

## STATEMENT REGARDING MARTIN KRUSE APPOINTMENT TO THE BOARD OF HIGHER EDUCATION

Martin Kruse has served as a well-qualified and outstanding member of the Board of Higher Education. He began his service in 1955 and has served continuously since then.

The institutions of higher education and the people of North Dakota owe a debt of deep gratitude to Mr. Kruse for his long and capable service on the Board.

Here in the Senate we are charged with the responsibility of confirming the Governor's nominations to the Board. This should not be a routine confirmation but a careful consideration of the long-term interests of education in North Dakota.

Most of us feel that a term of seven years on the Board is a reasonable period of time for service in that capacity and that policy to that effect should be instituted.

There is certainly no reflection on Mr. Kruse that he should be the first one affected by such a policy.

Some of us have conferred with the selection committee and the Governor. They have full knowledge of our thoughts on the subject. The Governor acknowledges the merit in the one-term limitation, though he did indicate that he thought perhaps Mr. Kruse's appointment should be confirmed and the policy initiated for the future.

We have considered the possibility of confirming Mr. Kruse for a third term of seven years and of making a statement of policy in this regard as to future appointments, but there is a feeling that if the policy is an acceptable one, delaying its implementation would be improper and unwise.

The Senate in Executive Session thereupon refused to confirm the appointment of Paul Dalager to the Board of Public School Education, and also refused to confirm the appointment of Martin G. Kruse to the Board of Higher Education.

The Senate in Executive Session thereupon advised and consented to the appointment and confirmed the appointment of James M. Morris to the Board of Trustees of the Soldiers Home, to serve the balance of term which extends to July 1, 1971.

The Executive Session was thereupon dissolved and the Senate resumed its regular session.

#### MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee Report on

House Bill No. 906

House Concurrent Resolution "B-2"

Which lost on second reading and final passage.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to inform you that the House has adopted the first conference committee report on House Concurrent Resolution "B-2" and has appointed as a new conference committee:

Rep. Davis

Rep. Bunker

Rep. Backes

ROY GILBREATH, Chief Clerk

#### REPORTS OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Concurrent Resolution "B-2" has had the same under consideration and a majority recommends:

That the Senate do recede from its amendments.

For the Senate

Senator Forkner

Senator Stroup

For the House  
Rep. Davis  
Rep. Bunker

Senator Forkner moved that the report be adopted.

Mr. President: Your Conference Committee to whom was referred House Concurrent Resolution "B-2" has had the same under consideration and a minority recommends:

That the House concur with the Senate amendments.

For the Senate  
Senator Christensen

For the House  
Rep. Backes

Senator Christensen moved that the report of the minority be substituted for that of the majority.

Senator Christensen requested a recorded vote, which request was granted.

Senator Earl Kelly moved that Senator Longmire be excused from voting, which motion prevailed.

#### ROLL CALL

The question being on the motion of Senator Christensen the roll was called and there were ayes, 13; nays, 29; absent and not voting, 7.

Those voting in the affirmative were:

Berube	Larson, G.	Meschke	Ruemmele
Chesrown	Larson, L.	Rait	Schultz
Christensen	Luick	Ringsak	Sorlie
Hernett			

Those voting in the negative were:

Beck	Goldberg	Litten	Robinson
Becker	Hofstrand	Lowe	Stafne
Butler	Holand	Melland	Stroup
Coughlin	Kelly, E.	Morgan	Torgerson
Decker	Kelly, M.	Nasset	Trenbeath
Forkner	Larsen, R.	Nething	Wenstrom
Freed	Lips	Roen	Wilhite
Geving			

Absent and not voting:

Jacobson	Longmire	Pyle	Sands
Kautzmann	Mutch	Redlin	

So the motion lost.

The question being on the motion of Senator Forkner, which motion prevailed.

Senator Lips moved that the rules be suspended and that House Concurrent Resolution "B-2" be placed on second reading and final passage, which motion prevailed.

**House Concurrent Resolution "B-2".** A Concurrent Resolution requesting that a two-year study be made of the laws relating to certificates of public convenience and necessity for extensions of service by electric suppliers and the extensions of electric transmission and distribution lines of electric utilities.

Was read the second time.

#### ROLL CALL

The question being on the final passage of House Concurrent Resolution "B-2", the roll was called and there were ayes, 26; nays, 17; absent and not voting, 6.

Those voting in the affirmative were:

Beck	Holand	Lowe	Roen
Becker	Kelly, E.	Melland	Schultz



Butler	Kelly, M.	Mutch	Stafne
Decker	Larsen, R.	Nething	Torgerson
Forkner	Larson, G.	Redlin	Wenstrom
Geving	Lips	Robinson	Wilhite
Goldberg	Litten		
Those voting in the negative were:			
Berube	Hernett	Meschke	Ringsak
Chesrown	Hofstrand	Morgan	Ruemmele
Christensen	Larson, L.	Nasset	Sorlie
Coughlin	Luick	Rait	Stroup
Freed			
Absent and not voting:			
Jacobson	Longmire	Sands	Trenbeath
Kautzmann	Pyle		

So the resolution was declared adopted.

## MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1967

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report of the Majority on House Concurrent Resolution "B-2". Vote: Ayes, 26; Nays, 17; Absent, 6.

LEO LEIDHOLM, Secretary

## MOTION

Senator Lips moved that the reading of the amendments on the report of the conference committee on Senate Bill No. 205 be dispensed with, which motion prevailed.

## REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 205 has had the same under consideration and recommends:

That the House of Representatives recede from its amendments and that Senate Bill Number 205 be amended as follows:

In line 5 of the engrossed bill following the word "trained" delete the word "and" and insert in lieu thereof the word "or"

In line 49 delete the word "three" and insert in lieu thereof the word "two"

In line 27 after the word "district" insert the words "or township"

In line 64 after the word "city" insert the words "or township"; and delete the hyphenated word "one-half" and insert in lieu thereof the words "three-fourths"

In line 99 delete the word "The" and insert in lieu thereof the words "Except as provided for in section 57-14-05 the"

In line 173 before the comma insert the words "subject to the approval of the state board of equalization"

In line 229 after the word "city" insert the words "or township"

In line 245 after the word "city" insert the words "or township"

In line 266 following the word "appropriate" and before the period insert the following: "but farm machinery and equipment as defined in section 57-02-20 of the North Dakota Century Code which is rented by the owner in the course of a bona fide rental business where a sales or use tax is collected on the retail value shall not be assessed in any district in the first year after its purchase"

Following line 285 insert the following new sections:

**SECTION 12. CERTAIN ITEMS NOT TO BE LISTED ON SELF-LISTING FORM.)** The following items of personal property shall not be listed on personal property listing blanks for assessment and taxation purposes:

1. All clothing and personal belongings excepts boats and boat motors;
2. Household goods except any item of household furniture, household appliances or musical instruments with an original purchase price to the owner of one hundred dollars or more;
3. Farm machinery ten years old and older intended for use for agricultural production;
4. Any farm tool or item of farm equipment with an original purchase price to the owner of one hundred dollars or less; and
5. Livestock, poultry, and other animals except cattle, horses, sheep, and hogs over six months old.

Each classification of cattle, horses, sheep, and hogs required to be listed for assessment and taxation purposes shall be assessed on the basis of the statewide average monthly market value for that classification for the thirty-six months previous to the assessment date as determined by the state tax commissioner. The state tax commissioner shall establish by rule and regulation a reasonable depreciation schedule for the assessment of all household furniture, household appliances, and musical instruments required to be listed on personal property listing blanks for assessment and taxation purposes. As to an item of personal property acquired by gift, grant, or bequest, the original cost to the owner shall mean the value at the time of acquisition by the owner. All property included in items numbered 1 through 5 above, when included as a part of a stock of goods or merchandise held for resale, shall be listed and assessed as are other stocks of goods and merchandise.

**SECTION 13. LIMITATION OF TAX LEVIES.)** A county or a taxing district in such county shall not, after the effective date of this Act and until July 1, 1969, be permitted to levy taxes expressed in dollars and cents in excess of the amount determined as follows:

1. Not more than ten percent over and above the amount which could have been levied by the application of the maximum mill levy permitted by law to fifty percent of the final assessed valuation of the year 1967 plus,
2. An amount equal to the sum determined by the application of any additional mill levy authorized by law or vote of the people to fifty percent of the final assessed valuation of the year 1967 plus,
3. An amount equal to the sum determined by the application of the permitted mill levies provided in subsections 1 and 2 of this section to fifty percent of the final assessed valuation of any taxable improvements to real property not assessed the year 1967 and of taxable personal property becoming taxable in years subsequent to 1967, or not included in the assessment rolls in 1967. For the purpose of this subsection, an increase in stocks of goods for resale shall not be considered as newly taxable property.

The provisions of this section shall not apply to nor be a restriction on the county levy for school purposes provided by section 57-15-24, nor shall the provisions of this section or mill levy limitations provided by law prohibit such county or taxing district from levying taxes during such period equal to the amount of taxes levied during the year 1967.

And renumber the lines accordingly.

For the Senate  
 Senator Becker

Senator Torgerson  
Senator Rait

For the House  
Rep. Strinden  
Rep. Dahl  
Rep. Weber

Senator Becker moved that the report be adopted.

Senator Meschke moved that the Senate recess until tomorrow at two o'clock in the afternoon, which motion lost.

The question being on the motion of Senator Becker that the report of the Conference Committee on Senate Bill No. 205 be adopted.

Senator Becker moved that the Senate recess until tomorrow at two o'clock.

Senator Lips moved that further consideration of Senate Bill No. 205 be deferred until after the Senate has considered Senate Bill No. 350, which motion prevailed.

#### MOTION

Senator Longmire moved that the Senate reconsider the action by which Senate Bill No. 350 was passed, which motion prevailed.

#### SECOND READING OF A SENATE BILL

**Senate Bill No. 350.** A Bill for an Act to provide for a conditional transfer of funds to the College Building Fund, and making an appropriation from the college building fund for the construction of college buildings.

Was read the second time.

Senator Longmire moved that the rules be suspended and that the reading of the proposed amendments to Senate Bill No. 350 be dispensed with, which motion prevailed.

Senator Longmire moved that Senate Bill No. 350 be amended as follows:

In line 3 delete the word "August" and insert in lieu thereof the word "July"; delete the words "in the years 1968, 1969, 1970, and"

In line 4 delete the numerals "1971" and insert following the word "date" and before the comma the following language: "each year thereafter until the sum of \$8,843,153.00 shall have been transferred to the college building fund"

In line 5 delete the words "as of the previous thirtieth day of"

In line 6 delete the words "June the unencumbered balance in"; and following the second word "the" but before the word "general" insert the words "cash balance in the"

In line 7 delete the word "unencumbered" and insert in lieu thereof the word "cash"

In line 9 delete the word "ten" and insert in lieu thereof the word "twelve"

In line 11 delete the words "in four equal installments"

Delete all of line 12

In line 13 delete the words "of such fiscal year"

In line 31 delete the numeral "1" and the period

In line 37 delete the numeral "2" and the period

In line 46 delete the numeral "3" and the period

In line 54 delete the numeral "4" and the period

In line 63 delete the numeral "5" and the period

In line 70 delete the numeral "6" and the period

In line 78 delete the numeral "7" and the period

In line 84 delete the numeral "8" and the period

In line 92 delete the numeral "9" and the period  
 In line 100 delete the numeral "10" and the period  
 In line 108 delete the numeral "11" and the period  
 In line 114 delete the numeral "12" and the period  
 In line 120 delete the numeral "13" and the period  
 In line 129 delete the numeral "14" and the period  
 In line 136 delete the numeral "15" and the period  
 In line 144 delete the numeral "16" and the period  
 In line 151 delete the numeral "17" and the period  
 In line 157 delete the numeral "18" and the period

In line 168 delete the words "and in" and insert the following language: "except that should the funds received or to be received from the federal and private fund sources be less than the amount indicated in the column "Federal and Private Source Funds", the board of higher education shall determine whether the facility should be constructed, basing its determination on whether the facility can, if constructed at a lower cost, reasonably meet the original purposes of the authorized facility. In"

Immediately following line 171 but before line 172 insert the following language: "order of appearance of the facilities set forth above is not necessarily the order of priority for the construction of such facilities and the"

In line 176 delete the following material: "July 1, 1974" and insert in lieu thereof the words "the buildings and facilities herein authorized shall be constructed"

And renumber the lines accordingly.

Senator Meschke requested a recorded roll call vote on the adoption of the amendments to Senate Bill No. 350, which request was granted.

#### ROLL CALL

The question being on the motion of Senator Longmire that Senate Bill No. 350 be amended, the roll was called and there were ayes, 34; nays, 9; absent and not voting, 6.

Those voting in the affirmative were:

Beck	Goldberg	Longmire	Roen
Becker	Hernett	Lowe	Ruemmele
Butler	Holand	Melland	Sands
Chesrown	Jacobson	Nasset	Stafne
Coughlin	Kelly, E.	Nething	Stroup
Decker	Kelly, M.	Redlin	Trenbeath
Forkner	Larsen, R.	Ringsak	Wenstrom
Freed	Lips	Robinson	Willhite
Geving	Litten		

Those voting in the negative were:

Berube	Luick	Morgan	Rait
Christensen	Meschke	Mutch	Sorlie
Larson, L.			

Absent and not voting:

Hofstrand	Larson, G.	Schultz	Torgerson
Kautzmann	Pyle		

So the motion prevailed.

Senator Longmire moved that the rules be suspended and that Senate Bill No. 350 be deemed properly re-engrossed and placed on second reading and final passage as amended by the House, which motion prevailed.

#### ROLL CALL

The question being on the final passage of Senate Bill No. 350 as amended from the floor, the roll was called and there were ayes, 35; nays, 9; absent and not voting, 5.

Those voting in the affirmative were:

Beck	Goldberg	Lips	Roen
Becker	Hernett	Litten	Ruemmele
Butler	Hofstrand	Longmire	Sands
Chesrown	Holand	Lowe	Stafne
Coughlin	Jacobson	Melland	Stroup
Decker	Kelly, E.	Nasset	Trenbeath
Forkner	Kelly, M.	Nething	Wenstrom
Freed	Larsen, R.	Redlin	Wilhite
Geving	Larsen, G.	Robinson	

Those voting in the negative were:

Berube	Luick	Morgan	Rait
Christensen	Meschke	Mutch	Sorlie
Larson, L.			

Absent and not voting:

Kautzmann	Ringsak	Schultz	Torgerson
Pyle			

So the bill passed and the title was agreed to.

Senator Lips moved that the vote by which Senate Bill No. 350 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Freed: Mr. President. I rise to explain my vote and I want my remarks recorded in the Journal. I voted aye on this bill with the understanding that the Board of Higher Education, after thorough investigation, make a priority list consisting of 18 different buildings located at different institutions in our state and that the board abide by this list as close as possible.

MOTION

Senator Becker moved that House Bill No. 205 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF A SENATE BILL

**Senate Bill No. 205.** A Bill for an Act to amend and reenact subsection 4 of section 57-01-05 and section 57-02-12, relating to sales ratio studies and manner of listing personal property, and to provide that each county shall have a county supervisor of assessments, prescribing the duties thereof, and procedures.

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, 35; nays, 12; absent and not voting, 2.

Those voting in the affirmative were:

Beck	Hofstrand	Longmire	Ruemmele
Becker	Holand	Lowe	Schultz
Butler	Jacobson	Melland	Stafne
Chesrown	Kelly, E.	Nasset	Stroup
Coughlin	Kelly, M.	Nething	Torgerson
Decker	Larsen, R.	Redlin	Trenbeath
Freed	Larsen, G.	Ringsak	Wenstrom
Geving	Lips	Robinson	Wilhite
Goldberg	Litten	Roen	

Those voting in the negative were:

Berube	Hernett	Meschke	Rait
Christensen	Larson, L.	Morgan	Sands
Forkner	Luick	Mutch	Sorlie

Absent and not voting:

Kautzmann	Pyle
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So the bill passed and the title was agreed to.

Senator Becker moved that the vote by which Senate Bill No. 205 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 3, 1967

Mr. Speaker: I have the honor to transmit:  
Senate Bill No. 350

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

#### MESSAGES FROM THE HOUSE

House Chamber  
Bismarck, March 3, 1967

Mr. President: I have the honor to inform you that the House has reconsidered its action by which it defeated House Concurrent Resolution "B-2". House Concurrent Resolution "B-2" was before the body which the Majority Conference Committee adopted. The House then passed it.

ROY GILBREATH, Chief Clerk

House Chamber  
Bismarck, March 3, 1967

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on Senate Bill No. 205 and then killed the bill.

20 Ayes, 74 Nays, 4 Absent, not voting.

ROY GILBREATH, Chief Clerk

House Chamber  
Bismarck, March 3, 1967

Mr. President: I have the honor to return:

Senate Bill No. 350

Which the House has amended as follows:

Amendment to Senate Bill No. 350. In line 6 and 7 insert the word "unencumbered" before the word "cash"

ROY GILBREATH, Chief Clerk

#### CONSIDERATION OF MESSAGE FROM THE HOUSE

Senator Longmire moved that the Senate do not concur in the House amendments to Senate Bill No. 350 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. 350,

Senator Longmire  
Senator Lips  
Senator Berube

LEO LEIDHOLM, Secretary

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 3, 1967

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 350 and the President has appointed as a conference committee to act with a like committee from the House,

Senator Longmire  
 Senator Lips  
 Senator Berube

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 350,

Rep. Reimers  
 Rep. Jenkins  
 Rep. Giffey

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on

Senate Bill No. 350: 54 ayes, 33 nays, 11 absent

ROY GILBREATH, Chief Clerk

REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 350 has had the same under consideration and recommends:

That the House recede from its amendments.

For the Senate

Senator Longmire  
 Senator Lips  
 Senator Berube

For the House

Rep. Jenkins  
 Rep. Reimers  
 Rep. Giffey

Senator Longmire moved that the report be adopted, which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1967

Mr. Speaker: I have the honor to inform you that the Senate took no action on House Bill No. 897

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to inform you that the House has adopted the Conference Committee report on

Senate Bill No. 44 — 62 ayes, 22 nays, 14 absent

Senate Bill No. 221 — 84 ayes, 0 nays, 14 absent

Senate Bill No. 388 — 72 ayes, 21 nays, 5 absent

Senate Bill No. 501

Senate Bill No. 505

Senate Bill No. 520

Senate Bill No. 524

Senate Bill No. 833

ROY GILBREATH, Chief Clerk

## REPORT OF STANDING COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 40  
 Senate Bill No. 53  
 Senate Bill No. 211  
 Senate Bill No. 243  
 Senate Bill No. 335  
 Senate Bill No. 374

Were delivered to the Governor for his approval at the hour of 9:12 o'clock a.m., March 4, 1967.

SENATOR WENSTROM, Chairman

## MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to transmit:

House Bill No. 511  
 House Bill No. 539  
 House Bill No. 600  
 House Bill No. 625  
 House Bill No. 628  
 House Bill No. 636  
 House Bill No. 669  
 House Bill No. 679  
 House Bill No. 769  
 House Bill No. 796  
 House Bill No. 798  
 House Bill No. 869  
 House Bill No. 913  
 House Concurrent Resolution No. "X-1"

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

## SIGNING OF BILLS

The Secretary announced that the President was about to sign

House Bill No. 511  
 House Bill No. 539  
 House Bill No. 600  
 House Bill No. 625  
 House Bill No. 628  
 House Bill No. 636  
 House Bill No. 669  
 House Bill No. 679  
 House Bill No. 769  
 House Bill No. 796  
 House Bill No. 798  
 House Bill No. 869  
 House Bill No. 913  
 House Concurrent Resolution "X-1"

And the President signed the same in the presence of the Senate.

## MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 511  
 House Bill No. 539  
 House Bill No. 600  
 House Bill No. 625



House Bill No. 628  
 House Bill No. 636  
 House Bill No. 669  
 House Bill No. 679  
 House Bill No. 769  
 House Bill No. 796  
 House Bill No. 798  
 House Bill No. 869  
 House Bill No. 913  
 House Concurrent Resolution "X-1"  
 Which the President has signed.

LEO LEIDHOLM, Secretary

#### REPORTS OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 25  
 Senate Bill No. 60  
 Senate Bill No. 64  
 Senate Bill No. 107  
 Senate Bill No. 152  
 Senate Bill No. 223  
 Senate Bill No. 240  
 Senate Bill No. 254  
 Senate Bill No. 268  
 Senate Bill No. 278  
 Senate Bill No. 339  
 Senate Bill No. 363  
 Senate Bill No. 369  
 Senate Bill No. 390

And find the same correctly engrossed and enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 6  
 Senate Bill No. 21  
 Senate Bill No. 26  
 Senate Bill No. 61  
 Senate Bill No. 83  
 Senate Bill No. 171  
 Senate Bill No. 172  
 Senate Bill No. 180  
 Senate Bill No. 235  
 Senate Bill No. 287  
 Senate Bill No. 320  
 Senate Bill No. 326  
 Senate Bill No. 332  
 Senate Bill No. 344  
 Senate Bill No. 393  
 Senate Bill No. 397  
 Senate Bill No. 400  
 Senate Bill No. 401

And find the same correctly enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed, and the report was adopted.

## SIGNING BILLS

The Secretary announced that the President was about to sign

Senate Bill No. 6  
Senate Bill No. 21  
Senate Bill No. 25  
Senate Bill No. 26  
Senate Bill No. 60  
Senate Bill No. 61  
Senate Bill No. 64  
Senate Bill No. 83  
Senate Bill No. 107  
Senate Bill No. 152  
Senate Bill No. 171  
Senate Bill No. 172  
Senate Bill No. 180  
Senate Bill No. 223  
Senate Bill No. 235  
Senate Bill No. 240  
Senate Bill No. 254  
Senate Bill No. 268  
Senate Bill No. 278  
Senate Bill No. 287  
Senate Bill No. 320  
Senate Bill No. 326  
Senate Bill No. 332  
Senate Bill No. 339  
Senate Bill No. 344  
Senate Bill No. 363  
Senate Bill No. 369  
Senate Bill No. 390  
Senate Bill No. 393  
Senate Bill No. 397  
Senate Bill No. 400  
Senate Bill No. 401

And the President signed the same in the presence of the Senate.

## MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 6  
Senate Bill No. 21  
Senate Bill No. 25  
Senate Bill No. 26  
Senate Bill No. 60  
Senate Bill No. 61  
Senate Bill No. 64  
Senate Bill No. 83  
Senate Bill No. 107  
Senate Bill No. 152  
Senate Bill No. 171  
Senate Bill No. 172  
Senate Bill No. 180  
Senate Bill No. 223  
Senate Bill No. 235  
Senate Bill No. 240  
Senate Bill No. 254  
Senate Bill No. 268  
Senate Bill No. 278  
Senate Bill No. 287  
Senate Bill No. 320  
Senate Bill No. 326  
Senate Bill No. 332

Senate Bill No. 339  
 Senate Bill No. 344  
 Senate Bill No. 363  
 Senate Bill No. 369  
 Senate Bill No. 390  
 Senate Bill No. 393  
 Senate Bill No. 397  
 Senate Bill No. 400  
 Senate Bill No. 401

Which the president has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

#### REPORTS OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 222  
 Senate Bill No. 228  
 Senate Bill No. 302  
 Senate Bill No. 310  
 Senate Bill No. 316  
 Senate Bill No. 324  
 Senate Bill No. 380

And find the same correctly engrossed and enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 63  
 Senate Bill No. 99  
 Senate Bill No. 144  
 Senate Bill No. 193  
 Senate Bill No. 298  
 Senate Bill No. 327  
 Senate Bill No. 405

And find the same correctly enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed, and the report was adopted.

#### MESSAGES FROM THE HOUSE

House Chamber  
 Bismarck, March 3, 1967

Mr. President: I have the honor to return:

Senate Bill No. 6  
 Senate Bill No. 21  
 Senate Bill No. 25  
 Senate Bill No. 26  
 Senate Bill No. 60  
 Senate Bill No. 61  
 Senate Bill No. 64  
 Senate Bill No. 83  
 Senate Bill No. 107  
 Senate Bill No. 152  
 Senate Bill No. 171  
 Senate Bill No. 172  
 Senate Bill No. 180  
 Senate Bill No. 223  
 Senate Bill No. 235  
 Senate Bill No. 240

Senate Bill No. 254  
 Senate Bill No. 268  
 Senate Bill No. 278  
 Senate Bill No. 287  
 Senate Bill No. 320  
 Senate Bill No. 326  
 Senate Bill No. 332  
 Senate Bill No. 339  
 Senate Bill No. 344  
 Senate Bill No. 363  
 Senate Bill No. 369  
 Senate Bill No. 390  
 Senate Bill No. 393  
 Senate Bill No. 397  
 Senate Bill No. 400  
 Senate Bill No. 401  
 Which the Speaker has signed.

ROY GILBREATH, Chief Clerk  
 House Chamber  
 Bismarck, March 3, 1967

Mr. President: I have the honor to transmit:

House Bill No. 501  
 House Bill No. 502  
 House Bill No. 503  
 House Bill No. 506  
 House Bill No. 508  
 House Bill No. 509  
 House Bill No. 516  
 House Bill No. 526  
 House Bill No. 540  
 House Bill No. 544  
 House Bill No. 555  
 House Bill No. 595  
 House Bill No. 598  
 House Bill No. 603  
 House Bill No. 634  
 House Bill No. 638

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk  
 House Chamber  
 Bismarck, March 3, 1967

Mr. President: I have the honor to transmit:

House Bill No. 639  
 House Bill No. 661  
 House Bill No. 683  
 House Bill No. 706  
 House Bill No. 715  
 House Bill No. 718  
 House Bill No. 719  
 House Bill No. 723  
 House Bill No. 744  
 House Bill No. 755  
 House Bill No. 761  
 House Bill No. 779  
 House Bill No. 791  
 House Bill No. 792  
 House Bill No. 795  
 House Bill No. 797

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

House Chamber  
Bismarck, March 3, 1967

Mr. President: I have the honor to transmit:

House Bill No. 814  
House Bill No. 823  
House Bill No. 830  
House Bill No. 841  
House Bill No. 848  
House Bill No. 870  
House Bill No. 886  
House Bill No. 904  
House Bill No. 917  
House Bill No. 925  
House Bill No. 933  
House Bill No. 938  
House Bill No. 943

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign

House Bill No. 501  
House Bill No. 502  
House Bill No. 503  
House Bill No. 506  
House Bill No. 509  
House Bill No. 516  
House Bill No. 526  
House Bill No. 540  
House Bill No. 544  
House Bill No. 555  
House Bill No. 595  
House Bill No. 598  
House Bill No. 603  
House Bill No. 634  
House Bill No. 638

And the President signed the same in the presence of the Senate.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign

House Bill No. 639  
House Bill No. 661  
House Bill No. 683  
House Bill No. 706  
House Bill No. 715  
House Bill No. 718  
House Bill No. 719  
House Bill No. 723  
House Bill No. 744  
House Bill No. 755  
House Bill No. 761  
House Bill No. 779  
House Bill No. 791  
House Bill No. 792  
House Bill No. 795  
House Bill No. 797

And the President signed the same in the presence of the Senate.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign  
House Bill No. 814

House Bill No. 823  
 House Bill No. 830  
 House Bill No. 841  
 House Bill No. 848  
 House Bill No. 870  
 House Bill No. 886  
 House Bill No. 904  
 House Bill No. 917  
 House Bill No. 925  
 House Bill No. 933  
 House Bill No. 938  
 House Bill No. 943

And the President signed the same in the presence of the Senate.

MESSAGES TO THE HOUSE

House Chamber  
 Bismarck, March 3, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 501  
 House Bill No. 502  
 House Bill No. 503  
 House Bill No. 506  
 House Bill No. 508  
 House Bill No. 509  
 House Bill No. 516  
 House Bill No. 526  
 House Bill No. 540  
 House Bill No. 544  
 House Bill No. 555  
 House Bill No. 595  
 House Bill No. 598  
 House Bill No. 603  
 House Bill No. 634  
 House Bill No. 638

Which the President has signed.

LEO LEIDHOLM, Secretary  
 Senate Chamber  
 Bismarck, March 3, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 639  
 House Bill No. 661  
 House Bill No. 683  
 House Bill No. 706  
 House Bill No. 715  
 House Bill No. 718  
 House Bill No. 719  
 House Bill No. 723  
 House Bill No. 744  
 House Bill No. 755  
 House Bill No. 761  
 House Bill No. 779  
 House Bill No. 791  
 House Bill No. 792  
 House Bill No. 795  
 House Bill No. 797

Which the President has signed.

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE

Senate Chamber  
 Bismarck, March 3, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 814  
 House Bill No. 823  
 House Bill No. 830  
 House Bill No. 841  
 House Bill No. 848  
 House Bill No. 870  
 House Bill No. 886  
 House Bill No. 904  
 House Bill No. 917  
 House Bill No. 925  
 House Bill No. 933  
 House Bill No. 938  
 House Bill No. 943

Which the President has signed.

LEO LEIDHOLM, Secretary

#### REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 13  
 Senate Bill No. 232  
 Senate Bill No. 403

And find the same correctly re-enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed, and the report was adopted.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign the certification over the Governor's veto.

Senate Bill No. 13  
 Senate Bill No. 232  
 Senate Bill No. 403

And the President signed the same in the presence of the Senate.

#### MESSAGE TO THE HOUSE

Senate Chamber  
 Bismarck, March 3, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 13  
 Senate Bill No. 232  
 Senate Bill No. 403

Which the President has signed the certification over the Governor's veto and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

#### MESSAGES FROM THE HOUSE

House Chamber  
 Bismarck, March 3, 1967

Mr. President: I have the honor to return:

Senate Bill No. 13  
 Senate Bill No. 232  
 Senate Bill No. 403

Which the Speaker has signed the certification over the Governor's veto.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to transmit:

House Bill No. 615  
House Bill No. 714  
House Bill No. 782  
House Bill No. 941

Which the Speaker has signed the certification over the Governor's veto and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 615  
House Bill No. 714  
House Bill No. 782  
House Bill No. 941

Which the President has signed the certification over the Governor's veto.

LEO LEIDHOLM, Secretary

REPORTS OF STANDING COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolutions:

Senate Concurrent Resolution "A"  
Senate Concurrent Resolution "C"  
Senate Concurrent Resolution "I"  
Senate Concurrent Resolution "M"  
Senate Concurrent Resolution "R"  
Senate Concurrent Resolution "S"  
Senate Concurrent Resolution "W"  
Senate Concurrent Resolution "BB"  
Senate Concurrent Resolution "FF"  
Senate Concurrent Resolution "II"  
Senate Concurrent Resolution "JJ"  
Senate Concurrent Resolution "KK"  
Senate Concurrent Resolution "NN"  
Senate Concurrent Resolution "SS"  
Senate Concurrent Resolution "TT"  
Senate Concurrent Resolution "UU"  
Senate Concurrent Resolution "AAA"  
Senate Concurrent Resolution "EEE"  
Senate Concurrent Resolution "FFF"  
Senate Concurrent Resolution "HHH"  
Senate Concurrent Resolution "JJJ"  
Senate Concurrent Resolution "LLL"  
Senate Concurrent Resolution "PPP"  
Senate Concurrent Resolution "RRR"  
Senate Concurrent Resolution "SSS"

And find the same correctly enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolutions:

Senate Concurrent Resolution "OO"  
Senate Concurrent Resolution "PP"

And find the same correctly engrossed and enrolled.

SENATOR WENSTROM, Chairman



Senator Wenstrom moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolution:

Senate Memorial Resolution No. 3

And find the same correctly enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed, and the report was adopted.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign

Senate Concurrent Resolution "A"  
 Senate Concurrent Resolution "C"  
 Senate Concurrent Resolution "I"  
 Senate Concurrent Resolution "M"  
 Senate Concurrent Resolution "R"  
 Senate Concurrent Resolution "S"  
 Senate Concurrent Resolution "W"  
 Senate Concurrent Resolution "BB"  
 Senate Concurrent Resolution "FF"  
 Senate Concurrent Resolution "II"  
 Senate Concurrent Resolution "JJ"  
 Senate Concurrent Resolution "KK"  
 Senate Concurrent Resolution "NN"  
 Senate Concurrent Resolution "OO"  
 Senate Concurrent Resolution "PP"  
 Senate Concurrent Resolution "SS"  
 Senate Concurrent Resolution "TT"  
 Senate Concurrent Resolution "UU"

And the President signed the same in the presence of the Senate.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign

Senate Concurrent Resolution "AAA"  
 Senate Concurrent Resolution "EEE"  
 Senate Concurrent Resolution "FFF"  
 Senate Concurrent Resolution "HHH"  
 Senate Concurrent Resolution "JJJ"  
 Senate Concurrent Resolution "LLL"  
 Senate Concurrent Resolution "PPP"  
 Senate Concurrent Resolution "RRR"  
 Senate Concurrent Resolution "SSS"  
 Senate Memorial Resolution No. 3

Senate Resolution No. 4

And the President signed the same in the presence of the Senate.

#### MESSAGE TO THE HOUSE

Senate Chamber

Bismarck, March 3, 1967

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution "A"  
 Senate Concurrent Resolution "C"  
 Senate Concurrent Resolution "I"  
 Senate Concurrent Resolution "M"  
 Senate Concurrent Resolution "R"  
 Senate Concurrent Resolution "S"  
 Senate Concurrent Resolution "W"  
 Senate Concurrent Resolution "BB"  
 Senate Concurrent Resolution "FF"

Senate Concurrent Resolution "II"  
 Senate Concurrent Resolution "II"  
 Senate Concurrent Resolution "JJ"  
 Senate Concurrent Resolution "KK"  
 Senate Concurrent Resolution "NN"  
 Senate Concurrent Resolution "OO"  
 Senate Concurrent Resolution "PP"  
 Senate Concurrent Resolution "SS"  
 Senate Concurrent Resolution "TT"  
 Senate Concurrent Resolution "UU"  
 Senate Concurrent Resolution "AAA"  
 Senate Concurrent Resolution "EEE"  
 Senate Concurrent Resolution "FFF"  
 Senate Concurrent Resolution "HHH"  
 Senate Concurrent Resolution "JJJ"  
 Senate Concurrent Resolution "LLL"  
 Senate Concurrent Resolution "PPP"  
 Senate Concurrent Resolution "RRR"  
 Senate Concurrent Resolution "SSS"

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to return:

Senate Concurrent Resolution "A"  
 Senate Concurrent Resolution "C"  
 Senate Concurrent Resolution "I"  
 Senate Concurrent Resolution "M"  
 Senate Concurrent Resolution "R"  
 Senate Concurrent Resolution "S"  
 Senate Concurrent Resolution "W"  
 Senate Concurrent Resolution "BB"  
 Senate Concurrent Resolution "FF"  
 Senate Concurrent Resolution "II"  
 Senate Concurrent Resolution "JJ"  
 Senate Concurrent Resolution "KK"  
 Senate Concurrent Resolution "NN"  
 Senate Concurrent Resolution "OO"  
 Senate Concurrent Resolution "PP"  
 Senate Concurrent Resolution "SS"  
 Senate Concurrent Resolution "TT"  
 Senate Concurrent Resolution "UU"  
 Senate Concurrent Resolution "AAA"  
 Senate Concurrent Resolution "EEE"  
 Senate Concurrent Resolution "FFF"  
 Senate Concurrent Resolution "HHH"  
 Senate Concurrent Resolution "JJJ"  
 Senate Concurrent Resolution "LLL"  
 Senate Concurrent Resolution "PPP"  
 Senate Concurrent Resolution "RRR"  
 Senate Concurrent Resolution "SSS"

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

REPORTS OF STANDING COMMITTEE

The Committee on Enrollment and Grossment respectfully reports that:

Senate Concurrent Resolution "A"  
 Senate Concurrent Resolution "C"  
 Senate Concurrent Resolution "T"

Senate Concurrent Resolution "M"  
 Senate Concurrent Resolution "R"  
 Senate Concurrent Resolution "S"  
 Senate Concurrent Resolution "W"  
 Senate Concurrent Resolution "BB"  
 Senate Concurrent Resolution "FF"  
 Senate Concurrent Resolution "II"  
 Senate Concurrent Resolution "JJ"  
 Senate Concurrent Resolution "KK"  
 Senate Concurrent Resolution "NN"  
 Senate Concurrent Resolution "OO"  
 Senate Concurrent Resolution "PP"  
 Senate Concurrent Resolution "SS"  
 Senate Concurrent Resolution "TT"  
 Senate Concurrent Resolution "UU"

Were delivered to the Secretary of State.

SENATOR WENSTROM, Chairman

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that Senate Bill No. 13 which has been passed by the Senate and the House of Representatives over the Governor's veto, also a copy of the Governor's objection as well as the certificates of the presiding officers of both the Senate and the House as to the final action of the respective bodies with reference to the passage of this bill, was delivered to the Secretary of State.

SENATOR WENSTROM, Chairman

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that Senate Bill No. 232 which has been passed by the Senate and the House of Representatives over the Governor's veto, also a copy of the Governor's objection as well as the certificates of the presiding officers of both the Senate and the House as to the final action of the respective bodies with reference to the passage of this bill, was delivered to the Secretary of State.

SENATOR WENSTROM, Chairman

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that Senate Bill No. 403 which has been passed by the Senate and the House of Representatives over the Governor's veto, also a copy of the Governor's objection as well as the certificates of the presiding officers of both the Senate and the House as to the final action of the respective bodies with reference to the passage of this bill, was delivered to the Secretary of State.

SENATOR WENSTROM, Chairman

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2  
 Senate Bill No. 7  
 Senate Bill No. 8  
 Senate Bill No. 44  
 Senate Bill No. 66  
 Senate Bill No. 89  
 Senate Bill No. 90  
 Senate Bill No. 98  
 Senate Bill No. 105  
 Senate Bill No. 112  
 Senate Bill No. 126  
 Senate Bill No. 145  
 Senate Bill No. 158  
 Senate Bill No. 185  
 Senate Bill No. 188  
 Senate Bill No. 192

Senate Bill No. 221  
 Senate Bill No. 233  
 Senate Bill No. 236  
 Senate Bill No. 281  
 Senate Bill No. 282  
 Senate Bill No. 295  
 Senate Bill No. 299  
 Senate Bill No. 303  
 Senate Bill No. 311  
 Senate Bill No. 350  
 Senate Bill No. 386  
 Senate Bill No. 388  
 Senate Bill No. 396

And find the same correctly engrossed and enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 3  
 Senate Bill No. 14  
 Senate Bill No. 43  
 Senate Bill No. 45  
 Senate Bill No. 47  
 Senate Bill No. 54  
 Senate Bill No. 91  
 Senate Bill No. 154  
 Senate Bill No. 182  
 Senate Bill No. 213  
 Senate Bill No. 214  
 Senate Bill No. 249  
 Senate Bill No. 275  
 Senate Bill No. 288  
 Senate Bill No. 293  
 Senate Bill No. 306  
 Senate Bill No. 309  
 Senate Bill No. 354  
 Senate Bill No. 402  
 Senate Bill No. 406

And find the same correctly enrolled.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 46

And find the same correctly enrolled and re-engrossed.

SENATOR WENSTROM, Chairman

Senator Wenstrom moved that the report be adopted, which motion prevailed, and the report was adopted.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign

Senate Bill No. 2  
 Senate Bill No. 3  
 Senate Bill No. 7  
 Senate Bill No. 8  
 Senate Bill No. 14  
 Senate Bill No. 43  
 Senate Bill No. 44  
 Senate Bill No. 45

Senate Bill No. 46  
Senate Bill No. 47  
Senate Bill No. 54  
Senate Bill No. 66  
Senate Bill No. 89  
Senate Bill No. 90  
Senate Bill No. 91  
Senate Bill No. 98  
Senate Bill No. 105  
Senate Bill No. 112  
Senate Bill No. 126  
Senate Bill No. 145  
Senate Bill No. 154  
Senate Bill No. 158  
Senate Bill No. 182  
Senate Bill No. 185  
Senate Bill No. 188  
Senate Bill No. 192  
Senate Bill No. 213  
Senate Bill No. 214  
Senate Bill No. 221  
Senate Bill No. 233  
Senate Bill No. 236  
Senate Bill No. 249  
Senate Bill No. 275  
Senate Bill No. 281  
Senate Bill No. 282  
Senate Bill No. 288  
Senate Bill No. 293  
Senate Bill No. 295  
Senate Bill No. 299  
Senate Bill No. 303  
Senate Bill No. 306  
Senate Bill No. 309  
Senate Bill No. 311  
Senate Bill No. 350  
Senate Bill No. 354  
Senate Bill No. 386  
Senate Bill No. 388  
Senate Bill No. 396  
Senate Bill No. 402  
Senate Bill No. 406

And the President signed the same in the presence of the Senate.

#### MESSAGE TO THE HOUSE

Senate Chamber  
Bismarck, March 3, 1967

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2  
Senate Bill No. 3  
Senate Bill No. 7  
Senate Bill No. 8  
Senate Bill No. 14  
Senate Bill No. 43  
Senate Bill No. 44  
Senate Bill No. 45  
Senate Bill No. 46  
Senate Bill No. 47  
Senate Bill No. 54  
Senate Bill No. 66  
Senate Bill No. 89  
Senate Bill No. 90  
Senate Bill No. 91

Senate Bill No. 98  
Senate Bill No. 105  
Senate Bill No. 112  
Senate Bill No. 126  
Senate Bill No. 145  
Senate Bill No. 154  
Senate Bill No. 158  
Senate Bill No. 182  
Senate Bill No. 185  
Senate Bill No. 188  
Senate Bill No. 192  
Senate Bill No. 213  
Senate Bill No. 214  
Senate Bill No. 221  
Senate Bill No. 233  
Senate Bill No. 236  
Senate Bill No. 249  
Senate Bill No. 275  
Senate Bill No. 281  
Senate Bill No. 282  
Senate Bill No. 288  
Senate Bill No. 293  
Senate Bill No. 295  
Senate Bill No. 299  
Senate Bill No. 303  
Senate Bill No. 306  
Senate Bill No. 309  
Senate Bill No. 311  
Senate Bill No. 350  
Senate Bill No. 354  
Senate Bill No. 386  
Senate Bill No. 388  
Senate Bill No. 396  
Senate Bill No. 402  
Senate Bill No. 406

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

#### MESSAGES FROM THE HOUSE

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to return:

Senate Bill No. 2  
Senate Bill No. 3  
Senate Bill No. 7  
Senate Bill No. 8  
Senate Bill No. 14  
Senate Bill No. 43  
Senate Bill No. 44  
Senate Bill No. 45  
Senate Bill No. 46  
Senate Bill No. 47  
Senate Bill No. 54  
Senate Bill No. 66  
Senate Bill No. 89  
Senate Bill No. 90  
Senate Bill No. 91  
Senate Bill No. 98  
Senate Bill No. 105  
Senate Bill No. 112  
Senate Bill No. 126  
Senate Bill No. 145

Senate Bill No. 154  
 Senate Bill No. 158  
 Senate Bill No. 182  
 Senate Bill No. 185  
 Senate Bill No. 188  
 Senate Bill No. 192  
 Senate Bill No. 213  
 Senate Bill No. 214  
 Senate Bill No. 221  
 Senate Bill No. 233  
 Senate Bill No. 236  
 Senate Bill No. 249  
 Senate Bill No. 275  
 Senate Bill No. 281  
 Senate Bill No. 282  
 Senate Bill No. 288  
 Senate Bill No. 293  
 Senate Bill No. 295  
 Senate Bill No. 299  
 Senate Bill No. 303  
 Senate Bill No. 306  
 Senate Bill No. 309  
 Senate Bill No. 350  
 Senate Bill No. 311  
 Senate Bill No. 354  
 Senate Bill No. 386  
 Senate Bill No. 388  
 Senate Bill No. 396  
 Senate Bill No. 402  
 Senate Bill No. 406

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to transmit:

House Bill No. 504  
 House Bill No. 505  
 House Bill No. 514  
 House Bill No. 520  
 House Bill No. 523  
 House Bill No. 524  
 House Bill No. 533  
 House Bill No. 537  
 House Bill No. 693  
 House Bill No. 722  
 House Bill No. 752  
 House Bill No. 743  
 House Bill No. 749  
 House Bill No. 804  
 House Bill No. 807  
 House Bill No. 816

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

House Chamber

Bismarck, March 3, 1967

Mr. President: I have the honor to transmit:

House Bill No. 745  
 House Bill No. 794  
 House Bill No. 801

House Bill No. 819  
 House Bill No. 822  
 House Bill No. 833  
 House Bill No. 862  
 House Bill No. 900  
 House Bill No. 914  
 House Bill No. 928

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk  
 House Chamber  
 Bismarck, March 3, 1967

Mr. President: I have the honor to transmit:

House Concurrent Resolution "A"  
 House Concurrent Resolution "A-1"  
 House Concurrent Resolution "B-2"  
 House Concurrent Resolution "D-2"  
 House Concurrent Resolution "E-1"  
 House Concurrent Resolution "E-2"  
 House Concurrent Resolution "G-2"  
 House Concurrent Resolution "H-2"  
 House Concurrent Resolution "I-1"  
 House Concurrent Resolution "I-2"  
 House Concurrent Resolution "J"  
 House Concurrent Resolution "L"  
 House Concurrent Resolution "M"  
 House Concurrent Resolution "N-1"  
 House Concurrent Resolution "O"  
 House Concurrent Resolution "P"  
 House Concurrent Resolution "P-1"  
 House Concurrent Resolution "Q-1"  
 House Concurrent Resolution "T-1"  
 House Concurrent Resolution "W"  
 House Concurrent Resolution "Z"

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk  
 SIGNING OF BILLS

The Secretary announced that the President was about to sign

House Bill No. 504  
 House Bill No. 505  
 House Bill No. 514  
 House Bill No. 520  
 House Bill No. 523  
 House Bill No. 524  
 House Bill No. 533  
 House Bill No. 537  
 House Bill No. 693  
 House Bill No. 722  
 House Bill No. 752  
 House Bill No. 743  
 House Bill No. 749  
 House Bill No. 804  
 House Bill No. 807  
 House Bill No. 816

And the President signed the same in the presence of the Senate.

SIGNING OF BILLS

The Secretary announced that the President was about to sign

House Bill No. 745  
 House Bill No. 794



House Bill No. 801  
 House Bill No. 819  
 House Bill No. 822  
 House Bill No. 833  
 House Bill No. 862  
 House Bill No. 900  
 House Bill No. 914  
 House Bill No. 928

And the President signed the same in the presence of the Senate.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign

House Concurrent Resolution "A"  
 House Concurrent Resolution "A-1"  
 House Concurrent Resolution "B-2"  
 House Concurrent Resolution "D-2"  
 House Concurrent Resolution "E-1"  
 House Concurrent Resolution "E-2"  
 House Concurrent Resolution "I-1"  
 House Concurrent Resolution "I-2"  
 House Concurrent Resolution "J"  
 House Concurrent Resolution "L"  
 House Concurrent Resolution "M"  
 House Concurrent Resolution "N-1"  
 House Concurrent Resolution "O"  
 House Concurrent Resolution "P"  
 House Concurrent Resolution "P-1"  
 House Concurrent Resolution "Q-1"

And the President signed the same in the presence of the Senate.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign

House Concurrent Resolution "T-1"  
 House Concurrent Resolution "W"  
 House Concurrent Resolution "Z"

And the President signed the same in the presence of the Senate.

#### MESSAGES TO THE HOUSE

Senate Chamber  
 Bismarck, March 3, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 504  
 House Bill No. 505  
 House Bill No. 514  
 House Bill No. 520  
 House Bill No. 523  
 House Bill No. 524  
 House Bill No. 533  
 House Bill No. 537  
 House Bill No. 693  
 House Bill No. 722  
 House Bill No. 752  
 House Bill No. 743  
 House Bill No. 749  
 House Bill No. 804  
 House Bill No. 807  
 House Bill No. 816

Which the President has signed.

LEO LEIDHOLM, Secretary  
 Senate Chamber  
 Bismarck, March 3, 1967

Mr. Speaker: I have the honor to return:

House Bill No. 745  
 House Bill No. 794  
 House Bill No. 801  
 House Bill No. 819  
 House Bill No. 822  
 House Bill No. 833  
 House Bill No. 862  
 House Bill No. 900  
 House Bill No. 914  
 House Bill No. 928

Which the President has signed.

LEO LEIDHOLM, Secretary

Senate Chamber

Bismarck, March 3, 1967

Mr. Speaker: I have the honor to return:

House Concurrent Resolution "A"  
 House Concurrent Resolution "A-1"  
 House Concurrent Resolution "B-2"  
 House Concurrent Resolution "D-2"  
 House Concurrent Resolution "E-1"  
 House Concurrent Resolution "E-2"  
 House Concurrent Resolution "G-2"  
 House Concurrent Resolution "H-2"  
 House Concurrent Resolution "I-1"  
 House Concurrent Resolution "I-2"  
 House Concurrent Resolution "J"  
 House Concurrent Resolution "L"  
 House Concurrent Resolution "M"  
 House Concurrent Resolution "N-1"  
 House Concurrent Resolution "O"  
 House Concurrent Resolution "P"  
 House Concurrent Resolution "P-1"  
 House Concurrent Resolution "Q-1"  
 House Concurrent Resolution "T-1"  
 House Concurrent Resolution "W"  
 House Concurrent Resolution "Z"

LEO LEIDHOLM, Secretary

#### REPORTS OF STANDIN GCOMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 6  
 Senate Bill No. 21  
 Senate Bill No. 25  
 Senate Bill No. 26  
 Senate Bill No. 60  
 Senate Bill No. 61  
 Senate Bill No. 64  
 Senate Bill No. 83  
 Senate Bill No. 107  
 Senate Bill No. 152  
 Senate Bill No. 171  
 Senate Bill No. 172  
 Senate Bill No. 180  
 Senate Bill No. 223  
 Senate Bill No. 235  
 Senate Bill No. 240  
 Senate Bill No. 254  
 Senate Bill No. 268  
 Senate Bill No. 278

Senate Bill No. 287  
 Senate Bill No. 320  
 Senate Bill No. 326  
 Senate Bill No. 332  
 Senate Bill No. 339  
 Senate Bill No. 344  
 Senate Bill No. 363  
 Senate Bill No. 369  
 Senate Bill No. 390  
 Senate Bill No. 393  
 Senate Bill No. 397  
 Senate Bill No. 400  
 Senate Bill No. 401

Were delivered to the Governor.

SENATOR WENSTROM, Chairman

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 63  
 Senate Bill No. 99  
 Senate Bill No. 144  
 Senate Bill No. 193  
 Senate Bill No. 222  
 Senate Bill No. 228  
 Senate Bill No. 298  
 Senate Bill No. 302  
 Senate Bill No. 310  
 Senate Bill No. 316  
 Senate Bill No. 324  
 Senate Bill No. 327  
 Senate Bill No. 380  
 Senate Bill No. 405

Were delivered to the Governor.

SENATOR WENSTROM, Chairman

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2  
 Senate Bill No. 3  
 Senate Bill No. 7  
 Senate Bill No. 8  
 Senate Bill No. 14  
 Senate Bill No. 43  
 Senate Bill No. 44  
 Senate Bill No. 45  
 Senate Bill No. 46  
 Senate Bill No. 47  
 Senate Bill No. 54  
 Senate Bill No. 66  
 Senate Bill No. 89  
 Senate Bill No. 90  
 Senate Bill No. 91  
 Senate Bill No. 98  
 Senate Bill No. 105  
 Senate Bill No. 112  
 Senate Bill No. 126  
 Senate Bill No. 145  
 Senate Bill No. 154  
 Senate Bill No. 158  
 Senate Bill No. 182  
 Senate Bill No. 185  
 Senate Bill No. 188  
 Senate Bill No. 192  
 Senate Bill No. 213

Senate Bill No. 214  
 Senate Bill No. 221  
 Senate Bill No. 233  
 Senate Bill No. 236  
 Senate Bill No. 249  
 Senate Bill No. 275  
 Senate Bill No. 281  
 Senate Bill No. 282  
 Senate Bill No. 288  
 Senate Bill No. 293  
 Senate Bill No. 295  
 Senate Bill No. 299  
 Senate Bill No. 303  
 Senate Bill No. 306  
 Senate Bill No. 311  
 Senate Bill No. 350  
 Senate Bill No. 354  
 Senate Bill No. 386  
 Senate Bill No. 388  
 Senate Bill No. 396  
 Senate Bill No. 402  
 Senate Bill No. 406

Were delivered to the Governor.

SENATOR WENSTROM, Chairman

#### CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fifty-ninth day after recess and recommends that the same be corrected as follows:

On page 1011, delete lines 24 and 25

On page 1019, delete the following "Mr. President: I have the honor to return: Senate Bill No. 63, Which the House has passed unchanged. Roy Gilbreath, Chief Clerk"

And when so corrected recommends that the same be approved.

SENATOR LOWE, Chairman

Senator Lowe moved that the report be adopted, which motion prevailed.

#### ELECTION OF PRESIDENT PRO TEM

Senator Longmire: Mr. President. Members of the Senate. There has been assigned to me the pleasant duty to place the name of Senator Grant Trenbeath in nomination for the position of President Pro Tem for the Interim. Senator Trenbeath came to this assembly the same time I did. This is the sixth session that I have had the pleasure of serving with him. During that time I have learned to respect him more and more as the years have gone by, and I think that all of us who have had the privilege of serving with him have come to respect his courage, his integrity, and his dedication to duty here in this assembly.

We often say a poem in one of the service clubs to which I belong — everytime I say this poem at this club I think of a person

like Grant Trenbeath — I hope than I can repeat it.

He achieves success who lives well, laughs often and loves much,  
 Who gains the respect of intelligent men and little children,  
 Who fills his niche and accomplishes his task,

Who never lacks appreciation of earth's beauties nor fails to express it

Who always sees the best in others and gives the best he has  
 whether by an improved poppy, a perfect poem or a rescued soil,  
 Whose life is an inspiration

Whose memory is a benediction.

A fellow like Grant Trenbeath is the type of a person, I am sure, that the author of this poem had in mind when these words were written. Mr. President, it is an honor and a privilege for me to place in nomination the name of Grant Trenbeath for President Pro Tem for the Interim.

There were no further nominations and Senator Trenbeath was unanimously elected as President Pro Tem for the Interim.

Senator Trenbeath: Mr. President. Members of the Senate, and Senator Longmire. I certainly appreciate the remarks of Senator Longmire. I expected a little competition — I certainly thank the opposition party — I believe I had a few more campaign managers than they had so probably that is why I won. Anyway it took six sessions to be granted this honor, and to you members that someday will receive the same privilege that I have here tonight, I am sure that you will find the way to that position just as rewarding, just as educational, and you will certainly find just as many excellent friends on both sides of the aisle as I have. My colleagues, I thank you very much.

#### APPOINTMENT OF RESEARCH COMMITTEE MEMBERS

Lt. Gov. At this time I announce the following appointments to the Legislative Research Committee on the majority faction,

Senator Ringsak  
 Senator Becker  
 Senator Larson (Guy)  
 And on the minority faction,  
 Senator Rait  
 Senator Larson (Lester)

#### APPOINTMENT OF COMMITTEE ON AUDITS AND FISCAL REVIEW

Lt. Governor: At this time I announce the following appointments to the Audits and Fiscal Review, for the majority,

Senator Lips  
 Senator Sorlie  
 And for the minority,  
 Senator Christensen

#### APPOINTMENT TO HERITAGE COMMISSION

Lt. Governor: At this time I announce the appointment of Senator Kautzmann to the Heritage Commission.

#### APPOINTMENT TO NORTH DAKOTA DIAMOND JUBILEE COMMITTEE

Lt. Governor: At this time I announce the appointment of Senator Forkner to the North Dakota Diamond Jubilee Committee.

#### APPOINTMENT TO COMBINED LAW ENFORCEMENT COUNCIL

Lt. Governor: At this time I announce the appointment of Senator Freed to the Combined Law Enforcement Council.

#### APPOINTMENT TO CAPITOL BUILDING COMMISSION

Lt. Governor: At this time I announce the following appointments to the Capitol Building Commission,

Senator Hernet  
 Senator Chesrown  
 Senator Berube

#### APPOINTMENT TO PERSONAL PROPERTY TAX STUDY

Lt. Governor: At this time I announce the following appointments to the Personal Property Tax Study,

Senator Torgerson  
 Senator Luick  
 Senator Meschke

APPOINTMENTS TO  
UTILITY-COOPERATIVE COMMISSION

President Pro Tem Longmire announced the following appointments to the Utility-Cooperative Commission,

Senator Larson (Guy)  
Senator Christensen

PRESENTATIONS

Senator Torgerson: Mr. President, I rise on a point of personal privilege and ask that you recognize certain persons for the purpose of making some presentations, and at this time I would like to have you recognize Senator Guy Larson.

Lt. Governor: Senator Guy Larson.

Senator Guy Larson:

Mr. President: I have been given the privilege of a pleasant duty today. The members of the Senate join me in thanking you for your fairness and impartiality as presiding officer of this body. Particularly because the members of the majority party are cognizant of the lonesome position you held, the Republican members of this assembly have admired the poise you have shown and the adroitness with which you have avoided "sticky" situations. So, in a totally friendly spirit ALL OF US JOIN TOGETHER, REPUBLICAN AND DEMOCRATS ALIKE, in thanking you for a job well done and in presenting you this gift as a memento of our work together.

Lt. Gov. Thank you very much Guy Larson. I have some experience in being in the minority in coming into this session so I learned it real good. I have enjoyed presiding over the Senate very much. Having lived in Bismarck since 1953, I have been able to observe the legislatures every once in awhile during previous sessions, and I have enjoyed watching the sessions very much but I did not know much about the session until I have viewed it for 60 days here, and in fact you don't know just what the legislature is doing, and as you become better acquainted with it, one realizes you do a great deal of hard work, and I certainly want to say — for the benefit of the people of the State. I think you work very hard. In many ways you work harder than I do because you have more commitments to make every day than I do. I think you are doing a real service to the State in serving as legislators. I realize we never get all we want out of the legislature but I think there is a remarkable amount of good legislation passed in any session.

I want to thank you very much for the gift to me and I hope I will be back next time.

Senator Torgerson: Mr. President, I now request that you recognize Senator Gautzmann.

Lt. Gov.: Senator Kautzmann.

Senator Kautzmann: Mr. President and members of the Senate:

We have now reached that time in this legislative session when we all know and appreciate the work done by our colleagues.

This session, like many previous sessions, has called for hard work, many long hours, and compromise agreements to obtain the best results for all of the people of North Dakota. Throughout this legislative session we have had the untiring services of men who have spent many years in the service of our state. It goes without saying that their contribution toward our efforts have materially assisted us and thereby lessened our labors.

Not only has this especially been evidenced in our deliberations in this session, but we have also imposed upon some of our members responsibilities in excess of their ordinary duties. It is such an individual that, at this time, it is my privilege to recognize.

Our President Pro Tem, Senator George Longmire, has served in the North Dakota State Senate since 1957. He has served on numerous committees, numerous legislative research committees, including being its present chairman. In addition, he has served as assistant majority floor leader of this body. He has been one of the most conscientious of our legislators, having given considerably of his time and effort beyond his normal responsibilities towards the betterment of the State of North Dakota. He is a man of high principles and integrity who lends dignity to the legislative branch of government and as a result to government as a whole.

It is indeed a pleasure for me to present to our President Pro Tem, Senator George Longmire, this token of our appreciation.

Senator Longmire: Mr. President. Members of the Senate. I know that I like you, during the last week or so after studying taxes, and the many other pressing problems of the State, after having some of my pet bills get the skids, and after seeing some appropriations which I considered to be worthwhile, fall by the wayside — that I have asked myself in the past week or so, many times the question — “What in the world are you doing here?” I am sure that you men have likewise asked yourself that question.

Then something nice like this comes to you and then you know you have the answer to the question. I know that those of you who are serving here for the first time will say when you have finished this session, that this has been the most rewarding experience you have ever had in your life — the privilege of serving with the fine people that you have served with in this assembly. After resting up for two or three days and getting over the groggy feeling, you will find that any sacrifice you made here was well worthwhile — certainly that is the case with me.

I know it is one of the most rewarding experiences in my life to have the privilege to serve in this assembly for the past six sessions, so Senator Kautzmann, Mr. President, Gentlemen of the Senate, I am honored — I was deeply honored by the fact you elected me as President Pro Tem. I have enjoyed very much the times I have had to preside while our President was away. I have enjoyed the fellowship and association with all of you. I express to you my sincere appreciation for the privilege of serving you as your President Pro Tem, and I especially thank you for this token of your esteem at this time. Thank you very much.

Senator Torgerson: Mr. President, I request that you recognize Senator Rait.

Lt. Gov.: Senator Rait.

Senator Rait: Mr. President and fellow Senators:

It is indeed a privilege for me to have the honor at this time to make a few remarks. I have enjoyed meeting and working with the Senators and employees for this 40th Legislative Session. The floor leaders have had a heavy responsibility in keeping the work load distributed as equitable as is humanly possible under the 60 day allotment that we are mandated to work under.

Senator Lips, the majority leader in this session, has done a commendable job at times when it seemed there was just no way to get all the items taken care of. He was able to crowd a few more hours of work out of us and get the problems taken care of. It is a great deal of pleasure for me at this time in behalf of this Senate body to present this token of our appreciation for your untiring efforts as majority leader in the 40th Legislative Session.

We thank you, Senator Lips.

Senator Lips: Mr. President. Members of the Senate.

Thank you, Senator Rait for this gift and for your kind words. Being floor leader has been a terrific experience. With the amount

of work to be done in the sixty days we are here, it is of utmost importance that there be cooperation from the members and from the employees as well. I want to commend the Senators for their fine cooperation, their many courtesies and kindnesses. It has been a pleasure and a great honor to be your majority leader, my sincere thanks and appreciation for the cooperation extended to me during this session.

There is another group I want to commend — the employees — the people at the desk — the committee clerks — the stenographers and all of the Senate employees. I know that the Senators join with me in saying thank you to each and every one of you for the fine work done by each of you in your various capacities.

I thank each one of you from the bottom of my heart and wish you Godspeed as you leave for your respective homes.

Senator Torgerson: Mr. President, Gentlemen of the Senate:

It is my privilege this evening to make a presentation to Senator Meschke, minority floor leader. Because of the two party system in our nation and the vital part that it plays in the enactment of good legislation, it is the duty of floor leaders to present the positions of their respective parties from time to time as they deem proper. It is natural that we disagree with each other, and we have disagreed this year as well as previously, but we recognize that this is also part of the legislative process of our State. I know that the members of the Senate will all join with me in commending Senator Meschke for the leadership he has given during this session, and for the challenges that he has thrown out. It is my pleasure at this time to present to Senator Meschke this token in appreciation of his leadership.

Senator Meschke: Mr. President.

Thank you, Senator Torgerson, I consider it a great privilege to participate in the responsibility of the legislative process. This privilege is made all the greater by the association with so many men I like, respect and enjoy, and that includes my friendly adversary, Senator Becker.

Senator Lips, as majority leader, and Senator Torgerson, as assistant majority leader, have given our Dem-NPL Senators every courtesy and they have respected the roll of the minority. Though our differences have often been wide, the relationship has been marked with respect rather than rancor.

I would like to recognize the great work of the staff, the help of the pages, particularly the assistance of the desk force.

It continuously amazes me that so much work can be compressed into so many days and that these people can deal so effectively with the never ending stream of paper that is passed by the desk. The entire staff has been most considerate of our minority Senators. I want to thank you all for the privilege of having served with you, and I want to especially thank my fellow Senators of the minority for the privilege of serving them. Thank you.

Senator Torgerson: Mr. President, I now request that you recognize Senator Ringsak.

Senator Ringsak: Mr. President and Members of the Senate:

At this time it is my honor to say a few words in connection with the President Pro Tem in the interim, the honorable Don Holand.

Don was a veteran when I was a freshman in 1959. Although I had known Don for years before, I was amazed and impressed with his extreme patience during vexating and harassing moments on the Floor, his ability to keep Republican membership in harmony, and his keen insight and full knowledge of all facets of state government.



Don served as Majority Floor Leader in 1959 and 1961 and was Acting Floor Leader in 1963 and served again in 1965.

Thus we members of the Legislature who know and recognize the importance of this task all join in expressing our sincere gratitude for the sacrifice of time in working for the State.

It is quoted that a politician looks towards the next election, a statesman looks towards the next generation. Therefore, Mr. President, it is my opinion that if we ever had a statesman in all of our Legislatures, may I wholeheartedly say, that Don Holand fits this category.

It is a great pleasure and honor for me to present this to you, Don, on behalf of this Senate, a small gift and a wish for the best of everything in months and years to come.

Senator Holand: Mr. President.

Thank you, Senator Ringsak and Gentlemen of the Senate. As you know, as the past President Pro Tem for the Interim, I had the easiest job of all of you people who have been mentioned and recognized here today, but as you know I have had the pleasure of serving in one of the capacities before, and I have had the opportunity to learn something of the problems that confront those of you who have held positions of real responsibility such as those held by Senator Lips and by Senator Meschke.

Gentlemen, my remarks are going to be very brief. This now makes the end of seven sessions in the legislature for me. It is not as long as some of the other people that I know and recognize as being here when I came, but seven sessions does mean something like 14 years, and I have seen the coming and going of many wonderful people, and I have during these years really treasured the acquaintanceships, the fellowships that have been built up during these years. It has been a real joy to come back from time to time to meet new acquaintances and to enjoy the new fellowships that come out of each session, and certainly this session.

I am not now speaking of this from a party standpoint but from an individual standpoint — certainly this session has produced many wonderful and fine new people in the field of state legislation, and I want you gentleman who are new here, as well as the old, to know that it has been a real pleasure for me to work with you this time. I think it is nice that so many people in North Dakota as as dedicated as you are to the needs of the State, and hope you all come back another time. Thank you.

Senator Becker: Mr. President. Members of the Senate.

I feel that I must make at least one or two remarks. First of all my good friend, Senator Meschke, there have been numerous occasions when I have stood here in this room and disagreed with you. I must, however, as I stated before, restate that you are a man of ability, and I think you have demonstrated that in the House of Representatives and also during this session in the Senate. Though we have often disagreed I admire your courage and stand. I admire your ability. I think you have been a real asset to the Senate and I mean that sincerely.

Two sessions ago I served in the position that my good friend, Senator Torgerson has served this session, and at that time I served under the floor leadership of both Senators Hernet and Holand. We were the majority but there were not 44 of us — as I recall we had about 29 or 30 of us. I have known Senator Torgerson for a good number of years, and I have known this gentleman to be just what he proved to be this session — friendly, sincere, and a dedicated servant and I just want to tell you, Torgie, as the vice chairman of my committee, and as assistant majority leader, you won the race — God bless you.

Senator Torgerson: Mr. President.

I thank you very much, Senator Becker for your kind remarks, and perhaps they were over done but I really appreciate them. I have really enjoyed working with you as assistant floor leader, and to all the Senators here I really appreciated your cooperation and assistance during this session. I thank you all very much.

Senator Robinson then presented a gift to Leo Leidholm on behalf of the Senate employees.

Leo Leidholm, Secretary of the Senate, then presented to the members of the employment committee, gifts on behalf of the Senate employees.

Senator Meschke requested that the following statement from the capitol guide be printed in the Journal, which request was granted.

During the Legislative Session the State Capitol was host to 205 schools, making a total of 8,581 students registering at the ground floor information desk.

The first group to register was the Job Corp, on January 17, with 20 students. The last group was March 3, with 28 students coming from South Heart.

Abercrombie, North Dakota came the longest distance of 250 miles. Pollock, South Dakota, was the only out-of-state school visiting during Session.

Two counties in North Dakota did not have school representation here. There were 21 bands making reservation, however 3 did not appear due to bad weather.

#### MOTIONS

Senator Lips moved that the President appoint a committee of three to notify the Governor that the Senate had completed its work and is about to adjourn sine die, which motion prevailed.

The President appointed as such committee, Senators Freed, Geving and Rait.

Senator Lips moved that the President appoint a committee of three to notify the House that the Senate had completed its business and is about to adjourn sine die, which motion prevailed.

The President appointed as such committee, Senators Redlin, Schultz and Christensen.

Senator Rait announced that the committee appointed to inform the Governor that the Senate had completed its work and is about to adjourn sine die, had completed its work and asked that the committee be discharged, which request was granted.

Senator Redlin announced that the committee appointed to inform the House that the Senate has complete its work and is about to adjourn sine die, had completed its work and asked that the committee be discharged, which request was granted.

Senator Lips moved that the Senate adjourn sine die, which motion prevailed.

And the Senate stood adjourned sine die, pursuant to the motion of Senator Lips.

LEO LEIDHOLM, Secretary

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Remarks Printed, 743.

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Committees other than Standing, 21, 488.  
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Bills, 27, 36, 51 (2), 58, 61, 74, 75, 91, 120, 121, 128, 147, 148, 156, 157, 166, 167, 170, 172, 179.  
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Remarks Printed, 488.

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Senate Concurrent Resolutions, 62 (2), 100.  
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Remarks Printed, 716, 717.

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Standing Committees, 9 (2), 11.  
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Bills, 27, 37, 51, 61, 67, 120 (2), 130, 166, 167, 175, 177 (2).

Senate Concurrent Resolutions, 62 (2), 148.

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Committees other than Standing, 7, 255.

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Senate Concurrent Resolutions, 22, 62 (2), 148, 324, 351.

Motions, 110, 324, 325, 381, 514, 1025, 1082.

Remarks Printed, 1116 (2), 1117, 1118 (2), 1120.

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Committees other than Standing, 7 (3).

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Senate Concurrent Resolutions, 62 (2), 148, 268, 351, 355.

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Remarks Printed, 1054, 1055, 1115.

Appointed President Pro Tem for the Interim, 1115.

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Committee Reports, 30, 39, 42, 45, 51 (2), 58, 64, 82, 102, 109, 125 (2), 134, 141 (2), 155 (2), 189 (2), 205, 215 (4), 227 (3), 250 (3), 253 (2), 273, 283, 284, 287 (4), 299 (2), 314, 315 (2), 341, 346 (2), 363, 387 (3), 423, 437 (2), 467 (3), 487 (2), 492, 493, 546, 550, 553 (3), 556, 560, 565, 585 (2), 603, 627, 632 (2), 649, 650 (3), 668, 696 (2), 712 (2), 744 (3), 753 (2), 754, 755, 777 (2), 787, 813, 815, 817 (2), 842, 845 (2), 851 (2), 890, 893 (4), 903, 914, 943, 944, 960 (2), 963 (2), 965, 968, 998 (2), 1020, 1028 (2), 1059, 1077, 1094, 1095 (2), 1097 (2), 1101, 1102 (2), 1103 (4), 1105 (4), 1106 (3), 1113 (2), 1114.

Bills, 27, 41 (2), 45, 52 (2), 91, 121 (2), 131 (2), 145, 157, 165 (2), 166 (4), 167, 176, 177 (2), 178 (2), 179, 180, 275.

Senate Concurrent Resolutions, 62 (2), 100, 352 (2), 355.

Motions, 30, 42 (2), 51, 58, 88, 102, 109 (2), 119, 125 (2), 127 (2), 134, 141 (2), 155, 189 (2), 205, 206, 215 (3), 227 (3), 250 (3), 253 (2), 255, 264, 273 (2), 275, 283, 284, 287 (4), 293, 313, 314, 315 (2), 341, 346 (2), 363, 387 (2), 393, 423, 426, 437 (2), 438, (2), 467 (2), 468, 487 (2), 546, 550, 553 (3), 556, 560, 565, 585 (2), 603, 627, 632 (2), 649, 650, 696 (2), 712 (2), 724, 727, 753 (2), 754, 777, 787, 813, 817 (2), 828, 842, 851, 852, 890, 893 (3), 903, 943, 944, 962, 963, 964, 965, 1014, 1020, 1028 (2), 1059, 1095 (2), 1097 (2), 1101, 1103 (2), 1106 (3).

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Standing Committees, 10 (3).

Conference Committees, 749, 980.

Committees other than Standing, 7.

Bills, 75, 99, 121, 129, 158, 168, 169, 170, 175, 177, 181 (3).

Senate Concurrent Resolutions, 62 (2), 148, 219, 351.

Motions, 573, 581, 614 (2), 703, 812, 825, 855, 961, 1017.

Remarks Printed, 706, 961.

# RECORD OF SENATE BILLS IN THE SENATE

## Senate Bill No. 1 — (Committee on Appropriations)

**Senate Bill No. 1.** For an Act to appropriate money for the expenses of the executive department of the state government, and for all subdivisions thereof, and for public schools, specifying the amount and time for which such appropriations shall be available, and repealing all Acts, or parts of Acts, insofar as the same shall relate to appropriations conflicting herewith or to appropriations for the same matters or purposes provided for herein and declaring an emergency.

Introduction, first reading, 11.  
Referred to Committee on Appropriations, 12.  
Reported back, amended, 439, 444.  
Amendments adopted, 475.  
Engrossed, 487.  
Second reading, 538, 840.  
Passed, 539, 841.  
Clincher, 541.  
To House, 541.  
House amendments, 829, 830.  
Returned to Senate, amended, 829.  
Senate concurs, 840.  
Re-engrossed, 842.  
Enrolled, 842.  
Signed by President, 842.  
Sent to House, 842.  
Received from House, 843.  
Message to Governor, 845.

## Senate Bill No. 2 — (Committee on Appropriations)

**Senate Bill No. 2.** For an Act to appropriate money for the expenses of the Judicial branch of government, specifying the amount and time for which such appropriation 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.

Introduction, first reading, 11.  
Referred to Committee on Appropriations, 12.  
Reported back, do pass, 288.  
Second reading, 308, 1051.  
Passed, 309, 1052.  
To House, 341.  
House amendments, 987.  
Returned to Senate, amended, 987.  
Conference Committee, 1021, 1041.  
Senate does not concur, 1021.  
Conference Committee report, 1051, 1057.  
Engrossed, 1105.  
Enrolled, 1105.  
Signed by President, 1106.  
Sent to House, 1107.  
Received from House, 1108.  
Message to Governor, 1113.



**Senate Bill No. 3 — (Committee on Appropriations)**

**Senate Bill No. 3.** For an Act to appropriate money for the expenses of the legislative branch of government, specifying the amount and time for which such appropriation 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.

Introduction, first reading, 12.  
Referred to Committee on Appropriations.  
Reported back, amended, 256.  
Amendments adopted, 268.  
Engrossed, 275.  
Second reading, 304, 1069.  
Passed, 304, 1069.  
To House, 341.  
House amendments, 987, 988.  
Returned to Senate, amended, 987.  
Conference Committee, 1026, 1041.  
Senate does not concur, 1026.  
Conference Committee report, 1068.  
Enrolled, 1106.  
Signed by President, 1106.  
Sent to House, 1107.  
Received from House, 1108.  
Message to Governor, 1113.

**Senate Bill No. 4 — (Committee on Appropriations)**

**Senate Bill No. 4.** 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.

Introduction, first reading, 12.  
Referred to Committee on Appropriations.  
Reported back, do pass, 125.  
Second reading, 151.  
Passed, 151.  
To House, 183.  
Returned to Senate, 303.  
Enrolled, 346.  
Signed by President, 361.  
Sent to House, 362.  
Received from House, 387.  
Message to Governor, 387.  
Approved by Governor, 695.

**Senate Bill No. 5 — (Committee on Appropriations)**

**Senate Bill No. 5.** For an Act making an appropriation for the general maintenance, improvements and repairs, and equipment of the School for the Deaf at Devils Lake, North Dakota.

Introduction, first reading, 12.  
Referred to Committee on Appropriations.  
Reported back, do pass, 181; amended, 206.  
Amendments adopted, 220.  
Engrossed, 227.  
Second reading, 196, 237.  
Re-referred to Committee on Appropriations, 196.

Passed, 237.  
 To House, 261.  
 Returned to Senate, 615.  
 Enrolled, 631.  
 Signed by President, 638.  
 Sent to House, 642.  
 Received from House, 647.  
 Message to Governor, 649.  
 Approved by Governor, 711.

**Senate Bill No. 6 — (Committee on Appropriations)**

**Senate Bill No. 6.** For an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous items, new buildings, and special projects for the Grafton State School at Grafton, North Dakota.

Introduction, first reading, 12.  
 Referred to Committee on Appropriations.  
 Reported back, amended, 288.  
 Amendments adopted, 302.  
 Engrossed, 315.  
 Second reading, 334.  
 Passed, 335.  
 To House, 346.  
 Returned to Senate, 947.  
 Enrolled, 1095.  
 Signed by President, 1096.  
 Sent to House, 1096.  
 Received from House, 1097.  
 Message to Governor, 1112.

**Senate Bill No. 7 — (Committee on Appropriations)**

**Senate Bill No. 7.** For an Act making an appropriation for the general maintenance, improvements and repairs, and equipment for the Tuberculosis Sanatorium at San Haven, North Dakota.

Introduction, first reading, 12.  
 Referred to Committee on Appropriations.  
 Reported back, do pass, 257.  
 Second reading, 276, 1049.  
 Passed, 276, 1050.  
 To House, 297.  
 Returned to Senate, amended, 987.  
 House amendments, 988.  
 Senate does not concur, 1021.  
 Conference Committee, 1022, 1041.  
 Conference Committee report, 1049, 1057.  
 Engrossed, 1105.  
 Enrolled, 1105.  
 Signed by President, 1106.  
 Sent to House, 1107.  
 Received from House, 1108.  
 Message to Governor, 1113.

**Senate Bill No. 8 — (Committee on Appropriations)**

**Senate Bill No. 8.** 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.

Introduction, first reading, 12.

Referred to Committee on Appropriations.  
 Reported back, do pass, 288, 289.  
 Amendments adopted, 302.  
 Engrossed, 315, 1105.  
 Second reading, 335, 368, 408, 1022.  
 Passed, 409, 1022.  
 To House, 423.  
 Returned to Senate, amended, 987.  
 House amendments, 988.  
 Clincher, 1022.  
 Senate concurs, 1022.  
 Enrolled, 1105.  
 Signed by President, 1106.  
 Sent to House, 1107.  
 Received from House, 1108.  
 Message to Governor, 1113.

**Senate Bill No. 9 — (Committee on Appropriations)**

**Senate Bill No. 9.** For an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous, and special projects for the State Industrial School at Mandan, North Dakota.

Introduction, first reading, 12.  
 Referred to Committee on Appropriations.  
 Reported back, amended, 342.  
 Amendments adopted, 363.  
 Engrossed, 387.  
 Second reading, 406.  
 Passed, 406.  
 To House, 423.  
 Returned to Senate, 615.  
 Enrolled, 631.  
 Signed by President, 638.  
 Sent to House, 642.  
 Received from House, 647.  
 Message to Governor, 649.  
 Approved by Governor, 711.

**Senate Bill No. 10 — (Committee on Appropriations)**

**Senate Bill No. 10.** For an Act making an appropriation for the general maintenance, improvements and repairs, equipment, miscellaneous, and special projects, of the State Penitentiary and State Farm.

Introduction, first reading, 12.  
 Referred to Committee on Appropriations.  
 Re-referred to Committee on Appropriations, 102; amended, 118.  
 Reported back, amended, 87.  
 Amendments adopted, 135.  
 Engrossed, 141.  
 Second reading, 153, 668.  
 Passed, 153, 668.  
 To House, 183.  
 Returned to Senate, amended, 613.  
 Senate concurs, 668.  
 Re-engrossed, 753.  
 Enrolled, 753.  
 Signed by President, 754.  
 Sent to House, 755.  
 Received from House, 797.  
 Message to Governor, 798.  
 Approved by Governor, 882.

**Senate Bill No. 11. — (Committee on Appropriations)**

**Senate Bill No. 11.** For an Act making an appropriation for the general maintenance and operation of the Tag and Sign Plant at the State Penitentiary.

Introduction, first reading, 13.  
Referred to Committee on Appropriations.  
Reported back, do pass, 88.  
Second reading, 110.  
Passed, 110.  
To House, 138.  
Returned to Senate, 614.  
Enrolled, 631.  
Signed by President, 638.  
Sent to House, 642.  
Received from House, 647.  
Message to Governor, 650.  
Approved by Governor, 711.

**Senate Bill No. 12 — (Committee on Appropriations)**

**Senate Bill No. 12** For an Act making an appropriation for the general maintenance, improvements and repairs, equipment and miscellaneous expenses of the North Dakota Twine and Cordage Plant at the State Penitentiary.

Introduction, first reading, 13.  
Referred to Committee on Appropriations.  
Reported back, amended, 88.  
Amendments adopted, 102.  
Engrossed, 109.  
Second reading, 114.  
Passed, 114.  
To House, 138.  
Returned to Senate, 614.  
Enrolled, 631.  
Signed by President, 638.  
Sent to House, 642.  
Received from House, 647.  
Message to Governor, 650.  
Approved by Governor, 711.

**Senate Bill No. 13 — (Committee on Appropriations)**

**Senate Bill No. 13.** For an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Gasoline Tax Division in the office of the State Auditor.

Introduction, first reading, 13.  
Referred to Committee on Appropriations.  
Reported back, do pass, 181.  
Second reading, 196, 786.  
Passed, 197; over Governor's veto, 786.  
To House, 209, 788.  
House amendments, 615, 801.  
Enrolled, 631; re-enrolled, 1101.  
Signed by President, 638; over Governor's veto, 1101.  
Sent to House, 642, 1101.  
Received from House, 647, 1101.  
Message to Governor, 650.  
Vetoed by Governor, 730.  
Placed at foot of calendar, 730.  
Clincher, 788.  
Revision and correction, 841.  
Delivered to Secretary of State over Governor's veto, 1105.

**Senate Bill No. 14** — (Committee on Appropriations)

**Senate Bill No. 14.** For an Act making an appropriation for the operation and maintenance of the State Hail Insurance Department.

Introduction, first reading, 13.  
Referred to Committee on Appropriations.  
Reported back, do pass, 342.  
Second reading, 379, 1023.  
Passed, 380, 1023.  
To House, 395.  
Returned to Senate, amended, 987.  
House amendments, 988, 989.  
Senate concurs, 1023.  
Enrolled, 1106.  
Signed by President, 1106.  
Sent to House, 1107.  
Received from House, 1108.  
Message to Governor, 1113.

**Senate Bill No. 15** — (Committee on Appropriations)

**Senate Bill No. 15.** For an Act making an appropriation for the purpose of operating and maintaining the State Fire and Tornado Fund.

Introduction, first reading, 13.  
Referred to Committee on Appropriations.  
Reported back, do pass, 88.  
Second reading, 110.  
Passed, 110.  
To House, 138.  
Returned to Senate, 615.  
Enrolled, 649.  
Signed by President, 649.  
Sent to House, 649.  
Received from House, 649.  
Message to Governor, 650.  
Approved by Governor, 711.

**Senate Bill No. 16** — (Committee on Appropriations)

**Senate Bill No. 16.** For an Act making an appropriation for the purpose of operating and maintaining the State Bonding Fund.

Introduction, first reading, 13.  
Referred to Committee on Appropriations.  
Reported back, do pass, 95.  
Second reading, 114.  
Passed, 115.  
To House, 139.  
Returned to Senate, 615.  
Enrolled, 631.  
Signed by President, 638.  
Sent to House, 642.  
Received from House, 647.  
Message to Governor, 650.  
Approved by Governor, 711.

**Senate Bill No. 17** — (Committee on Appropriations)

**Senate Bill No. 17.** A Bill for an Act making an appropriation to the state board of public school education for the administration and supervision of grants for vocational agriculture, vocational

home economics, office and distributive education, trade and industrial education, and manpower development and training.

Introduction, first reading, 13.  
 Referred to Committee on Appropriations.  
 Reported back, amended 425, 426.  
 Amendments adopted, 457.  
 Recorded vote, 457.  
 Amended from floor, 458.  
 Engrossed, 467.  
 Second reading, 477.  
 Passed, 478.  
 To House, 522.  
 Returned to Senate, 880.  
 Enrolled, 890.  
 Signed by President, 890.  
 Sent to House, 890.  
 Received from House, 890.  
 Message to Governor, 893.

**Senate Bill No. 18 — (Committee on Appropriations)**

**Senate Bill No. 18.** For an Act making an appropriation for salaries, and expenses of the Division of Vocational Rehabilitation for rehabilitating disabled persons.

Introduction, first reading, 13.  
 Referred to Committee on Appropriations.  
 Reported back, amended, 206.  
 Amendments adopted, 220.  
 Engrossed, 227.  
 Second reading, 237.  
 Passed, 238.  
 To House, 261.  
 Returned to Senate, 615.  
 Enrolled, 650.  
 Signed by President, 650.  
 Sent to House, 659.  
 Received from House, 667.  
 Message to Governor, 667.  
 Approved by Governor, 712.

**Senate Bill No. 19 — (Committee on Appropriations)**

**Senate Bill No. 19.** 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.

Introduction, first reading, 13.  
 Referred to Committee on Appropriations.  
 Reported back, do pass, 257.  
 Second reading, 276.  
 Passed, 277.  
 To House, 297.  
 Returned to Senate, 615.  
 Enrolled, 631.  
 Signed by President, 638.  
 Sent to House, 642.  
 Received from House, 647.  
 Message to Governor, 650.  
 Approved by Governor, 711.

**Senate Bill No. 20** — (Committee on Appropriations)

**Senate Bill No. 20.** For an Act making an appropriation for the salaries and miscellaneous expenses of the division of supervised correspondence study.

Introduction, first reading, 13.  
 Referred to Committee on Appropriations.  
 Reported back, amended, 301.  
 Amendments adopted, 323.  
 Engrossed, 341.  
 Second reading, 379, 668.  
 Passed, 379, 669.  
 To House, 395.  
 House amendments, 645.  
 Returned to Senate, amended, 645.  
 Senate concurs, 668.  
 Re-engrossed, 753.  
 Enrolled, 753.  
 Signed by President, 754.  
 Sent to House, 755.  
 Received from House, 797.  
 Message to Governor, 798.  
 Approved by Governor, 883.

**Senate Bill No. 21** — (Committee on Appropriations)

**Senate Bill No. 21.** For an Act making an appropriation for the purpose of paying expenses of the Children's Psychiatric Outpatient Clinic, located at Bismarck, North Dakota.

Introduction, first reading, 14.  
 Referred to Committee on Appropriations.  
 Reported back, amended, 263.  
 Amendments adopted, 275.  
 Engrossed, 287.  
 Second reading, 305.  
 Passed, 305.  
 To House, 341.  
 Returned to Senate, 979.  
 Enrolled, 1095.  
 Signed by President, 1096.  
 Sent to House, 1096.  
 Received from House, 1097.  
 Message to Governor, 1112.

**Senate Bill No. 22** — (Committee on Appropriations)

**Senate Bill No. 22.** 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.

Introduction, first reading, 14.  
 Referred to Committee on Appropriations.  
 Reported back, do pass, 36.  
 Second reading, 47.  
 Passed, 48.  
 To House, 55.  
 Returned to Senate, 396.  
 Enrolled, 467.  
 Signed by President, 469.  
 Sent to House, 475.  
 Received from House, 492.

Message to Governor, 493.  
 Approved by Governor, 695.

**Senate Bill No. 23** — (Committee on Appropriations)

**Senate Bill No. 23.** For an Act making an appropriation for salaries and expenses for the State Seed Department.

Introduction, first reading, 14.  
 Referred to Committee on Appropriations.  
 Reported back, do pass, 289.  
 Second reading, 309.  
 Passed, 309.  
 To House, 341.  
 Returned to Senate, 614.  
 Enrolled, 631.  
 Signed by President, 638.  
 Sent to House, 642.  
 Received from House, 647.  
 Message to Governor, 650.  
 Approved by Governor, 711.

**Senate Bill No. 24** — (Committee on Appropriations)

**Senate Bill No. 24.** For an Act making an appropriation for the maintenance of the North Dakota National Guard as provided for by Title 37 of the North Dakota Century Code.

Introduction, first reading, 14.  
 Referred to Committee on Appropriations.  
 Reported back, amended, 95.  
 Amendments adopted, 117.  
 Engrossed, 125.  
 Second reading, 135.  
 Passed, 135.  
 To House, 150.  
 Returned to Senate, 615.  
 Enrolled, 631.  
 Signed by President, 638.  
 Sent to House, 642.  
 Received from House, 647.  
 Message to Governor, 650.  
 Approved by Governor, 711.

**Senate Bill No. 25** — (Committee on Appropriations)

**Senate Bill No. 25.** For an Act making an appropriation for salaries and expenses of the State Library Commission.

Introduction, first reading, 14.  
 Referred to Committee on Appropriations.  
 Reported back, amended, 189.  
 Amendments adopted, 208.  
 Engrossed, 215, 1095.  
 Second reading, 221, 856.  
 Passed, 221, 857.  
 To House, 241.  
 House amendments, 645, 646.  
 Returned to Senate, amended, 645.  
 Conference Committee, 669, 800.  
 Senate does not concur, 669.  
 Conference Committee report, 856, 1047.  
 Enrolled, 1095.  
 Signed by President, 1096.



Sent to House, 1096.  
Received from House, 1097.  
Message to Governor, 1112.

**Senate Bill No. 26** — (Committee on Appropriations)

**Senate Bill No. 26.** For an Act to make an appropriation to pay expenses and costs of legal research and education and supervision and improvement of the judicial system of the state of North Dakota activities of the state bar association.

Introduction, first reading, 14.  
Referred to Committee on Appropriations.  
Reported back, do pass, 95.  
Second reading, 115.  
Passed, 115.  
To House, 139.  
Returned to Senate, 947.  
Enrolled, 1095.  
Signed by President, 1096.  
Sent to House, 1096.  
Received from House, 1097.  
Message to Governor, 1112.

**Senate Bill No. 27** — (Committee on Appropriations)

**Senate Bill No. 27.** For an Act making an appropriation for salaries and other expenses for administering the provisions of Chapter 39-17 of the North Dakota Century Code.

Introduction, first reading, 14.  
Referred to Committee on Appropriations.  
Reported back, do pass, 181.  
Second reading, 197.  
Passed, 197.  
To House, 209.  
Returned to Senate, 615.  
Enrolled, 631.  
Signed by President, 638.  
Sent to House, 642.  
Received from House, 647.  
Message to Governor, 650.  
Approved by Governor, 711.

**Senate Bill No. 28** — (Committee on Appropriations)

**Senate Bill No. 28.** For an Act making an appropriation for salaries and expenses for Predatory Animal Control to the Commissioner of Agriculture.

Introduction, first reading, 14.  
Referred to Committee on Appropriations.  
Reported back, do pass, 95.  
Second reading, 115.  
Passed, 116.  
To House, 139.  
Returned to Senate, 615.  
Enrolled, 631.  
Signed by President, 638.  
Sent to House, 642.  
Received from House, 647.  
Message to Governor, 650.  
Approved by Governor, 711.

**Senate Bill No. 29** — (Committee on Appropriations)

**Senate Bill No. 29.** For an Act making an appropriation to the North Dakota National Guard for the construction of a radio communications and emergency center to be established at Fraine Barracks.

Introduction, first reading, 14.  
Referred to Committee on Appropriations.  
Reported back, amended, 263.  
Amendments adopted, 275.  
Engrossed, 287.  
Second reading, 306.  
Passed, 306.  
To House, 341.  
Returned to Senate, 614.  
Enrolled, 631.  
Signed by President, 638.  
Sent to House, 642.  
Received from House, 647.  
Message to Governor, 650.  
Approved by Governor, 711.

**Senate Bill No. 30** — (Christensen, Lips)

**Senate Bill No. 30.** For an Act to provide for the authorization of contingency funds to institutions under the board of higher education.

Introduction, first reading, 15.  
Referred to Committee on Education.  
Reported back, do pass, 44.  
Re-referred to Committee on Education, 53; amended, 96.  
Amendments adopted, 117.  
Engrossed, 125.  
Second reading, 53, 135.  
Passed, 136.  
To House, 150.  
Returned to Senate, 726.  
Enrolled, 753.  
Signed by President, 754.  
Sent to House, 755.  
Received from House, 797.  
Message to Governor, 798.  
Approved by Governor, 883.

**Senate Bill No. 31** — (Christensen, Lips)

**Senate Bill No. 31.** For an Act to amend and reenact section 54-44.1-12 of the 1965 Supplement to the North Dakota Century Code, relating to the control over rate of expenditures.

Introduction, first reading, 15.  
Referred to Committee on State and Federal Government.  
Reported back, amended, 88.  
Amendments adopted, 102.  
Engrossed, 109.  
Second reading, 116.  
Passed, 116.  
To House, 139.  
Returned to Senate, 758.  
Enrolled, 943.  
Signed by President, 957.  
Sent to House, 957.

Received from House, 967.  
 Message to Governor, 968.

**Senate Bill No. 32** — (Christensen, Lips)

**Senate Bill No. 32.** For an Act to create and enact section 54-06-09.1 which provides the penalty for certification of a false claim, and to amend and reenact section 54-06-09 of the North Dakota Century Code, relating to travel expense of state officers and employees.

Introduction, first reading, 15.  
 Referred to Committee on State and Federal Government.  
 Reported back, do pass, 44.  
 Second reading, 53.  
 Passed, 53.  
 To House, 63.  
 Returned to Senate, 203.  
 Enrolled, 250.  
 Signed by President, 250.  
 Sent to House, 261.  
 Received from House, 272.  
 Message to Governor, 272.  
 Approved by Governor, 299.

**Senate Bill No. 33** — (Morgan, Ringsak)

**Senate Bill No. 33.** For an Act to create and enact chapter 54-23 of the North Dakota Century Code, establishing a department of natural resources and conservation through the integration of the state water conservation commission, state game and fish department, state outdoor recreation agency, North Dakota park service, state forester, and soil conservation committee, providing for the department's operation, personnel, powers, and duties, and establishing divisions of such department with existing agencies, and to create section 61-02-01.1 of the North Dakota Century Code, limiting the authority of the state water conservation commission, and to amend and reenact sections 4-22-03, 4-22-05, 4-22-06, 20-02-01, 20-02-04, 20-02-05, 20-02-23, 53-07-01, 53-07-03, 55-08-01, 55-08-03, 61-02-05, 61-02-13, 61-02-14, 61-02-23, 61-02-28, 61-02-30, 61-02-64.1, 61-03-01, and 61-03-13 of the North Dakota Century Code, relating to the personnel, powers, and duties of the soil conservation committee, game and fish department, outdoor recreation agency, North Dakota park service, and water conservation commission, and placing these agencies in the department of natural resources and conservation, and repealing section 61-03-14 of the North Dakota Century Code, relating to modification of rules by the state water conservation commission.

Introduction, first reading, 15.  
 Referred to Committee on State and Federal Government.  
 Reported back, do pass, 289.  
 Divided report, 289.  
 Second reading, 367.  
 Lost, 368.  
 Reconsidered, 403.  
 Re-referred to Committee on State and Federal Government, 403.  
 Divided report, 493, 494.  
 Indefinitely postponed, 493.  
 Recorded vote, 494, 495.

**Senate Bill No. 34** — (Christensen, Ringsak)

**Senate Bill No. 34.** For an Act to provide an appropriation for the capitol grounds planning commission and to amend and reenact sec-

tion 1 of chapter 314 of the 1965 session laws, relating to the capitol grounds planning commission.

Introduction, first reading, 15.

Referred to Committee on State and Federal Government.

Reported back, do pass, 44.

Second reading, 54.

Re-referred to Committee on Appropriations, 54.

Re-referred to Committee on State and Federal Government, 229.

Indefinitely postponed, 356.

**Senate Bill No. 35** — (Christensen, Ringsak)

**Senate Bill No. 35.** For an Act to make an appropriation for the construction of a public health laboratory and to provide for the construction and maintenance of the public health laboratory.

Introduction, first reading, 15.

Referred to Committee on Appropriations.

Indefinitely postponed, 369.

**Senate Bill No. 36** — (Christensen, Morgan, Ringsak)

**Senate Bill No. 36.** 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, sections 23-04-07, 23-09-02, subsection 9 of section 23-09-09, sections 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, 23-10-05, 23-10-06, 23-10-07, 23-10-08, 23-10-09, 23-10-10, 23-10-11, and 23-10-12 of the North Dakota Century Code, relating to licensing and regulation of restaurants, hotels, boarding-houses, lodginghouses, motor courts, and trailer courts, and the enforcement of laws relating thereto, declaring a penalty, and providing an effective date.

Introduction, first reading, 15.

Referred to Committee on State and Federal Government.

Indefinitely postponed, 495.

**Senate Bill No. 37** — (Legislative Research Committee)

**Senate Bill No. 37.** A Bill for an Act to amend and reenact sections 19-05-05, 19-05-06, 19-05-07, 19-06-01, 19-06-02, 19-07-04, 19-07-05, 19-08-03, 19-08-04, 19-14-02, and 19-17-02 of the North Dakota Century Code, relating to the licensing of oleomargarine dealers, imitation ice cream, and licensing and bonding of egg dealers, the labeling and licensing of beverages, the registration of livestock medicines, and flour standards, and to repeal section 19-01-05 of the North Dakota Century Code, relating to sheriffs as local inspectors for the state laboratories department.

Introduction, first reading, 16.

Referred to Committee on State and Federal Government.

Reported back, amended, 96.

Amendments adopted, 117.

Engrossed, 134.

Second reading, 136; amended from floor, 136.

Passed, 136.

Re-engrossed, 141.

To House, 150.

Returned to Senate, killed, 1008.

**Senate Bill No. 38** — (Christensen, Morgan, Ringsak)

**Senate Bill No. 38.** For an Act to regulate the distribution of commercial feeds and customer-formula feeds, and to repeal chap-

ter 19-13 of the North Dakota Century Code, relating to commercial feeding stuffs, and providing a penalty.

Introduction, first reading, 16.  
 Referred to Committee on Agriculture.  
 Reported back, do pass, 65.  
 Second reading, 76.  
 Passed, 76.  
 To House, 83.  
 Returned to Senate, 234.  
 Enrolled, 283.  
 Signed by President, 287.  
 Sent to House, 297.  
 Received from House, 298.  
 Message to Governor, 299.  
 Approved by Governor, 695.

**Senate Bill No. 39** — (Morgan, Ringsak)

**Senate Bill No. 39.** For an Act to regulate the sale and distribution of commercial fertilizers and soil conditioners, and to repeal chapter 19-20 of the North Dakota Century Code, relating to commercial fertilizers, and providing a penalty.

Introduction, first reading, 16.  
 Referred to Committee on Agriculture.  
 Reported back, 65; amended, 65.  
 Amendments adopted, 76.  
 Engrossed, 83.  
 Second reading, 93.  
 Passed, 94.  
 To House, 103.  
 Returned to Senate, 234.  
 Enrolled, 346.  
 Signed by President, 361.  
 Sent to House, 362.  
 Received from House, 387.  
 Message to Governor, 387.  
 Approved by Governor, 695.

**Senate Bill No. 40** — (Christensen, Morgan, Ringsak)

**Senate Bill No. 40.** For an Act to create a method of regulating foods, drugs, and cosmetics, and to repeal sections 19-02-01, 19-02-02, 19-02-03, 19-02-04, 19-02-05, 19-02-06, 19-02-07, 19-02-08, 19-02-11, 19-02-12, 19-02-14.1, 19-02-25, 19-02-26, 19-02-27, 10-02-28, and 19-02-29 and chapter 19-09 of the North Dakota Century Code, relating to foods, drugs, and cosmetics, and providing a penalty.

Introduction, first reading, 16.  
 Referred to Committee on State and Federal Government.  
 Reported back, do pass, 88.  
 Second reading, 111, 849.  
 Passed, 111, 850.  
 To House, 139.  
 House amendments, 820.  
 Returned to Senate, amended, 820.  
 Senate concurs, 849.  
 Engrossed, 1028.  
 Enrolled, 1028.  
 Signed by President, 1047.  
 Sent to House, 1048.  
 Received from House, 1075.  
 Message to Governor, 1094.

**Senate Bill No. 41** — (Christensen, Ringsak)

**Senate Bill No. 41.** For an Act to amend and reenact sections 4-29-04, 4-30-47, and 23-01-16 of the North Dakota Century Code, relating to the powers and duties of the dairy commissioner, disputes over butterfat contained in milk and cream, and to joint standards for dairy products, and to create a method for the transfer of the laboratory equipment of the dairy department of the department of agriculture and labor to the state laboratory.

- Introduction, first reading, 16.
- Referred to Committee on State and Federal Government.
- Reported back, amended, 97.
- Amendments adopted, 117.
- Engrossed, 125.
- Second reading, 136.
- Passed, 136.
- To House, 150.
- Returned to Senate, indefinitely postponed, 727.

**Senate Bill No. 42** — (Forkner, Holand, Luick)

**Senate Bill No. 42.** For an Act to provide a method for the establishment of minimum speed limits and to provide for the adoption of a manual and specifications for a uniform system of traffic control devices and requiring the highway department to place and maintain signs and devices in accordance therewith, and to amend and reenact section 39-13-02 of the North Dakota Century Code, relating to local traffic signs.

- Introduction, first reading, 16.
- Referred to Committee on Transportation.
- Reported back, amended, 181.
- Amendments adopted, 192.
- Engrossed, 205.
- Second reading, 210.
- Passed, 210.
- To House, 225.
- Returned to Senate, 615.
- Enrolled, 631.
- Signed by President, 638.
- Sent to House, 642.
- Received from House, 647.
- Message to Governor, 650.
- Approved by Governor, 712.

**Senate Bill No. 43** — (Forkner, Holand, Luick)

**Senate Bill No. 43.** For an Act to create and enact subsection 12 of section 39-03-09 and to amend and reenact sections 29-06-15, 39-03-02, 39-03-03, 39-03-04, 39-03-07, subsection 2 of section 39-03-13, and section 39-03A-18 of the North Dakota Century Code, relating to the powers of the Highway Patrol, arrests without warrants, the appointment, removal, and duties of the superintendent, assistant superintendent, and patrolmen, the qualifications of patrolmen, the powers and salary of the superintendent, and to the compulsory termination of employment of patrolmen, and to repeal section 29-06-16 of the North Dakota Century Code, relating to arrests at night.

- Introduction, first reading, 17.
- Referred to Committee on Transportation.
- Reported back, do pass, 182.
- Second reading, 197, 956.
- Placed at foot of calendar, 197.

Passed, 203, 957.  
 To House, 209.  
 House amendments, 880.  
 Returned to Senate, amended, 880.  
 Conference committee, 896, 945.  
 Senate does not concur, 896.  
 Conference Committee report, 956.  
 Enrolled, 1106.  
 Signed by President, 1106.  
 Sent to House, 1107.  
 Received from House, 1108.  
 Message to Governor, 1113.  
 Revision and Correction, 1065.

**Senate Bill No. 44 — (Forkner, Holand, Luick)**

**Senate Bill No. 44.** A Bill for an Act to create and enact sections 39-01-01.1 and 39-06-33.1 of the North Dakota Century Code, providing for a declaration of legislative intent and the authority to suspend licenses for convictions of traffic violations resulting in the death or personal injury of another or serious property damage, and to provide the commissioner with the authority to suspend the licenses of juveniles, the courts with the authority to recognize out-of-state revocations and cancellations, the state toxicologist with the authority to perform blood tests on traffic fatalities and providing an appropriation therefor, and to require escorts for implementations of husbandry extending beyond their normal lanes of travel, and to amend and reenact subsections 2 and 9 of section 39-06-03, sections 39-06-04, 39-06-14, 39-06-19, 39-06-23, 39-06-24, 39-06-29, 39-06-30, 39-06-31, 39-06-32, 39-06-33, 39-06-37, 39-06-38, 39-06-39, and subsection 7 of section 39-06-40 of the North Dakota Century Code, relating to the issuance, suspension, expiration, renewal, and revocation of operator licenses and instructional permits and judicial proceedings relating thereto, and to repeal section 39-06-15 of the North Dakota Century Code, relating to appointments by the commissioner of agents to issue driver licenses.

Introduction, first reading, 17.  
 Referred to Committee on Transportation.  
 Re-referred to Committee on Appropriation, 216.  
 Re-referred to Committee on Transportation, 264.  
 Reported back, do pass, 264; amended, 216, 452.  
 Amendments adopted, 233, 520.  
 Amended from floor, 233.  
 Re-referred to Committee on Appropriations, 233.  
 Engrossed, 550, 1105.  
 Re-engrossed, 253, 553.  
 Second reading, 550, 1079.  
 Passed, 551, 1080.  
 To House, 557.  
 House amendments, 1019.  
 Returned to Senate, amended, 1019.  
 Senate does not concur, 1024.  
 Conference committee, 1024, 1041, 1076.  
 Conference Committee report, 1079.  
 Enrolled, 1105.  
 Signed by President, 1106.  
 Sent to House, 1107.  
 Received from House, 1108.  
 Message to Governor, 1113.

**Senate Bill No. 45 — (Forkner, Holand, Luick)**

**Senate Bill No. 45.** For an Act to amend and reenact section 39-06-14 of the North Dakota Century Code, relating to the issuance of licenses to operate motor vehicles.

Introduction, first reading, 17.  
 Referred to Committee on Transportation.  
 Reported back, amended, 229.  
 Amendments adopted, 245.  
 Engrossed, 253.  
 Second reading, 270, 280, 1017.  
 Passed, 281, 1017.  
 To House, 297.  
 Returned to Senate, amended, 958.  
 House amendments, 959.  
 Senate does not concur, 980.  
 Conference committee, 980, 1008.  
 Conference Committee report, 1016, 1057.  
 Senate concurs, 1016.  
 Enrolled, 1106.  
 Signed by President, 1106.  
 Sent to House, 1107.  
 Received from House, 1108.  
 Message to Governor, 1113.

**Senate Bill No. 46 — (Hernett, Longmire)**

**Senate Bill No. 46.** For an Act to provide for the transition of villages to cities and to amend and reenact sections 1-08-04, 2-02-01, 2-02-02, 2-02-03, 2-02-04, 2-02-06, 2-02-08, subsection 4 of section 2-04-01, section 2-05-06.1, subsection 1 of section 2-06-01, sections 2-06-20, 5-01-13, 5-01-17, 5-02-07, 5-02-08, 5-03-03, 5-03-04, 5-03-20, 5-05-02, 5-05-03, 12-19-25, subsection 2 of section 12-21-15, subsection 5 of section 12-41-11, sections 15-27-01, 15-35-13, 16-09-02, 16-09-03, 18-01-06, 18-01-08, 18-01-08, 18-04-01, 18-04-02, 18-04-03, 18-04-04, 18-04-05, 18-04-07, 19-01-05, subsection 1 of section 21-01-01, sections 21-01-06, 21-02-02, 21-02-06, subsections 1 and 2 of section 21-03-01, subsection 1 of section 21-03-02, subsection 2 of section 21-03-07, subsection 2 of section 21-03-10, sections 21-03-12, 21-03-17, 21-03-24, 21-03-25, 21-03-26, 21-03-27, 21-03-29, 21-03-31, 21-03-34, subsections 1, 2, and 3 of section 21-04-01, sections 21-04-06, 21-06-05, 21-06-06, 21-06-07, 21-06-09, subdivision b of subsection 1 and subdivision c of subsection 2 of section 23-02-13, subdivision b of subsection 1 and subdivision c of subsection 2 of section 23-02-30, subsections 2, 3, and 4 of section 23-03-07, sections 23-03-11, 23-05-01, 23-05-04, 23-05-05, subsection 1 of section 23-05-07, sections 23-06-08, 23-05-10, 23-07-04, 23-14-01, 23-14-07, 23-15-03, 23-24-02, 23-24-05, 23-24-06, subsection 26 of section 24-01-01.1, sections 24-01-14, 24-06-10, 24-07-04, 24-08-01, 26-23-05, 26-23-10, 26-23-22, subsection 3 of section 26-24-01, sections 26-24-06, 26-24-08, 27-09-06, 27-09-07, 27-09-08, 27-09-09, 27-09-10, 27-09-24, 29-02-23, 32-14-07, 32-28-01, 32-28-03, 38-09-02, 40-01-01, 40-01-02, 40-01-10, 40-01-11, 40-01-16, 40-01-18, 40-01-20, 40-02-01, subsection 4 of section 40-02-05, sections 40-02-09, 40-02-10, 40-02-11, 40-02-12, 40-04-01, 40-04-03, 40-04-04, 40-04-07, subsections 1 and 71 of section 40-05-01, sections 40-05-02.2, 40-05-05, 40-05-09.1, 40-11-01, 40-11-04, 40-11-08, 40-11-12, 40-13-02, 40-13-03, 40-18-01, 40-18-05, 40-18-07, 40-18-12, 40-18-15, 40-18-16, 40-18-17, 40-18-19, 40-19-01, 40-19-03, 40-21-06, 40-21-07, 40-21-08, 40-21-10, 40-21-12, 40-21-14, 40-22-14, 40-22-17, subsection 1 of section 40-22-19, sections 40-22-24, 40-22-25, 40-22-26, 40-22-30, subsection 1 of section 40-22-31, sections 40-22-35, 40-22-36, 40-22-40, 40-23-02, 40-23-05, 40-23-07, 40-23-12, 40-23-13, 40-23-14, 40-23-16, 40-24-09, 40-24-11, 40-24-12, 40-24-15, 40-24-16, 40-24-20, 40-27-05, 40-28-02, 40-28-03, 40-28-04, 40-28-05, 40-28-06, 40-28-07, 40-28-08, 40-28-09, 40-29-04, 40-29-05, 40-29-07, 40-29-09, 40-29-10, 40-29-12, 40-29-15, 40-29-17, 40-29-18, 40-29-19, 40-29-20, 40-33-03, 40-33-14, 40-33-16, subsection 5 of section 40-34-02, sections 40-38-03, 40-38-10, 40-39-01, 40-39-02, 40-39-03, 40-39-06, 40-39-08, 40-40-02, subdivision A of subsection 2 of section 40-40-05, sections 40-40-06,



40-40-10, 40-40-13, 40-40-14, 40-40-17, 40-41-02, 40-41-03, 40-41-07, 40-42-01, 40-42-02, 40-42-03, 40-43-03, 40-47-01, 40-48-28, 40-48-31, 40-48-35, 40-49-02, 40-49-04, 40-49-07, 40-49-08, subsection 1 of section 40-49-12, sections 40-49-13, 40-49-17, 40-50-16, 40-50-19, 40-50-22, 40-55-01, subsections 2, 3, and 4 of section 40-58-19, sections 40-59-02, 40-59-03, 47-19-14, 48-04-01, 48-04-02, 48-04-03, 50-16-01, 53-02-08, subsection 3 of section 53-03-01, sections 53-06-06, 57-12-01, 57-12-01.1, 57-12-02, subdivisions a and b of subsection 2 of section 57-12-06, subsections 1 and 3 of section 57-13-04, sections 57-15-01, 57-15-07, 57-15-10, 57-15-10.1, 57-15-27, 57-15-27.1, 57-15-30, 57-15-31, 57-15-32, 57-15-37, 57-15-38, 57-15-39, 57-15-40, 57-15-41, 57-15-42, 57-15-43, 58-02-10, 58-03-04, 58-04-01, subsections 4 and 18 of section 58-06-01, sections 58-10-04, 58-15-01, 58-15-02, 58-15-03, 58-15-04, 58-15-07, 58-16-01, 58-16-02, 61-01-18, 61-21-62, 62-01-06, 63-02-01, 63-02-03, 63-02-05, 63-02-06, 63-02-07, subsection 4 of section 63-02-08, subsection 3 of section 63-02-12, sections 63-02-14, 63-02-16, and 63-03-01 of the North Dakota Century Code, relating to forms of municipal government, eliminating villages as a form of municipal government, contracts by municipalities, municipal ordinances providing for the sale of property, and deleting provisions relating to villages and officers thereof, and to repeal section 16-10-05, subsection 3 of section 21-03-06, subsection 3 of section 21-03-21, chapter 40-03, sections 40-05-04, 40-05-07, chapter 40-07, sections 40-19-04, 40-21-04, 40-29-06, 40-49-06, 40-49-19, 40-51-13, 40-51-14, 40-51-15, 40-51-16, chapters 40-53, and 57-10, and section 57-15-09 of the North Dakota Century Code, relating to villages and their powers, duties, officers, and organization.

Introduction, first reading, 17.  
 Referred to Committee of Political Subdivisions.  
 Reported back, amended, 141.  
 Amendments adopted, 184.  
 Engrossed, 189, 1106.  
 Second reading, 201, 670.  
 Passed, 201, 671.  
 To House, 209.  
 House amendments, 613, 614.  
 Returned to Senate, amended, 613.  
 Senate concurs, 669.  
 Enrolled, 1106.  
 Signed by President, 1107.  
 Sent to House, 1107.  
 Received from House, 1108.  
 Message to Governor, 1113.

**Senate Bill No. 47** — (Hernetit, Longmire)

**Senate Bill No. 47.** For an Act to provide for an affidavit of prejudice and a change of venue in municipal courts and to amend and reenact sections 40-18-03 and 40-18-07 of the 1965 Supplement to the North Dakota Century Code, relating to the vacancy in office and temporary absence of municipal judges, and relating to the issuance of warrants by municipal judges, and to repeal section 40-18-10 of the 1965 Supplement to the North Dakota Century Code, relating to the procedure governing trials for misdemeanors before municipal judges.

Introduction, first reading, 18.  
 Referred to Committee on Judiciary.  
 Reported back, amended, 27.  
 Amendments adopted, 36.  
 Engrossed, 41, 42.  
 Second reading, 48, 1013.  
 Passed, 48, 1013.

To House, 55.  
 House amendments, 244, 245.  
 Returned to Senate, amended, 244.  
 Conference Committee, 258.  
 Senate does not concur, 258.  
 Conference committee report, 1013, 1057.  
 House requests return, 1023.  
 Enrolled, 1106.  
 Signed by President, 1107.  
 Sent to House, 1107.  
 Received from House, 1108.  
 Message to Governor, 1113.

**Senate Bill No. 48** — (Hernett, Longmire)

**Senate Bill No. 48.** For an Act to amend and reenact subsection 4 of section 21-03-07, sections 21-04-13, 21-04-18, 40-01-08, 40-01-12, subsection 59 of section 40-05-01, sections 40-08-12, 40-22-09, 40-22-15, 40-22-18, 40-25-01, 40-38-01, and 48-09-03 of the North Dakota Century Code, relating to the issuing of bonds by municipalities, interest rates on public funds, the removal of buildings when taxes or special assessments are due, claims and accounts against municipalities, public works projects, the publication of proceedings of municipalities, special assessments and improvement districts, the sale of property to enforce collections of delinquent special assessments, public libraries and reading rooms, and relating to the bond required of a successful bidder on a concession.

Introduction, first reading, 19.  
 Referred to Committee on Political Subdivisions.  
 Reported back, amended, 73.  
 Amendments adopted, 93.  
 Engrossed, 102.  
 Passed 113.  
 To House, 139.  
 Returned to Senate, 632, 649; killed, 632.  
 House requests return, 646.  
 Returned to House, 646.

**Senate Bill No. 49** — (Hernett, Longmire)

**Senate Bill No. 49.** For an Act to create and enact chapter 40-23.1 of the North Dakota Century Code, creating an alternative method of determining and allocating the costs of special assessments and to amend and reenact section 40-23-07 of the North Dakota Century Code, relating to the special assessment commission.

Introduction, first reading, 19.  
 Referred to Committee on Political Subdivisions.  
 Reported back, do pass, 73.  
 Second reading, 104.  
 Passed, 104.  
 To House, 121.  
 Returned to Senate, 615.  
 Enrolled, 631.  
 Signed by President, 638.  
 Sent to House, 642.  
 Received from House, 647.  
 Message to Governor, 650.  
 Approved by Governor, 712.

**Senate Bill No. 50** — (Becker, Hernett, Holand)

**Senate Bill No. 50.** For an Act imposing a real estate transfer tax, providing for a method of collection, a statement specifying

the value of the real estate, disposition of proceeds, duties of the tax department, exemptions, and providing a penalty.

Introduction, first reading, 19.

Referred to Committee on Finance and Taxation.

Indefinitely postponed, 88.

**Senate Bill No. 51** — (Longmire, Ruemmele)

**Senate Bill No. 51.** For an Act to amend and reenact sections 25-09-09 and 25-09-10 of the North Dakota Century Code, relating to the manner of billing patients of state institutions and their responsible relatives, and the disposition of nonresident patients at the Grafton state school.

Introduction, first reading, 19.

Referred to Committee on Social Welfare.

Reported back, do pass, 36.

Second reading, 48.

Passed, 49.

To House, 55.

Returned to Senate, 625.

Enrolled, 695.

Signed by President, 696.

Sent to House, 707.

Received from House, 731.

Message to Governor, 743.

Approved by Governor, 883.

**Senate Bill No. 52** — (Longmire, Ruemmele)

**Senate Bill No. 52.** For an Act to provide for the testing and treatment of the disease phenylketonuria and other metabolic diseases causing mental retardation, providing for an educational program concerning such diseases under the direction of the department of health, and requiring physicians attending newborn infants to subject such infants to tests for phenylketonuria and other metabolic diseases.

Introduction, first reading, 19.

Referred to Committee on Social Welfare.

Reported back, do pass, 36.

Second reading, 49, 258.

Passed, 49, 259.

To House, 55.

Returned to Senate, amended, 244.

House amendments, 245.

Engrossed, 258.

Senate concurs, 258.

Enrolled, 346.

Signed by President, 362.

Sent to House, 362.

Received from House, 387.

Message to Governor, 387.

Approved by Governor, 695.

**Senate Bill No. 53** — (Christensen, Lips)

**Senate Bill No. 53.** A Bill for an Act to create and enact section 26-23-02.1, and to amend and reenact sections 26-23-01, 26-23-02, 26-23-05, 26-23-06 and 26-23-07 of the North Dakota Century Code, relating to the definition of "fund", provision for blanket bond coverage, state bonding fund under management of commissioner of insurance, report of election or appointment of public employee, and premiums.

Introduction, first reading, 19.  
 Referred to Committee on State and Federal Government.  
 Re-referred to Committee on State and Federal Government, 264.  
 Reported back, 264; amended, 495, 496.  
 Amendments adopted, 521.  
 Engrossed, 553.  
 Second reading, 554.  
 Passed, 554.  
 Clincher, 564.  
 To House, 572.  
 Returned to Senate, 831.  
 Enrolled, 1028.  
 Signed by President, 1047.  
 Sent to House, 1048.  
 Received from House, 1075.  
 Message to Governor, 1094.

**Senate Bill No. 54** — (Committee on Appropriations)

**Senate Bill No. 54.** For an Act making an appropriation to the state Outdoor Recreation Agency for funding the planning, acquisition and development of outdoor recreation agencies and activities.

Introduction, first reading, 20.  
 Referred to Committee on Appropriations.  
 Reported back, amended, 289.  
 Amendments adopted, 302.  
 Engrossed, 315.  
 Second reading, 335, 1014.  
 Passed, 335, 1014.  
 To House, 346.  
 House amendments, 820.  
 Returned to Senate, amended, 820.  
 Conference Committee, 896, 946.  
 Senate does not concur, 896.  
 Conference Committee report, 1001, 1014.  
 Enrolled, 1106.  
 Signed by President, 1107.  
 Sent to House, 1107.  
 Received from House, 1108.  
 Message to Governor, 1113.

**Senate Bill No. 55** — (Committee on Appropriations)

**Senate Bill No. 55.** For an Act making an appropriation to the North Dakota Trade Commission in accordance with North Dakota Century Code 51-10.

Introduction, first reading, 20.  
 Referred to Committee on Appropriations.  
 Reported back, do pass, 290.  
 Second reading, 310.  
 Passed, 311.  
 To House, 341.  
 Returned to Senate, killed, 986.

**Senate Bill No. 56** — (Tongerson, Chesrown)

**Senate Bill No. 56.** For an Act to amend and reenact section 21-06-07 of the North Dakota Century Code, relating to investments of surpluses by political subdivisions.

Introduction, first reading, 22.  
 Referred to Committee on Political Subdivisions.

Reported back, do pass, 141.  
 Second reading, 184.  
 Passed, 184.  
 To House, 203.  
 Returned to Senate, 396.  
 Enrolled, 467.  
 Signed by President, 469.  
 Sent to House, 475.  
 Received from House, 492.  
 Message to Governor, 493.  
 Approved by Governor, 695.

**Senate Bill No. 57** — (Lips, Trenbeath)

**Senate Bill No. 57.** A Bill for an Act to create and enact sections 15-29-14 and 40-17-09.1 of the North Dakota Century Code, relating to the cancellation of outstanding warrants and the destruction of cancelled warrants.

Introduction, first reading, 22.  
 Referred to Committee on Education.  
 Reported back, amended, 44.  
 Amendments adopted, 53.  
 Engrossed, 58.  
 Amended from floor, 59.  
 Re-engrossed, 59, 259, 346.  
 Second reading, 59, 259.  
 Passed, 59, 259.  
 To House, 69.  
 Returned to Senate, 244; amended, 245.  
 Senate concurs, 259.  
 Enrolled, 346.  
 Signed by President, 362.  
 Sent to House, 362.  
 Received from House, 387.  
 Message to Governor, 387.  
 Approved by Governor, 695.

**Senate Bill No. 58** — (Goldberg, Wenstrom, Sorlie, Coughlin, Decker, Longmire)

**Senate Bill No. 58.** For an Act to provide for the appointment of additional district judges and location of chambers and to amend Section 27-05-01 of the North Dakota Century Code relating to judicial districts, the number, composition and number of judges therein.

Introduction, first reading, 27.  
 Referred to Committee on Judiciary.  
 Reported back, do pass, 58.  
 Second reading, 69.  
 Passed, 70.  
 To House, 81.  
 Returned to Senate, 758.  
 Enrolled, 943.  
 Signed by President, 957.  
 Sent to House, 957.  
 Received from House, 967.  
 Message to Governor, 968.

**Senate Bill No. 59** — (Longmire, Roen, Ringsak)

**Senate Bill No. 59.** For an Act to amend and reenact section 21-03-04 and subsections 1, 5, and 6 of section 21-03-06 of the North

Dakota Century Code to provide that debt limitations of certain political subdivisions shall not exceed the limitations established by section 183 of the state Constitution.

Introduction, first reading, 27.  
 Referred to Committee on Political Subdivisions.  
 Reported back, do pass, 142.  
 Second reading, 184.  
 Passed, 185.  
 To House, 203.  
 Returned to Senate, 396.  
 Enrolled, 467.  
 Signed by President, 469.  
 Sent to House, 475.  
 Received from House, 492.  
 Message to Governor, 493.  
 Approved by Governor, 695.

**Senate Bill No. 60** — (Morgan, Trenbeath, Ringsak, Kautzmann, Freed, Redlin)

**Senate Bill No. 60.** For an Act to allow an amputee to hunt game with a crossbow.

Introduction, first reading, 27.  
 Referred to Committee on Natural Resources.  
 Reported back, amended, 73.  
 Amendments adopted, 93.  
 Engrossed, 102, 1095.  
 Second reading, 113, 969.  
 Passed, 114, 970.  
 To House, 139.  
 Returned to Senate, amended, 958.  
 House amendments, 959.  
 Senate concurs, 969.  
 Enrolled, 1095.  
 Signed by President, 1096.  
 Sent to House, 1096.  
 Received from House, 1097.  
 Message to Governor, 1112.

**Senate Bill No. 61** — (Longmire, Lowe, Larsen)

**Senate Bill No. 61.** For an Act to amend and reenact subdivision j and to create and enact subdivision k of subsection 1 of section 15-39-01 of the North Dakota Century Code, relating to the extension of the coverage of the teachers' insurance and retirement fund.

Introduction, first reading, 28.  
 Referred to Committee on Education.  
 Reported back, amended, 496.  
 Amendments adopted, 521.  
 Engrossed, 553.  
 Second reading, 554.  
 Passed, 554.  
 Clincher, 564.  
 To House, 572.  
 Returned to Senate, 947.  
 Enrolled, 1095.  
 Signed by President, 1096.  
 Sent to House, 1096.  
 Received from House, 1097.  
 Message to Governor, 1112.

**Senate Bill No. 62 — (Longmire)**

**Senate Bill No. 62.** For an Act to amend and reenact sections 43-20-02, 43-20-03, 43-20-04, 43-20-06, and 43-20-07 of the North Dakota Century Code, relating to the qualifications, examinations, registration, employment, recording and display of licenses, and practice of dental hygienists, and the licensing of dental hygienists licensed to practice in another state.

Introduction, first reading, 28.  
 Referred to Committee on Social Welfare and Veterans' Affairs.  
 Reported back, do pass, 74.  
 Amendments adopted, 74.  
 Second reading, 104.  
 Passed, 104.  
 To House, 121.  
 Returned to Senate, 396.  
 Enrolled, 467.  
 Signed by President, 469.  
 Sent to House, 475.  
 Received from House, 492.  
 Message to Governor, 493.  
 Approved by Governor, 695.

**Senate Bill No. 63 — (Nothing)**

**Senate Bill No. 63.** For an Act relating to the observance of Sunday as a day of rest, to provide exceptions thereto, to provide for injunctive relief and penalties for violations thereof, and to amend and reenact section 40-05-03 of the North Dakota Century Code, relating to the regulation and inspection of food markets in cities having a population over fifteen thousand, and to repeal sections 12-21-14, 12-21-15, 12-21-16, 12-21-17, 12-21-20, 12-21-21, and 12-21-22 of the North Dakota Century Code, relating to Sunday closing laws.

Introduction, first reading, 28.  
 Referred to Committee on Social Welfare and Veterans' Affairs.  
 Reported back, amended, 316.  
 Amendments adopted, 344.  
 Engrossed, 362.  
 Second reading, 380, 417, 1073, 1082.  
 Lost, 380.  
 Reconsidered and placed at foot of calendar, 388.  
 Passed, 417, 1073, 1083.  
 To House, 451, 1002.  
 Returned to Senate, killed, 882; amended, 1072.  
 House requests return, 992.  
 Senate concurs, 1073.  
 Reconsidered, 1082.  
 Emergency carried, 1073, 1083.  
 Clincher, 1083.  
 Enrolled, 1097.  
 Message to Governor, 1113.  
 Revision and correction, 1114.

**Senate Bill No. 64 — (Trenbeath, Christensen)**

**Senate Bill No. 64.** For an Act to amend and reenact subsection 8 of section 20-01-01 of the North Dakota Century Code and to amend and reenact section 20-05-02 of the 1965 Supplement to the North Dakota Century Code, relating to the definition of "big game".

Introduction, first reading, 28.  
 Referred to Committee on Natural Resources.

Reported back, do pass, 74.  
 Second reading, 105.  
 Passed, 105.  
 To House, 121.  
 House amendments, 725.  
 Returned to Senate, amended, 725.  
 Conference Committee, 749, 787.  
 Senate does not concur, 749.  
 Conference Committee report, 855, 1048.  
 Engrossed, 1095.  
 Enrolled, 1095.  
 Signed by President, 1096.  
 Sent to House, 1096.  
 Received from House, 1097.  
 Message to Governor, 1112.

**Senate Bill No. 65** — (Trenbeath)

**Senate Bill No. 65.** For an Act to repeal sections 20-01-07 and 20-01-08 of the North Dakota Century Code, relating to hunting from aircraft.

Introduction, first reading, 28.  
 Referred to Committee on Natural Resources.  
 Reported back, amended, 74.  
 Amendments adopted, 93.  
 Engrossed, 102.  
 Second reading, 114.  
 Passed, 114.  
 To House, 139.  
 Returned to Senate, 726.  
 Enrolled, 753.  
 Signed by President, 754.  
 Sent to House, 755.  
 Received from House, 797.  
 Message to Governor, 798.  
 Approved by Governor, 883.

**Senate Bill No. 66** — (Trenbeath, Christensen)

**Senate Bill No. 66.** For an Act to amend and reenact section 61-27-02 and subsections 1, 2, 3, 5, 7, 8, 9, 10 and 11 of section 61-27-03 of the North Dakota Century Code, relating to the identification number and license of motorboats.

Introduction, first reading, 28.  
 Referred to Committee on Social Welfare and Veterans' Affairs.  
 Reported back, do pass, 74.  
 Second reading, 105.  
 Passed, 105.  
 To House, 121.  
 Returned to Senate, 947.  
 Engrossed, 1105.  
 Enrolled, 1105.  
 Signed by President, 1107.  
 Sent to House, 1107.  
 Received from House, 1108.  
 Message to Governor, 1113.

**Senate Bill No. 67** — (Ringsak, Holand, Longmire)

**Senate Bill No. 67.** For an Act to amend and reenact sections 30-13-22 and 30-14-19 of the North Dakota Century Code, relating to the investment of funds by executors, administrators, and guardians.



Introduction, first reading, 36.  
 Referred to Committee on Industry, Business and Labor.  
 Reported back, amended, 65.  
 Amendments adopted, 76.  
 Engrossed, 83.  
 Second reading, 105.  
 Passed, 106.  
 To House, 121.  
 Returned to Senate, 831.  
 Enrolled, 963.  
 Signed by President, 965.  
 Sent to House, 965.  
 Received from House, 996.  
 Message to Governor, 997.

**Senate Bill No. 68** — (Forkner, Roen, Chesrown, Larsen)

**Senate Bill No. 68.** For an Act to amend and reenact section 39-04-36 of the 1965 Supplement to the North Dakota Century Code relating to the transfer of registration and number plates of motor vehicles.

Introduction, first reading, 36.  
 Referred to Committee on Transportation.  
 Reported back, do pass, 182.  
 Second reading, 197.  
 Passed, 198.  
 To House, 209.  
 Returned to Senate, 615.  
 Enrolled, 631.  
 Signed by President, 638.  
 Sent to House, 642.  
 Received from House, 647.  
 Message to Governor, 650.  
 Approved by Governor, 712.

**Senate Bill No. 69** — (Longmire, Coughlin, Larsen, Freed, Litten, Stafne, Sorlie, Luick, Decker, Butler, Larson (Burleigh))

**Senate Bill No. 69.** For an Act to authorize the state board of higher education to sell tax-exempt bonds and provide for the use of the proceeds of such bonds for the purpose of constructing or purchasing revenue producing buildings and other campus improvements at institutions of higher learning in this state under the jurisdiction of the board, at such maximum amounts, at such locations, and for such purposes as is hereinafter provided.

Introduction, first reading, 37.  
 Referred to Committee on Education.  
 Reported back, do pass, 89.  
 Second reading, 111.  
 Passed, 111.  
 To House, 139.  
 Returned to Senate, 614.  
 Enrolled, 631.  
 Signed by President, 638.  
 Sent to House, 642.  
 Received from House, 647.  
 Message to Governor, 650.  
 Approved by Governor, 711.

**Senate Bill No. 70** — (Becker, Chesrown, Nething).

**Senate Bill No. 70.** For an Act to amend and reenact section 12-01-14 of the North Dakota Century Code, relating to the issuance of receipts by public officials.

Introduction, first reading, 37.  
 Referred to Committee on State and Federal Government.  
 Reported back, amended, 89.  
 Amendments adopted, 102.  
 Engrossed, 109.  
 Second reading, 116.  
 Passed, 116.  
 To House, 139.  
 Returned to Senate, 615.  
 Enrolled, 631.  
 Signed by President, 638.  
 Sent to House, 642.  
 Received from House, 647.  
 Message to Governor, 650.  
 Approved by Governor, 711.

**Senate Bill No. 71** — (Becker, Torgerson)

**Senate Bill No. 71.** A Bill for an Act to amend and reenact section 39-19-01 of the North Dakota Century Code, relating to the membership, powers, and duties of the reciprocity commission and declaring an emergency.

Introduction, first reading, 37.  
 Referred to Committee on Finance and Taxation.  
 Reported back, do pass, 89.  
 Second reading, 111, 790.  
 Passed, 112, 791.  
 To House, 139.  
 House amendments, 756.  
 Returned to Senate, amended, 756.  
 Senate concurs, 790.  
 Emergency carried, 791.  
 Engrossed, 943.  
 Enrolled, 943.  
 Signed by President, 957.  
 Sent to House, 957.  
 Received from House, 967.  
 Message to Governor, 968.  
 Revision and correction, 799.

**Senate Bill No. 72** — (Longmire)

**Senate Bill No. 72.** For an Act to create and enact section 1-01-35.1 of the North Dakota Century Code, relating to the tense of words, to create and enact subsections 13, 14, and 15 of section 1-01-49 of the North Dakota Century Code, relating to the definitions of "executor and administrator", "preceding and following", and "rules and regulations", to create section 1-02-09.1 of the North Dakota Century Code, relating to multiple amendments to the same provision, and providing for aids in statutory construction, and to amend and reenact sections 1-01-33, 1-01-34, and 1-02-15 of the North Dakota Century Code, relating to the definition of "year", "month", and "masculine", and to the computation of time.

Introduction, first reading, 37.  
 Referred to Committee on Judiciary.  
 Reported back, do pass, 59.

Second reading, 71.  
 Passed, 71.  
 To House, 81.  
 Returned to Senate, 615.  
 Enrolled, 631.  
 Signed by President, 638.  
 Sent to House, 642.  
 Received from House, 647.  
 Message to Governor, 650.  
 Approved by Governor, 712.

**Senate Bill No. 73** — (Longmire, Lowe)

**Senate Bill No. 73.** For an Act to amend and reenact sections 43-04-23, 43-04-28, 43-04-32, and 43-04-38 of the North Dakota Century Code, relating to ages of apprentice barbers and requiring a high school education.

Introduction, first reading, 37.  
 Referred to Committee on Industry, Business and Labor.  
 Reported back, amended, 65.  
 Amendments adopted, 76.  
 Engrossed, 83.  
 Second reading, 109.  
 Amended from floor, 109.  
 Adopted, 123.  
 Passed, 123.  
 Re-engrossed, 125.  
 To House, 139.  
 Returned to Senate, 752.  
 Enrolled, 893.  
 Signed by President, 913.  
 Sent to House, 913.  
 Received from House, 958.  
 Message to Governor, 960.

**Senate Bill No. 74** — (Kautzmann, Longmire, Stafne)

**Senate Bill No. 74.** For an Act to amend and reenact section 25-09-07 of the 1965 Supplement to the North Dakota Century Code relating to the collection of expenses of care and treatment of patients at the state hospital and state school.

Introduction, first reading, 37.  
 Referred to Committee on Social Welfare and Veterans' Affairs.  
 Reported back, do pass, 230.  
 Engrossed, 277, 287, 753.  
 Second reading, 246, 277, 722.  
 Laid over one legislative day, 246.  
 Passed, 277 723; as amended from floor, 277  
 To House, 297.  
 House amendments, 698.  
 Returned to Senate, amended, 698.  
 Senate concurs, 722.  
 Enrolled, 753.  
 Signed by President, 754.  
 Sent to House, 754.  
 Received from House, 797.  
 Message to Governor, 798.  
 Approved by Governor, 883.

**Senate Bill No. 75** — (Becker, Geving, Robinson, Rait, Stroup, Kautzmann)

**Senate Bill No. 75.** For an Act to amend and reenact section 38-09-01 of the North Dakota Century Code, relating to the reservation of mineral rights when transferring state lands.

Introduction, first reading, 37.

Referred to Committee on Natural Resources

Indefinitely postponed, 142.

**Senate Bill No. 76** — (Wenstrom)

**Senate Bill No. 76.** A Bill for an Act to amend and reenact section 54-16-06 of the North Dakota Century Code, relating to reports by boards and officers when expenditures are authorized by the emergency commission.

Introduction, first reading, 41.

Referred to Committee on Judiciary.

Reported back, do pass, 59.

Second reading, 71, 671.

Passed, 72, 671.

To House, 81.

Returned to Senate, amended, 625.

Senate concurs, 671.

Enrolled, 753.

Signed by President, 754.

Sent to House, 755.

Received from House, 797.

Message to Governor, 798.

Approved by Governor, 883.

**Senate Bill No. 77** — (Luick, Wenstrom)

**Senate Bill No. 77.** For an Act reappropriating the unexpended balance of that appropriation contained in section 3 of chapter 50 of the 1965 Session Laws for the construction of armories and improvements to military property.

Introduction, first reading, 41.

Referred to Committee on Appropriations.

Reported back, do pass, 190.

Second reading, 210.

Passed, 211.

To House, 225.

Returned to Senate, 614.

Enrolled, 650.

Signed by President, 650.

Sent to House, 659.

Received from House, 667.

Message to Governor, 668.

Approved by Governor, 712.

**Senate Bill No. 78** — (Wenstrom)

**Senate Bill No. 78.** For an Act to amend and reenact section 15-55-18 of the 1965 Supplement to the North Dakota Century Code, relating to dormitory bond issues for junior colleges and educational centers.

Introduction, first reading, 41.

Referred to Committee on Education.

Reported back, do pass, 89.

Second reading, 112.

Passed, 112.  
 To House, 139.  
 Returned to Senate, 614.  
 Enrolled, 695.  
 Signed by President, 696.  
 Sent to House, 707.  
 Received from House, 731.  
 Message to Governor, 743.  
 Approved by Governor, 832.

**Senate Bill No. 79** — (Kelly (Milton), Longmire, Becker)

**Senate Bill No. 79.** For an Act to amend and reenact sections 43-13-07, 43-13-08, 43-13-17, 43-13-19, 43-13-20, of the North Dakota Century Code, relating to compensation for services and reimbursements of expenses of members of the optometric board, and collection, custody and disbursement of funds of the board, and reimbursement of clerical expenses and other services by the secretary of the Board of Optometry, and an examination for a certificate of registration to practice optometry, the contents thereof and the fees for such examination, and certificate of registration and fees paid therefore, and provisions for failure to pass examination and reexamination and fees therefore, and certificates of registration to practice optometry, and renewal, revocation, and reinstatement thereof and annual license fees therefor.

Introduction, first reading, 41.  
 Referred to Committee on Industry, Business and Labor.  
 Reported back, do pass, 66.  
 Second reading, 76.  
 Passed, 77.  
 To House, 83.  
 Returned to Senate, 752.  
 Enrolled, 893.  
 Signed by President, 913.  
 Sent to House, 913.  
 Received from House, 958.  
 Message to Governor, 960.

**Senate Bill No. 80** — (Longmire)

**Senate Bill No. 80.** For an Act to amend and reenact subsection 2 of section 57-37-07 of the 1965 Supplement to the North Dakota Century Code, relating to the definition of powers of appointment for estate tax purposes.

Introduction, first reading, 44.  
 Referred to Committee on Judiciary.  
 Reported back, do pass, 66.  
 Second reading, 77.  
 Passed, 77.  
 To House, 83.  
 Returned to Senate, 225.  
 Enrolled, 283.  
 Signed by President, 287.  
 Sent to House, 297.  
 Received from House, 298.  
 Message to Governor, 299.  
 Approved by Governor, 409.

**Senate Bill No. 81** — (Kautzmann)

**Senate Bill No. 81.** For an Act authorizing the board of administration to lease certain property now owned by the state and under the control of the state industrial school.

Introduction, first reading, 44.  
Referred to Committee on State and Federal Government.  
Reported back, do pass, 89.  
Second reading, 112.  
Passed, 113.  
To House, 139.  
Returned to Senate, 726.  
Enrolled, 817.  
Signed by President, 818.  
Sent to House, 818.  
Received from House, 840.  
Message to Governor, 845.  
Approved by Governor, 977.

**Senate Bill No. 82** — (Robinson, Jacobson, Ruemmele, Stroup,  
Trenbeath, Geving, Wenstrom)

**Senate Bill No. 82.** For an Act to amend and reenact sections 57-02.1-01 and 57-02.1-02, and subsection 1 of section 57-02.1-05 of the North Dakota Century Code, relating to payments to be made to counties in lieu of real property taxes which would otherwise be due if such property were not owned by a governmental entity and controlled by the state game and fish department.

Introduction, first reading, 45.  
Referred to Committee on Natural Resources.  
Reported back, amended, 257.  
Amendments adopted, 268.  
Engrossed, 275.  
Second reading, 304.  
Passed, 304.  
To House, 341.  
Returned to Senate, 667.  
Enrolled, 712.  
Signed by President, 712.  
Sent to House, 722.  
Received from House, 752.  
Message to Governor, 755.  
Approved by Governor, 832.

**Senate Bill No. 83** — (Robinson)

**Senate Bill No. 83.** A Bill for an Act to create and enact section 55-08-06.1 of the North Dakota Century Code, relating to state park motor vehicle permits and fees and to amend and reenact section 55-08-06 of the North Dakota Century Code, relating to permit and admission fees to state parks.

Introduction, first reading, 45.  
Referred to Committee on Natural Resources.  
Reported back, amended, 468.  
Amendments adopted, 520.  
Engrossed, 550.  
Second reading, 551.  
Passed, 551.  
To House, 557.  
Returned to Senate, 947.  
Enrolled, 1095.  
Signed by President, 1096.  
Sent to House, 1096.  
Received from House, 1097.  
Message to Governor, 1112.

**Senate Bill No. 84** — (Morgan, Ringsak, Mutch, Lips, Nething, Sands, Stafne, Holand, Meschke)

**Senate Bill No. 84.** For an Act to amend and reenact sections 19-19-02, 19-19-03, 19-19-04, 19-19-05, 19-19-06, and 19-19-07 of the North Dakota Century Code, relating to sale and dispensing of barbiturates.

Introduction, first reading, 50.  
 Referred to Committee on State and Federal Government.  
 Reported back, do pass, 97.  
 Second reading, 117.  
 Amended from floor, 117.  
 Passed, 117.  
 Engrossed, 125.  
 To House, 139.  
 Returned to Senate, indefinitely postponed, 727.

**Senate Bill No. 85** — (Holand)

**Senate Bill No. 85.** For an Act to amend and reenact section 16-13-11 of the North Dakota Century Code, relating to the keeping of ballots by the county judge.

Introduction, first reading, 50.  
 Referred to Committee on Judiciary.  
 Reported back, do pass, 66.  
 Second reading, 77, 364.  
 Passed, 77, 364.  
 To House, 83.  
 House amendments, 347.  
 Returned to Senate, amended, 347.  
 Senate concurs, 364; adopts, 364.  
 Engrossed, 364, 387.  
 Enrolled, 467.  
 Signed by President, 469.  
 Sent to House, 475.  
 Received from House, 492.  
 Message to Governor, 493.  
 Approved by Governor, 695.

**Senate Bill No. 86** — (Holand, Freed, Nething, Ringsak, Longmire, Chesrown, Goldberg, Meschke)

**Senate Bill No. 86.** For an Act to amend and reenact sections 30-21-01 and 30-21-03 of the 1965 Supplement to the North Dakota Century Code, relating to a petition for a legacy or share by an heir, devisee, or legatee of an estate and the requirement of a bond and payment of costs.

Introduction, first reading, 50.  
 Referred to Committee on Judiciary.  
 Reported back, do pass, 66.  
 Second reading, 78.  
 Passed, 78.  
 To House, 83.  
 Returned to Senate, 234.  
 Enrolled, 287.  
 Signed by President, 287.  
 Sent to House, 297.  
 Received from House, 298.  
 Message to Governor, 299.  
 Approved by Governor, 409.

**Senate Bill No. 87** — (Mutch, Forkner, Ringsak, Morgan, Decker, Roen, Coughlin)

**Senate Bill No. 87.** A Bill for an Act to amend and reenact subsection 21 of section 54-44-04 of the North Dakota Century Code, providing for the operation of a centralized purchasing service and to provide for credit card purchases of motor vehicle fuel by the department of accounts and purchases.

Introduction, first reading, 51.  
 Referred to Committee on State and Federal Government.  
 Reported back, amended, 264.  
 Divided report, 264.  
 Amendments adopted, 276.  
 Engrossed, 287.  
 Second reading, 306.  
 Passed, 307.  
 To House, 341.  
 Returned to Senate, indefinitely postponed, 947.

**Senate Bill No. 88** — (Mutch, Forkner, Robinson, Roen, Sorlie, Torgerson, Goldberg, Melland)

**Senate Bill No. 88.** A Bill for an Act to repeal subsections 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 of section 51-10-06 and sections 51-10-09, 51-10-10, 51-10-11, 51-10-12, 51-10-13, 51-10-14, and 51-10-15 of the 1965 Supplement to the North Dakota Century Code, relating to the North Dakota Trade Commission.

Introduction, first reading, 51.  
 Referred to Committee on Industry, Business and Labor.  
 Returned to Senate and withdrawn, 356.

**Senate Bill No. 89** — (Holand, Litten)

**Senate Bill No. 89.** A Bill for an Act relating to a study by the legislative research committee for the development of a plan for an integrated data processing and data retrieval system for the state of North Dakota, temporarily limiting the acquisition of new data processing equipment, and providing for an appropriation.

Introduction, first reading, 52.  
 Referred to Committee on State and Federal Government.  
 Reported back, do pass, 97.  
 Re-referred to Committee on Appropriations, 97.  
 Do pass, 290.  
 Second reading, 311, 981.  
 Passed, 311, 981.  
 To House, 341.  
 Returned to Senate, amended, 958.  
 House amendments, 959.  
 Senate concurs, 981.  
 Engrossed, 1105.  
 Enrolled, 1105.  
 Signed by President, 1107.  
 Sent to House, 1107.  
 Received from House, 1108.  
 Message to Governor, 1113.

**Senate Bill No. 90** — (Wenstrom)

**Senate Bill No. 90.** A Bill for an Act to amend and reenact sections 54-16-03 and 54-16-04 of the North Dakota Century Code, relating to authority of emergency commission.



Introduction, first reading, 52.  
 Referred to Committee on State and Federal Government.  
 Reported back, amended, 97.  
 Amendments adopted, 117.  
 Engrossed, 125, 1105.  
 Second reading, 137, 852.  
 Passed, 138, 852.  
 To House, 150.  
 House amendments, 820.  
 Returned to Senate, amended, 820.  
 Senate concurs, 852.  
 Enrolled, 1105.  
 Signed by President, 1107.  
 Sent to House, 1107.  
 Received from House, 1108.  
 Message to Governor, 1113.

**Senate Bill No. 91 — (Morgan)**

**Senate Bill No. 91.** A Bill for an Act to amend and reenact section 40-01-20 of the North Dakota Century Code, relating to the prohibition of daylight saving time, and declaring an emergency.

Introduction, first reading, 52.  
 Referred to Committee on State and Federal Government.  
 Reported back, amended, 230.  
 Amendments adopted, 245.  
 Engrossed, 253.  
 Second reading, 270, 923.  
 Passed, 271, 924.  
 To House, 284.  
 Returned to Senate, amended, 923.  
 Senate concurs, 923.  
 Clincher, 924.  
 Enrolled, 1106.  
 Signed by President, 1107.  
 Sent to House, 1107.  
 Received from House, 1108.  
 Message to Governor, 1113.

**Senate Bill No. 92 — (Longmire, Stafne)**

**Senate Bill No. 92.** A Bill for an Act to amend and reenact subsection 7 of section 57-38-18 of the North Dakota Century Code, relating to items not included in gross income under the North Dakota income tax statute.

Introduction, first reading, 52.  
 Referred to Committee on Finance and Taxation.  
 Indefinitely postponed, 89.

**Senate Bill No. 93 — (Holand, Wenstrom, Berube)**

**Senate Bill No. 93.** A Bill for an Act directing the legislative research committee to appoint a special subcommittee on intrastate cooperation consisting of members of the legislative assembly and representatives of political subdivisions and special advisory members from state government.

Introduction, first reading, 52.  
 Referred to Committee on Political Subdivisions.  
 Returned and withdrawn, 516.

**Senate Bill No. 94** — (Trenbeath, Roen, Holland, Larson (Burleigh))

**Senate Bill No. 94.** For an Act relating to a statement of legislative intent in regard to the employment of teachers, and providing for conferences when requested for the purpose of explaining reasons for discharge or failure to renew teaching contracts.

Introduction, first reading, 58.  
Referred to Committee on Education.  
Reported back, do pass, 98.  
Second reading, 122.  
Passed, 122.  
To House, 139.  
Returned to Senate, 204.  
Enrolled, 250.  
Signed by President, 250.  
Sent to House, 261.  
Received from House, 272.  
Message to Governor, 272.  
Approved by Governor, 409.

**Senate Bill No. 95** — (Sands, Redlin, Ruemmele)

**Senate Bill No. 95.** For an Act to amend and reenact section 61-01-14 of the 1965 Supplement to the North Dakota Century Code, relating to the fouling of public water.

Introduction, first reading, 58.  
Referred to Committee on Social Welfare and Veterans' Affairs.  
Reported back, do pass, 142.  
Second reading, 185, 1061.  
Passed, 185.  
To House, 203.  
Returned to Senate, 667.  
Enrolled, 712.  
Signed by President, 712.  
Sent to House, 722.  
Received from House, 752.  
Message to Governor, 755.  
Vetoed by Governor, 822.  
Placed on calendar for reconsideration, 823.  
Lost, 1062.

**Senate Bill No. 96** — (Forkner, Decker, Coughlin, Trenbeath, Jacobson, Mutch)

**Senate Bill No. 96.** A Bill for an Act to amend and reenact sections 19-10-10, 19-10-19, 19-10-20, and 19-10-21 of the North Dakota Century Code, relating to the powers and duties of the state laboratories department.

Introduction, first reading, 58.  
Referred to Committee on State and Federal Government.  
Reported back, amended, 496.  
Amendments adopted, 521.  
Engrossed, 553.  
Second reading, 554.  
Amended from floor, 555.  
Passed, 555.  
Clincher, 564.  
Re-engrossed, 565.  
To House, 572.  
Returned to Senate, indefinitely postponed, 947.

**Senate Bill No. 97** — (Forkner, Coughlin, Trenbeath,  
Jacobson, Mutch, Decker)

**Senate Bill No. 97.** For an Act to amend and enact section 26-23-06 of the North Dakota Century Code, relating to the state bonding fund; and to create and enact Section 26-23-24 of the North Dakota Century Code, relating to the state bonding fund.

Introduction, first reading, 58.

Referred to Committee on State and Federal Government.

Indefinitely postponed, 265.

**Senate Bill No. 98** — (Longmire, Ringsak, Meschke)

**Senate Bill No. 98.** For an Act to amend and reenact sections 47-24-01, 47-24-02, 47-24-03, 47-24-04, 47-24-06, and 47-24-07 of the North Dakota Century Code, relating to the North Dakota Uniform Gifts to Minors Act.

Introduction, first reading, 58.

Referred to Committee on Judiciary.

Reported back, do pass, 207.

Second reading, 221, 1024.

Passed, 222, 1025.

To House, 241.

House amendments, 999, 1000.

Returned to Senate, amended, 999.

Senate concurs, 1024.

Engrossed, 1105.

Enrolled, 1105.

Signed by President, 1107.

Sent to House, 1108.

Received from House, 1108.

Message to Governor, 1113.

**Senate Bill No. 99** — (Longmire)

**Senate Bill No. 99.** For an Act to amend and reenact section 57-37-29 of the 1965 Supplement to the North Dakota Century Code, relating to the retention and condition for transfer of assets in a decedent's estate.

Introduction, first reading, 58.

Referred to Committee on Judiciary.

Reported back, do pass, 119.

Second reading, 137.

Passed, 138.

To House, 150.

Returned to Senate, 947.

Enrolled, 1097.

Message to Governor, 1113.

**Senate Bill No. 100** — (Redlin, Longmire)

**Senate Bill No. 100.** For an Act to allow certain school districts, upon approval of the electorate of such districts and the superintendent of public instruction, to enter into agreements with school districts of adjoining states for the joint operation and maintenance of school facilities and activities and to levy and collect taxes for such purpose.

Introduction, first reading, 61.

Referred to Committee on Education.

Reported back, amended, 190.

Amendments adopted, 208.  
 Engrossed, 215, 944.  
 Second reading, 222.  
 Amended from floor, 222, 791.  
 Passed, 222, 791.  
 Re-engrossed, 227.  
 To House, 241.  
 Returned to Senate, amended, 756.  
 House amendments, 757.  
 Senate concurs, 791.  
 Enrolled, 944.  
 Signed by President, 957.  
 Sent to House, 957.  
 Received from House, 967.  
 Message to Governor, 968.  
 Revision and correction, 799.

**Senate Bill No. 101** — (Luick)

**Senate Bill No. 101.** A Bill for an Act to amend and reenact section 57-52-04 of the North Dakota Century Code, relating to excise tax levy on special fuels.

Introduction, first reading, 61.  
 Referred to Committee on Finance and Taxation.  
 Indefinitely postponed, 98.

**Senate Bill No. 102** — (Luick, Coughlin, Freed, Geving, Hofstrand, Morgan, Nasset, Robinson, Roen, Sorlie)

**Senate Bill No. 102.** A Bill for an Act transferring the field enforcement functions of the weight control division of the state highway department, together with all field equipment and facilities used by the weight control division, to the state highway patrol, and to amend and reenact sections 24-01-13, 24-03-02, 39-03A-09, 39-04-40, and 39-12-07 of the North Dakota Century Code, relating to the authority of the state highway commissioner in regulating and controlling the weight of vehicles traveling upon the state highway system.

Introduction, first reading, 61.  
 Referred to Committee on Transportation.  
 Put on calendar by motion, 182.  
 Second reading, 198.  
 Lost, 198.

**Senate Bill No. 103** — (Kautzmann, Kelly (Barnes), Becker, Nething, Kelly (Ramsey) Ringsak)

**Senate Bill No. 103.** A Bill for an Act to amend and reenact section 43-13-29 of the North Dakota Century Code, relating to prohibiting the solicitation of the sale of optical appliances and visual services.

Introduction, first reading, 61.  
 Referred to Committee on Social Welfare and Veterans' Affairs.  
 Reported back, do pass, 230.  
 Second reading, 246.  
 Passed, 246.  
 To House, 261.  
 Returned to Senate, indefinitely postponed, 832.

**Senate Bill No. 104** — (Forkner, Butler, Nething, Pyle, Lowe, Goldberg, Kelly (Ramsey), Ringsak)

**Senate Bill No. 104.** For an Act to require the registration of snowmobiles, to require operators of snowmobiles to be licensed motor vehicle operators, and to restrict the operation of snowmobiles to the right-of-way portion of the highways in the state of North Dakota.

Introduction, first reading, 66.  
 Referred to Committee on Transportation.  
 Indefinitely postponed, 230.

**Senate Bill No. 105** — (Longmire, Larson (Burleigh), Lowe, Larsen)

**Senate Bill No. 105.** For an Act to amend and reenact sections 15-55-01, 15-55-02, 15-55-02.1, 15-55-03, 15-55-04, 15-55-05, 15-55-06, 15-55-07, 15-55-09, 15-55-10 and 15-55-14 of the North Dakota Century Code relating to the issuance of revenue bonds for the construction of buildings and other campus improvements at the state institutions of higher learning.

Introduction, first reading, 66.  
 Referred to Committee on Education.  
 Reported back, amended, 190.  
 Amendments adopted, 208.  
 Engrossed, 215, 1105.  
 Second reading, 223, 993.  
 Passed, 223, 994.  
 To House, 241.  
 House amendments, 948.  
 Returned to Senate, amended, 948.  
 Senate concurs, 993.  
 Enrolled, 1105.  
 Signed by President, 1107.  
 Sent to House, 1108.  
 Received from House, 1108.  
 Message to Governor, 1113.

**Senate Bill No. 106** — (Ringsak)

**Senate Bill No. 106:** A Bill for an Act to invalidate certain indemnity requirements.

Introduction, first reading, 67.  
 Referred to Committee on Judiciary.  
 Reported back, amended, 119.  
 Re-referred to Committee on Judiciary, 135.  
 Amended, 290.  
 Amendments adopted, 302.  
 Engrossed, 315.  
 Second reading, 335.  
 Passed, 335.  
 To House, 346.  
 Returned to Senate, killed, 947.

**Senate Bill No. 107** — (Sorlie, Litten, Robinson)

**Senate Bill No. 107.** For an Act to provide for transferring balances from Korean bonus sinking fund to the general fund.

Introduction, first reading, 67.  
 Referred to Committee on Social Welfare and Veterans' Affairs.  
 Reported back, do pass, 142.

Second reading, 185.  
 Passed, 186.  
 To House, 203.  
 Returned to Senate, 872.  
 Engrossed, 1095.  
 Enrolled, 1095.  
 Signed by President, 1096.  
 Sent to House, 1096.  
 Received from House, 1097.  
 Message to Governor, 1112.

**Senate Bill No. 108** — (Litten and Pyle)

**Senate Bill No. 108.** For an Act to amend and reenact sections 23-15-01, 23-15-02, and 62-04-05 of the North Dakota Century Code, relating to fireworks.

Introduction, first reading, 67.  
 Referred to Committee on Industry, Business and Labor.  
 Indefinitely postponed, 216.

**Senate Bill No. 109** — (Redlin, Pyle, Stafne)

**Senate Bill No. 109.** For an Act to create and enact subsection 6 of section 15-10-30 of the 1965 Supplement to the North Dakota Century Code, relating to the powers and duties of the higher education facilities commission.

Introduction, first reading, 67.  
 Referred to Committee on Education.  
 Reported back, do pass, 98.  
 Second reading, 122.  
 Passed, 122.  
 To House, 139.  
 Returned to Senate, 726.  
 Enrolled, 754.  
 Signed by President, 754.  
 Sent to House, 755.  
 Received from House, 797.  
 Message to Governor, 798.  
 Approved by Governor, 883.

**Senate Bill No. 110** — (Richard Larsen)

**Senate Bill No. 110.** For an Act to amend and reenact section 54-24-08 of the North Dakota Century Code, relating to rural library services.

Introduction, first reading, 67.  
 Referred to Committee on Education.  
 Reported back, amended, 98.  
 Amendments adopted, 117.  
 Engrossed, 125.  
 Second reading, 138.  
 Passed, 138.  
 To House, 150.  
 Returned to Senate, 614.  
 Enrolled, 695.  
 Signed by President, 696.  
 Sent to House, 707.  
 Received from House, 731.  
 Message to Governor, 743.  
 Approved by Governor, 832.

**Senate Bill No. 111** — (Morgan, Nasset, Redlin)

**Senate Bill No. 111.** For an Act to amend and reenact sections 20-03-06 and 20-03-12 of the North Dakota Century Code, relating to hunting by nonresidents and nonresident hunting licenses and fees.

Introduction, first reading, 70.  
 Referred to Committee on Natural Resources.  
 Reported back, do pass, 231.  
 Second reading, 246.  
 Passed, 247.  
 To House, 261.  
 Returned to Senate, 667.  
 Enrolled, 712.  
 Signed by President, 713.  
 Sent to House, 722.  
 Received from House, 752.  
 Message to Governor, 755.  
 Approved by Governor, 832.

**Senate Bill No. 112** — (Mutch, Ringsak, Roen, Robinson)

**Senate Bill No. 112.** For an Act to amend and reenact section 15-39-40 of the North Dakota Century Code, relating to teachers' insurance retirement fund, and declaring an emergency.

Introduction, first reading, 74.  
 Referred to Committee on Education.  
 Reported back, do pass, 496.  
 Second reading, 545, 981.  
 Passed, 545, 982.  
 Clincher, 550.  
 To House, 557.  
 House amendments, 948.  
 Returned to Senate, amended, 948.  
 Senate concurs, 981.  
 Emergency carried, 982.  
 Engrossed, 1105.  
 Enrolled, 1105.  
 Signed by President, 1107.  
 Sent to House, 1108.  
 Received from House, 1108.  
 Message to Governor, 1113.

**Senate Bill No. 113** — (Longmire, Stafne)

**Senate Bill No. 113.** For an Act to amend and reenact section 25-03-08 of the North Dakota Century Code, relating to emergency procedure for admission of mentally ill to a private hospital or to the state hospital.

Introduction, first reading, 75.  
 Referred to Committee on Social Welfare and Veterans' Affairs.  
 Reported back, amended, 231.  
 Amendments adopted, 246.  
 Engrossed, 253.  
 Second reading, 271.  
 Passed, 271.  
 To House, 284.  
 Returned to Senate, 625.  
 Enrolled, 650.  
 Signed by President, 650.  
 Sent to House, 659.

Received from House, 667.  
 Message to Governor, 668.  
 Approved by Governor, 712.

**Senate Bill No. 114** — (Longmire and Stafne)

**Senate Bill No. 114.** For an Act to repeal section 12-33-02 of the North Dakota Century Code, relating to attempting suicide — punishment.

Introduction, first reading, 75.  
 Referred to Committee on Judiciary.  
 Reported back, do pass, 119.  
 Second reading, 138.  
 Passed, 138.  
 To House, 150.  
 Returned to Senate, 752.  
 Enrolled, 893.  
 Signed by President, 913.  
 Sent to House, 913.  
 Received from House, 958.  
 Message to Governor, 960.

**Senate Bill No. 115** — (Robinson and Roen)

**Senate Bill No. 115.** For an Act to establish a claim fund to indemnify owners of real property, livestock, and agricultural products for certain damages thereto caused by hunters, and making an appropriation.

Introduction, first reading, 75.  
 Referred to Committee on Natural Resources.  
 Indefinitely postponed, 231.

**Senate Bill No. 116** — (Larson (Pt. Walsh - Nelson), and Longmire)

**Senate Bill No. 116.** For an Act to amend and reenact subsection 3 of section 24-02-11 of the North Dakota Century Code, relating to the records required to be maintained by the highway department.

Introduction, first reading, 75.  
 Referred to Committee on State and Federal Government.  
 Reported back, do pass, 257.  
 Second reading, 277.  
 Passed, 278.  
 To House, 297.  
 Returned to Senate, 726.  
 Enrolled, 754.  
 Signed by President, 754.  
 Sent to House, 755.  
 Received from House, 797.  
 Message to Governor, 798.  
 Approved by Governor, 883.

**Senate Bill No. 117** — (Trenbeath)

**Senate Bill No. 117.** For an Act to amend and reenact subsection 21 of section 57-02-08 of the 1965 Supplement to the North Dakota Century Code and subsection 22 of section 57-02-08 of the North Dakota Century Code, relating to the exemption from taxation of property of blind persons and of permanently and totally disabled persons.



Introduction, first reading, 75.  
 Referred to Committee on Finance and Taxation.  
 Indefinitely postponed, 182.

**Senate Bill No. 118** — (Longmire, Sands, Ringsak,  
 Becker, Kelly (Ramsey))

**Senate Bill No. 118.** For an Act providing an appropriation for the construction of a child and adolescent treatment center building for the treatment of mentally ill adolescents.

Introduction, first reading, 75.  
 Referred to Committee on State and Federal Government.  
 Indefinitely postponed, 370.  
 Recorded vote, divided report, 370.

**Senate Bill No. 119** — (Wilhite, Freed, Longmire, Melland)

**Senate Bill No. 119.** For an Act to permit an alternative procedure for foreclosure of a real estate mortgage when so permitted by the terms of said mortgage.

Introduction, first reading, 75.  
 Referred to Committee on Judiciary.  
 Reported back, do pass, 119.  
 Second reading, 150.  
 Amended from floor, lost, 150.  
 Passed, 150.  
 To House, 183.  
 Returned to Senate, 625.  
 Enrolled, 650.  
 Signed by President, 650.  
 Sent to House, 659.  
 Received from House, 667.  
 Message to Governor, 668.  
 Approved by Governor, 832.

**Senate Bill No. 120** — (Nething, Kautzmann, Butler)

**Senate Bill No. 120.** For an Act to amend and reenact section 31-01-09 of the North Dakota Century Code, relating to the privilege against self-incrimination.

Introduction, first reading, 75.  
 Referred to Committee on Judiciary.  
 Reported back, amended, 125.  
 Amendments adopted, 143.  
 Engrossed, 155, 817.  
 Second reading, 186, 750.  
 Passed, 186, 750.  
 To House, 203.  
 Returned to Senate, amended, 725.  
 Senate concurs, 749.  
 Enrolled, 817.  
 Signed by President, 818.  
 Sent to House, 818.  
 Received from House, 840.  
 Message to Governor, 845.  
 Approved by Governor, 977.

**Senate Bill No. 121** — (Kautzmann, Lowe, Meschke, Butler)

**Senate Bill No. 121.** For an Act to create and enact section 43-09-13.1, relating to apprentice electricians, and to amend and re-

enact sections 43-09-01, 43-09-02, 43-09-04, 43-09-06, 43-09-11, 43-09-13, and 43-09-15 of the North Dakota Century Code, relating to state electrical board members, compensation, meeting place and notice, license fees, and revocation of licenses of electricians.

Introduction, first reading, 80.  
 Referred to Committee on Industry, Business, and Labor.  
 Reported back, do pass, 119.  
 Second reading, 151.  
 Passed, 151.  
 To House, 183.  
 Returned to Senate, 831.  
 Enrolled, 863.  
 Signed by President, 965.  
 Sent to House, 965.  
 Received from House, 996.  
 Message to Governor, 997.

**Senate Bill No. 122** — (Richard Larsen)

**Senate Bill No. 122.** A Bill for an Act to create and enact section 12-46-24 of the North Dakota Century Code, relating to the transfer of inmates of the North Dakota industrial school to other state institutions, to amend and reenact sections 12-46-03, 12-46-04, 12-46-06, 12-46-09, 12-46-10, 12-46-10.1, 12-46-17, 12-46-18, 12-52-01, 12-52-02, 12-52-03, 12-52-04, 12-52-05, 12-52-07, 25-01.1-01, 54-23-01, and 54-23-29 of the North Dakota Century Code, transferring the control and administration of the North Dakota industrial school from the board of administration to the public welfare board of North Dakota, and to repeal sections 12-46-07 and 54-23-22 of the North Dakota Century Code, relating to the North Dakota industrial school.

Introduction, first reading, 80.  
 Referred to Committee on Social Welfare and Veterans' Affairs.  
 Roll call vote, 142.  
 Indefinitely postponed, 142.

**Senate Bill No. 123** — (Ringsak, Meschke, Nething)

**Senate Bill No. 123.** A Bill for an Act to amend and reenact section 27-06-02 of the 1965 Supplement to the North Dakota Century Code, relating to salary and expenses of court reporter.

Introduction, first reading, 80.  
 Referred to Committee on Judiciary.  
 Reported back, amended, 217.  
 Amendments adopted, 236.  
 Engrossed, 250.  
 Second reading, 260.  
 Passed, 260.  
 To House, 272.  
 Returned to Senate, 667.  
 Enrolled, 712.  
 Signed by President, 713.  
 Sent to House, 722.  
 Received from House, 752.  
 Message to Governor, 755.  
 Approved by Governor, 832.

**Senate Bill No. 124** — (Nething, Hofstrand, Morgan)

**Senate Bill No. 124.** A Bill for an Act to amend and reenact section 29-29-08 of the North Dakota Century Code, relating to the use of force in the execution of a search warrant.

Introduction, first reading, 80.  
 Referred to Committee on Judiciary.  
 Reported back, amended, 119.  
 Amendments adopted, 135.  
 Engrossed, 141, 817.  
 Second reading, 153, 750.  
 Passed, 154, 750.  
 To House, 183.  
 Returned to Senate, amended, 725.  
 Senate concurs, 750.  
 Enrolled, 817.  
 Signed by President, 818.  
 Sent to House, 818.  
 Received from House, 840.  
 Message to Governor, 845.  
 Approved by Governor, 977.

**Senate Bill No. 125** — (Ringsak, Mutch, Jacobson, Forkner, Butler, Nasset, Morgan, Kelly (Pt. Barnes), Melland, and Kautzmann)

**Senate Bill No. 125.** A Bill for an Act to provide for a discount of sales and use taxes to be paid for retailers to compensate for costs of records, collection, reports, and remittance.

Introduction, first reading, 80.  
 Referred to Committee on Finance and Taxation.  
 Indefinitely postponed, 265.

**Senate Bill No. 126** — (Ringsak, Mutch, Chesrown, Kautzmann, and Morgan)

**Senate Bill No. 126.** A Bill for an Act to require insurance adjusters, attorneys, and any other person who has taken a statement of any individual for the purpose of possible use in a lawsuit arising out of a tortious act to provide a copy of the statement to the person from whom said statement was taken, and providing a penalty.

Introduction, first reading, 81.  
 Referred to Committee on Judiciary.  
 Reported back, amended, 126.  
 Amendments adopted, 143.  
 Engrossed, 155, 1105.  
 Second reading, 186, 982.  
 Passed, 186, 982.  
 To House, 203.  
 House amendments, 948.  
 Returned to Senate, amended, 948.  
 Senate Concurs, 982.  
 Enrolled, 1105.  
 Signed by President, 1107.  
 Sent to House, 1108.  
 Received from House, 1108.  
 Message to Governor, 1113.

**Senate Bill No. 127** — (Chesrown and Longmire)

**Senate Bill No. 127.** A Bill for an Act to amend and reenact section 12-40-19 of the North Dakota Century Code, relating to the buying or receiving of stolen property.

Introduction, first reading, 83.  
 Referred to Committee on Judiciary.

Reported back, do pass, 126.  
 Second reading, 151.  
 Passed, 152.  
 To House, 183.  
 Returned to Senate, 625.  
 Signed by President, 650.  
 Sent to House, 659.  
 Received from House, 667.  
 Message to Governor, 668.  
 Approved by Governor, 712.

**Senate Bill No. 128** — (Chesrown and Longmire)

**Senate Bill No. 128.** A Bill for an Act to create and enact section 8-10-07.1 of the North Dakota Century Code, relating to harassing telephone calls.

Introduction, first reading, 84.  
 Referred to Committee on Judiciary.  
 Reported back, amended, 207.  
 Amendments adopted, 220.  
 Engrossed, 227, 753.  
 Second reading, 238, 723.  
 Passed, 238, 723.  
 To House, 261.  
 House amendments, 698.  
 Returned to Senate, amended, 698.  
 Senate concurs, 723.  
 Enrolled, 753.  
 Signed by President, 754.  
 Sent to House, 755.  
 Received from House, 797.  
 Message to Governor, 798.  
 Approved by Governor, 883.

**Senate Bill No. 129** — (Chesrown and Longmire)

**Senate Bill No. 129.** A Bill for an Act to create and enact section 12-42-09 of the North Dakota Century Code, relating to making false reports to a police officer.

Introduction, first reading, 84.  
 Referred to Committee on Judiciary.  
 Reported back, amended, 126.  
 Amendments adopted, 143.  
 Engrossed, 155, 817.  
 Second reading, 186, 751.  
 Passed, 187, 751.  
 To House, 203.  
 Returned to Senate, amended, 725.  
 Senate concurs, 750.  
 Enrolled, 817.  
 Received from House, 840.  
 Message to Governor, 845.  
 Approved by Governor, 977.

**Senate Bill No. 130** — (Chesrown and Longmire)

**Senate Bill No. 130.** A Bill for an Act to amend and reenact section 16-10-17 of the North Dakota Century Code, relating to state's attorney meetings with election inspectors.

Introduction, first reading, 84.  
 Referred to Committee on Judiciary.

Reported back, do pass, 126.  
 Second reading, 152.  
 Passed, 152.  
 To House, 183.  
 Returned to Senate, 625.  
 Enrolled, 695.  
 Signed by President, 696.  
 Sent to House, 707.  
 Received from House, 731.  
 Message to Governor, 743.  
 Approved by Governor, 832.

**Senate Bill No. 131** — (Chesrown and Longmire)

**Senate Bill No. 131.** A Bill for an Act to create and enact section 29-06-13.1 of the North Dakota Century Code, relating to resistance to a peace officer in the performance of his duty.

Introduction, first reading, 84.  
 Referred to Committee on Judiciary.  
 Reported back, do pass, 126.  
 Second reading, 152, 751.  
 Passed, 152, 751.  
 To House, 183.  
 Returned to Senate, amended, 725.  
 Senate concurs, 751.  
 Engrossed, 817.  
 Enrolled, 817.  
 Signed by President, 818.  
 Sent to House, 818.  
 Received from House, 840.  
 Message to Governor, 845.  
 Approved by Governor, 977.

**Senate Bill No. 132** — (Chesrown and Longmire)

**Senate Bill No. 132.** A Bill for an Act to repeal section 35-01-26 of the North Dakota Century Code, relating to the sale or disposition of mortgaged property.

Introduction, first reading, 84.  
 Referred to Committee on Judiciary.  
 Reported back, amended, 126.  
 Amendments adopted, 143.  
 Engrossed, 155, 817.  
 Second reading, 187, 752.  
 Passed, 187, 752.  
 To House, 203.  
 Returned to Senate, amended, 725.  
 Senate concurs, 751.  
 Enrolled, 817.  
 Signed by President, 818.  
 Sent to House, 818.  
 Received from House, 840.  
 Message to Governor, 845.  
 Approved by Governor, 977.

**Senate Bill No. 133** — (Nething, Forkner, and Geving)

**Senate Bill No. 133.** A Bill for an Act to amend and reenact section 12-41-10 of the North Dakota Century Code, relating to the definition of "malicious mischief."

Introduction, first reading, 84.  
 Referred to Committee on Judiciary.

Reported back, do pass, 127.  
Second reading, 153.  
Passed, 153.  
To House, 183.  
Returned to Senate, 667.  
Enrolled, 712.  
Signed by President, 713.  
Sent to House, 722.  
Received from House, 752.  
Message to Governor, 755.  
Approved by Governor, 832.

**Senate Bill No. 134** — (Torgerson and Becker)

**Senate Bill No. 134.** A Bill for an Act to create and enact section 39-16-03.1 of the North Dakota Century Code, precluding the public dissemination of driver abstracts containing entries more than five years old except by a court order.

Introduction, first reading, 84.  
Referred to Committee on Transportation.  
Reported back, do pass, 182.  
Second reading, 198.  
Passed, 199.  
To House, 209.  
Returned to Senate, 615.  
Enrolled, 650.  
Signed by President, 651.  
Sent to House, 659.  
Received from House, 667.  
Message to Governor, 668.  
Approved by Governor, 712.

**Senate Bill No. 135** — (Lips)

**Senate Bill No. 135.** A Bill for an Act amending and reenacting section 57-38-21 of the 1963 Supplement to the North Dakota Century Code relating to the definition of and computation of net income.

Introduction, first reading, 84.  
Referred to Committee on Finance and Taxation.  
Reported back, do pass, 182.  
Second reading, 199.  
Passed, 199.  
To House, 209.  
Returned to Senate, 614.  
Enrolled, 650.  
Signed by President, 651.  
Sent to House, 659.  
Received from House, 667.  
Message to Governor, 668.  
Approved by Governor, 712.

**Senate Bill No. 136** — (Schultz and Redlin)

**Senate Bill No. 136.** For an Act to amend and reenact subsection 1 of section 47-18-01 of the North Dakota Century Code, relating to homestead exemptions.

Introduction, first reading, 89.  
Referred to Committee on Judiciary.  
Reported back, amended, 207.  
Amendments adopted, 220.

Engrossed, 227.  
 Second reading, 238.  
 Passed, 238.  
 To House, 261.  
 Returned to Senate, 625.  
 Enrolled, 695.  
 Signed by President, 696.  
 Sent to House, 707.  
 Received from House, 731.  
 Message to Governor, 743.  
 Approved by Governor, 832.

**Senate Bill No. 137 — (Meschke)**

**Senate Bill No. 137.** For an Act to amend and reenact section 12-40-19 of the North Dakota Century Code, relating to buying or receiving stolen property and the punishment therefor.

Introduction, first reading, 89.  
 Referred to Committee on Judiciary.  
 Withdrawn, 127.

**Senate Bill No. 138 — (Lips)**

**Senate Bill No. 138.** For an Act to amend and reenact section 24-02-20 of the 1965 Supplement to the North Dakota Century Code relating to proposal guarantees for bidders at highway lettings to eliminate the requirement that certified or cashier's checks be drawn only on North Dakota banks.

Introduction, first reading, 90.  
 Referred to Committee on Industry, Business, and Labor.  
 Reported back, do pass, 217.  
 Second reading, 238.  
 Passed, 239.  
 To House, 262.  
 Returned to Senate, 625.  
 Enrolled, 695.  
 Signed by President, 696.  
 Sent to House, 707.  
 Received from House, 731.  
 Message to Governor, 744.  
 Approved by Governor, 832.

**Senate Bill No. 139 — (Becker and Torgerson)**

**Senate Bill No. 139.** For an Act to amend and reenact subsection 21 of section 57-38-01 of the 1965 Supplement to the North Dakota Century Code, relating to income tax definitions, and declaring an emergency.

Introduction, first reading, 90.  
 Referred to Committee on Finance and Taxation.  
 Reported back, do pass, 182.  
 Second reading, 199.  
 Passed, 199.  
 Emergency carried, 199.  
 To House, 209.  
 Returned to Senate, 614.  
 Enrolled, 650.  
 Signed by President, 651.  
 Sent to House, 660.  
 Received from House, 667.  
 Message to Governor, 668.  
 Approved by Governor, 712.

**Senate Bill No. 140** — (Ringsak)

**Senate Bill No. 140.** A Bill for an Act to amend and reenact section 27-06-08 of the 1965 Supplement to the North Dakota Century Code, relating to fees for transcripts.

Introduction, first reading, 90.  
Referred to Committee on Judiciary.  
Reported back, amended, 208.  
Amendments adopted, 220.  
Engrossed, 227.  
Second reading, 239.  
Passed, 239.  
To House, 262.  
Returned to Senate, 667.  
Enrolled, 712.  
Signed by President, 713.  
Sent to House, 722.  
Received from House, 752.  
Message to Governor, 755.  
Approved by Governor, 832.

**Senate Bill No. 141** — (Ringsak and Chesrown)

**Senate Bill No. 141.** A Bill for an Act to provide for the imposition of a three percent sales tax, use tax, and motor vehicle excise and use tax, exemptions thereto, manner of collection and administration, appeals, penalties, refunds, and allocation of revenues; to amend section 57-39.1-02, relating to sales of motor vehicles and the taxation thereof; and to repeal chapters 57-39, 57-40, and 57-40.1 of the North Dakota Century Code, and declaring an emergency.

Introduction, first reading, 90.  
Referred to Committee on Finance and Taxation.  
Returned and withdrawn, 516.

**Senate Bill No. 142** — (Butler and Goldberg)

**Senate Bill No. 142.** A Bill for an Act to authorize the state board of higher education to convey its interest in certain lands to the state highway department for use as highway rights-of-way.

Introduction, first reading, 90.  
Referred to Committee on Transportation.  
Reported back, do pass, 182.  
Second reading, 200.  
Passed, 200.  
To House, 209.  
Returned to Senate, 625.  
Enrolled, 695.  
Signed by President, 696.  
Sent to House, 707.  
Received from House, 731.  
Message to Governor, 744.  
Approved by Governor, 832.

**Senate Bill No. 143** — (Butler and Goldberg)

**Senate Bill No. 143.** A Bill for an Act to amend and reenact section 40-22-06 of the 1965 Supplement to the North Dakota Century Code relating to the certification of municipalities obtaining authority to enter into agreements with the state highway department.



Introduction, first reading, 90.  
 Referred to Committee on Political Subdivisions.  
 Reported back, do pass, 231.  
 Second reading, 247.  
 Passed, 247.  
 To House, 262.  
 Returned to Senate, 614.  
 Enrolled, 695.  
 Signed by President, 696.  
 Sent to House, 707.  
 Received from House, 731.  
 Message to Governor, 744.  
 Approved by Governor, 832.

**Senate Bill No. 144 — (Holand and Chesrown)**

**Senate Bill No. 144.** A Bill for an Act to create and enact sections 10-15-52.1, 10-15-52.2, 10-15-52.3, 10-15-52.4, 10-15-52.5, and 41-09-46.1 of the North Dakota Century Code, relating to mergers, amendments to articles of association, certificates of authority, and withdrawal of foreign cooperatives; and exempting the secretary of state and his employees from liability for filing errors made in carrying out the provisions of the Uniform Commercial Code; and to amend and reenact sections 6-06-04, 10-15-04, 10-15-07, 10-15-09, 10-15-10, 10-15-12, subsections 3, 4, and 5 of section 10-15-36, sections 10-15-38, 10-15-40, subsection 1 of section 10-15-42, subsection 3 of section 10-15-43, section 10-15-44, subsection 4 of section 10-15-45, subsection 4 of section 10-15-47, subsection 1 of section 10-15-48, sections 10-15-50, 10-15-51, 10-15-53, 10-15-54, 10-23-01, subsection 1 of section 10-23-05, subsection 1 of section 10-28-02, subsection 5 of section 41-09-42, sections 41-09-44, 41-09-45, subsection 2 of section 41-09-46, sections 43-03-16, 49-09-14, 54-09-04, 61-05-19, and 61-16-06 of the North Dakota Century Code, relating to recording and filing certain forms in the office of the secretary of state, charges for making such filings, and failure of cooperatives to file annual reports as legally required.

Introduction, first reading, 91.  
 Referred to Committee on Judiciary.  
 Reported back, amended, 217, 290.  
 Amendments adopted, 236, 302.  
 Engrossed, 250.  
 Second reading, 261, 336.  
 Re-referred to Committee on Judiciary, 261.  
 Re-engrossed, 315.  
 Passed, 336.  
 To House, 346.  
 Returned to Senate, 752.  
 Enrolled, 1097.  
 Message to Governor, 1113.

**Senate Bill No. 145 — (Goldberg)**

**Senate Bill No. 145.** A Bill for an Act to require the motor vehicle registrar to issue special parking privilege permits to handicapped people and to repeal section 40-05-02.1 of the North Dakota Century Code, relating to parking privileges for the handicapped, and providing a penalty.

Introduction, first reading, 91.  
 Referred to Committee on Social Welfare and Veterans' Affairs.  
 Reported back, amended, 142.  
 Amendments adopted, 184.  
 Engrossed, 189, 1105.

Second reading, 202.  
 Passed, 202.  
 To House, 210.  
 Returned to Senate, 947.  
 Enrolled, 1105.  
 Signed by President, 1107.  
 Sent to House, 1108.  
 Received from House, 1108.  
 Message to Governor, 1113.

**Senate Bill No. 146** — (Roan and Forkner)

**Senate Bill No. 146.** A Bill for an Act to create and enact sections 51-07-14 and 51-07-15 of the North Dakota Century Code, relating to deposits and the refunding of deposits on glass and metal containers used in the transportation, sale, and distribution of beer and carbonated and noncarbonated soft-drink type of beverages, and providing a penalty.

Introduction, first reading, 91.  
 Referred to Committee on Industry, Business and Labor.  
 Indefinitely postponed, 217.

**Senate Bill No. 147** — (Chesrown, Ringsak, Holand)

**Senate Bill No. 147.** A Bill for an Act to create and enact sections 12-05-01.1 and 12-05-06 of the North Dakota Century Code, relating to the defense of chronic alcoholism and commitment of persons found to be chronic alcoholics.

Introduction, first reading, 91.  
 Referred to Committee on Social Welfare and Veterans' Affairs.  
 Indefinitely postponed, 317.

**Senate Bill No. 148** — (Geving, Larson (Burleigh), Larsen, Meschke, Wenstrom)

**Senate Bill No. 148.** A Bill for an Act providing for the regulation of collection agencies; providing definitions of certain terms; requiring license for such agencies; prescribing qualifications for licenses; providing for fees and bonds therefore; prescribing manner of applying for collection agency license; fees; providing for renewal of said licenses; establishing property rights of agency in account assigned for collection; providing for other remedies; and prescribing penalties.

Introduction, first reading, 91.  
 Referred to Committee on Judiciary.  
 Re-referred to Committee on Industry, Business and Labor, 102.  
 Indefinitely postponed, 447.

**Senate Bill No. 149** — (Litten, Coughlin, Larson (Burleigh), Kelly (Ramsey), Lowe)

**Senate Bill No. 149.** A Bill for an Act to amend and reenact sections 11-07-02, 11-07-03, and 11-07-04 of the North Dakota Century Code, relating to redistricting county commissioner districts.

Introduction, first reading, 91.  
 Referred to Committee on Political Subdivisions.  
 Indefinitely postponed, 231.

**Senate Bill No. 150** — (Meschke)

**Senate Bill No. 150.** A Bill for an Act to amend and reenact section 40-46-20 of the 1965 Supplement to the North Dakota Century Code, relating to refund or partial retirement upon termination of employment with city.

Introduction, first reading, 91.  
 Referred to Committee on Political Subdivisions.  
 Reported back, do pass, 231.  
 Second reading, 247.  
 Passed, 248.  
 To House, 262.  
 Returned to Senate, 614.  
 Enrolled, 695.  
 Signed by President, 696.  
 Sent to House, 707.  
 Received from House, 731.  
 Message to Governor, 744.  
 Approved by Governor, 832.

**Senate Bill No. 151** — (Rait, Lowe, Larson (Burleigh),  
Coughlin, Decker)

**Senate Bill No. 151.** A Bill for an Act to amend and reenact sections 26-27-01, 26-27-02, 26-27-03, 26-27-08, and 26-27-10 of the North Dakota Century Code, relating to the participation of chiropodists in nonprofit medical service corporations.

Introduction, first reading, 92.  
 Referred to Committee on Industry, Business, and Labor.  
 Reported back, 218.  
 Second reading, 240.  
 Lost, 241.

**Senate Bill No. 152** — (Holand)

**Senate Bill No. 152.** A Bill for an Act to amend and reenact section 23-13-09 of the 1965 Supplement to the North Dakota Century Code relating to membership of state safety committee.

Introduction, first reading, 98.  
 Referred to Committee on Social Welfare and Veterans' Affairs.  
 Reported back, amended, 143.  
 Amendments adopted, 184.  
 Engrossed, 189, 1095.  
 Second reading, 202.  
 Passed, 202.  
 To House, 210.  
 Returned to Senate, 872.  
 Enrolled, 1095.  
 Signed by President, 1096.  
 Sent to House, 1096.  
 Received from House, 1097.  
 Message to Governor, 1112.

**Senate Bill No. 153** — (Becker)

**Senate Bill No. 153.** A Bill for an Act to provide for a native woodland tax, prescribing the land that may be subject to such tax, prescribing the duties of the state forester and local assessor, providing for the rate and manner of collection of said tax, the conditions for eligibility under the native woodland tax, declassification orders, and hearings and appeals from orders of the state forester.

Introduction, first reading, 99.  
 Referred to Committee on Finance and Taxation.  
 Reported back, do pass, 317.  
 Second reading, 368.  
 Passed, 368.  
 To House, 395.  
 Returned to Senate, 726.  
 Enrolled, 817.  
 Signed by President, 818.  
 Sent to House, 818.  
 Received from House, 840.  
 Message to Governor, 845.  
 Approved by Governor, 977.

**Senate Bill No. 154** — (Torgerson, Kelly (Pt. Barnes),  
 Wilhite, Becker, Longmire)

**Senate Bill No. 154.** A Bill for an Act to amend and reenact section 23-15-04 of the North Dakota Century Code relating to fireworks; and providing for licensing of distributors and retailers, and declaring an emergency.

Introduction, first reading, 99.  
 Referred to Committee on Industry, Business, and Labor.  
 Reported Back, amended, 388, 389.  
 Amendments adopted, 416.  
 Engrossed, 437.  
 Second reading, 458, 917.  
 Passed, 459, 917.  
 Emergency carried, 459.  
 To House, 487.  
 House amendments, 880.  
 Returned to Senate, amended, 880.  
 Senate concurs, 917.  
 Enrolled, 1106.  
 Signed by President, 1107.  
 Sent to House, 1108.  
 Received from House, 1109.  
 Message to Governor, 1113,

**Senate Bill No. 155** — (Coughlin and Litten)

**Senate Bill No. 155.** A Bill for an Act to create and enact subsection 6 of section 57-38-22.1 of the North Dakota Century Code, relating to deductions on individual income tax returns, and to repeal subsection 8 of section 57-38-21 and subsections 7 and 10 of section 57-38-22 of the North Dakota Century Code, relating to deductions from net income by cooperative companies for the purpose of computing state income taxes owed and relating to domestic dividends deductions.

Introduction, first reading, 99.  
 Referred to Committee on Finance and Taxation.  
 Reported back, amended, 497.  
 Divided report, 497.  
 Amendments adopted, 521.  
 Amended from floor, 521.  
 Engrossed, 553.  
 Second reading, 574.  
 Passed, 574.  
 Clincher, 582.  
 To House, 595.  
 Revision and correction, 595.  
 Returned to Senate, indefinitely postponed, 947.

**Senate Bill No. 156** — (Chesrown and Holand)

**Senate Bill No. 156.** For an Act to amend and reenact sections 39-17-01 and 39-17-03 of the North Dakota Century Code, relating to additional registration fees for the unsatisfied judgment fund and recoveries from the unsatisfied judgment fund.

Introduction, first reading, 99.  
 Referred to Committee on Transportation.  
 Reported back, do pass, 231.  
 Second reading, 248.  
 Passed, 248.  
 To House, 262.  
 Returned to Senate, 632.  
 Indefinitely postponed, 632.

**Senate Bill No. 157** — (Trenbeath and Christensen)

**Senate Bill No. 157.** For an Act to maintain or obtain reasonable levels of air quality consistent with the protection of health, and the prevention of injury to plant, animal life and property; to promote the economic and social development of the state; to provide for the comfortable enjoyment of the natural attractions of the state to the greatest extent practical; to establish a statewide program of air pollution prevention, abatement and control; and to coordinate the activities of local and regional air pollution control programs within the state; and creating an Air Pollution Control Advisory Council.

Introduction, first reading, 99.  
 Referred to Committee on Natural Resources.  
 Reported back, amended, 317.  
 Amendments adopted, 344.  
 Engrossed, 363.  
 Second reading, 380.  
 Passed, 381.  
 To House, 395.  
 Returned to Senate, killed, 731.

**Senate Bill No. 158** — (Litten, Longmire, Larson (Burleigh))

**Senate Bill No. 158.** A Bill for an Act providing for regional planning and zoning commissions for areas adjacent to cities and repealing Chapter 11-34, and sections 58-03-11, 58-03-12, 58-03-13, 58-03-14, and 58-03-15 of the North Dakota Century Code and amending and reenacting section 11-33-20 of the North Dakota Century Code.

Introduction, first reading, 99.  
 Referred to Committee on Political Subdivisions.  
 Reported back, amended, 497, 498.  
 Amendments adopted, 521.  
 Engrossed, 553, 1105.  
 Second reading, 555, 982.  
 Passed, 556, 983.  
 Clincher, 564.  
 To House, 572.  
 House amendments, 948, 949.  
 Returned to Senate, amended, 948.  
 Senate concurs, 982.  
 Enrolled, 1105.  
 Signed by President, 1107.  
 Sent to House, 1108.  
 Received from House, 1109.  
 Message to Governor, 1113.

**Senate Bill No. 159** — (Sands and Torgerson)

**Senate Bill No. 159.** A Bill for an Act to amend and reenact section 57-14-01 of the North Dakota Century Code relating to the duty of a county auditor to make corrections in the assessment books and tax lists when the assessor has made a clerical error in valuing real or personal property.

Introduction, first reading, 99.  
 Referred to Committee on Finance and Taxation.  
 Reported back, amended, 191.  
 Amendments adopted, 208.  
 Engrossed, 215.  
 Second reading, 223.  
 Passed, 223.  
 To House, 241.  
 Returned to Senate, 614.  
 Enrolled, 695.  
 Signed by President, 696.  
 Sent to House, 707.  
 Received from House, 731.  
 Message to Governor, 744.  
 Approved by Governor, 832.

**Senate Bill No. 160** — (Lips)

**Senate Bill No. 160.** A Bill for an Act authorizing the commissioner of insurance to waive subrogation rights of the state fire and tornado fund arising out of damage by fire or explosion caused by a contractor during construction of an alteration or addition to a public building insured in said fund.

Introduction, first reading, 99.  
 Referred to Committee on State and Federal Government.  
 Reported back, do pass, 265.  
 Second reading, 282.  
 Passed, 282.  
 To House, 297.  
 Returned to Senate, 731.  
 Enrolled, 817.  
 Signed by President, 818.  
 Sent to House, 818.  
 Received from House, 840.  
 Message to Governor, 845.  
 Approved by Governor, 977.

**Senate Bill No. 161** — (Ringsak)

**Senate Bill No. 161.** A Bill for an Act to create and enact Section 43-15-10.1 of the North Dakota Century Code, relating to the duties and powers of the inspector appointed by the board of pharmacy.

Introduction, first reading, 100.  
 Referred to Committee on State and Federal Government.  
 Re-referred to Committee on Judiciary, 127.  
 Indefinitely postponed, 208.

**Senate Bill No. 162** — (Torgerson)

**Senate Bill No. 162.** A Bill for an Act to amend and reenact subsection 1 of section 16-11-04 of the North Dakota Century Code to provide that ballots for no-party candidates, partisan candidates, and on which measures are submitted, shall be of different colors.

Introduction, first reading, 100.  
 Referred to Committee on Judiciary.  
 Reported back, do pass, 208.  
 Second reading, 223.  
 Passed, 224.  
 To House, 241.  
 Returned to Senate, indefinitely postponed, 633.

**Senate Bill No. 163** — (Trenbeath)

**Senate Bill No. 163.** A Bill for an Act to amend and reenact section 24-02-08 of the North Dakota Century Code, relating to the providing of engineering consulting services by the highway department to governmental units.

Introduction, first reading, 120.  
 Referred to Committee on Political Subdivisions.  
 Indefinitely postponed, 469.

**Senate Bill No. 164** — (Larson, (Burleigh), Sorlie, Ringsak)

**Senate Bill No. 164.** A Bill for an Act to prohibit state, county, and local officials from printing their names on public documents and publications in large size type.

Introduction, first reading, 120.  
 Referred to Committee on State and Federal Government.  
 Reported back, amended, 342, 343.  
 Amendments adopted, 363.  
 Engrossed, 387.  
 Second reading, 406.  
 Passed, 407.  
 To House, 424.  
 Returned to Senate, 731.  
 Enrolled, 817.  
 Signed by President, 818.  
 Sent to House, 818.  
 Received from House, 840.  
 Message to Governor, 845.  
 Approved by Governor, 977.

**Senate Bill No. 165** — (Trenbeath, Sorlie, Decker, Becker, Mutch, Nasset, Freed, Roen, Robinson, Jacobson, Luick, Pyle, Morgan, Larson (Burleigh), Lips, Kautzmann)

**Senate Bill No. 165.** A Bill for an Act to amend and reenact sections 15-40-18 and 15-40-19, subsection 4 of section 57-01-05, subsection 11 of section 57-01-06, and section 57-15-24 of the North Dakota Century Code, relating to sales ratio studies, manner of certifying per-pupil payments, and the duties of the state supervisor of assessments, and to repeal section 57-01-08, relating to county equalization fund payments and the sales ratio study.

Introduction, first reading, 120.  
 Referred to Committee on Finance and Taxation.  
 Reported back, amended, 389.  
 Sixth order of business, 389.  
 Amendments adopted, 416.  
 Amended from floor, 416.  
 Engrossed, 437.  
 Second reading, 459, 549, 1012.  
 Passed, 550.

Clincher, 550, 1012.  
 To House, 557.  
 House amendments, 880, 881.  
 Returned to Senate, amended, 880.  
 Conference Committee, 896, 946.  
 Senate does not concur, 896.  
 Conference Committee report, 1011, 1041.  
 Lost, 1012.

**Senate Bill No. 166** — (Kelly (Barnes), Lowe, Melland,  
 Larson (Burleigh))

**Senate Bill No. 166.** A Bill for an Act to amend and reenact subsection 2 of section 40-22-01 of the 1965 Supplement to the North Dakota Century Code, relating to permitting expense of decorative street lighting to be defrayed by special-assessments.

Introduction, first reading, 120.  
 Referred to Committee on Political Subdivisions.  
 Reported back, do pass, 452.  
 Second reading, 478.  
 Passed, 478.  
 To House, 522.  
 Returned to Senate, 726.  
 Enrolled, 754.  
 Signed by President, 754.  
 Sent to House, 755.  
 Received from House, 797.  
 Message to Governor, 798.  
 Approved by Governor, 883.

**Senate Bill No. 167** — (Longmire)

**Senate Bill No. 167.** A Bill for an Act to amend and reenact section 50-24-12 of the 1965 Supplement of the North Dakota Century Code, relating to specific income exemptions in the determination of the amount of aid.

Introduction, first reading, 120.  
 Referred to Committee on Social Welfare and Veterans' Affairs.  
 Reported back, do pass, 231.  
 Second reading, 248.  
 Passed, 248.  
 To House, 262.  
 Returned to Senate, 625.  
 Enrolled, 650.  
 Signed by President, 651.  
 Sent to House, 660.  
 Received from House, 667.  
 Message to Governor, 668.  
 Approved by Governor, 712.

**Senate Bill No. 168** — (Longmire)

**Senate Bill No. 168.** A Bill for an Act to amend and reenact section 50-09-05 of the North Dakota Century Code and section 50-24-03 of the 1965 Supplement, both sections relating to residence eligibility requirements for public assistance.

Introduction, first reading, 120.  
 Referred to Committee on Social Welfare and Veterans' Affairs.  
 Reported back, do pass, 232.  
 Second reading, 248, 278.  
 Lost, 278.



**Senate Bill No. 169** — (Freed and Ruummele)

**Senate Bill No. 169.** A Bill for an Act to amend and reenact section 20-03-35 of the North Dakota Century Code, relating to misrepresentations in applications for licenses or permits and the alteration of licenses or permits.

Introduction, first reading, 120.  
 Referred to Committee on Natural Resources.  
 Reported back, do pass, 232.  
 Second reading, 249.  
 Passed, 249.  
 To House, 262.  
 Returned to Senate, indefinitely postponed, 727.

**Senate Bill No. 170** — (Freed and Nething)

**Senate Bill No. 170.** A Bill for an Act to amend and reenact subdivision b of subsection 1 of section 39-08-01 of the 1965 Supplement to the North Dakota Century Code, changing the words intoxicating liquor to alcoholic beverages.

Introduction, first reading, 121.  
 Referred to Committee on Judiciary.  
 Withdrawn, 205.

**Senate Bill No. 171** — (Coughlin, Decker, Sands, Meschke, Wilhite, Melland, Robinson, Wenstrom, Nething, Becker, Jacobson, Longmire, Schultz, Christensen, Nasset, Forkner, Hofstrand, Berube, Rait, Roen, Geving)

**Senate Bill No. 171.** A Bill for an Act providing an appropriation for the North Dakota state fair association.

Introduction, first reading, 121.  
 Referred to Committee on State and Federal Government.  
 Re-referred to Committee on Appropriations, 122.  
 Reported back, amended, 413, 414.  
 Amendments adopted, 457.  
 Engrossed, 467.  
 Second reading, 478, 544.  
 Passed, 544.  
 Clincher, 544.  
 To House, 557.  
 Returned to Senate, 979.  
 Enrolled, 1095.  
 Signed by President, 1096.  
 Sent to House, 1096.  
 Received from House, 1097.  
 Message to Governor, 1112.

**Senate Bill No. 172** — (Litten, Longmire, Larson (Burleigh))

**Senate Bill No. 172.** A Bill for an Act to create and enact subsection 12 of section 57-02-05 and subsection 23 of section 57-02-08 of the North Dakota Century Code, relating to exempting improvements for public parking facilities, and to amend and reenact subsections 10 and 11 of section 57-02-05 and subsection 22 of section 57-02-08 of the North Dakota Century Code, relating to property classified as personal property and exemptions from taxation respectively.

Introduction, first reading, 121.  
 Referred to Committee on Finance and Taxation.  
 Re-referred to Committee on Political Subdivisions, 127.  
 Reported back, do pass, 469.  
 Second reading, 539.  
 Passed, 539.  
 Clincher, 541.  
 To House, 541.  
 Returned to Senate, 947.  
 Enrolled, 1095.  
 Signed by President, 1096.  
 Sent to House, 1096.  
 Received from House, 1097.  
 Message to Governor, 1112.

**Senate Bill No. 173** — (Lips, Longmire, Litten)

**Senate Bill No. 173.** A Bill for an Act relating to the provision of off-street parking facilities by municipal action and by cooperation with public and private persons, firms and corporations; authorizing municipal and cooperative acquisition, construction, improvement, development, extension, financing, operation, maintenance and leasing of such facilities, and of usable commercial space above and below the same and adjacent thereto, and declaring an emergency.

Introduction, first reading, 121.  
 Referred to Committee on Political Subdivisions.  
 Reported back, amended, 469.  
 Amendments adopted, 520.  
 Engrossed, 550, 963.  
 Second reading, 551, 791.  
 Passed, 552, 792.  
 Emergency carried, 552, 792.  
 To House, 557.  
 Returned to Senate, amended, 756.  
 House amendments, 757.  
 Senate concurs, 791.  
 Revision and Correction, 799.  
 Enrolled, 963.  
 Sent to House, 965.  
 Received from House, 996.  
 Message to Governor, 998.

**Senate Bill No. 174** — (Wenstrom, Chesrown, Stroup, Rait)

**Senate Bill No. 174.** A Bill for an Act to amend and reenact sections 26-22-11, 26-22-16 and 26-22-52 of the 1965 supplement to the North Dakota Century Code, relating to expiration dates on state hail insurance, compensation paid to assessors and county auditors for hail listings, and hail loss payments of less than one dollar, and declaring an emergency.

Introduction, first reading, 121.  
 Referred to Committee on State and Federal Government.  
 Re-referred to Committee on Industry, Business, and Labor, 127.  
 Re-referred to Committee on State and Federal Government, 250.  
 Reported back, amended, 498.  
 Amendments adopted, 521.  
 Engrossed, 553.  
 Amended from floor, 556.  
 Second reading, 556.  
 Lost, 556.

**Senate Bill No. 175 — (Becker)**

**Senate Bill No. 175.** For an Act to amend and reenact section 57-38-30 of the North Dakota Century Code, relating to the rate of tax on corporations.

Introduction, first reading, 128.  
Referred to Committee on Finance and Taxation.  
Reported back, do pass, 191.  
Second reading, 211, 671.  
Passed, 211, 672.  
To House, 225.  
Returned to Senate, amended, 626.  
Senate concurs, 706.  
Enrolled, 754.  
Signed by President, 754.  
Sent to House, 755.  
Received from House, 797.  
Message to Governor, 798.  
Approved by Governor, 883.

**Senate Bill No. 176 — (Becker)**

**Senate Bill No. 176.** For an Act to amend and reenact subsection 20 of section 57-38-01 of the North Dakota Century Code, relating to definitions for income tax purposes.

Introduction, first reading, 128.  
Referred to Committee on Finance and Taxation.  
Reported back, do pass, 191.  
Second reading, 211.  
Passed, 211.  
To House, 225.  
Returned to Senate, 614.  
Enrolled, 631.  
Signed by President, 638.  
Sent to House, 642.  
Received from House, 647.  
Message to Governor, 650.  
Approved by Governor, 711.

**Senate Bill No. 177 — (Becker)**

**Senate Bill No. 177.** For an Act to amend and reenact section 57-38-07 of the North Dakota Century Code, relating to income tax on fiduciaries.

Introduction, first reading, 128.  
Referred to Committee on Finance and Taxation.  
Reported back, do pass, 191.  
Second reading, 211.  
Passed, 212.  
To House, 225.  
Returned to Senate, 726.  
Enrolled, 754.  
Signed by President, 754.  
Sent to House, 755.  
Received from House, 798.  
Message to Governor, 798.  
Approved by Governor, 883.

**Senate Bill No. 178 — (Becker)**

**Senate Bill No. 178.** For an Act to amend and reenact section 57-38-06 of the North Dakota Century Code, relating to application of income tax law to nonresident.

Introduction, first reading, 128.  
 Referred to Committee on Finance and Taxation.  
 Reported back, do pass, 191.  
 Second reading, 212.  
 Passed, 212.  
 To House, 225.  
 Returned to Senate, 614.  
 Enrolled, 631.  
 Signed by President, 638.  
 Sent to House, 642.  
 Received from House, 647.  
 Message to Governor, 650.  
 Approved by Governor, 711.

**Senate Bill No. 179** — (Melland, Trenbeath, Roen, Larson (Burleigh), Decker, Ringsak, Holand)

**Senate Bill No. 179.** For an Act to amend and reenact section 15-59-07 of the North Dakota Century Code, relating to the education of physically handicapped.

Introduction, first reading, 128.  
 Referred to Committee on Education.  
 Reported back, amended, 356.  
 Amendments adopted, 394.  
 Engrossed, 423, 944.  
 Second reading, 424, 792.  
 Passed, 424, 792.  
 To House, 451.  
 House amendments, 757.  
 Returned to Senate, amended, 756.  
 Senate concurs, 792.  
 Enrolled, 944.  
 Revision and Correction, 799.  
 Signed by President, 957.  
 Sent to House, 957.  
 Received from House, 967.  
 Message to Governor, 968.

**Senate Bill No. 180** — (Nothing)

**Senate Bill No. 180.** A Bill for an Act to provide for a combined law enforcement council and prescribing its duties and making an appropriation therefor and repealing Chapter 54-50 and Section 12-44-07 relating to peace officers commission and the duties of the grand jury.

Introduction, first reading, 128.  
 Referred to Committee on Judiciary.  
 Re-referred to Committee on Appropriations, 458.  
 Reported back, amended, 426, 427, 469.  
 Amendments adopted, 458, 520.  
 Engrossed, 467, 550.  
 Second reading, 552.  
 Passed, 552.  
 To House, 557.  
 Returned to Senate, 979.  
 Enrolled, 1095.  
 Signed by President, 1096.  
 Sent to House, 1096.  
 Received from House, 1097.  
 Message to Governor, 1112.

**Senate Bill No. 181 — (Longmire)**

**Senate Bill No. 181.** For an Act relating to the regulation of pre-need funeral service contracts, providing penalties, and to amend and reenact section 23-06-03.1 of the North Dakota Century Code, relating to deposit, safekeeping, and withdrawal of payments upon pre-need funeral service contracts.

Introduction, first reading, 128.

Referred to Committee on Industry, Business, and Labor.

Re-referred to Committee on Social Welfare and Veterans' Affairs, 258.

Reported back, do pass, 317.

Second reading, 369.

Passed, 369.

To House, 395.

Returned to Senate, 625.

Enrolled, 695.

Signed by President, 696.

Sent to House, 707.

Received from House, 731.

Message to Governor, 744.

Approved by Governor, 832.

**Senate Bill No. 182 — (Longmire)**

**Senate Bill No. 182.** For an Act to amend and reenact section 54-35-10 of the North Dakota Century Code, relating to compensation of members of the legislative research committee and legislative audit and fiscal review committee.

Introduction, first reading, 128.

Referred to Committee on Appropriations.

Reported back, do pass, 257.

Second reading, 278.

Passed, 278.

To House, 297.

Returned to Senate, 979.

Enrolled, 1106.

Signed by President, 1107.

Sent to House, 1108.

Received from House, 1109.

Message to Governor, 1113.

**Senate Bill No. 183 — (Lafson (Burleigh) and Trenbeath)**

**Senate Bill No. 183.** For an Act to amend and re-enact Sections 61-16-02, 61-16-03, 61-16-08, 61-16-09, 61-16-13, 61-16-07, 61-16-23, 61-16-42, and to create and enact Section 61-16-49 relating to creation, operation, and dissolution of water management districts.

Introduction, first reading, 128.

Referred to Committee on Natural Resources.

Reported back, 469.

Placed on calendar, 469.

Second reading, 576.

Lost, 576.

**Senate Bill No. 184 — (Holand)**

**Senate Bill No. 184.** For an Act to amend and reenact section 39-07-07 of the 1965 Supplement to the North Dakota Century Code relating to arresting person for violating traffic regulations and to amend and reenact sections 39-07-08 and 39-07-09 of the North Da-

**kota Century Code relating to hearing upon arrest and release upon promise to appear, and providing a penalty.**

Introduction, first reading, 129.  
Referred to Committee on Judiciary.  
Reported back, amended, 218.  
Amendments adopted, 237.  
Engrossed, 250.  
Second reading, 261.  
Passed, 261.  
To House, 272.  
Returned to Senate, 726.  
Enrolled, 754.  
Signed by President, 754.  
Sent to House, 755.  
Received from House, 798.  
Message to Governor, 798.  
Approved by Governor, 883.

**Senate Bill No. 185 — (Holand)**

**Senate Bill No. 185.** For an Act to amend and reenact subsection 1 of section 39-04-18 of the 1965 Supplement to the North Dakota Century Code, relating to registration of motor vehicles.

Introduction, first reading, 129.  
Referred to Committee on Transportation.  
Reported back, do pass, 232.  
Second reading, 249, 983.  
Passed, 249, 983.  
To House, 262.  
Returned to Senate, amended, 948.  
House amendments, 949, 950.  
Senate concurs, 983.  
Engrossed, 1105.  
Enrolled, 1105.  
Signed by President, 1107.  
Sent to House, 1108.  
Received from House, 1109.  
Message to Governor, 1113.

**Senate Bill No. 186 — (Holand)**

**Senate Bill No. 186.** For an Act to amend and reenact section 39-10-51 of the North Dakota Century Code, relating to unattended motor vehicle.

Introduction, first reading, 129.  
Referred to Committee on Transportation.  
Reported back, do pass, 232.  
Second reading, 249, 270.  
Amended from floor, 249.  
Engrossed, 253.  
Lost, 270.

**Senate Bill No. 187 — (Longmire, Larsen and Lowe)**

**Senate Bill No. 187.** For an Act to amend and reenact section 15-10-28 of the North Dakota Century Code, relating to reciprocal agreements in regard to nonresident tuition fees at institutions of higher education.

Introduction, first reading, 129.  
Referred to Committee on Education.

Reported back, do pass, 191.  
 Amendments adopted, 208.  
 Engrossed, 215.  
 Second reading, 224.  
 Passed, 224.  
 To House, 241.  
 Returned to Senate, killed, 832.

**Senate Bill No. 188** — (Larson (Burleigh), Lips, Willhite)

**Senate Bill No. 188.** For an Act to amend and reenact section 15-18-07 of the 1965 Supplement to the North Dakota Century Code relating to state aid for junior colleges or educational centers.

Introduction, first reading, 129.  
 Referred to Committee on Education.  
 Reported back, amended, 182; do pass, 266.  
 Re-referred to Committee on appropriations, 192.  
 Amendments adopted, 192.  
 Engrossed, 205, 1105.  
 Re-referred to Committee on Education, 216.  
 Second reading, 282, 345, 983.  
 Passed, 282, 345, 984.  
 To House, 297, 395.  
 Senate requests return, 301.  
 Reconsidered, 303.  
 Returned to Senate, 303.  
 Placed at foot of calendar, 303.  
 Amended, 958.  
 House amendments, 959.  
 Senate concurs, 983.  
 Enrolled, 1105.  
 Signed by President, 1107.  
 Sent to House, 1108.  
 Received from House, 1109.  
 Message to Governor, 1113.

**Senate Bill No. 189** — (Lips, Trenbeath, Morgan, and Schultz)

**Senate Bill No. 189.** For an Act to amend and reenact subsections 3, 6 and 7 of section 54-52-01, section 54-52-02, section 54-52-03, section 54-52-05, section 54-52-11, section 54-52-19, section 54-52-20 and section 54-52-22 of the 1965 Supplement to the North Dakota Century Code, relating to employees retirement plan, and extending the coverage thereof to county employees.

Introduction, first reading, 129.  
 Referred to Committee on Political Subdivisions.  
 Re-referred to Committee on State and Federal Government, 229.  
 Indefinitely postponed, 498.  
 Reconsidered, 589.  
 Second reading, 589, 598.  
 Lost, 599.

**Senate Bill No. 190** — (Longmire, Lowe, and Larsen)

**Senate Bill No. 190.** For an Act relating to the Profession of Psychology, providing for the Licensing and Regulation of Psychologists, and Creating a State Board of Examiners, Prescribing its Powers and Duties, and Providing Penalties for Violations.

Introduction, first reading, 129.  
 Referred to Committee on Social Welfare and Veterans' Affairs.  
 Reported back, amended, 317, 447.

Re-referred to Committee on Social Welfare and Veterans' Affairs, 318.  
Amendments adopted, 475.  
Engrossed, 487.  
Second reading, 539.  
Passed, 540.  
Clincher, 541.  
To House, 541.  
Returned to Senate, 752.  
Enrolled, 963.  
Signed by President, 965.  
Sent to House, 965.  
Received from House, 996.  
Message to Governor, 998.

**Senate Bill No. 191** — (Larson (Burleigh))

**Senate Bill No. 191.** For an Act to create and enact section 44-08-01.1 of the North Dakota Century Code, relating to the requiring of political subdivisions to accept only sealed bids whenever bids are required by law or administrative decision.

Introduction, first reading, 129.  
Referred to Committee on Political Subdivisions.  
Reported back, do pass, 444.  
Second reading, 475.  
Passed, 476.  
To House, 523.  
Returned to Senate, 726.  
Enrolled, 754.  
Signed by President, 754.  
Sent to House, 755.  
Received from House, 798.  
Message to Governor, 798.  
Approved by Governor, 883.

**Senate Bill No. 192** — (Chesrown, Longmire, Holand, Meschke)

**Senate Bill No. 192.** A Bill for an Act to provide a uniform method of apportioning federal and state estate taxes among persons sharing in the distribution of the estate of a decedent, to amend and reenact section 57-37-14 of the North Dakota Century Code, to amend and reenact subsections 3 and 4 of section 57-37-23 of the 1965 Supplement to the North Dakota Century Code and to amend and reenact subsection 1 of section 57-37-27 of the 1965 Supplement to the North Dakota Century Code, relating to the determination and apportionment of estate taxes among beneficiaries of a decedent's estate.

Introduction, first reading, 130.  
Referred to Committee on Judiciary.  
Reported back, do pass, 218.  
Second reading, 239.  
Passed, 240.  
To House, 262.  
Returned to Senate, 947.  
Engrossed, 1105.  
Enrolled, 1105.  
Signed by President, 1107.  
Sent to House, 1108.  
Received from House, 1109.  
Message to Governor, 1113.



**Senate Bill No. 193** — (Holand and Meschke)

**Senate Bill No. 193.** A Bill for an Act to amend and reenact subdivision k of subsection 2 of section 57-37-11, sections 57-37-15 and 57-37-17, subdivision c of subsection 3 of section 57-37-21 of the North Dakota Century Code, relating to the administration of the estate tax law.

Introduction, first reading, 130.  
 Referred to Committee on Finance and Taxation.  
 Reported back, do pass, 192.  
 Second reading, 212.  
 Passed, 212.  
 To House, 225.  
 Returned to Senate, 947.  
 Enrolled, 1097.  
 Message to Governor, 1113.

**Senate Bill No. 194** — (Longmire, Lowe, and Larsen)

**Senate Bill No. 194.** A Bill for an Act to amend and reenact subdivision a of subsection 4 and subdivision a of subsection 8 of section 65-01-02 of the North Dakota Century Code, relating to Workmen's Compensation definitions.

Introduction, first reading, 130.  
 Referred to Committee on Industry, Business, and Labor.  
 Reported back, do pass, 389.  
 Second reading, 418.  
 Passed, 418.  
 To House, 451.  
 Returned to Senate, 625.  
 Enrolled, 695.  
 Signed by President, 696.  
 Sent to House, 707.  
 Received from House, 731.  
 Message to Governor, 744.  
 Approved by Governor, 832.

**Senate Bill No. 195** — (Becker, Melland, Nasset, Larson (Burleigh), Butler, Geving, Kelly (Pt. Barnes), Lowe, Mutch, Freed, Hofstrand, Coughlin, Jacobson, Robinson, Redlin, Morgan, Luick, Lips, Kelly (Ramsey), Trenbeath, Tongerson, Nething, Sorlie, Schultz, Ringsak, Chesrown, Sands, Hernet, Pyle, Forkner, and Larsen)

**Senate Bill No. 195.** A Bill for an Act to create and enact section 57-02-29.1 of the North Dakota Century Code, providing that any real or personal property taxes levied and payable shall not exceed two and one-half percent of the full and true market value of the property upon which such taxes are levied.

Introduction, first reading, 130.  
 Referred to Committee on Finance and Taxation.  
 Reported back, amended, 266.  
 Amendments adopted, 276.  
 Engrossed, 287.  
 Second reading, 307.  
 Lost, 308.

**Senate Bill No. 196** — (Kelly (Ramsey) and Litten)

**Senate Bill No. 196.** A Bill for an Act to create and enact a new subsection 7 of section 57-15-10 of the North Dakota Century

Code, relating to exceptions to tax levy limitations in cities and villages, to permit a tax levy for the purpose of establishing, maintaining and operating municipal ambulance service if favorably voted upon by the voters of the municipality.

Introduction, first reading, 130.  
Referred to Committee on Political Subdivisions.  
Reported back, do pass, 452.  
Second reading, 478.  
Passed, 479.  
To House, 523.  
Returned to Senate, indefinitely postponed, 872.

**Senate Bill No. 197** — (Goldberg and Pyle)

**Senate Bill No. 197.** A Bill for an Act to provide for purchase of motor vehicles by counties for use by county officials and employees in lieu of payment of mileage and to provide restrictions upon such use.

Introduction, first reading, 130.  
Referred to Committee on Political Subdivisions.  
Indefinitely postponed, 444.

**Senate Bill No. 198** — (Longmire)

**Senate Bill No. 198.** A Bill for an Act to amend and reenact section 65-05-25 of the North Dakota Century Code, relating to decisions of the workmen's compensation bureau in making lump sum settlements from the workmen's compensation fund.

Introduction, first reading, 130.  
Referred to Committee on Industry, Business, and Labor.  
Reported back, do pass, 389.  
Second reading, 418.  
Passed, 418.  
To House, 451.  
Returned to Senate, 625.  
Enrolled, 695.  
Signed by President, 696.  
Sent to House, 707.  
Received from House, 731.  
Message to Governor, 744.  
Approved by Governor, 832.

**Senate Bill No. 199** — (Larson (Burleigh))

**Senate Bill No. 199.** A Bill for an Act to amend and reenact Section 52-04-03 of the North Dakota Century Code, pertaining to rates and wage base for unemployment compensation contributions; and to amend and reenact subsection 1 of section 52-04-06 of the 1963 supplement to the North Dakota Century Code related to the variation in standard rate of unemployment compensation contributions and the schedule of rates.

Introduction, first reading, 131.  
Referred to Committee on Industry, Business, and Labor.  
Reported back, do pass, 390.  
Engrossed, 419, 437.  
Second reading, 419.  
Amended from floor, 419.  
Passed, 419.  
To House, 451.  
Returned to Senate, 667.

Enrolled, 754.  
 Signed by President, 754.  
 Sent to House, 755.  
 Received from House, 798.  
 Message to Governor, 798.  
 Approved by Governor, 883.

**Senate Bill No. 200** — (Stroup, Kelly (Pt. Barnes))

**Senate Bill No. 200.** A Bill for an Act to amend and reenact subsection 1 of Section 57-15-12 of the North Dakota Century Code relating to tax levy limitations in park districts.

Introduction, first reading, 131.  
 Referred to Committee on Political Subdivisions.  
 Indefinitely postponed, 470.

**Senate Bill No. 201** — (Meschke and Wenstrom)

**Senate Bill No. 201.** A Bill for an Act to amend and reenact 54-27-04 of the North Dakota Century Code, relating to the duties of the county treasurer in transmitting to the state taxes collected for the state, and relating to the duties of and the procedures to be followed by the state treasurer and the director of accounts and purchases upon receiving the state taxes collected by the county, and to repeal sections 54-27-05 and 54-27-06 of the North Dakota Century Code, relating to the procedures on state taxes collected and transmitted.

Introduction, first reading, 131.  
 Referred to Committee on Finance and Taxation.  
 Re-referred to Committee on State and Federal Government, 267.  
 Reported back, amended, 370, 371.  
 Amendments adopted, 395.  
 Engrossed, 423.  
 Second reading, 425.  
 Amended from floor, 425.  
 Passed, 425.  
 Re-engrossed, 437.  
 To House, 451.  
 Returned to Senate, 726.  
 Enrolled, 754.  
 Signed by President, 754.  
 Sent to House, 755.  
 Received from House, 798.  
 Message to Governor, 798.  
 Approved by Governor, 883.

**Senate Bill No. 202** — (Lowe and Longmire)

**Senate Bill No. 202.** A Bill for an Act to create and enact section 43-13-30 of the North Dakota Century Code, relating to reports and testimony accepted, non-discrimination and freedom of choice of ocular practitioner.

Introduction, first reading, 131.  
 Referred to Committee on Industry, Business, and Labor.  
 Re-referred to Committee on Judiciary, 258.  
 Returned from Committee and withdrawn, 409.

**Senate Bill No. 203** — (Raft and Geving)

**Senate Bill No. 203.** A Bill for an Act to amend and reenact section 6-06-08 of the North Dakota Century Code, relating to credit union supervision, reports, examination and fees.

Introduction, first reading, 131.  
 Referred to Committee on Industry, Business, and Labor.  
 Reported back, do pass, 290.  
 Second reading, 311.  
 Passed, 312.  
 To House, 341.  
 Returned to Senate, 615.  
 Enrolled, 632.  
 Signed by President, 638.  
 Sent to House, 642.  
 Received from House, 647.  
 Message to Governor, 650.  
 Approved by Governor, 711.

**Senate Bill No. 204** — (Rait, Lowe, Wenstrom, Lips, Kautzmann, Meschke, Larson (Pt. Walsh - Nelson))

**Senate Bill No. 204.** A Bill for an Act relating to motor vehicles used by common carriers by rail to transport workers to and from their places of employment or during the course of their employment and directing the Public Service Commission to prepare rules and regulations regulating such motor vehicles; and providing penalties for violation and the enforcement hereof.

Introduction, first reading, 131.  
 Referred to Committee on Industry, Business, and Labor.  
 Recorded vote, 448.  
 Indefinitely postponed, 448.

**Senate Bill No. 205** — (Trenbeath and Becker)

**Senate Bill No. 205.** A Bill for an Act to amend and reenact subsection 4 of section 57-01-05 and section 57-02-12, relating to sales ratio studies and manner of listing personal property, and to provide that each county shall have a county supervisor of assessments, prescribing the duties thereof, and procedures.

Introduction, first reading, 132.  
 Referred to Committee on Finance and Taxation.  
 Reported back, amended, 498, 502.  
 Amendments adopted, 521.  
 Engrossed, 556.  
 Second reading, 557, 1091.  
 Passed, 557, 1091.  
 Clincher, 564, 1092.  
 To House, 572.  
 Returned to Senate, amended, 948.  
 House amendments, 950.  
 Conference Committee, 981, 1008.  
 Senate does not concur, 981.  
 Conference Committee report, 1087.  
 Returned to Senate, killed, 1092.

**Senate Bill No. 206** — (Becker, Coughlin, Decker, and Goldberg)

**Senate Bill No. 206.** A Bill for an Act to create and enact sections 57-38-58, 57-38-59, 57-38-60, and 57-38-61 of the North Dakota Century Code, relating to withholding of income taxes from wages of nonresident employees, and providing an effective date and penalties.

Introduction, first reading, 144.  
 Referred to Committee on Finance and Taxation.  
 Indefinitely postponed, 502.

**Senate Bill No. 207** — (Redlin, Sands, Hofstrand, Schultz, Nething)

**Senate Bill No. 207.** A Bill for an Act providing for the allocation of one-sixth of the state motor vehicle fuel tax to the municipalities of the state for the purpose of construction, reconstruction, maintenance and repair of the streets and public ways of said municipalities to be credited to said municipalities by apportionment according to population and amending and reenacting section 57-54-14 of the North Dakota Century Code, relating to allocation of fuel tax.

Introduction, first reading, 145.  
 Referred to Committee on Political Subdivisions.  
 Reported back, amended, 503.  
 Amendments adopted, 522.  
 Engrossed, 553.  
 Second reading, 558.  
 Passed, 559.  
 Clincher, 564.  
 To House, 572.  
 Returned to Senate, indefinitely postponed, 947.

**Senate Bill No. 208** — (Wenstrom and Morgan)

**Senate Bill No. 208.** A Bill for an Act to create and enact sections 4-12-03.1 and 4-12-03.2 of the North Dakota Century Code, relating to the establishment, registration, and retention of beehive or colony location rights, and to amend and reenact sections 4-12-01, 4-12-03, 4-12-20, and 4-12-22 of the North Dakota Century Code, relating to definitions concerning bees, beekeepers' licenses, the penalty for unlawful transportation or maintenance of bees, inspection fees paid for bees being brought into the state, and declaring an emergency.

Introduction, first reading, 145.  
 Referred to Committee on Agriculture.  
 Reported back, amended, 290, 291.  
 Amendments adopted, 302.  
 Engrossed, 315.  
 Second reading, 336, 724.  
 Passed, 337, 724.  
 Emergency carried, 337.  
 To House, 346.  
 Returned to Senate, 698; amended, 699.  
 Senate concurs, 723.  
 Enrolled, 817.  
 Signed by President, 818.  
 Sent to House, 818.  
 Received from House, 840.  
 Message to Governor, 845.  
 Approved by Governor, 977.

**Senate Bill No. 209** — (Becker, Rait, Pyle, Jacobson, Kautzmann, and Tongerson)

**Senate Bill No. 209.** A Bill for an Act to amend and reenact section 57-15-06 of the North Dakota Century Code, relating to limitations on county tax levies.

Introduction, first reading, 145.  
 Referred to Committee on Finance and Taxation.  
 Indefinitely postponed, 356.  
 Reconsidered, 590.  
 Second reading, 599.  
 Lost, 599.

**Senate Bill No. 210** — (Goldberg, Nasset, Lowe,  
Jacobson, and Litten)

**Senate Bill No. 210.** A Bill for an Act to amend and reenact section 39-04-15 of the North Dakota Century Code, relating to motor vehicle registration fees.

Introduction, first reading, 145.  
Referred to Committee on Transportation.  
Reported back, amended, 232.  
Amendments adopted, 246.  
Engrossed, 253.  
Second reading, 271.  
Passed, 271.  
To House, 284.  
Returned to Senate, 625.  
Enrolled, 695.  
Signed by President, 696.  
Sent to House, 707.  
Received from House, 731.  
Message to Governor, 744.  
Approved by Governor, 832.

**Senate Bill No. 211** — (Lowe, Longmire, and Meschke)

**Senate Bill No. 211.** A Bill for an Act to amend and reenact section 34-12-08 of the 1965 Supplement to the North Dakota Century Code relating to labor management relations empowering the commissioner of labor to initiate mandamus proceedings.

Introduction, first reading, 145.  
Referred to Committee on Industry, Business, and Labor.  
Reported back, amended, 390.  
Amendments adopted, 416.  
Engrossed, 437.  
Second reading, 459.  
Passed, 459.  
To House, 487.  
Returned to Senate, 831.  
Enrolled, 1028.  
Signed by President, 1047.  
Sent to House, 1047.  
Received from House, 1075.  
Message to Governor, 1094.

**Senate Bill No. 212** — (Lowe, Longmire, and Meschke)

**Senate Bill No. 212.** A Bill for an Act to amend and reenact section 34-12-10 of the 1965 Supplement to the North Dakota Century Code relating to labor-management relations and to apply the provisions of chapter 28-32 thereto.

Introduction, first reading, 145.  
Referred to Committee on Industry, Business, and Labor.  
Reported back, do pass, 390.  
Second reading, 419.  
Passed, 419.  
To House, 451.  
Returned to Senate, 831.  
Enrolled, 963.  
Signed by President, 965.  
Sent to House, 965.  
Received from House, 996.  
Message to Governor, 998.

**Senate Bill No. 213** — (Lowe and Meschke)

**Senate Bill No. 213.** A Bill for an Act to provide for the appointment of mediators to labor disputes and the compensation therefor.

Introduction, first reading, 145.  
 Referred to Committee on Industry, Business, and Labor.  
 Reported back, do pass, 390.  
 Second reading, 419, 1012.  
 Passed, 420, 1013.  
 To House, 451.  
 Returned to Senate, amended, 880.  
 House amendments, 881.  
 Senate does not concur, 917.  
 Conference Committee, 918, 924, 946.  
 Conference Committee report, 1012.  
 Enrolled, 1106.  
 Signed by President, 1107.  
 Sent to House, 1108.  
 Received from House, 1109.  
 Message to Governor, 1113.

**Senate Bill No. 214** — (Kautzmann and Butler)

**Senate Bill No. 214.** A Bill for an Act to regulate the practice of engineering and land surveying; provide for the registration of qualified persons as engineers and land surveyors, and the certification of engineers-in-training; define the terms "engineer," "professional engineer," "engineer-in-training," "landsurveyor" and "practice of engineering"; create a state board of registration for professional engineers and land surveyors and provide for the appointment and compensation of its members; fix the term of members of the board and define its powers and duties; set forth the minimum qualifications and other requirements for registration as a professional engineer, land surveyor and certification as an engineer-in-training; establish registration fees with expiration and renewal requirements; impose certain duties upon the state and political subdivision thereof in connection with public work, and provide for the enforcement of this Act and penalties for its violation; and to repeal Chapter 43-19 and Chapter 43-24 of the North Dakota Century Code.

Introduction, first reading, 146.  
 Referred to Committee on Industry, Business, and Labor.  
 Reported back, amended, 448, 450.  
 Amendments adopted, 475.  
 Engrossed, 487.  
 Second reading, 540.  
 Passed, 540.  
 Clincher, 541.  
 To House, 541.  
 Returned to Senate, 979.  
 Enrolled, 1106.  
 Signed by President, 1107.  
 Sent to House, 1108.  
 Received from House, 1109.  
 Message to Governor, 1114.

**Senate Bill No. 215** — (Holand)

**Senate Bill No. 215.** A Bill for an Act to amend and reenact subsection 4 of section 39-03-09 of the North Dakota Century Code, relating to the powers of the highway patrol, and to repeal section

39-03-10 of the North Dakota Century Code, relating to the inspection of motor vehicles by the highway patrol.

Introduction, first reading, 146.  
 Referred to Committee on Transportation.  
 Reported back, do pass, 318.  
 Second reading, 369.  
 Passed, 369.  
 To House, 395.  
 Returned to Senate, 752.  
 Enrolled, 893.  
 Signed by President, 913.  
 Sent to House, 913.  
 Received from House, 958.  
 Message to Governor, 960.

**Senate Bill No. 216** — (Hernett, Meschke, and Lips)

**Senate Bill No. 216.** A Bill for an Act to amend and reenact section 21-10-08 of the 1965 Supplement to the North Dakota Century Code, relating to reserves and their percentage limitations and standards therefor in investing state trust funds.

Introduction, first reading, 146.  
 Referred to Committee on Industry, Business, and Labor.  
 Re-referred to Committee on State and Federal Government, 250.  
 Reported back, do pass, 356.  
 Second reading, 401.  
 Passed, 402.  
 To House, 424.  
 Returned to Senate, 625.  
 Enrolled, 695.  
 Signed by President, 696.  
 Sent to House, 707.  
 Received from House, 731.  
 Message to Governor, 744.  
 Approved by Governor, 832.

**Senate Bill No. 217** — (Meschke)

**Senate Bill No. 217.** A Bill for an Act to amend and reenact sections 15-27-04, 15-27-05, subsection 2 of section 15-53-02, and sections 15-53-05, 15-53-06, 15-53-06.1, 15-53-07, 15-53-08, 15-53-09, 15-53-10, 15-53-11, 15-53-12, 15-53-13, 15-53-16, 15-53-18, 15-53-20, 15-53-21, 15-53-22, 15-53-23, 15-53-25, 15-53-26, 15-53-29, and 15-53-32 of the North Dakota Century Code, relating to changing the county committee to a regional committee for school district reorganization.

Introduction, first reading, 146.  
 Referred to Committee on Education.  
 Indefinitely postponed, 356.

**Senate Bill No. 218** — (Mutsch, Ringsak, Becker, Coughlin, Torgerson, and Robinson)

**Senate Bill No. 218.** A Bill for an Act to amend subsection 15 of section 52-01-01 of the 1965 Supplement to the North Dakota Century Code by the creation of subdivision k, relating to the definition of employment under the social security laws.

Introduction, first reading, 146.  
 Referred to Committee on Social Welfare and Veterans' Affairs.  
 Indefinitely postponed, 232.



**Senate Bill No. 219** — (Lips and Meschke)

**Senate Bill No. 219.** A Bill for an Act to create and enact sections 54-42-03.1 and 54-42-09 of the North Dakota Century Code, relating to powers and duties of the director of the merit system council, and to salaries, benefits, tenure, and security for all state employees covered by the complete merit system on or before January 1, 1971; to amend and reenact sections 54-42-01, 54-42-02, 54-42-03, 54-42-06, and 54-42-08 of the North Dakota Century Code, relating to the establishment of a North Dakota merit system council; organization, meetings, compensation, powers, and duties; agencies subject to the merit system; and transfer of employees under the merit system; and to repeal section 54-42-07, relating to the transfer of records and other materials of the merit system council.

Introduction, first reading, 146.

Referred to Committee on State and Federal Government.

Indefinitely postponed, 371, 502.

Reconsidered, 388.

Re-referred to Committee on State and Federal Government, 388.

**Senate Bill No. 220** — (Lips)

**Senate Bill No. 220.** A Bill for an Act to provide for the reimbursement of extraordinary expenses incurred by the highway commissioner in the discharge of his official duties.

Introduction, first reading, 147.

Referred to Committee on State and Federal Government.

Indefinitely postponed, 266.

**Senate Bill No. 221** — (Lips)

**Senate Bill No. 221.** A Bill for an Act to sell the North Dakota state highway maintenance building in Medora, and to construct a new maintenance building out of the funds derived therefrom, and declaring an emergency.

Introduction, first reading, 147.

Referred to Committee on State and Federal Government.

Reported back, do pass, 266.

Second reading, 282, 1070.

Passed, 283, 1070.

Emergency carried, 283.

To House, 297.

Returned to Senate, amended, 999.

House amendments, 1001.

Senate does not concur, 1020.

Conference Committee, 1020, 1041.

Conference Committee report, 1069.

Engrossed, 1106.

Enrolled, 1106.

Signed by President, 1107.

Sent to House, 1108.

Received from House, 1109.

Message to Governor, 1114.

**Senate Bill No. 222** — (Litten and Butler)

**Senate Bill No. 222.** A Bill for an Act to amend and reenact section 57-15-08 of the North Dakota Century Code, relating to tax levy limitations in cities.

Introduction, first reading, 147.

Referred to Committee on Political Subdivisions.

Reported back, amended, 503.  
Amendments adopted, 522.  
Engrossed, 553, 1097.  
Second reading, 559, 1027.  
Passed, 559, 1027.  
Clincher, 564, 1028.  
To House, 573.  
Returned to Senate, amended, 987.  
House amendments, 989.  
Senate does not concur, 1018.  
Conference Committee, 1018, 1021.  
Conference Committee report, 1027; amended, 1057.  
Senate concurs, 1027.  
House requests return, 1027.  
Request refused, 1050.  
Enrolled, 1097.  
Message to Governor, 1113.

**Senate Bill No. 223 — (Decker)**

**Senate Bill No. 223.** A Bill for an Act to require any entity of this state to pay defendant's expenses in eminent domain proceedings which after having been commenced are withdrawn or dismissed.

Introduction, first reading, 147.  
Referred to Committee on Judiciary.  
Reported back, do pass, 218.  
Second reading, 240, 855.  
Passed, 240, 855.  
To House, 262.  
Returned to Senate, amended, 840.  
House amendments, 840.  
Senate concurs, 855.  
Engrossed, 1095.  
Enrolled, 1095.  
Signed by President, 1096.  
Sent to House, 1096.  
Received from House, 1097.  
Message to Governor, 1112.

**Senate Bill No. 224 — (Pyle and Trenbeath)**

**Senate Bill No. 224.** A Bill for an Act to permit restricted changes in school district boundaries with retention of equivalent taxable valuation by the district involved and retention of substantially similar district boundaries, and to amend and reenact section 15-40-17.1 of the North Dakota Century Code, relating to the tuition of nonresident students who are living and employed on installations of the federal government.

Introduction, first reading, 147.  
Referred to Committee on Education.  
Reported back, amended, 396, 397.  
Amendments adopted, 417.  
Second reading, 460.  
Amended from floor, 460.  
Passed, 460.  
To House, 487.  
Returned to Senate, 758.  
Enrolled, 943.  
Signed by President, 957.  
Sent to House, 957.  
Received from House, 967.  
Message to Governor, 968.

**Senate Bill No. 225** — (Kelly (Ramsey), and Larson  
(Pt. Walsh - Nelson))

**Senate Bill No. 225.** A Bill for an Act to authorize the board of administration to sell and convey certain land owned by the state of North Dakota, which land was formerly used for agricultural purposes at the school for the deaf, and to authorize the board of armory supervisors to release and quit-claim certain land under the control of the board of armory supervisors, which land was formerly intended to be used for armory purposes, and declaring an emergency.

Introduction, first reading, 147.  
Referred to Committee on State and Federal Government.  
Reported back, do pass, 266.  
Second reading, 283.  
Passed, 283.  
Emergency carried, 283.  
To House, 297.  
Returned to Senate, killed, 986.

**Senate Bill No. 226** — (Roen and Forkner)

**Senate Bill No. 226.** A Bill for an Act to amend and reenact section 30-19-02 of the North Dakota Century Code, relating to exchanging or selling real or personal property of an estate.

Introduction, first reading, 147.  
Referred to Committee on Judiciary.  
Indefinitely postponed, 291.

**Senate Bill No. 227** — (Litten and Stafne)

**Senate Bill No. 227.** A Bill for an Act to amend and reenact sections 50-24.1-04 of the 1965 Extra Supplement of the North Dakota Century Code, relating to contract of the public welfare board with private agencies or carriers.

Introduction, first reading, 148.  
Referred to Committee on Social Welfare and Veteran's Affairs.  
Indefinitely postponed, 232.

**Senate Bill No. 228** — (Trenbeath, Kelly (Pt. Barnes), Kautzmann,  
Roen, Ruemmele, Nasset, Geving, Sands,  
Pyle, and Becker)

**Senate Bill No. 228.** A Bill for an Act to amend and reenact section 15-40-12 of the North Dakota Century Code, relating to legislative intent as to elementary and secondary education.

Introduction, first reading, 148.  
Referred to Committee on Education.  
Reported back, amended, 356, 357.  
Amendments adopted, 394.  
Engrossed, 423, 1097.  
Second reading, 428, 854.  
Passed, 430, 855.  
To House, 451.  
Returned to Senate, amended, 829.  
House amendments, 830, 831.  
Senate concurs, 854.  
Enrolled, 1097.  
Message to Governor, 1113.

**Senate Bill No. 229** — (Mutsch)

**Senate Bill No. 229.** A Bill for an Act to amend and reenact paragraph (2) of subdivision b of subsection 5 of section 65-01-02 of the 1965 Supplement to the North Dakota Century Code and to amend subdivision b of subsection 5 of section 65-01-02 of the 1965 Supplement to the North Dakota Century Code, by the creation of paragraph (4) relating to the exclusion of certain positions from the term employee in the workmen's compensation Act.

Introduction, first reading, 148.

Referred to Committee on Industry, Business, and Labor.

Re-referred to Committee on Social Welfare and Veterans' Affairs, 192.

Indefinitely postponed, 232.

**Senate Bill No. 230** — (Redlin, Trenbeath, and Melland)

**Senate Bill No. 230.** A Bill for an Act to create and enact a new chapter to the North Dakota Century Code imposing a three percent motor vehicle excise tax, exemptions thereto, manner of collection, penalties, allocation of revenue and to repeal chapters 57-39.1 and 57-40.1 of the North Dakota Century Code.

Introduction, first reading, 148.

Referred to Committee on Finance and Taxation.

Reported back, amended, 357, 358.

Amendments adopted, 394.

Engrossed, 423, 813.

Second reading, 431, 792.

Passed, 432, 793.

To House, 451.

Returned to Senate, amended, 757.

House amendments, 757, 758.

Senate concurs, 792.

Emergency carried, 793.

Enrolled, 813.

Signed by President, 813.

Sent to House, 813.

Received from House, 813.

Message to Governor, 815.

Approved by Governor, 883.

**Senate Bill No. 231** — (Hernett and Kautzmann)

**Senate Bill No. 231.** A Bill for an Act to amend and reenact section 6-01-17 of the North Dakota Century Code, relating to fees for examination of banks.

Introduction, first reading, 155.

Referred to Committee on Industry, Business, and Labor.

Reported back, do pass, 291.

Second reading, 312, 665.

Passed, 312, 665.

To House, 341.

Returned to Senate, amended, 646.

Senate concurs, 665.

Engrossed, 753.

Enrolled, 753.

Signed by President, 754.

Sent to House, 755.

Received from House, 798.

Message to Governor, 798.

Approved by Governor, 883.

**Senate Bill No. 232** — (Decker, Melland, Litten, Trembeath, Chesrown, Sands, Kelly (Ramsey), Luick, and Stroup)

**Senate Bill No. 232.** A Bill for an Act to repeal section 54-03-21 of the North Dakota Century Code precluding persons doing business with the State of North Dakota or its political subdivisions from serving in the legislative assembly.

Introduction, first reading, 155.  
 Referred to Committee on State and Federal Government.  
 Reported back, do pass, 257.  
 Second reading, 279, 784.  
 Passed, 279, 785.  
 To House, 297, 788.  
 Returned to Senate, 614, 801.  
 Enrolled, 632; re-enrolled, 1101.  
 Signed by President, 638; over Governor's veto, 1101.  
 Sent to House, 642, 1101.  
 Received from House, 647, 1101.  
 Message to Governor, 650.  
 Vetoed by Governor, 719.  
 Placed at foot of calendar, 719.  
 Clincher, 788.  
 Delivered to Secretary of State over Governor's veto, 1105.

**Senate Bill No. 233** — (Longmire)

**Senate Bill No. 233.** A Bill for an Act to provide for appointment of counsel for indigents and making provision for payment of such expenses.

Introduction, first reading, 155.  
 Referred to Committee on Judiciary.  
 Reported back, amended, 291.  
 Amendments adopted, 302.  
 Engrossed, 315, 1106.  
 Second reading, 337, 852.  
 Passed, 337, 853.  
 To House, 346.  
 Returned to Senate, amended, 820.  
 House amendments, 820, 821.  
 Senate concurs, 852.  
 Enrolled, 1106.  
 Signed by President, 1107.  
 Sent to House, 1108.  
 Received from House, 1109.  
 Message to Governor, 1114.

**Senate Bill No. 234** — (Nething and Meschke)

**Senate Bill No. 234.** A Bill for an Act to transfer the administration and control of the Grafton state school and the North Dakota state tuberculosis sanatorium from the board of administration to the state department of health, and to amend and reenact sections 25-01.1-01, 25-04-02, 25-04-03, 25-04-04, 25-04-06, 25-05-01, 25-05-02, 25-05-03, 25-05-06, 25-05-07, 25-05-11, 25-05-16, subsection 3 of section 25-05-19, and sections 25-05-20, 25-05-22, 25-05-23, 25-05-24, 25-05-25, 25-05-27, 25-05-30, 25-05-33, 25-05-34, and 54-23-01 of the North Dakota Century Code, relating to administration and control of the Grafton state school and North Dakota state tuberculosis sanatorium, and to repeal subsection 14 of section 54-21-13 of the North Dakota Century Code, relating to care of feeble-minded by the board of administration.

Introduction, first reading, 156.  
Referred to Committee on Social Welfare and Veterans' Affairs.  
Divided report, 318.  
Recorded vote, 318.  
Indefinitely postponed, 318.

**Senate Bill No. 235** — (Hofstrand and Trenbeath)

**Senate Bill No. 235.** A Bill for an Act to amend and reenact subsection 11 of section 61-16-11 of the 1965 Supplement to the North Dakota Century Code, relating to powers and duties of board of commissioners.

Introduction, first reading, 156.  
Referred to Committee on Agriculture.  
Re-referred to Committee on Natural Resources, 216.  
Reported back, do pass, 470.  
Second reading, 540.  
Passed, 541.  
Clincher, 541.  
To House, 541.  
Returned to Senate, 947.  
Enrolled, 1095.  
Signed by President, 1096.  
Sent to House, 1096.  
Received from House, 1097.  
Message to Governor, 1112.

**Senate Bill No. 236** — (Holand)

**Senate Bill No. 236.** A Bill for an Act authorizing the governor to contract and to do other things necessary in behalf of this state to secure the full benefits available to this state under the federal highway safety act of 1966, and declaring an emergency.

Introduction, first reading, 156.  
Referred to Committee on Transportation.  
Reported back, do pass, 319.  
Second reading, 372.  
Passed, 373.  
Emergency carried, 373.  
To House, 395.  
Returned to Senate, 831.  
Emergency failed, 831.  
Engrossed, 1106.  
Enrolled, 1106.  
Signed by President, 1107.  
Sent to House, 1108.  
Received from House, 1109.  
Message to Governor, 1114.

**Senate Bill No. 237** — (Robinson, Roen, and Morgan)

**Senate Bill No. 237.** A Bill for an Act to amend and reenact Section 43-29-17, of the North Dakota Century Code relating to the unlawful practice of veterinary medicine, providing for violations thereof to be a misdemeanor and in addition thereto providing for the civil remedy of injunction to restrain and enjoin violations thereof.

Introduction, first reading, 156.  
Referred to Committee on Agriculture.  
Reported back, amended, 218.  
Amendments adopted, 237.

Engrossed, 250.  
 Second reading, 269.  
 Passed, 270.  
 To House, 284.  
 Returned to Senate, 758.  
 Enrolled, 943.  
 Signed by President, 957.  
 Sent to House, 957.  
 Received from House, 967.  
 Message to Governor, 968.

**Senate Bill No. 238** — (Larson (Burleigh))

**Senate Bill No. 238.** 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 beer and liquor tax.

Introduction, first reading, 156.  
 Referred to Committee on Finance and Taxation.  
 Indefinitely postponed, 503.

**Senate Bill No. 239** — (Ringsak and Kelly (Ramsey))

**Senate Bill No. 239.** A Bill for an Act to create and enact section 43-13-30 of the North Dakota Century Code, relating to reports and testimony accepted, nondiscrimination and freedom of choice of ocular practitioner.

Introduction, first reading, 156.  
 Referred to Committee on Industry, Business, and Labor.  
 Re-referred to Committee on Judiciary, 258.  
 Reported back, amended, 397.  
 Amendments adopted, 417.  
 Further amendments from floor, 417.  
 Engrossed, 437.  
 Second reading, 460.  
 Passed, 460.  
 To House, 487.  
 Returned to Senate, 752.  
 Enrolled, 893.  
 Signed by President, 913.  
 Sent to House, 913.  
 Received from House, 958.  
 Message to Governor, 960.

**Senate Bill No. 240** — (Trenbeath and Pyle)

**Senate Bill No. 240.** A Bill for an Act to amend and reenact section 20-03-21 of the North Dakota Century Code, relating to the issuance of game licenses.

Introduction, first reading, 156.  
 Referred to Committee on Natural Resources.  
 Reported back, amended, 503.  
 Amendments adopted, 522.  
 Engrossed, 553, 1095.  
 Second reading, 559, 970.  
 Passed, 560, 970.  
 Clincher, 564.  
 To House, 573.  
 Returned to Senate, amended, 958.  
 House amendments, 959.  
 Senate concurs, 970.  
 Enrolled, 1095.

Signed by President, 1096.  
Sent to House, 1096.  
Received from House, 1097.  
Message to Governor, 1112.

**Senate Bill No. 241 — (Hofstrand)**

**Senate Bill No. 241.** A Bill for an Act to amend and reenact section 47-14-05 of the North Dakota Century Code, relating to interest rates on legal indebtedness and contracts.

Introduction, first reading, 157.  
Referred to Committee on Industry, Business, and Labor.  
Reported back, amended, 291.  
Amendments adopted, 302.  
Engrossed, 315.  
Second reading, 337.  
Passed, 338.  
To House, 346.  
Returned to Senate, indefinitely postponed, 633.

**Senate Bill No. 242 — (Lips, Lowe, Wenstrom, Kautzmann, Meschke, and Rait)**

**Senate Bill No. 242.** A Bill for an Act relating to the payment of prevailing rates of wages as minimum rates of wages by contractors and subcontractors in the performance of certain contracts made by state and local governmental bodies, and providing a penalty.

Introduction, first reading, 157.  
Referred to Committee on Industry, Business, and Labor.  
Recorded vote, 390.  
Indefinitely postponed, 390.

**Senate Bill No. 243 — (Chesrown, Longmire, and Holand)**

**Senate Bill No. 243.** A Bill for an Act to amend and reenact subsection 3 of section 57-37-02 of the North Dakota Century Code, relating to gross estate of resident decedent.

Introduction, first reading, 157.  
Referred to Committee on Judiciary.  
Reported back, do pass, 291.  
Second reading, 312.  
Passed, 312.  
To House, 341.  
Returned to Senate, 831.  
Enrolled, 1028.  
Signed by President, 1047.  
Sent to House, 1048.  
Received from House, 1075.  
Message to Governor, 1094.

**Senate Bill No. 244 — (Redlin)**

**Senate Bill No. 244.** A Bill for an Act to amend and reenact section 6-01-21.1 of the North Dakota Century Code, relating to county agencies, examinations and fees.

Introduction, first reading, 157.  
Referred to Committee on Political Subdivisions.  
Reported back, do pass, 445.  
Second reading, 476.



Passed, 476.  
To House, 523.  
Returned to Senate, 726.  
Enrolled, 754.  
Signed by President, 754.  
Sent to House, 755.  
Received from House, 798.  
Message to Governor, 798.  
Approved by Governor, 883.

**Senate Bill No. 245 — (Redlin)**

**Senate Bill No. 245.** A Bill for an Act to amend and reenact section 6-01-21.2 of the North Dakota Century Code, relating to municipal agencies, park boards, school districts, examinations, fees, and alternative audits.

Introduction, first reading, 157.  
Referred to Committee on Political Subdivisions.  
Reported back, do pass, 445.  
Second reading, 476.  
Passed, 476.  
To House, 523.  
Returned to Senate, 726.  
Enrolled, 754.  
Signed by President, 754.  
Sent to House, 755.  
Received from House, 798.  
Message to Governor, 798.  
Approved by Governor, 883.

**Senate Bill No. 246 — (Litten and Goldberg)**

**Senate Bill No. 246.** A Bill for an Act to amend and reenact section 40-09-06 of the North Dakota Century Code, relating to the salaries of city commissioners.

Introduction, first reading, 157.  
Referred to Committee on Political Subdivisions.  
Reported back, amended, 470, 471.  
Amendments adopted, 520.  
Engrossed, 553.  
Second reading, 560.  
Passed, 560.  
Clincher, 564.  
To House, 573.  
Returned to Senate, 726.  
Enrolled, 817.  
Signed by President, 818.  
Sent to House, 818.  
Received from House, 840.  
Message to Governor, 845.  
Approved by Governor, 977.

**Senate Bill No. 247 — (Stroup)**

**Senate Bill No. 247.** A Bill for an Act relating to coal mining; declaring the policy of the state with respect thereto, providing for the reclamation of lands disturbed by coal mining, supervision thereof by the state soil conservation committee, and for a severance tax upon coal in lieu of sales taxes, allocation of revenues, and establishment of a trust fund and a reclamation fund, verification of required information, establishment of tax liens, court appeals, promulgation of rules and regulations and providing civil and criminal penalties.

Introduction, first reading, 157.  
 Referred to Committee on Finance and Taxation.  
 Indefinitely postponed, 358.

**Senate Bill No. 248** — (Morgan, Roen, and Hofstrand)

**Senate Bill No. 248.** A Bill for an Act to provide for state to reimburse counties for one-half of election expenses in statewide primary, general and special elections.

Introduction, first reading, 157.  
 Referred to Committee on Judiciary.  
 Reported back, do pass, 292.  
 Second reading, 312.  
 Passed, 313.  
 To House, 341.  
 Returned to Senate, indefinitely postponed, 727.

**Senate Bill No. 249** — (Longmire, Ruemmele, Kelly (Pt. Barnes), Litten, and Pyle)

**Senate Bill No. 249.** A Bill for an Act to provide for the purchasing of residential care, custody, training, treatment or education of the mentally retarded by the state from private, nonprofit, charitable organizations.

Introduction, first reading, 157.  
 Referred to Committee on Social Welfare and Veterans' Affairs.  
 Indefinitely postponed, 319.  
 Reconsidered, 345.  
 Placed on calendar, 345.  
 Second reading, 399, 1033.  
 Passed, 400, 1033.  
 To House, 424.  
 Returned to Senate, amended, 948.  
 House amendments, 950.  
 Senate does not concur, 984.  
 Conference Committee, 984, 1008.  
 Conference Committee report, 1032.  
 Enrolled, 1106.  
 Signed by President, 1107.  
 Sent to House, 1108.  
 Received from House, 1109.  
 Message to Governor, 1114.

**Senate Bill No. 250** — (Melland and Nething)

**Senate Bill No. 250.** A Bill for an Act to repeal section 25-02-02 of the North Dakota Century Code, relating to the location of an additional hospital for the mentally ill at Rugby.

Introduction, first reading, 158.  
 Referred to Committee on Social Welfare and Veterans' Affairs.  
 Re-referred to Committee on State and Federal Government, 188.  
 Returned and withdrawn, 516.

**Senate Bill No. 251** — (Melland, Coughlin, Larsen, and Wilhite)

**Senate Bill No. 251.** A Bill for an Act to create and enact a new subsection 5 of section 21-03-07 of the North Dakota Century Code, relating to the issuance of general obligation bonds of cities, by resolution of the governing body subject to protest by taxpayers,

for the purpose of street improvements on arterial streets including federal and state highways and at intersections with streams, drains, and railways, and improvements incidental to urban renewal projects.

Introduction, first reading, 158.  
 Referred to Committee on Political Subdivisions.  
 Reported back, amended, 471.  
 Amendments adopted, 520.  
 Engrossed, 553, 944.  
 Second reading, 561, 793.  
 Passed, 561, 793.  
 Clincher, 564.  
 To House, 573.  
 Returned to Senate, amended, 756.  
 House amendments, 757.  
 Senate concurs, 793.  
 Revision and correction, 799.  
 Enrolled, 944.  
 Signed by President, 957.  
 Sent to House, 957.  
 Received from House, 967.  
 Message to Governor, 968.

**Senate Bill No. 252** — (Kelly (Pt. Barnes), Forkner, and Sands)

**Senate Bill No. 252.** A Bill for an Act permitting nonresidents to fish upon land owned or leased by a resident when the resident obtains a permit and pays a fee to the commissioner, and amending section 20-03-07 of the North Dakota Century Code relating to fishing by nonresidents.

Introduction, first reading, 158.  
 Referred to Committee on Natural Resources.  
 Indefinitely postponed, 319.

**Senate Bill No. 253** — (Rait)

**Senate Bill No. 253.** A Bill for an Act to provide for voluntary liquidation of credit unions, and repealing sections 6-06-30, 6-06-31, and 6-06-32 of the North Dakota Century Code.

Introduction, first reading, 158.  
 Referred to Committee on Industry, Business, and Labor.  
 Reported back, do pass, 292.  
 Second reading, 313.  
 Passed, 313.  
 To House, 341.  
 Returned to Senate, 615.  
 Enrolled, 632.  
 Signed by President, 638.  
 Sent to House, 642.  
 Received from House, 647.  
 Message to Governor, 650.  
 Approved by Governor, 711.

**Senate Bill No. 254** — (Meschke and Rait)

**Senate Bill No. 254.** A Bill for an Act to adopt an interstate compact on the mentally disordered offender.

Introduction, first reading, 158.  
 Referred to Committee on Social Welfare and Veterans' Affairs.  
 Re-referred to Committee on Social Welfare and Veterans' Affairs, 319.

Reported back, 319, do pass, 358.  
Engrossed, 402, 423, 1095.  
Second reading, 402.  
Amended from floor, 402.  
Passed, 402.  
To House, 424.  
Returned to Senate, 872.  
Enrolled, 1095.  
Signed by President, 1096.  
Sent to House, 1096.  
Received from House, 1098.  
Message to Governor, 1112.

**Senate Bill No. 255 — (Becker and Lowe)**

**Senate Bill No. 255.** A Bill for an Act to create and enact subsection 27 of section 52-01-01 of the 1965 supplement to the North Dakota Century Code related to definitions; and to amend and reenact section 52-05-03 of the North Dakota Century Code related to election of unemployment compensation coverage and rates of contributions.

Introduction, first reading, 158.  
Referred to Committee on Industry, Business, and Labor.  
Reported back, do pass, 391.  
Second reading, 420.  
Passed, 420.  
To House, 451.  
Returned to Senate, 625.  
Enrolled, 695.  
Signed by President, 696.  
Sent to House, 707.  
Received from House, 731.  
Message to Governor, 744.  
Approved by Governor, 832.

**Senate Bill No. 256 — (Decker)**

**Senate Bill No. 256.** A Bill for an Act to remove governmental immunity of the state and its municipalities and political subdivisions for torts committed by its officers and employees in the performance of duties, and to repeal sections 39-01-08 and 40-43-07 of the North Dakota Century Code, relating to political subdivisions carrying liability insurance and right to claim governmental immunity.

Introduction, first reading, 158.  
Referred to Committee on Judiciary.  
Indefinitely postponed, 301.

**Senate Bill No. 257 — (Decker)**

**Senate Bill No. 257.** A Bill for an Act to amend and reenact sections 54-34-09 and 54-34.1-02 of the 1965 Supplement to the North Dakota Century Code, relating to the office of economic opportunity and the state planning agency.

Introduction, first reading, 159.  
Referred to Committee on State and Federal Government.  
Indefinitely postponed, 371.

**Senate Bill No. 258 — (Decker, Rait, Larson (Nelson - Pt. Walsh), Meschke, Mutch, and Kautzmann)**

**Senate Bill No. 258.** A Bill for an Act prohibiting the use of certain devices on railroad locomotives and equipment and prescribing penalties for violating the provisions thereof.

Introduction, first reading, 159.  
 Referred to Committee on Industry, Business, and Labor.  
 Indefinitely postponed, 450.  
 Recorded vote, 450.

**Senate Bill No. 259** — (Holand and Chesrown)

**Senate Bill No. 259.** A Bill for an Act relating to the filing by certain transmitting utilities of certain instruments required to be filed under the provisions of the Uniform Commercial Code.

Introduction, first reading, 159.  
 Referred to Committee on Judiciary.  
 Reported back, do pass, 391.  
 Second reading, 421.  
 Passed, 421.  
 To House, 451.  
 Returned to Senate, 758.  
 Enrolled, 943.  
 Signed by President, 957.  
 Sent to House, 957.  
 Received from House, 967.  
 Message to Governor, 968.

**Senate Bill No. 260** — (Torgerson)

**Senate Bill No. 260.** A Bill for an Act to amend and reenact section 57-38-36 of the 1963 Supplement to the North Dakota Century Code, relating to payment of income tax in quarterly installments.

Introduction, first reading, 159.  
 Referred to Committee on Finance and Taxation.  
 Indefinitely postponed, 319.

**Senate Bill No. 261** — (Hofstrand, Luick, and Morgan)

**Senate Bill No. 261.** A Bill for an Act to amend and reenact subsection 10 of section 57-02-01 of the 1965 Supplement to the North Dakota Century Code relating to the definition of a farm.

Introduction, first reading, 159.  
 Referred to Committee on Finance and Taxation.  
 Re-referred to Committee on Agriculture, 267.  
 Reported back, without recommendation, 414.  
 Second reading, 434.  
 Amended from floor, 434.  
 Lost, 435.

**Senate Bill No. 262** — (Torgerson)

**Senate Bill No. 262.** A Bill for an Act to amend and reenact subsection 5 of section 57-38-45 of the North Dakota Century Code, relating to the waiver of civil penalties.

Introduction, first meeting, 159.  
 Referred to Committee on Finance and Taxation.  
 Reported back, do pass, 358.  
 Second reading, 402.  
 Passed, 403.

To House, 424.  
Returned to Senate, 752.  
Enrolled, 893.  
Signed by President, 913.  
Sent to House, 913.  
Received from House, 958.  
Message to Governor, 960.

**Senate Bill No. 263 — (Torgerson)**

**Senate Bill No. 263.** A Bill for an Act relating to withholding by employer of delinquent income tax of an employee, penalties, collection of accounts by collection agencies and to provide for effective dates.

Introduction, first reading, 159.  
Referred to Committee on Finance and Taxation.  
Reported back, do pass, 358.  
Second reading, 403.  
Passed, 403.  
To House, 424.  
Returned to House, 727.  
Indefinitely postponed, 727.

**Senate Bill No. 264 — (Torgerson)**

**Senate Bill No. 264.** A Bill for an Act relating to jeopardy assessments, and penalties.

Introduction, first reading, 159.  
Referred to Committee on Finance and Taxation.  
Reported back, amended, 358.  
Engrossed, 423.  
Second reading, 432.  
Passed, 432.  
To House, 451.  
Returned to Senate, killed, 986.

**Senate Bill No. 265 — (Trenbeath)**

**Senate Bill No. 265.** A Bill for an Act to amend and reenact section 26-15-13 of the North Dakota Century Code, relating to the territorial limits of county mutual insurance companies' operations.

Introduction, first reading, 159.  
Referred to Committee on Industry, Business and Labor.  
Indefinitely postponed, 453.

**Senate Bill No. 266 — (Trenbeath)**

**Senate Bill No. 266.** A Bill for an Act to amend and reenact section 26-15-01 of the 1965 Supplement to the North Dakota Century Code, relating to the organization of county mutual insurance companies.

Introduction, first reading, 160.  
Referred to Committee on Industry, Business, and Labor.  
Indefinitely postponed, 453.

**Senate Bill No. 267 — (Melland, Stroup, Robinson,  
Larson (Nelson - Pt. Walsh))**

**Senate Bill No. 267.** A Bill for an Act to amend and reenact subsection 3 of section 49-18-02 of the North Dakota Century Code,

relating to exemptions to farmers and associations of farmers hauling their own goods and providing for a clarification of those exempted.

Introduction, first reading, 160.  
 Referred to Committee on Industry, Business, and Labor.  
 Re-referred to Committee on Transportation, 188.  
 Reported back, do pass, 319.  
 Second reading, 373.  
 Passed, 373.  
 To House, 395.  
 Returned to Senate, 758.  
 Enrolled, 943.  
 Signed by President, 957.  
 Sent to House, 957.  
 Received from House, 967.  
 Message to Governor, 968.

**Senate Bill No. 268** — (Melland, Stroup, Robinson,  
 Larson (Nelson - Pt. Walsh))

**Senate Bill No. 268.** A Bill for an Act to create and enact sections 49-18-34.1, 49-18-38.1, 49-18-38.2 and 49-18-38.3 of the North Dakota Century Code, providing for regulation of agricultural carriers by the public service commission, and requiring hearings on applications for agricultural carrier permits, and providing for factors to be considered in issuing agricultural carrier permits, and providing for the suspension, revocation and abandonment of agricultural carrier permits, and to amend and reenact subsection 4 of section 49-18-01, sections 49-18-35, 49-18-36 and 49-18-38 of the North Dakota Century Code relating to the definition of an agricultural carrier, and clarifying those required to have agricultural carrier permits, and relating to the fee for agricultural carrier permits, and relating to the form of application for agricultural carrier permits and providing for temporary agricultural carrier permits.

Introduction, first reading, 160.  
 Referred to Committee on Industry, Business, and Labor.  
 Re-referred to Committee on Transportation, 188.  
 Reported back, do pass, 319.  
 Second reading, 373, 853.  
 Passed, 373, 853.  
 To House, 395.  
 Returned to Senate, amended, 820.  
 House amendments, 821.  
 Senate concurs, 853.  
 Engrossed, 1095.  
 Enrolled, 1095.  
 Signed by President, 1096.  
 Sent to House, 1096.  
 Received from House, 1098.  
 Message to Governor, 1112.

**Senate Bill No. 269** — (Christensen)

**Senate Bill No. 269.** A Bill for an Act to amend and reenact section 20-08-04 of the North Dakota Century Code, relating to the publication of game and fish orders or proclamations of the governor.

Introduction, first reading, 160.  
 Referred to Committee on Natural Resources.  
 Indefinitely postponed, 319.

**Senate Bill No. 270** — (Melland)

**Senate Bill No. 270.** A Bill for an Act to provide for the use of a slow-moving vehicle identification emblem, and declaring an effective date.

Introduction, first reading, 160.  
Referred to Committee on Transportation.  
Reported back, amended, 233.  
Amendments lost, 246.  
Placed on calendar, 246.  
Second reading, 272.  
Passed, 272.  
To House, 284.  
Returned to Senate, 731.  
Killed, 731.

**Senate Bill No. 271** — (Meschke, Rait, Christensen, Berube,  
Larson (Nelson - Pt. Walsh))

**Senate Bill No. 271.** A Bill for an Act to amend and reenact section 26-01-11 of the North Dakota Century Code, relating to insurance premium taxes.

Introduction, first reading, 160.  
Referred to Committee on Finance and Taxation.  
Indefinitely postponed, 504.  
Recorded vote, 504.

**Senate Bill No. 272** — (Meschke, Rait, Christensen, Berube,  
Larson (Nelson - Pt. Walsh))

**Senate Bill No. 272.** A Bill for an Act to provide for the exemption of personal property from assessment and taxation; to create and enact a new subsection to section 57-02-08 of the North Dakota Century Code, relating to exemption of personal property from assessment and taxation; to create and enact a new section to the North Dakota Century Code, relating to the establishment of a personal property tax replacement fund and the allocation and distribution thereof; to amend and reenact section 57-02-04 of the North Dakota Century Code, relating to the definition of real property for property tax purposes; to amend and reenact section 57-02-28 of the North Dakota Century Code, relating to the basis of computation of property taxes; and to repeal subsections 9, 10, and 11 of section 57-02-05, relating to definitions of personal property for property tax purposes, sections 18-03-09, 37-01-27 and 57-15-23, relating to the per capita school tax and exemptions therefrom, and chapters 57-03 and 57-31 of the North Dakota Century Code, relating to taxation of grain and to taxation of transient stocks of merchandise; and providing effective dates.

Introduction, first reading, 161.  
Referred to Committee on Finance and Taxation.  
Indefinitely postponed, 504.  
Recorded vote, 504.

**Senate Bill No. 273** — (Rait and Meschke)

**Senate Bill No. 273.** A Bill for an Act to create and enact a new subsection to section 57-38-57 of the North Dakota Century Code, relating to the secrecy of income tax returns, and authorizing the state auditor to examine income tax returns and retail sales and use tax returns under certain conditions.



Introduction, first reading, 161.  
Referred to Committee on Finance and Taxation.  
Reported back, amended, 319, 320.  
Amendments adopted, 345.  
Engrossed, 363.  
Second reading, 400.  
Passed, 400.  
To House, 424.  
Returned to Senate, indefinitely postponed, 727.

**Senate Bill No. 274** — (Becker)

**Senate Bill No. 274.** A Bill for an Act to amend and reenact section 57-02-10 of the North Dakota Century Code relating to the tax exempt status of land upon which easements have been given for water, wildlife or highway projects and to create and enact section 61-01-23.1 of the North Dakota Century Code authorizing the board of county commissioners to levy a tax sufficient to remove obstructions from nonnavigable streams.

Introduction, first reading, 161.  
Referred to Committee on Natural Resources.  
Reported back, amended, 471.  
Amendments adopted, 520.  
Engrossed, 553.  
Second reading, 561.  
Passed, 561.  
Clincher, 564.  
To House, 573.  
Returned to Senate, indefinitely postponed, 872.

**Senate Bill No. 275** — (Ringsak)

**Senate Bill No. 275.** A Bill for an Act to create and enact section 54-52-25 of the North Dakota Century Code, relating to the North Dakota state employees' retirement system and to amend and reenact section 54-52-03, subsection 6 of section 54-52-04, and sections 54-52-13, 54-52-16, and 54-52-22 of the North Dakota Century Code, relating to the North Dakota state employees retirement system.

Introduction, first reading, 161.  
Referred to Committee on State and Federal Government.  
Reported back, amended, 505, 507.  
Amendments adopted, 522.  
Engrossed, 553.  
Second reading, 562, 578.  
Passed, 579.  
Clincher, 582.  
To House, 595.  
Revision and correction, 595.  
Returned to Senate, 979.  
Enrolled, 1106.  
Signed by President, 1107.  
Sent to House, 1108.  
Received from House, 1109.  
Message to Governor, 1114.

**Senate Bill No. 276** — (Becker)

**Senate Bill No. 276.** A Bill for an Act to amend and reenact sections 57-38-31 and 57-38-32 of the North Dakota Century Code, relating to the duty of individuals and corporations to make return.

Introduction, first reading, 161.  
 Referred to Committee on Finance and Taxation.  
 Reported back, do pass, 320.  
 Second reading, 374.  
 Passed, 374.  
 To House, 395.  
 Returned to Senate, 614.  
 Enrolled, 632.  
 Signed by President, 638.  
 Sent to House, 642.  
 Received from House, 647.  
 Message to Governor, 650.  
 Approved by Governor, 712.

**Senate Bill No. 277 — (Becker)**

**Senate Bill No. 277.** A Bill for an Act to amend and reenact subsection 1 of section 4-28-06 of the North Dakota Century Code, relating to the powers, authority and duties of the wheat commission.

Introduction, first reading, 161.  
 Referred to Committee on Agriculture.  
 Reported back, do pass, 414.  
 Second reading, 435.  
 Passed, 435.  
 To House, 452.  
 Returned to Senate, indefinitely postponed, 832.

**Senate Bill No. 278 — (Ringsak and Beck)**

**Senate Bill No. 278.** A Bill for an Act to create section 32-34-01.1 of the North Dakota Century Code, relating to the issuance of a writ of mandamus by the supreme court to judges of inferior courts, and to amend and reenact section 32-34-02 of the North Dakota Century Code, relating to the issuance of such writs.

Introduction, first reading, 162.  
 Referred to Committee on Judiciary.  
 Reported back, do pass, 391.  
 Second reading, 421, 897.  
 Passed, 422, 897.  
 To House, 452.  
 Returned to Senate, amended, 880.  
 House amendments, 881.  
 Senate concurs, 897.  
 Engrossed, 1095.  
 Enrolled, 1095.  
 Signed by President, 1096.  
 Sent to House, 1096.  
 Received from House, 1098.  
 Message to Governor, 1112.

**Senate Bill No. 279 — (Forkner, Morgan, Ringsak, Kelly (Ramsey))**

**Senate Bill No. 279.** A Bill for an Act to create and enact a new subsection to section 57-01-05 of the 1965 Supplement to the North Dakota Century Code, relating to the rendition of appraisal services to political subdivisions and to provide compensation therefor.

Introduction, first reading, 165.  
 Referred to Committee on Political Subdivisions.  
 Indefinitely postponed, 445.

**Senate Bill No. 280** — (Kautzmann)

**Senate Bill No. 280.** A Bill for an Act to amend and reenact Sections 43-11-01, 43-11-06, 43-11-12, 43-11-16, 43-11-19 and 43-11-27 of the North Dakota Century Code, relating to governing the profession of hairdressing and cosmetology.

Introduction, first reading, 165.  
 Referred to Committee on Industry, Business, and Labor.  
 Indefinitely postponed, 453.

**Senate Bill No. 281** — (Wenstrom)

**Senate Bill No. 281.** A Bill for an Act to transfer certain historical sites now under the control of the state park service to the state historical board, and making an appropriation.

Introduction, first reading, 165.  
 Referred to Committee on State and Federal Government.  
 Reported back, do pass, 292; amended, 427.  
 Divided report, 292.  
 Referred to Committee on Appropriations, 313.  
 Amendments adopted, 458.  
 Engrossed, 467, 1106.  
 Amended from floor, 458.  
 Second reading, 479, 1070.  
 Passed, 479, 1071.  
 To House, 523.  
 Returned to Senate, amended, 999.  
 House amendments, 1001.  
 Senate does not concur, 1024.  
 Conference Committee, 1024, 1041, 1057.  
 Conference Committee report, 1070.  
 Enrolled, 1106.  
 Signed by President, 1107.  
 Sent to House, 1108.  
 Received from House, 1109.  
 Message to Governor, 1114.

**Senate Bill No. 282** — (Wenstrom)

**Senate Bill No. 282.** A Bill for an Act to create and enact subsection 11 of section 55-01-02, section 55-02-01.3, subsections 9 and 10 of section 55-08-03, and to amend and reenact section 55-01-01 and subsections 9 and 10 of section 55-01-02, all of the North Dakota Century Code, relating to the state historical society and the superintendent thereof.

Introduction, first reading, 165.  
 Referred to Committee on State and Federal Government.  
 Reported back, do pass, 266.  
 Second reading, 296, 1020.  
 Passed, 296, 1021.  
 To House, 341.  
 Returned to Senate, amended, 999.  
 House amendments, 1001.  
 Senate concurs, 1020.  
 Engrossed, 1106.  
 Enrolled, 1106.  
 Signed by President, 1107.  
 Sent to House, 1108.  
 Received from House, 1109.  
 Message to Governor, 1114.

**Senate Bill No. 283** — (Kautzmann and Kelly (Ramsey))

**Senate Bill No. 283.** A Bill for an Act to amend and reenact section 51-10-14 of the 1965 Supplement to the North Dakota Century Code relating to unfair trade practices, providing for licensing of retailers, and providing penalties.

Introduction, first reading, 166.  
Referred to Committee on Industry, Business, and Labor.  
Reported back, do pass, 453.  
Second reading, 479.  
Passed, 480.  
To House, 523.  
Returned to Senate, 831.  
Enrolled, 963.  
Signed by President, 965.  
Sent to House, 965.  
Received from House, 996.  
Message to Governor, 998.

**Senate Bill No. 284** — (Wenstrom)

**Senate Bill No. 284.** A Bill for an Act to amend and reenact section 7-05-01 of the North Dakota Century Code, relating to savings and loan associations examination and fees therefor.

Introduction, first reading, 166.  
Referred to Committee on Industry, Business, and Labor.  
Reported back, do pass, 292.  
Second reading, 313.  
Passed, 314.  
To House, 341.  
Returned to Senate, 615.  
Enrolled, 632.  
Signed by President, 638.  
Sent to House, 642.  
Received from House, 647.  
Message to Governor, 650.  
Approved by Governor, 712.

**Senate Bill No. 285** — (Wenstrom)

**Senate Bill No. 285.** A Bill for an Act to authorize savings and loan associations to invest in or own jointly a corporation to provide a centralized data processing service.

Introduction, first reading, 166.  
Referred to Committee on Industry, Business, and Labor.  
Reported back, amended, 292, 293.  
Amendments adopted, 302.  
Engrossed, 315; re-engrossed, 712.  
Second reading, 338, 665.  
Passed, 338, 666.  
To House, 346.  
Returned to Senate, amended, 646.  
Senate concurs, 665.  
Enrolled, 712.  
Signed by President, 713.  
Sent to House, 722.  
Received from House, 752.  
Message to Governor, 755.  
Approved by Governor, 832.

**Senate Bill No. 286 — (Wenstrom)**

**Senate Bill No. 286.** A Bill for an Act to authorize state-chartered savings and loan associations to exercise powers granted to federally-chartered savings and loan associations.

Introduction, first reading, 166.  
 Referred to Committee on Industry, Business, and Labor.  
 Reported back, do pass, 293.  
 Second reading, 329, 666.  
 Passed, 329, 666.  
 To House, 346.  
 Returned to Senate, amended, 646.  
 Senate concurs, 666.  
 Re-engrossed, 712.  
 Enrolled, 712.  
 Signed by President, 713.  
 Sent to House, 722.  
 Received from House, 752.  
 Message to Governor, 755.  
 Approved by Governor, 832.

**Senate Bill No. 287 — (Wenstrom)**

**Senate Bill No. 287.** A Bill for an Act authorizing the spearing of fish and to amend and reenact section 20-06-08 of the North Dakota Century Code, relating to licensing fish houses.

Introduction, first reading, 166.  
 Referred to Committee on Natural Resources.  
 Reported back, do pass, 472.  
 Second reading, 542.  
 Passed, 542.  
 Clincher, 544.  
 To House, 557, 962.  
 Returned to Senate, killed, 947.  
 House requests return, 961.  
 Returned to Senate, passed, 979.  
 Enrolled, 1095.  
 Signed by President, 1096.  
 Sent to House, 1096.  
 Received from House, 1098.  
 Message to Governor, 1113.

**Senate Bill No. 288 — (Sorlie)**

**Senate Bill No. 288.** A Bill for an Act to appropriate money to the Employment Security Bureau for reimbursement to the United States on account of expenditure of granted federal funds contrary to federal standards.

Introduction, first reading, 166.  
 Referred to Committee on Appropriations.  
 Reported back, do pass, 293.  
 Second reading, 330.  
 Passed, 330.  
 To House, 346.  
 Returned to Senate, 979.  
 Enrolled, 1106.  
 Signed by President, 1107.  
 Sent to House, 1108.  
 Received from House, 1109.  
 Message to Governor, 1114.

**Senate Bill No. 289** — (Trenbeath and Forkner)

**Senate Bill No. 289.** A Bill for an Act to provide for the marking of Highway Patrol motor vehicles.

Introduction, first reading, 166.  
Referred to Committee on Transportation.  
Reported back, 320.  
Returned without recommendation, 320.  
Second reading, 374.  
Passed, 374.  
To House, 395.  
Returned to Senate, indefinitely postponed, 832.

**Senate Bill No. 290** — (Ringsak, Roen, and Larson  
(Nelson - Pt. Walsh))

**Senate Bill No. 290.** A Bill for an Act to amend and reenact section 50-06-04 of the 1965 Supplement to the North Dakota Century Code, relating to the compensation for members of the public welfare board.

Introduction, first reading, 166.  
Referred to Committee on State and Federal Government.  
Re-referred to Committee on Appropriations, 266.  
Reported back, do pass, 266.  
On calendar, 267.  
Second reading, 303.  
Passed, 303.  
To House, 341.  
Returned to Senate, indefinitely postponed, 727.

**Senate Bill No. 291** — (Meschke and Rait)

**Senate Bill No. 291.** A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code providing a twelve dollar credit or refund against income taxes for sales taxes paid on food, and providing an effective date.

Introduction, first reading, 166.  
Referred to Committee on Finance and Taxation.  
Indefinitely postponed, 320.  
Recorded vote, 320.

**Senate Bill No. 292** — (Goldberg, Butler, Roen, Robinson,  
Sorlie, and Kauzmann)

**Senate Bill No. 292.** A Bill for an Act relating to extraterritorial zoning powers for municipalities.

Introduction, first reading, 167.  
Referred to Committee on Political Subdivisions.  
Indefinitely postponed, 507.

**Senate Bill No. 293** — (Sorlie, Becker, Luick, Robinson, and  
Larson (Nelson - Pt. Walsh))

**Senate Bill No. 293.** A Bill for an Act to amend and reenact section 54-44-11 of the North Dakota Century Code, relating to a purchasing department operating fund, the provision of data processing services, and providing an appropriation.

Introduction, first reading, 167.  
Referred to Committee on State and Federal Government.  
Re-referred to Committee on Appropriations, 345.

Reported back, amended, 358, 359.  
 Amendments adopted, 394.  
 Engrossed, 423.  
 Second reading, 432.  
 Passed, 432.  
 To House, 452.  
 Returned to Senate, 979.  
 Enrolled, 1106.  
 Signed by President, 1107.  
 Sent to House, 1108.  
 Received from House, 1109.  
 Message to Governor, 1114.

**Senate Bill No. 294** — (Larson (Burleigh), and Berube)

**Senate Bill No. 294.** A Bill for an Act to amend and reenact sections 15-63-03 and 15-63-05 of the North Dakota Century Code, relating to the number and nature of Indian scholarships and the scholarship payments thereunder.

Introduction, first reading, 167.  
 Referred to Committee on Education.  
 Reported back, do pass, 360.  
 Second reading, 403.  
 Passed, 404.  
 To House, 424.  
 Returned to Senate, 726.  
 Enrolled, 817.  
 Signed by President, 818.  
 Sent to House, 818.  
 Received from House, 840.  
 Message to Governor, 845.  
 Approved by Governor, 977.

**Senate Bill No. 295** — (Trenbeath)

**Senate Bill No. 295.** A Bill for an Act to create and enact subsection 16 of section 61-16-11 and to amend and reenact subsection 10 of section 61-16-11 and sections 61-16-07 and 61-16-15 of the North Dakota Century Code relating to the authority of the board of commissioners of a water management district to pledge security, the board members appointment, their authority to participate in outdoor recreation projects and the approval of such board prior to the construction of certain water impoundments.

Introduction, first reading, 167.  
 Referred to Committee on Natural Resources.  
 Reported back, amended, 472.  
 Amendments adopted, 520.  
 Engrossed, 553, 1106.  
 Second reading, 562.  
 Passed, 562.  
 Clincher, 564.  
 To House, 573.  
 Returned to Senate, 947.  
 Enrolled, 1106.  
 Signed by President, 1107.  
 Sent to House, 1108.  
 Received from House, 1109.  
 Message to Governor, 1114.

**Senate Bill No. 296** — (Trenbeath)

**Senate Bill No. 296.** A Bill for an Act to create and enact a new section to chapter 57-01 of the North Dakota Century Code, author-

izing the tax commissioner to prescribe procedures for disposing of used data processing cards on which is recorded secret or confidential information.

Introduction, first reading, 167.  
 Referred to Committee on Finance and Taxation.  
 Reported back, do pass, 360.  
 Second reading, 404.  
 Passed, 404.  
 To House, 424.  
 Returned to Senate, indefinitely postponed, 727.

**Senate Bill No. 297** — (Lips)

**Senate Bill No. 297.** A Bill for an Act to amend and reenact section 15-27-04 of the North Dakota Century Code, relating to attachment of adjacent territory to school districts.

Introduction, first reading, 167.  
 Referred to Committee on Education.  
 Reported back, amended, 266.  
 Amendments adopted, 276.  
 Engrossed, 287.  
 Re-engrossed, 308, 314.  
 Second reading, 308.  
 Amended from floor, 308.  
 Passed, 308.  
 To House, 341.  
 Returned to Senate, killed, 832.

**Senate Bill No. 298** — (Wenstrom, Trenbeath, Kautzmann, Larson (Burleigh), Nasset, Longmire, Jacobson, Nething, Kelly (Pt. Barnes))

**Senate Bill No. 298.** A Bill for an Act providing for the preservation of historic sites, structures, and antiquities of state and national significance, and authorizing transfers of such property.

Introduction, first reading, 167.  
 Referred to Committee on State and Federal Government.  
 Reported back, amended, 507.  
 Amendments adopted, 522.  
 Engrossed, 553.  
 Second reading, 562.  
 Passed, 563.  
 Clincher, 564.  
 To House, 573.  
 Returned to Senate, 979.  
 Enrolled, 1097.  
 Message to Governor, 1113.

**Senate Bill No. 299** — (Ruemmele, Redlin, Roen, Trenbeath, and Berube)

**Senate Bill No. 299.** A Bill for an Act to create and enact section 15-27-20 and to amend and reenact section 15-40-15 of the North Dakota Century Code, relating to students affected by attachment and reorganization of school districts who historically attended schools in bordering states and reciprocal agreements of the superintendent of public instruction with educational agencies of other states.

Introduction, first reading, 167.  
 Referred to Committee on Education.



Reported back, amended, 397, 398.  
 Amendments adopted, 417.  
 Engrossed, 437, 1106.  
 Second reading, 461, 975.  
 Passed, 461, 975.  
 To House, 487.  
 Returned to Senate, amended, 948.  
 House amendments, 950, 951.  
 Senate concurs, 975.  
 Enrolled, 1106.  
 Signed by President, 1107.  
 Sent to House, 1108.  
 Received from House, 1109.  
 Message to Governor, 1114.

**Senate Bill No. 300** — (Christensen)

**Senate Bill No. 300.** A Bill for an Act to amend and reenact section 19-01-08 of the North Dakota Century Code, relating to the state laboratories vouchers.

Introduction, first reading, 168.  
 Referred to Committee on State and Federal Government.  
 Reported back, do pass, 320.  
 Second reading, 374.  
 Passed, 375.  
 To House, 395.  
 Returned to Senate, 731.  
 Enrolled, 893.  
 Signed by President, 913.  
 Sent to House, 913.  
 Received from House, 958.  
 Message to Governor, 960.

**Senate Bill No. 301** — (Litten)

**Senate Bill No. 301.** A Bill for an Act to amend and reenact section 21-03-11 of the North Dakota Century Code, relative to the manner of calling and holding municipal bond elections.

Introduction, first reading, 168.  
 Referred to Committee on Political Subdivisions.  
 Indefinitely postponed, 445.

**Senate Bill No. 302** — (Decker)

**Senate Bill No. 302.** A Bill for an Act to amend and reenact section 57-02-42 of the North Dakota Century Code, relating to the definition of personal property in transit and the exemption of such property from the personal property tax.

Introduction, first reading, 168.  
 Referred to Committee on Finance and Taxation.  
 Reported back, do pass, 360.  
 Second reading, 404, 1033.  
 Passed, 404, 1034.  
 To House, 424.  
 Returned to Senate, amended, 987.  
 House amendments, 989.  
 Senate concurs, 1033.  
 Clincher, 1034.  
 Engrossed, 1097.  
 Enrolled, 1097.  
 Message to Governor, 1113.

**Senate Bill No. 303** — (Holand and Willhite)

**Senate Bill No. 303.** A Bill for an Act to provide a period of limitation within which time claims for damages may be brought against persons performing or furnishing the design, planning, supervision or observation of construction of improvements on real property.

Introduction, first reading, 168.  
 Referred to Committee on Judiciary.  
 Reported back, do pass, 391.  
 Second reading, 422, 897.  
 Passed, 422, 898.  
 To House, 452.  
 Returned to Senate, amended, 880.  
 House amendments, 881.  
 Senate concurs, 897.  
 Engrossed, 1106.  
 Enrolled, 1106.  
 Signed by President, 1107.  
 Sent to House, 1108.  
 Received from House, 1109.  
 Message to Governor, 1114.

**Senate Bill No. 304** — (Freed)

**Senate Bill No. 304.** A Bill for an Act to amend and reenact section 36-15-21 of the North Dakota Century Code, relating to calfhood vaccination against brucellosis, providing certain exceptions, and providing a penalty.

Introduction, first reading, 168.  
 Referred to Committee on Agriculture.  
 Indefinitely postponed, 293.

**Senate Bill No. 305** — (Sands and Meschke)

**Senate Bill No. 305.** A Bill for an Act to create and enact sections 61-01-27 and 61-02-76 of the North Dakota Century Code defining "right of way" and allowing the state water commission to release easements no longer needed by the state for water related projects and to amend and reenact section 61-04-15, 61-04-24 and 61-10-25 of the North Dakota Century Code relating to the transfer and forfeiture of water permits and the publication of notice of petition for the inclusion of land in an irrigation district.

Introduction, first reading, 168.  
 Referred to Committee on Natural Resources.  
 Reported back, amended, 508, 509.  
 Amendments adopted, 522.  
 Engrossed, 553.  
 Second reading, 563.  
 Passed, 563.  
 Clincher, 564.  
 To House, 573.  
 Returned to Senate, indefinitely postponed, 872.

**Senate Bill No. 306** — (Kautzmann)

**Senate Bill No. 306.** A Bill for an Act to provide for distress signals for handicapped drivers, and providing a penalty.

Introduction, first reading, 168.  
 Referred to Committee on Transportation.  
 Reported back, do pass, 321.

Second reading, 375.  
 Passed, 375.  
 To House, 395.  
 Returned to Senate, amended, 880.  
 House amendments, 881.  
 Senate does not concur, 918.  
 Conference Committee, 918, 924, 946.  
 Conference Committee report, 1001, 1015.  
 Enrolled, 1106.  
 Signed by President, 1107.  
 Sent to House, 1108.  
 Received from House, 1109.  
 Message to Governor, 1114.

**Senate Bill No. 307** — (Kelly (Ramsey))

**Senate Bill No. 307.** A Bill for an Act making an appropriation to the Devils Lake public school district number one of Ramsey and Benson counties for the construction of vocational shops and facilities at the Lake Region junior college, Devils Lake, North Dakota.

Introduction, first reading, 168.  
 Referred to Committee on Appropriations.  
 Reported back, without recommendation, 427.  
 Amended from floor, 462.  
 Second reading, 462.  
 Lost, 463.

**Senate Bill No. 308** — (Becker)

**Senate Bill No. 308.** A Bill for an Act to amend and reenact section 14-10-16 of the 1965 Supplement to the North Dakota Century Code relating to the exhibition of twenty-first birthday cards as a requirement for the purchase of alcoholic beverages, and prescribing a penalty.

Introduction, first reading, 169.  
 Referred to Committee on Industry, Business, and Labor.  
 Re-referred to Committee on Social Welfare and Veterans' Affairs, 258.  
 Indefinitely postponed, 321.

**Senate Bill No. 309** — (Torgerson and Becker)

**Senate Bill No. 309.** A Bill for an Act to amend and reenact subsection 4 of section 41-06-08 of the North Dakota Century Code, relating to notices in auction sales and the corresponding provision of the North Dakota Uniform Commercial Code.

Introduction, first reading, 169.  
 Referred to Committee on Judiciary.  
 Reported back, amended, 293.  
 Amendments adopted, 302.  
 Engrossed, 315.  
 Second Reading, 338.  
 Passed, 338.  
 To House, 346.  
 Returned to Senate, amended, 880.  
 House amendments, 881, 882.  
 Senate does not concur, 899.  
 Conference Committee, 899, 946.  
 Conference Committee report, 1001, 1015.  
 Enrolled, 1106.  
 Signed by President, 1107.

Sent to House, 1108.  
Received from House, 1109.

**Senate Bill No. 310 — (Rait)**

**Senate Bill No. 310.** A Bill for an Act to amend and reenact section 57-38-42 of the North Dakota Century Code, relating to information and partnership returns.

Introduction, first reading, 169.  
Referred to Committee on Finance and Taxation.  
Reported back, do pass, 321.  
Second reading, 375, 1016.  
Passed, 376, 1016.  
To House, 395.  
Returned to Senate, amended, 820.  
House amendments, 821.  
Senate does not concur, 853.  
Conference Committee, 853, 921.  
Conference Committee report, 1015, 1057.  
Engrossed, 1097.  
Enrolled, 1097.  
Message to Governor, 1113.

**Senate Bill No. 311 — (Holand)**

**Senate Bill No. 311.** A Bill for an Act to create and enact sections 54-10-13, 54-10-14, 54-10-15, 54-10-16, 54-10-17, 54-10-18, 54-10-19, 54-10-20, 54-10-21, 54-10-22, 54-10-23, and 54-10-24 and to amend and reenact sections 6-01-25, 11-30-03, 15-60-07, 57-50-01, 57-50-02, 57-50-04, 57-50-06, 57-50-07, 57-50-11.1, 57-52-02, subsection 4 of section 57-52-03, and sections 57-52-04, 57-52-05, 57-52-06, 57-52-07, 57-52-08, 57-52-09, 57-52-10, 57-52-11, 57-52-12, 57-52-13, 57-52-14, 57-52-15, 57-52-16, 57-52-17, 57-53-03, 57-53-05, 57-53-10, subsection 6 of section 57-54-03, and sections 57-54-04, 57-54-05, 57-54-06, 57-54-07, 57-54-09, 57-54-11, 57-54-12, 57-54-13, 57-54-15, 57-54-16, 57-54-17, 57-54-20, 57-54-22, subsection 7 of section 57-54.1-03, and sections, 57-54.1-07, 57-54.1-08, 57-54.1-09, 57-54.1-10, 57-54.1-11, 57-54.1-13, 57-56-02, and 57-56-03 of the North Dakota Century Code, relating to general governmental reorganization of the departments and offices of state examiner, state auditor, and state tax commissioner relating to their powers and duties relating to auditing of political subdivisions of this state and the collection and refund of special fuels tax and tax levy, motor vehicle fuel tax, importers for use tax, and aviation fuel tax, and to repeal sections 6-01-21.1, 6-01-21.2, 6-01-21.3, 6-01-21.4, 6-01-22, 6-01-23, 6-01-24, 6-01-26, 6-01-27, and 6-01-28 of the North Dakota Century Code, relating to the state examiner's auditing duties with respect to the state's political subdivisions and providing an effective date.

Introduction, first reading, 169.  
Referred to Committee on State and Federal Government.  
Reported back, do pass, 508.  
Second reading, 545, 1034.  
Passed, 546, 1035.  
Clincher, 550.  
To House, 557.  
House amendments, 989, 990.  
Returned to Senate, amended, 987.  
Senate concurs, 1034.  
Engrossed, 1106.  
Enrolled, 1106.  
Signed by President, 1107.

Sent to House, 1108.  
 Received from House, 1109.  
 Message to Governor, 1114.

**Senate Bill No. 312** — (Morgan, Meschke, and Nething)

**Senate Bill No. 312.** A Bill for an Act to amend and reenact sections 65-10-01 and 65-10-03 of the North Dakota Century Code, relating to appeals from decision of bureau and costs of appeal.

Introduction, first reading, 169.  
 Referred to Committee on Industry, Business, and Labor.  
 Reported back, do pass, 392.  
 Second reading, 422.  
 Passed, 422.  
 To House, 452.  
 Returned to Senate, 625.  
 Enrolled, 696.  
 Signed by President, 696.  
 Sent to House, 707.  
 Received from House, 731.  
 Message to Governor, 744.  
 Approved by Governor, 832.

**Senate Bill No. 313** — (Decker, Hernett, and Wilhite)

**Senate Bill No. 313.** A Bill for an Act to amend and reenact section 44-08-01 of the North Dakota Century Code relating to public contracts for the purchase of goods, supplies and equipment.

Introduction, first reading, 169.  
 Referred to Committee on State and Federal Government.  
 Reported back, amended, 343.  
 Amendments adopted, 363.  
 Engrossed, 387.  
 Second reading, 407.  
 Passed, 407.  
 To House, 424.  
 Returned to Senate, 731.  
 Enrolled, 817.  
 Signed by President, 818.  
 Sent to House, 818.  
 Received from House, 840.  
 Message to Governor, 845.  
 Approved by Governor, 977.

**Senate Bill No. 314** — (Hernett, Wilhite, and Decker)

**Senate Bill No. 314:** A Bill for an Act to amend and reenact section 6-03-62 of the North Dakota Century Code relating to interest on loans chargeable by state banking associations.

Introduction, first reading, 170.  
 Referred to Committee on Industry, Business, and Labor.  
 Indefinitely postponed, 294.

**Senate Bill No. 315** — (Holand)

**Senate Bill No. 315.** A Bill for an Act to amend and reenact subsection 4 of section 38-08-11 of the North Dakota Century Code, relating to publication of notices by the industrial commission.

Introduction, first reading, 170.  
 Referred to Committee on State and Federal Government.

Reported back, do pass, 321.  
 Second reading, 376.  
 Passed, 376.  
 To House, 395.  
 Returned to Senate, 752.  
 Enrolled, 893.  
 Signed by President, 913.  
 Sent to House, 913.  
 Received from House, 958.  
 Message to Governor, 960.

**Senate Bill No. 316** — (Nothing and Melland)

**Senate Bill No. 316.** A Bill for an Act authorizing the State Department of Health, Mental Health and Retardation Division, Jamestown State Hospital, of the State of North Dakota, to sell, convey and transfer to the United States of America, certain described real property for the purpose of correcting a description of a certain transmission line easement, provide land for the Jamestown Substation, and declaring an emergency.

Introduction, first reading, 170.  
 Referred to Committee on Natural Resources.  
 Re-referred to Committee on Agriculture, 192.  
 Reported back, amended, 391.  
 Amendments adopted, 416.  
 Further amended from floor, 416.  
 Engrossed, 437, 1097.  
 Second reading, 461.  
 Passed, 461.  
 Emergency carried, 461.  
 To House, 487.  
 Returned to Senate, 872.  
 Enrolled, 1097.  
 Message to Governor, 1113.

**Senate Bill No. 317** — (Nothing and Melland)

**Senate Bill No. 317.** A Bill for an Act authorizing the state of North Dakota to sell, convey, and transfer certain described real properties held for the use and benefit of the state hospital of the state of North Dakota, and declaring an emergency.

Introduction, first reading, 170.  
 Referred to Committee on Natural Resources.  
 Re-referred to Committee on Agriculture, 192.  
 Reported back, amended, 294.  
 Amendments adopted, 302.  
 Engrossed, 315.  
 Second reading, 338.  
 Passed, 339.  
 Emergency carried, 339.  
 To House, 346.  
 Returned to Senate, 625.  
 Enrolled, 712.  
 Signed by President, 713.  
 Sent to House, 722.  
 Received from House, 752.  
 Message to Governor, 755.  
 Approved by Governor, 832.

**Senate Bill No. 318** — (Nothing and Melland)

**Senate Bill No. 318.** A Bill for an Act authorizing the state of North Dakota to exchange certain state-owned real property adja-

cent to the state hospital of North Dakota at Jamestown, North Dakota.

Introduction, first reading, 170.  
 Referred to Committee on Natural Resources.  
 Re-referred to Committee on Agriculture, 192.  
 Reported back, amended, 414.  
 Amendments adopted, 457.  
 Engrossed, 467.  
 Second reading, 526.  
 Passed, 526.  
 Clincher motion, 533.  
 To House, 533.  
 Returned to Senate, indefinitely postponed, 832.

**Senate Bill No. 319** — (Holand, Trenbeath, Hofstrand, Robinson, Roen, Goldberg, Decker, Nasset, Meschke)

**Senate Bill No. 319.** A Bill for an Act to establish the Upper Great Plains Transportation Institute and provide for its powers and duties and making an appropriation.

Introduction, first reading, 170.  
 Referred to Committee on Transportation.  
 Reported back, do pass, 508; amended, 453, 454.  
 Re-referred to Committee on Appropriations, 454.  
 Amendments adopted, 520.  
 Amended from floor, 520.  
 Re-engrossed, 546.  
 Second reading, 546.  
 Passed, 547.  
 Clincher, 550.  
 To House, 557.  
 Returned to Senate, 979.  
 Enrolled, 1020.  
 House requests return, 1025.  
 Request denied, 1032.  
 Signed by President, 1047.  
 Sent to House, 1076.  
 Received from House, 1076.  
 Message to Governor, 1077.

**Senate Bill No. 320** — (Holand)

**Senate Bill No. 320.** A Bill for an Act to amend and reenact section 54-44.1-08 of the North Dakota Century Code, relating to the printing of the budget report.

Introduction, first reading, 170.  
 Referred to Committee on State and Federal Government.  
 Reported back, do pass, 321.  
 Second reading, 376.  
 Passed, 376.  
 To House, 395.  
 Returned to Senate, 979.  
 Enrolled, 1095.  
 Signed by President, 1096.  
 Sent to House, 1096.  
 Received from House, 1098.  
 Message to Governor, 1113.

**Senate Bill No. 321** — (Geving)

**Senate Bill No. 321.** A Bill for an Act to amend and reenact sections 15-34-09.1 and 15-34-09 of the 1963 Supplement to the

North Dakota Century Code, relating to levy for transportation and maintenance of pupils.

Introduction, first reading, 170.  
Referred to Committee on Education.  
Reported back, amended, 398, 399.  
Amendments adopted, 417.  
Engrossed, 437.  
Second reading, 462.  
Passed, 462.  
To House, 487.  
Returned to Senate, indefinitely postponed, 872.

**Senate Bill No. 322** — (Kautzmann and Stroup)

**Senate Bill No. 322.** A Bill for an Act to amend and reenact section 6-02-01 of the 1965 Supplement to the North Dakota Century Code, relating to banking powers and use of the name "bank".

Introduction, first reading, 171.  
Referred to Committee on Industry, Business, and Labor.  
Reported back, do pass, 294.  
Second reading, 330.  
Passed, 330.  
To House, 346.  
Returned to Senate, 625.  
Enrolled, 696.  
Signed by President, 696.  
Sent to House, 707.  
Received from House, 731.  
Message to Governor, 744.  
Approved by Governor, 832.

**Senate Bill No. 323** — (Nething, Holand, and Freed)

**Senate Bill No. 323.** A Bill for an Act to amend and reenact section 30-17-01, subsection 4 of section 30-17-03 and subsection 2 of section 30-17-05 of the North Dakota Century Code, relating to summary administration of small estates.

Introduction, first reading, 171.  
Referred to Committee on Judiciary.  
Reported back, do pass, 294.  
Second hearing, 330.  
Passed, 331.  
To House, 346.  
Returned to Senate, indefinitely postponed, 832.

**Senate Bill No. 324** — (Ringsak)

**Senate Bill No. 324.** A Bill for an Act to authorize the board of administration to accept donations, gifts, grants, and bequests for the construction of a chapel at Grafton state school, and providing for a special fund in the state treasury for such purpose, and making an appropriation.

Introduction, first reading, 171.  
Referred to Committee on State and Federal Government.  
Reported back, amended, 371.  
Amendments adopted, 395.  
Engrossed, 423, 1097.  
Second reading, 433, 1035.  
Passed, 433, 1035.



To House, 452.  
 Returned to Senate, amended, 986.  
 House amendments, 986.  
 Senate concurs, 1035.  
 Enrolled, 1097.  
 Message to Governor, 1113.

**Senate Bill No. 325 — (Ringsak)**

**Senate Bill No. 325.** A Bill for an Act to amend and reenact section 57-51-15 of the North Dakota Century Code, relating to the distribution of the oil and gas gross production tax.

Introduction, first reading, 171.  
 Referred to Committee on Finance and Taxation.  
 Indefinitely postponed, 394.

**Senate Bill No. 326 — (Holand)**

**Senate Bill No. 326.** A Bill for an Act relating to access and use of public accommodations, common carriers, and places in which the public is generally invited, by a totally or partially blind person accompanied by such person's guide dog; public employment of handicapped, and providing a penalty.

Introduction, first reading, 171.  
 Referred to Committee on Transportation.  
 Reported back, do pass, 321.  
 Second reading, 376.  
 Passed, 377.  
 To House, 395.  
 Returned to Senate, 947.  
 Enrolled, 1095.  
 Signed by President, 1096.  
 Sent to House, 1096.  
 Received from House, 1098.  
 Message to Governor, 1113.

**Senate Bill No. 327 — (Nething, Torgerson, and Christensen)**

**Senate Bill No. 327.** A Bill for an Act directing the board of administration to develop and supervise communication systems for state agencies, state institutions and political subdivisions; creating a communications advisory committee; defining duties; establishing procedures for financing; authorizing cancellation of existing services; setting forth fees to be paid by counties; authorizing transfer of appropriations; acceptance of federal funds and issuance of rules; and making an appropriation.

Introduction, first reading, 171.  
 Referred to Committee on State and Federal Government.  
 Reported back, amended, 371; do pass, 454.  
 Amendments adopted, 395.  
 Engrossed, 423.  
 Re-referred to Committee on Appropriations, 431.  
 Second reading, 526.  
 Passed, 527.  
 To House, 533.  
 Clincher, 533.  
 Returned to Senate, 979.  
 Enrolled, 1097.  
 Message to Governor, 1113.

**Senate Bill No. 328** — (Holand)

**Senate Bill No. 328.** A Bill for an Act to amend and reenact section 44-08-01 of the North Dakota Century Code, relating to preference to North Dakota bidders and sellers.

Introduction, first reading, 171.

Referred to Committee on Industry, Business, and Labor.

Withdrawn, 205.

**Senate Bill No. 329** — (Holand)

**Senate Bill No. 329.** A Bill for an Act to grant to the bureau of reclamation right-of-way necessary for the construction and development of Garrison diversion within the right-of-way of roads in the state upon approval of the state highway commissioner, board of county commissioners, or board of township supervisors, and declaring an emergency.

Introduction, first reading, 172.

Referred to Committee on Natural Resources.

Re-referred to Committee on Agriculture, 192.

Reported back, do pass, 294.

Second reading, 331.

Passed, 331.

Emergency carried, 331.

To House, 347.

Returned to Senate, 752.

Enrolled, 963.

Signed by President, 965.

Sent to House, 965.

Received from House, 996.

Message to Governor, 998.

**Senate Bill No. 330** — (Nething and Decker)

**Senate Bill No. 330.** A Bill for an Act to repeal section 5-03-26 of the 1963 Supplement to the North Dakota Century Code, providing for an excise tax on nonalcoholic commodities suitable for use in mixed drinks.

Introduction, first reading, 172.

Referred to Committee on Finance and Taxation.

Reported back, do pass, 321.

Second reading, 377.

Passed, 377.

To House, 395.

Returned to Senate, 726.

Enrolled, 754.

Signed by President, 754.

Sent to House, 755.

Received from House, 798.

Message to Governor, 798.

Approved by Governor, 883.

**Senate Bill No. 331** — (Stroup)

**Senate Bill No. 331.** A Bill for an Act to amend and reenact section 6-03-14 of the North Dakota Century Code, relating to paying and receiving stations, and to create and enact sections 6-03-14.1, 6-03-14.2 and 6-03-14.3, relating to branch banking.

Introduction, first reading, 172.

Referred to Committee on Industry, Business, and Labor.

Indefinitely postponed, 294.

**Senate Bill No. 332** — (Lowe and Freed)

**Senate Bill No. 332.** A Bill for an Act to amend and reenact section 21-03-11 of the North Dakota Century Code relating to when general obligation bond elections are to be held.

Introduction, first reading, 172.  
 Referred to Committee on Finance and Taxation.  
 Re-referred to Committee on Political Subdivisions, 267.  
 Reported back, do pass, 445.  
 Second reading, 476.  
 Passed, 477.  
 To House, 523.  
 Returned to Senate, 947.  
 Enrolled, 1095.  
 Signed by President, 1096.  
 Sent to House, 1096.  
 Received from House, 1098.  
 Message to Governor, 1113.

**Senate Bill No. 333** — (Nething, Roen, Melland, Litten,  
and Meschke)

**Senate Bill No. 333.** A Bill for an Act to create a state scholarship fund and providing an appropriation.

Introduction, first reading, 172.  
 Referred to Committee on Education.  
 Indefinitely postponed, 343.

**Senate Bill No. 334** — (Holand)

**Senate Bill No. 334.** A Bill for an Act to amend and reenact sections 36-08-01, 36-08-02, 36-08-04, and 36-08-05 of the North Dakota Century Code, relating to definitions, powers, membership, and the election of directors of a corporate or cooperative grazing association.

Introduction, first reading, 172.  
 Referred to Committee on Agriculture.  
 Reported back, amended, 294.  
 Amendments adopted, 302.  
 Engrossed, 315.  
 Second reading, 339.  
 Passed, 339.  
 To House, 347.  
 Returned to Senate, 625.  
 Enrolled, 696.  
 Signed by President, 696.  
 Sent to House, 707.  
 Received from House, 731.  
 Message to Governor, 744.  
 Approved by Governor, 832.

**Senate Bill No. 335** — (Geving)

**Senate Bill No. 335.** A Bill for an Act to require municipalities to furnish uniforms to full time policemen they employ.

Introduction, first reading, 172.  
 Referred to Committee on Political Subdivisions.  
 Reported back, amended, 508.  
 Amendments adopted, 522.  
 Engrossed, 553.

Second reading, 563.  
Passed, 563.  
Clincher, 564.  
To House, 573.  
Returned to Senate, killed, 731.  
House requests return, 748.  
Returned to House, 748.  
Returned to Senate, passed, 831.  
Enrolled, 1028.  
Signed by President, 1047.  
Sent to House, 1048.  
Received from House, 1075.  
Message to Governor, 1094.

**Senate Bill No. 336** — (Ringsak, Torgerson, and Jacobson)

**Senate Bill No. 336.** A Bill for an Act to amend and reenact section 11-32-01 of the North Dakota Century Code, relating to county memorials for those of a county who rendered service or who lost their lives in the service of their country.

Introduction, first reading, 172.  
Referred to Committee on Political Subdivisions.  
Indefinitely postponed, 445.

**Senate Bill No. 337** — (Morgan and Melland)

**Senate Bill No. 337.** A Bill for an Act to require vehicles used by common motor carriers, contract carrier, and agricultural carriers to have flaps or aprons on the rear of such vehicles to minimize the spray or splash of water or mud to the rear of the vehicle.

Introduction, first reading, 172.  
Referred to Committee on Transportation.  
Reported back, amended, 321.  
Amendments adopted, 345.  
Engrossed, 363.  
Second reading, 400.  
Passed, 400.  
To House, 424.  
Returned to Senate, amended, 880.  
House amendments, 882.  
Senate does not concur, 918.  
Conference Committee, 918, 924, 946.  
Conference Committee report, 1008, 1016.  
House requests return, 1023.  
Request denied, 1076.

**Senate Bill No. 338** — (Nasset, Coughlin, Freed, Melland, Pyle, Sands, and Decker)

**Senate Bill No. 338.** A Bill for an Act to provide that school districts may levy for a school library fund.

Introduction, first reading, 173.  
Referred to Committee on Education.  
Reported back, do pass, 372.  
Second reading, 407.  
Passed, 407.  
To House, 424.  
Returned to Senate, 731.  
Enrolled, 817.

Signed by President, 818.  
 Sent to House, 818.  
 Received from House, 840.  
 Message to Governor, 845.  
 Approved by Governor, 977.

**Senate Bill No. 339** — (Sands and Redlin)

**Senate Bill No. 339.** A Bill for an Act to amend and reenact section 57-28-17 of the North Dakota Century Code, relating to the sale of county tax deed real estate by the county auditor.

Introduction, first reading, 173.  
 Referred to Committee on Judiciary.  
 Reported back, do pass, 295.  
 Second reading, 331, 899.  
 Passed, 332, 900.  
 To House, 347.  
 Returned to Senate, amended, 880.  
 House amendments, 882.  
 Senate concurs, 899.  
 Engrossed, 1095.  
 Enrolled, 1095.  
 Signed by President, 1096.  
 Sent to House, 1097.  
 Received from House, 1098.  
 Message to Governor, 1113.

**Senate Bill No. 340** — (Longmire)

**Senate Bill No. 340.** A Bill for an Act to create and enact sections 43-03-22, 43-03-23, 43-03-24, 43-03-25, and 43-03-26 of the North Dakota Century Code, relating to the regulation of the practice of architecture within the state, and to amend and reenact sections 43-03-01, 43-03-02, 43-03-04, 43-03-06, 43-03-09, 43-03-10, 43-03-11, 43-03-13, 43-03-14, 43-03-15, 43-03-16, 43-03-18, 43-03-19, 43-03-20, and 43-03-21 of the North Dakota Century Code, relating to the membership, powers and duties of the state board of architecture, the qualifications and examination of applicants for registration and the regulation of the practice of architecture within the state, and providing a penalty.

Introduction, first reading, 173.  
 Referred to Committee on Industry, Business, and Labor.  
 Indefinitely postponed, 454.

**Senate Bill No. 341** — (Forkner and Nething)

**Senate Bill No. 341.** A Bill for an Act to amend and reenact section 40-24-04 and 40-24-05 of the North Dakota Century Code, relating to the length of time for which special assessment warrants for sewer and water may extend.

Introduction, first reading, 173.  
 Referred to Committee on Political Subdivisions.  
 Reported back, do pass, 454.  
 Second reading, 527.  
 Passed, 527.  
 Clincher, 533.  
 To House, 533.  
 Returned to Senate, 731.  
 Enrolled, 817.  
 Signed by President, 818.  
 Sent to House, 818.

Received from House, 840.  
Message to Governor, 845.  
Approved by Governor, 977.

**Senate Bill No. 342** — (Larsen, Coughlin, Decker, Nething,  
Litten, and Meschke)

**Senate Bill No. 342.** A Bill for an Act to authorize voluntary admissions to the North Dakota industrial school.

Introduction, first reading, 173.  
Referred to Committee on State and Federal Government.  
Indefinitely postponed, 392.  
Divided report.

**Senate Bill No. 343** — (Sands and Ruemmele)

**Senate Bill No. 343.** A Bill for an Act to amend and reenact sections 21-09-01 and 21-09-05 of the North Dakota Century Code, changing the title of "The 1965 Bond Validating Act" to "The 1967 Bond Validating Act", and relating to the application of chapter 21-09 of the North Dakota Century Code to bonds issued and proceedings taken prior to July 1, 1967.

Introduction, first reading, 173.  
Referred to Committee on Finance and Taxation.  
Re-referred to Committee on Political Subdivisions, 267.  
Reported back, do pass, 445.  
Second reading, 477.  
Passed, 477.  
To House, 523.  
Returned to Senate, 758.  
Enrolled, 943.  
Signed by President, 957.  
Sent to House, 957.  
Received from House, 967.  
Message to Governor, 968.

**Senate Bill No. 344** — (Lips)

**Senate Bill No. 344.** A Bill for an Act to amend and reenact section 57-16-04 of the North Dakota Century Code, relating to excess mill levies of school districts.

Introduction, first reading, 173.  
Referred to Committee on Education.  
Reported back, amended, 508, 509.  
Amendments adopted, 522.  
Engrossed, 553.  
Second reading, 563.  
Passed, 564.  
Clincher, 564.  
To House, 573.  
Returned to Senate, 947.  
Enrolled, 1095.  
Signed by President, 1096.  
Sent to House, 1097.  
Received from House, 1098.  
Message to Governor, 1113.

**Senate Bill No. 345** — (Hernett and Goldberg)

**Senate Bill No. 345.** A Bill for an Act to amend and reenact sections 21-10-02 and 21-10-05 of the North Dakota Century Code,

relating to the state investment board powers and duties, and its director powers and duties.

Introduction, first reading, 174.  
 Referred to Committee on Industry, Business, and Labor.  
 Re-referred to Committee on State and Federal Government, 250.  
 Reported back, do pass, 509.  
 Second reading, 547.  
 Passed, 547.  
 Clincher, 550.  
 To House, 557.  
 Returned to Senate, killed, 987.

**Senate Bill No. 346** — (Committee on Judiciary)

**Senate Bill No. 346.** A Bill for an Act to amend and reenact section 33-03-11 of the North Dakota Century Code, relating to a change of venue in justice court.

Introduction, first reading, 174.  
 Referred to Committee on Judiciary.  
 Reported back, do pass, 295.  
 Second reading, 332.  
 Passed, 332.  
 To House, 347.  
 Returned to Senate, 752.  
 Enrolled, 893.  
 Signed by President, 913.  
 Sent to House, 913.  
 Received from House, 958.  
 Message to Governor, 960.

**Senate Bill No. 347** — (Meschke, Berube, Christensen, Rait, and Larson (Pt. Nelson - Walsh))

**Senate Bill No. 347.** A Bill for an Act to amend and reenact section 57-38-36 of the North Dakota Century Code relating to the payment of income tax in quarterly installments.

Introduction, first reading, 174.  
 Referred to Committee on Finance and Taxation.  
 Reported back, do pass, 321.  
 Second reading, 377, 672.  
 Passed, 378, 672.  
 To House, 395.  
 Returned to Senate, amended, 626.  
 Senate concurs, 672.  
 Enrolled, 754.  
 Signed by President, 754.  
 Sent to House, 755.  
 Received from House, 798.  
 Message to Governor, 798.  
 Approved by Governor, 883.

**Senate Bill No. 348** — (Meschke)

**Senate Bill No. 348.** A Bill for an Act to permit the state historical society to transfer by deed and title a parcel of land at Medora to Harry V. Johnston.

Introduction, first reading, 174.  
 Referred to Committee on Natural Resources.  
 Re-referred to Committee on Agriculture, 192.  
 Indefinitely postponed, 399.

**Senate Bill No. 349** — (Meschke, Berube, Christensen, Raitt, and Larson (Nelson - Pt. Walsh))

**Senate Bill No. 349.** A Bill for an Act to provide for the appointment of a qualified county supervisor of assessments, to prescribe the duties thereof, to permit the appointment of full-time city assessors, to abolish the office of local assessor, and to provide a mill levy.

Introduction, first reading, 174.

Referred to Committee on Finance and Taxation.

Indefinitely postponed, 509.

**Senate Bill No. 350** — (Geving)

**Senate Bill No. 350.** A Bill for an Act to provide for a conditional transfer of funds to the College Building Fund, and making an appropriation from the college building fund for the construction of college buildings.

Introduction, first reading, 174.

Referred to Committee on Education.

Reported back, amended, 509, 512.

Revision and correction, 526, 595.

Amendments adopted, 522.

Engrossed, 560, 1106.

Second reading, 564, 580, 1089.

Passed, 564, 580, 1091.

Clincher, 565, 582, 1091.

Reconsidered, 569, 570.

Amended from floor, 580.

To House, 595, 1092.

Senate requests return, 980.

Returned to Senate, 992.

Reconsidered, 1089.

Amended from floor, recorded vote, 1089.

Returned to Senate, amended, 1092.

House amendments, 1092.

Senate does not concur, 1092.

Conference Committee, 1092, 1093.

Conference Committee report, 1093.

Enrolled, 1106.

Signed by President, 1107.

Sent to House, 1108.

Received from House, 1109.

Message to Governor, 1114.

**Senate Bill No. 351** — (Geving)

**Senate Bill No. 351.** A Bill for an Act to amend and reenact section 54-36-02 of the North Dakota Century Code, relating to offices for the Indian affairs commission.

Introduction, first reading, 174.

Referred to Committee on Political Subdivisions.

Indefinitely postponed, 322.

Revision and correction, 323.

**Senate Bill No. 352** — (Ringsak)

**Senate Bill No. 352.** A Bill for an Act relating to liability, authorizing the determination thereof in claim involving state highway department owned motor vehicle and upon conditions authorizing payment of judgment with respect thereto.



Introduction, first reading, 174.  
 Referred to Committee on State and Federal Government.  
 Re-referred to Committee on Judiciary, 288.  
 Indefinitely postponed, 392.

**Senate Bill No. 353** — (Nething and Torgerson)

**Senate Bill No. 353.** A Bill for an Act to amend and reenact section 5-07-12 of the North Dakota Century Code, relating to automobile sales finance contracts and providing a penalty and to create and enact sections 51-07-12.1, 51-07-12.2, 51-07-12.3, and 51-07-12.4,

Introduction, first reading, 174.  
 Referred to Committee on Industry, Business, and Labor.  
 Indefinitely postponed, 343.

**Senate Bill No. 354** — (Coughlin and Decker)

**Senate Bill No. 354.** A Bill for an Act to create and enact section 20-03-28.1 of the North Dakota Century Code, relating to the shipment of upland game and migratory waterfowl by nonresidents licensed to hunt in this state and to amend and reenact section 20-03-06 of the North Dakota Century Code, relating to non-resident hunting, trapping, and fishing licenses.

Introduction, first reading, 175.  
 Referred to Committee on Natural Resources.  
 Reported back, amended, 512, 513.  
 Amendments adopted, 522.  
 Engrossed, 560.  
 Second reading, 570, 1002.  
 Passed, 570, 1002.  
 Clincher, 573.  
 To House, 573.  
 Returned to Senate, amended, 948.  
 House amendments, 951.  
 Senate does not concur, 955.  
 Conference Committee, 955, 966.  
 Conference Committee report, 1002.  
 Senate concurs, 1002.  
 Enrolled, 1106.  
 Signed by President, 1107.  
 Sent to House, 1108.  
 Received from House, 1109.  
 Message to Governor, 1114.

**Senate Bill No. 355** — (Wilhite, Decker, and Stroup)

**Senate Bill No. 355.** A Bill for an Act to repeal section 35-05-01 of the North Dakota Century Code relating to prohibition against crop mortgages.

Introduction, first reading, 175.  
 Referred to Committee on Agriculture.  
 Indefinitely postponed, 392.

**Senate Bill No. 356** — (Melland, Coughlin, Robinson, Meschke, Lips, Nething, Christensen, Ringsak, Holand, Sorlie, and Trenbeath)

**Senate Bill No. 356.** A Bill for an Act declaring public policy with regard to the regulation of outdoor advertising and the restoration, preservation and enhancement of scenic beauty; prohibiting outdoor advertising within six hundred and sixty feet of the

nearest edge of the right of way for the state highway system and providing for exceptions therefrom; providing for the removal or acquisition of certain outdoor advertising rights and the payment of compensation therefor; establishing a highway corridor board and prescribing other duties and powers; providing for zoning for land use adjacent to the state highway system; authorizing the review of property rights previously acquired for outdoor advertising purposes and the reconveyance of such rights when determined to be in consistent with the purposes of this Act; authorizing the promulgation of rules and regulations by the highway corridor board consistent with the requirements of section 131 and 319 of title 23, United States Code, and the enforcement thereof; providing for public hearings and appeals to the district court; to amend subsection 37 of section 24-01-01.1 of the North Dakota Century Code and declaring an emergency.

Introduction, first reading, 175.  
 Referred to Committee on Industry, Business, and Labor.  
 Re-referred to Committee on State and Federal Government, 250.  
 Reported back, amended, 372.  
 Amendments adopted, 395.  
 Engrossed, 423.  
 Second reading, 433.  
 Passed, 434.  
 Emergency carried, 434.  
 To House, 452.  
 Returned to Senate, 726.  
 Enrolled, 817.  
 Signed by President, 818.  
 Sent to House, 818.  
 Received from House, 840.  
 Message to Governor, 845.  
 Approved by Governor, 977.

#### Senate Bill No. 357 — (Holand)

**Senate Bill No. 357.** A Bill for an Act to amend and reenact section 30-21-05 of the North Dakota Century Code, relating to the judicial distribution of an estate.

Introduction, first reading, 175.  
 Referred to Committee on Judiciary.  
 Reported back, do pass, 295.  
 Second reading, 332.  
 Passed, 332.  
 To House, 347.  
 Returned to Senate, 758.  
 Enrolled, 943.  
 Signed by President, 957.  
 Sent to House, 957.  
 Received from House, 967.  
 Message to Governor, 968.

#### Senate Bill No. 358 — (Mutch)

**Senate Bill No. 358.** A Bill for an Act to create and enact section 65-02-01.1 of the North Dakota Century Code, establishing an executive director of the North Dakota workmen's compensation bureau, and to amend and reenact sections 38-03-01, 65-02-01, 65-02-05, 65-11-01, and 65-12-01 of the North Dakota Century Code, terminating the office of workmen's compensation commissioners of the North Dakota workmen's compensation bureau and establishing the commissioner of labor as the bureau, and to repeal sections 65-02-02, 65-02-03, 65-02-04, and 65-02-12, relating

to terms of office, salary, vacancies, and other related powers and duties of the workmen's compensation commissioners.

Introduction, first reading, 175.

Referred to Committee on Industry, Business, and Labor.

Indefinitely postponed, 392.

**Senate Bill No. 359** — (Committee on Finance and Taxation)

**Senate Bill No. 359** A Bill for an Act to provide for the requirement of filing a certificate of full consideration with the county auditor prior to the recordation of certain deeds filed with the office of the county register of deeds, and to amend and re-act sections 11-13-12 and 11-18-02 of the North Dakota Century Code, relating to the duties of the county auditor and county register of deeds.

Introduction, first reading, 176.

Referred to Committee on Political Subdivisions.

Reported back, amended, 513.

Amendments adopted, 522.

Engrossed, 560.

Second reading, 570.

Lost, 571.

**Senate Bill No. 360** — (Nothing and Melland)

**Senate Bill No. 360.** A Bill for an Act to authorize the state department of health to sell and convey certain land owned by the State of North Dakota, which land was formerly used for agricultural purposes, setting forth the procedures to be followed in arranging for the sale, and declaring an emergency.

Introduction, first reading, 176.

Referred to Committee on Natural Resources.

Re-referred to Committee on Agriculture, 229.

Reported back, amended, 414, 415.

Amendments adopted, 457.

Engrossed, 467.

Second reading, 527.

Passed, 528.

Emergency carried, 528.

Clincher, 533.

To House, 533.

Returned to Senate, indefinitely postponed, 758.

**Senate Bill No. 361** — (Lips)

**Senate Bill No. 361.** A Bill for an Act to amend and reenact section 57-36-06, subsection 1 of section 57-36-27, and subsection 2 of section 57-36-31 of the North Dakota Century Code, providing for an increase in the cigarette tax and allocating proceeds to cities and villages.

Introduction, first reading, 176.

Referred to Committee on Political Subdivisions.

Reported back, do pass, 513.

Second reading, 547.

Passed, 548.

Clincher, 550.

To House, 557.

Returned to Senate, indefinitely postponed, 872.

**Senate Bill No. 362** — (Nothing)

**Senate Bill No. 362.** A Bill to create and enact section 29-06-28 of the North Dakota Century Code, relating to the liability of a peace officer for false arrest.

Introduction, first reading, 176.  
 Referred to Committee on Judiciary.  
 Withdrawn, 229.

**Senate Bill No. 363** — (Rait and Hernet)

**Senate Bill No. 363.** A Bill for an Act to amend and reenact sections 26-24-02, 26-24-04, and 26-24-10 of the North Dakota Century Code and to amend and reenact sections 26-24-08, 26-24-09, and 26-24-13 of the Supplement of the North Dakota Century Code, relating to the coverages afforded by the state fire and tornado fund and the percentage of assessment to Bureau rates.

Introduction, first reading, 176.  
 Referred to Committee on State and Federal Government.  
 Reported back, amended, 343.  
 Amendments adopted, 364.  
 Engrossed, 387, 1095.  
 Second reading, 408, 854.  
 Passed, 408, 854.  
 To House, 424.  
 Returned to Senate, amended, 820.  
 House amendments, 821.  
 Revision and correction, 850.  
 Senate concurs, 853.  
 Enrolled, 1095.  
 Signed by President, 1096.  
 Sent to House, 1097.  
 Received from House, 1098.  
 Message to Governor, 1113.

**Senate Bill No. 364** — (Longmire)

**Senate Bill No. 364.** A Bill for an Act to amend and reenact sections 15-62-01, 15-62-02, 15-62-04, and 15-62-05 of the North Dakota Century Code, to enact sections 15-62-07 and 15-62-08, and to repeal section 15-62-03 of the North Dakota Century Code, relating to student loans and the student loan guarantee fund.

Introduction, first reading, 176.  
 Referred to Committee on Education.  
 Reported back, amended, 472.  
 Amendments adopted, 520.  
 Engrossed, 560.  
 Second reading, 571.  
 Passed, 571.  
 Clincher, 573.  
 To House, 573.  
 Returned to Senate, indefinitely postponed, 872.

**Senate Bill No. 365** — (Christensen)

**Senate Bill No. 365.** A Bill for an Act to amend and reenact section 54-06-10 of the North Dakota Century Code, relating to governor's consent of travel to other states.

Introduction, first reading, 176.  
 Referred to Committee on State and Federal Government.  
 Indefinitely postponed, 322.

**Senate Bill No. 366** — (Christensen and Wenstrom)

**Senate Bill No. 366.** A Bill for an Act to amend and reenact section 65-04-30 of the North Dakota Century Code, relating to transferring the workmen's compensation bureau checkwriting to the department of accounts and purchases, and providing an effective date.

Introduction, first reading, 177.

Referred to Committee on Appropriations.

Re-referred to Committee on State and Federal Government, 273.

Indefinitely postponed, 360.

**Senate Bill No. 367** — (Christensen and Wenstrom)

**Senate Bill No. 367.** A Bill for an Act to provide for transferring balances in funds maintained for the benefit of the soldiers' home to an operating fund, and to amend and reenact sections 37-15-13, 37-15-14, 37-15-15, and 37-15-16 of the North Dakota Century Code, relating to the provisions for an operating fund for the soldiers' home and providing for a transfer.

Introduction, first reading, 177.

Referred to Committee on Appropriations.

Re-referred to Committee on State and Federal Government.

Indefinitely postponed, 360.

**Senate Bill No. 368** — (Sorlie, Litten, Larson (Nelson - Pt. Walsh), Luick, and Robinson)

**Senate Bill No. 368.** A Bill for an Act to direct the state board of higher education to sell and transfer certain land and improvements thereon owned by the state of North Dakota for the benefit and use of the North Dakota state university of agriculture and applied science, and the proceeds of such sale to be deposited in the general fund.

Introduction, first reading, 177.

Referred to Committee on Natural Resources.

Re-referred to Committee on Agriculture, 192.

Re-referred to Committee on Appropriations, 205.

Returned to Senate and withdrawn, 413.

**Senate Bill No. 369** — (Wilhite, Decker, and Trenbeath)

**Senate Bill No. 369.** A Bill for an Act to provide a method for the execution of oil and gas leases and other documents involving mineral, leasehold or royalty interests owned or claimed by absent persons under certain circumstances.

Introduction, first reading, 177.

Referred to Committee on Natural Resources.

Reported back, amended, 473.

Amendments adopted, 520.

Engrossed, 560.

Second reading, 571.

Passed, 571.

To House, 573.

Returned to Senate, 947.

Enrolled, 1095.

Signed by President, 1096.

Sent to House, 1097.

Received from House, 1098.

Message to Governor, 1113.

**Senate Bill No. 370** — (Lips, Lowe, Redlin, and Decker)

**Senate Bill No. 370.** A Bill for an Act authorizing cities to designate, regulate, maintain and improve streets in the central business district as a mall for primarily pedestrian use, to levy special assessments for the construction and maintenance of such improvements, and to issue special improvement warrants or bonds for said improvements.

Introduction, first reading, 177.  
 Referred to Committee on Political Subdivisions.  
 Reported back, amended, 473.  
 Amendments adopted, 520.  
 Engrossed, 560.  
 Second reading, 372.  
 Passed, 372.  
 Clincher, 573.  
 To House, 573.  
 Returned to Senate, 731.  
 Enrolled, 817.  
 Signed by President, 818.  
 Sent to House, 818.  
 Received from House, 840.  
 Message to Governor, 845.  
 Approved by Governor, 977.

**Senate Bill No. 371** — (Larson (Nelson - Pt. Walsh), and Berube)

**Senate Bill No. 371.** A Bill for an Act repealing Section 12-55-32 of the North Dakota Century Code requiring communications regarding actions of pardon board.

Introduction, first reading, 177.  
 Referred to Committee on Social Welfare and Veterans' Affairs.  
 Reported back, do pass, 322.  
 Second reading, 378.  
 Passed, 378.  
 To House, 395.  
 Returned to Senate, 752.  
 Enrolled, 963.  
 Signed by President, 965.  
 Sent to House, 965.  
 Received from House, 996.  
 Message to Governor, 998.

**Senate Bill No. 372** — (Coughlin and Decker)

**Senate Bill No. 372.** A Bill for an Act to restrict the leasing of land for hunting purposes.

Introduction, first reading, 177.  
 Referred to Committee on Natural Resources.  
 Indefinitely postponed, 473.

**Senate Bill No. 373** — (Kelly (Pt. Barnes), Coughlin, Pyle, Melland, Wenstrom, Luick, Sorlie, Robinson, Litten, and Forkner)

**Senate Bill No. 373.** A Bill for an Act to provide for the transfer of funds from the state bonding fund to the general fund.

Introduction, first reading, 177.  
 Referred to Committee on State and Federal Government.  
 Indefinitely postponed, 372.

**Senate Bill No. 374 — (Longmire)**

**Senate Bill No. 374.** A Bill for an Act to amend and reenact section 39-17-07 of the 1965 Supplement to the North Dakota Century Code, relating to limitation on the amount payable from the Unsatisfied Judgment Fund.

Introduction, first reading, 178.  
 Referred to Committee on Judiciary.  
 Reported back, amended, 301.  
 Amendments adopted, 323.  
 Engrossed, 341.  
 Second reading, 379.  
 Passed, 379.  
 To House, 395.  
 Returned to Senate, 831.  
 Enrolled, 1028.  
 Signed by President, 1047.  
 Sent to House, 1048.  
 Received from House, 1075.  
 Message to Governor, 1094.

**Senate Bill No. 375 — (Wenstrom)**

**Senate Bill No. 375** A Bill for an Act to amend and reenact sections 21-04-03, 21-04-05, 21-04-06, 21-04-07, 21-04-08, 21-04-09, 21-04-10, 21-04-12, 21-04-13, 21-04-14, 21-04-15, 21-04-16, 21-04-17, 21-04-18, and 21-04-21 of the North Dakota Century Code, relating to depositories of public funds.

Introduction, first reading, 178.  
 Referred to Committee on Finance and Taxation.  
 Re-referred to Committee on State and Federal Government, 267.  
 Indefinitely postponed, 372.

**Senate Bill No. 376 — (Longmire)**

**Senate Bill No. 376.** A Bill for an Act to create and enact sections 15-39-37.1 and 15-39-42 of the North Dakota Century Code, relating to credits and assessment under the teachers' insurance and retirement fund during periods in which a teacher is obtaining advanced training and freezing certain rights and obligations; and to amend and reenact subdivision b of subsection 1 of section 15-39-01, and sections 15-39-14, 15-39-15, 15-39-17, subsection 1 of section 15-39-28, sections 15-39-28.1, 15-39-29, 15-39-36, and section 15-39-40 of the North Dakota Century Code, relating to the teachers' insurance and retirement fund; definition of a teacher; assessments upon teaching salaries and matching contributions; re-payment and refund of assessments for periods of military service and out-of-state teaching; selection of retirement options; retirement annuity credits, payments and increases; eligibility for minimum retirement annuities; and withdrawal and reinstatement in the fund.

Introduction, first reading, 178.  
 Referred to Committee on Education.  
 Indefinitely postponed, 513.

**Senate Bill No. 377 — (Wenstrom)**

**Senate Bill No. 377.** A Bill for an Act providing that state-chartered banks shall not collect exchange fees on checks or other cash items received in the regular course of business from persons or other banks, and providing a penalty.

Introduction, first reading, 178.  
Referred to Committee on Industry, Business, and Labor.  
Indefinitely postponed, 454.

**Senate Bill No. 378** — (Meschke and Lips)

**Senate Bill No. 378.** A Bill for an Act making an appropriation to defray the office and clerical expenses of the governor-elect of 1968.

Introduction, first reading, 178.  
Referred to Committee on Appropriations.  
Reported back, do pass, 295.  
Second reading, 332.  
Passed, 333.  
To House, 347.  
Returned to Senate, 625.  
Enrolled, 696.  
Signed by President, 696.  
Sent to House, 707.  
Received from House, 731.  
Message to Governor, 744.  
Approved by Governor, 832.

**Senate Bill No. 379** — (Schultz and Meschke)

**Senate Bill No. 379.** A Bill for an Act providing that certain persons shall be entitled to motor vehicle use tax refunds, providing a procedure therefor and making an appropriation.

Introduction, first reading, 178.  
Referred to Committee on Finance and Taxation, 178.  
Reported back, indefinitely postponed, 322.

**Senate Bill No. 380** — (Torgerson)

**Senate Bill No. 380.** A Bill for an Act to provide educational assistance to the North Dakota veterans who have served in the armed forces of the United States for a period of more than one hundred eighty days from and after August 5, 1964, and providing an appropriation therefor.

Introduction, first reading, 178.  
Referred to Committee on Social Welfare and Veterans Affairs,  
Re-referred to Committee on Appropriations, 450.  
Reported back, amended, 450.  
Amendments adopted, 475.  
Engrossed, 487, 1097.  
Placed on calendar, 514.  
Second reading, 548, 1035.  
Passed, 548, 1036.  
Clincher, 550.  
To House, 557.  
House amendments, 990, 991.  
Returned to Senate, amended, 987.  
Senate concurs, 1025, 1035.  
Enrolled, 1097.  
Message to Governor, 1113.

**Senate Bill No. 381** — (Wenstrom)

**Senate Bill No. 381.** A Bill for an Act to create and enact section 20-03-21.1, and to amend and reenact sections 20-03-21, 20-03-22, 20-03-23, and 20-03-24 of the North Dakota Century Code,



relating to the issuance of hunting, trapping, fishing, and taxidermists' licenses.

Introduction, first reading, 179.  
 Referred to Committee on Natural Resources.  
 Returned from Committee and Withdrawn, 438.

**Senate Bill No. 382** — (Sands, Redlin and Schultz)

**Senate Bill No. 382.** A Bill for an Act to amend and reenact section 20-03-01 of the North Dakota Century Code, relating to residents' licenses to hunt, trap, and fish.

Introduction, first reading, 179.  
 Referred to Committee on Natural Resources.  
 Reported back, indefinitely postponed, 322.

**Senate Bill No. 383** — (Sands, Geving, Lowe, Litten, Ruemmele, Chesrown, Nasset, Kelly (Pt. Barnes), Schultz)

**Senate Bill No. 383.** A Bill for an Act relating to the responsibilities of a professional engineer in connection with municipal construction or improvement projects.

Introduction, first reading, 179.  
 Referred to Committee on Political Subdivisions.  
 Reported back, do pass, 454.  
 Second reading, 528, 578.  
 Passed, 528, 579.  
 Reconsidered, 578.  
 Amended from floor, 579.  
 Clincher, 582.  
 Engrossed, 585.  
 To House, 595.  
 Revision and correction, 595.  
 Returned to Senate, indefinitely postponed, 872.

**Senate Bill No. 384** — (Longmire)

**Senate Bill No. 384.** A Bill for an Act to amend and reenact sections 39-01-08 and 40-43-07 of the North Dakota Century Code relating to the permissive purchase of liability insurance by governmental subdivisions and units, providing procedures for insurance coverages to be utilized and providing for waiver of governmental immunity only to the extent of insurance coverage if insurance is purchased.

Introduction, first reading, 179.  
 Referred to Committee on Political Subdivisions.  
 Re-referred to Committee on Judiciary, 205.  
 Reported back, amended, 295.  
 Amendments adopted, 303.  
 Engrossed, 315.  
 Second reading, 339.  
 Passed, 340.  
 To House, 347.  
 Returned to Senate, 614.  
 Enrolled, 632.  
 Signed by President, 638.  
 Sent to House, 642.  
 Received from House, 647.  
 Message to Governor, 650.  
 Approved by Governor, 712.

**Senate Bill No. 385 — (Mutch)**

**Senate Bill No. 385.** A Bill for an Act to create and enact subsection 23 of section 57-02-08, exempting personal property from taxation, and to provide for the imposition of a two percent sales tax, use tax and motor vehicle use tax, exemptions thereto, manner of collection and administration, appeals, penalties, refunds, and allocation of revenues; to amend section 57-02-04, relating to the definition of real property, and to repeal sections 18-03-09 and 37-01-27, subsections 9, 10, and 11 of section 57-02-05, section 57-15-23, and chapters 57-39, 57-40, and 57-40.1 all of the North Dakota Century Code, relating to the per-capita school tax, definitions of personal property, and sales and use taxes.

Introduction, first reading, 179.  
 Referred to Committee on Finance and Taxation.  
 Reported back, indefinitely postponed, 322.  
 Reconsidered, 343.  
 Placed on calendar, 343.  
 Second reading, 401.  
 Lost, 401.

**Senate Bill No. 386 — (Hernett, Roen, Chesrown, Stroup and Luick)**

**Senate Bill No. 386.** A Bill for an Act to amend and reenact section 47-14-09 of the North Dakota Century Code, relating to maximum interest rate on loans.

Introduction, first reading, 179.  
 Referred to Committee on Industry, Business and Labor.  
 Reported back, do pass, 295.  
 Engrossed, 1106.  
 Second reading, 333.  
 Passed, 333.  
 To House, 347.  
 Returned to Senate, 840.  
 Enrolled, 1106.  
 Signed by President, 1107.  
 Sent to House, 1108.  
 Received from House, 1109.  
 Message to Governor, 1114.

**Senate Bill No. 387 — (Hernett and Trenbeath)**

**Senate Bill No. 387.** A Bill for an Act to provide for the levying and collection of an adjusted tax on individual income.

Introduction, first reading, 179.  
 Referred to Committee on Finance and Taxation.  
 Reported back, do pass, 514.  
 Second reading, 578.  
 Passed, 578.  
 Clincher, 582.  
 To House, 595.  
 Revision and correction, 595.  
 Returned to Senate, indefinitely postponed, 872.

**Senate Bill No. 388 — (Hernett, Wenstrom, Ringsak, Chesrown, Longmire and Meschke.)**

**Senate Bill No. 388.** A Bill for an Act to amend and reenact section 1 of chapter 314 of the 1965 session laws, relating to the capitol grounds planning commission and authorization for the

construction of legislative facilities through the use of assets of the capitol building fund, and providing for the appropriation of such funds.

Introduction, first reading, 180.  
 Referred to Committee on State and Federal Government.  
 Reported back, do pass, 360.  
 Re-referred to Committee on Appropriations, 360.  
 Reported back, without recommendation, 473.  
 Second reading, 542, 1072.  
 Passed, 543, 1072.  
 Clincher, 544.  
 To House, 557.  
 Returned to Senate, amended, 987.  
 House amendments, 991.  
 Conference Committee, 1024, 1041.  
 Senate does not concur, 1024.  
 Conference Committee Report, 1071.  
 Engrossed, 1106.  
 Enrolled, 1106.  
 Signed by President, 1107.  
 Sent to House, 1108.  
 Received from House, 1109.  
 Message to Governor, 1114.

**Senate Bill No. 389 — (Trenbeath)**

**Senate Bill No. 389.** 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 thereof for cleaning and repairing drains.

Introduction, first reading, 180.  
 Referred to Committee on Agriculture.  
 Reported back, do pass, 295.  
 Second reading, 333.  
 Passed, 334.  
 To House, 347.  
 Returned to Senate, 758.  
 Enrolled, 963.  
 Signed by President, 965.  
 Sent to House 965,  
 Received from House, 996.  
 Message to Governor, 998.

**Senate Bill No. 390 — (Larsen, Lowe, Litten, Longmire and Coughlin)**

**Senate Bill No. 390.** A Bill for an Act to provide for the establishment, administration, organization, and management of sheltered workshops.

Introduction, first reading, 180.  
 Referred to Committee on Social Welfare and Veterans Affairs.  
 Reported back, amended, 473, 474.  
 Amendments adopted, 521.  
 Engrossed, 560, 1095.  
 Second reading, 572.  
 Passed, 572.  
 Clincher, 573.  
 To House, 573.  
 Returned to Senate, 872.  
 Enrolled, 1095.  
 Signed by President, 1096.

Sent to House, 1097.  
 Received from House, 1098.  
 Message to Governor, 1113.

**Senate Bill No. 391** — (Becker)

**Senate Bill No. 391.** A Bill for an Act to amend and reenact sections 57-38-35, 57-38-39 and 57-38-45 of the North Dakota Century Code, relating to income tax interest and penalties and to repeal section 57-38-43 of the North Dakota Century Code.

Introduction, first reading, 180.  
 Referred to Committee on Finance and Taxation.  
 Reported back, do pass, 322.  
 Second reading, 378.  
 Passed, 378.  
 To House, 395.  
 Returned to Senate, indefinitely postponed, 565.

**Senate, Bill No. 392** — (Larson (Nelson - Pt. Walsh))

**Senate Bill No. 392.** A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to a surtax on taxable income and providing an effective date.

Introduction, first reading, 180.  
 Referred to Committee on Finance and Taxation.  
 Reported back, indefinitely postponed, 514.  
 Recorded vote, 514.

**Senate Mill No. 393** — (Meschke and Rait)

**Senate Bill No. 393.** A Bill for an Act declaring legislative intent to simplify income tax and to eliminate certain interstate tax problems; to create and enact a new section to chapter 57-38 of the North Dakota Century Code relating to adjustments to taxable income for individuals and fiduciaries; to create and enact a new section to chapter 57-38 of the North Dakota Century Code relating to adjustments to taxable income for corporations; to create and enact a new section to chapter 57-38 of the North Dakota Century Code relating to the recognition of an election made under subchapter S of the Internal Revenue Code of 1954, as amended; to create and enact a new section to chapter 57-38 of the North Dakota Century Code relating to an optional card income tax return; to amend and reenact subsection 20 of section 57-38-01 of the North Dakota Century Code relating to definitions for income tax purposes; to amend and reenact section 57-38-06 of the North Dakota Century Code relating to nonresidents; to repeal sections 57-38-15, 57-38-15.1, 57-38-15.2, 57-38-15.3, 57-38-16, 57-38-17, 57-38-17.1, 57-38-18, 57-38-19, 57-38-20, 57-38-21, 57-38-22, 57-38-22.1, 57-38-24, 57-38-26, 57-38-27, and 57-38-28 of the North Dakota Century Code; and providing an effective date.

Introduction, first reading, 180.  
 Referred to Committee on Finance and Taxation  
 Reported back, amended, 514, 515  
 Amendments adopted, 522.  
 Engrossed, 560.  
 Second reading, 575.  
 Amended from floor, 575.  
 Recorded vote, 575.

Lost, 576.  
 Reconsidered, 577.  
 Amended from floor, 577.  
 Passed, 577.  
 Clincher, 582.  
 To House, 595.  
 Revision and Correction, 595.  
 Returned to Senate, 979.  
 Enrolled, 1095.  
 Signed by President, 1096.  
 Sent to House, 1097.  
 Received from House, 1098.  
 Message to Governor, 1113.

**Senate Bill No. 394** — (Wilhite)

**Senate Bill No. 394.** A Bill for an Act providing for the certification of dealers and persons engaged in the fitting of hearing aids, and for related purposes.

Introduction, first reading, 181.  
 Referred to Committee on Industry, Business and Labor.  
 Indefinitely postponed, 455.

**Senate Bill No. 395** — (Wilhite)

**Senate Bill No. 395.** A Bill for an Act to require the full disclosure of finance charges with regard to extension of credit.

Introduction, first reading, 181.  
 Referred to Committee on Industry, Business and Labor.  
 Indefinitely postponed, 455.

**Senate Bill No. 396** — (Wilhite)

**Senate Bill No. 396.** A Bill for an Act to provide for the reduction of liability of the sheriff in amercement proceedings.

Introduction, first reading 181.  
 Referred to Committee on Judiciary.  
 Reported back, do pass, 296.  
 Second reading, 334, 900.  
 Passed, 334, 900.  
 To House, 347.  
 Returned to Senate, amended, 880.  
 House amendments, 882.  
 Senate concurs, 900.  
 Engrossed, 1106.  
 Enrolled, 1106.  
 Signed by President, 1107.  
 Sent to House, 1108.  
 Received from House, 1109.  
 Message to Governor, 1114.

**Senate Bill No. 397** — (Committee on Delayed Bills)

**Senate Bill No. 397.** A Bill for an Act providing for the transfer of the Grand Forks Fair Grounds from the State of North Dakota, and the North Dakota State Fair Association, a defunct corporation, to the County of Grand Forks, and for the purpose of clearing title to said described property by the State of North Dakota.

Introduction, first reading, 388.  
 Referred to Committee on State and Federal Government.

Reported back, do pass, 515.  
 Second reading, 549.  
 Amended from floor, 549.  
 Passed, 549.  
 Clincher, 550.  
 To House, 557.  
 Engrossed 553.  
 Returned to Senate, 979.  
 Enrolled, 1095.  
 Signed by President, 1096.  
 Sent to House, 1097.  
 Received from House, 1098.  
 Message to Governor, 1113.

**Senate Bill No. 398** — (Committee on Delayed Bills)

**Senate Bill No. 398.** A Bill for an Act to provide that a county may levy a local replacement tax as a credit upon tax on locally assessed personal property, providing for procedures to implement such program, approval by the county electorate, prescribing the provisions of the local replacement tax, providing for administration by the state tax commissioner, and allocating revenues received, and declaring an emergency.

Introduction, first reading, 436.  
 Referred to Committee on Finance and Taxation.  
 Reported back, do pass, 515.  
 Second reading, 580.  
 Passed, 582.  
 Clincher, 582.  
 To House, 595.  
 Revision and correction, 595.  
 Returned to Senate, indefinitely postponed, 699.

**Senate Bill No. 399** — (Committee on Delayed Bills)

**Senate Bill No. 399.** A Bill for an Act to amend and reenact section 54-35-01 of the North Dakota Century Code, relating to the selection of members upon the legislative research committee.

Introduction, first reading, 603.  
 Referred to Committee on State and Federal Government.  
 Reported back, without recommendation, 672.  
 Second reading, 759.  
 Lost, 759.  
 Clincher, 759.

**Senate Bill No. 400** — (Committee on Delayed Bills)

**Senate Bill No. 400.** A Bill for an Act to provide for the transfer of funds in the State Auditor Special Audits Fund, and funds received by the State Treasurer under the Taylor Grazing Act prior to 1963, to the general fund in the state treasury, and declaring an emergency.

Introduction, first reading, 697.  
 Referred to Committee on Agriculture.  
 Reported back, do pass, 713.  
 Second reading, 794.  
 Passed, 794.  
 Emergency carried, 794.  
 Clincher, 802.  
 To House, 804.

Returned to Senate, 979.  
 Enrolled, 1095.  
 Signed by President, 1096.  
 Sent to House, 1097.  
 Received from House, 1098.  
 Message to Governor, 1113.

**Senate Bill No. 401** — (Committee on Delayed Bills)

**Senate Bill No. 401.** A Bill for an Act to make an appropriation for the operation of the state employees' retirement program, and declaring an emergency.

Introduction, first reading, 697.  
 Referred to Committee on Appropriations.  
 Reported back, amended, 788.  
 Amendments adopted, 833.  
 Engrossed, 851.  
 Amended from floor, 898.  
 Second reading, 898.  
 Clincher, 898.  
 Passed, 898.  
 Re-engrossed, 903.  
 To House, 903.  
 Returned to Senate, 979.  
 Enrolled, 1095.  
 Signed by President, 1096.  
 Sent to House, 1097.  
 Received from House, 1098.  
 Message to Governor, 1113.

**Senate Bill No. 402** — (Committee on Delayed Bills)

**Senate Bill No. 402.** A Bill for an Act providing for a temporary governor's committee for the purpose of evaluating the report of the national crime commission and making a report to the governor and the forty-first legislative assembly.

Introduction, first reading, 718.  
 Referred to Committee on Judiciary.  
 Reported back, do pass, 745.  
 Second reading, 813, 1050.  
 Passed, 814, 1051.  
 Clincher, 816.  
 To House, 819, 1021.  
 Returned to Senate, 979, 1042.  
 House requests return, 1021.  
 House amendments, 1042.  
 Returned to Senate, amended, 1042.  
 Senate concurs, 1050.  
 Enrolled, 1106.  
 Signed by President, 1107.  
 Sent to House, 1108.  
 Received from House, 1109.  
 Message to Governor, 1114.

**Senate Bill No. 403** — (Committee on Delayed Bills)

**Senate Bill No. 403.** A Bill for an Act to provide an additional sales and use tax of three quarters of one percent, providing a method of collection and administration, providing a penalty, and providing effective dates and declaring an emergency.

Introduction, first reading, 730.  
 Referred to Committee on Finance and Taxation.  
 Returned to Senate, 739.  
 Re-referred to Committee on Finance and Taxation, 739.  
 Reported back, do pass, 740.  
 Second reading; 741, 921.  
 Passed, 743.  
 Passed over Governor's veto, 921.  
 Emergency carried, 743.  
 Clincher, 743, 921.  
 To House, 744.  
 Returned to Senate, 758, 945.  
 Enrolled, 777; re-enrolled, 1101.  
 Signed by President, 777.  
 Signed by President over Governor's veto, 1101.  
 Sent to House, 777, 922, 1101.  
 Received from House, 777, 1101.  
 Message to Governor, 777.  
 Vetoed by Governor, 860.  
 Reconsidered, 867; placed at foot of calendar, 867.  
 Delivered to Secretary of State, over Governor's veto, 1105.

**Senate Bill No. 404** — (Committee on Delayed Bills)

**Senate Bill No. 404.** A Bill for an Act to provide for the issuance by the state of bonds to finance the construction and equipment of buildings and facilities at state-supported institutions of higher education backed by the full faith and credit of the state, providing for their payment, and appropriating the proceeds of such bonds for such purposes, and declaring an emergency.

Introduction, first reading, 848.  
 Referred to Committee on Appropriations.  
 Reported back, amended, 932, 933.  
 Amendments adopted, 954.  
 Engrossed, 965.  
 Second reading, 961.  
 Clincher, 961.  
 Passed, 961.  
 To House, 965.

**Senate Bill No. 405** — (Committee on Delayed Bills)

**Senate Bill No. 405.** A Bill for an Act to amend and reenact section 54-03-20 of the North Dakota Century Code, relating to allowances for expenses of members of the legislative assembly, and declaring an emergency.

Introduction, first reading, 900.  
 Referred to Committee on Appropriations.  
 Reported back, amended, 933, 934.  
 Amendments adopted, 954.  
 Second reading, 962, 965.  
 Placed at foot of calendar, 962.  
 Engrossed, 965.  
 Clincher, 966.  
 Passed, 966.  
 Emergency carried, 966.  
 To House, 967.  
 Returned to Senate, 1042.  
 Enrolled, 1097.  
 Message to Governor, 1113.

**Senate Bill No. 406** — (Lips and Meschke, through Committee on Delayed Bills)



**Senate Bill No. 406.** A Bill for an Act to provide for an interstate compact to provide for and maintain cooperation and understanding among executive, legislative, professional educational, and lay leadership upon educational problems on a nationwide basis and at the state and local levels, and providing an appropriation.

Introduction, first reading, 904.  
Referred to Committee on Appropriations.  
Reported back, do pass, 934.  
Second reading, 952.  
Passed, 953.  
Clincher, 961.  
To House, 965.  
Returned to Senate, 1042.  
Enrolled, 1106.  
Signed by President, 1107.  
Sent to House, 1108.  
Received from House, 1109.  
Message to Governor, 1114.

# SENATE CONCURRENT RESOLUTIONS

## Senate Concurrent Resolution "A" — (Forkner, Holand, and Luick)

**Senate Concurrent Resolution "A"** A concurrent resolution directing the legislative research committee to carry out a comprehensive study of vehicle inspection and other related highway safety problems.

Introduction, first reading, 20.  
Referred to Committee on Transportation.  
Reported back, do pass, 233.  
Re-referred to Legislative Research Committee, 233.  
Do pass, 1037.  
Second reading, 1058.  
Passed, 1058.  
To House, 1059.  
Returned to Senate, 1077.  
Enrolled, 1102.  
Signed by President, 1103.  
Sent to House, 1103.  
Received from House, 1104.  
Message to Secretary of State, 1104.

## Senate Concurrent Resolution "B" — (Lips, Torgerson, Morgan, and Meschke)

**Senate Concurrent Resolution "B"** A concurrent resolution extending an invitation to the Honorable John E. Davis, National Commander of the American Legion, to address a joint session of the Fortieth Legislative Assembly of the state of North Dakota.

Introduction, first reading, 22.  
Second reading, 23.  
Passed, 23.  
To House, 24.  
Returned to Senate, 24.  
Enrolled, 30.  
Signed by President, 31.  
Sent to House, 31.  
Received from House, 40.  
Message to Secretary of State, 45.

## Senate Concurrent Resolution "C" — (Stafne, Longmire, Ringsak, Litten, Larson (Burleigh), and Lowe)

**Senate Concurrent Resolution "C"** A concurrent resolution directing the legislative research committee to study and determine those powers and rights to be granted to home rule cities as presently authorized under section 130 of the state Constitution.

Introduction, first reading, 28.  
Referred to Committee on Political Subdivision.  
Reported back, do pass, 611, 1037.  
Second reading, 628, 1058.  
Re-referred to Legislative Research Resolutions Committee, 628.  
Passed, 1058.  
To House, 1059.  
Returned to Senate, 1077.  
Enrolled, 1102.  
Signed by President, 1103.  
Sent to House, 1103.  
Received from House, 1104.  
Message to Secretary of State, 1104.

**Senate Concurrent Resolution "D"** — (Lips and Meschke)

**Senate Concurrent Resolution "D"**. A concurrent resolution extending an invitation to Vincent T. Wasilewski, president of the National Association of Broadcasters, to address a joint session of the Fortieth Legislative Assembly of the state of North Dakota.

Introduction, first reading, 29.  
 Second reading, 29.  
 To House, 31.  
 Returned to Senate, 40.  
 Enrolled, 42.  
 Signed by President, 42.  
 Sent to House, 42.  
 Received from House, 49.  
 Message to Secretary of State, 51.

**Senate Concurrent Resolution "E"** — (Becker)

**Senate Concurrent Resolution "E"**. A concurrent resolution commending Gerald L. Stair for his service to the Legislative Assembly of the State of North Dakota.

Introduction, first reading, 34.  
 Second reading, 35.  
 Passed, 35.  
 To House, 36.  
 Returned to Senate, 39.  
 Enrolled, 39.  
 Signed by President, 39.  
 Sent to House, 39.  
 Received from House, 40.  
 Message to Secretary of State, 45.

**Senate Concurrent Resolution "F"** — (Longmire)

**Senate Concurrent Resolution "F"**. A concurrent resolution for the purpose of designating February 3, 1967, as Newspapermen's Day at the state legislative assembly, and inviting Mr. Stanley M. Swinton to address the joint meeting of newspapermen and legislators.

Introduction, first reading, 38.  
 Second reading, 38.  
 Passed, 38.  
 To House, 42.  
 Returned to Senate, 49.  
 Enrolled, 51.  
 Signed by President, 51.  
 Sent to House, 54.  
 Received from House, 59.  
 Message to Secretary of State, 64.

**Senate Concurrent Resolution "G"** — (Beck, Becker, Butler, Cheshorn, Coughlin, Decker, Forkner, Freed, Geving, Goldberg, Hernet, Hofstrand, Holand, Jacobson, Kautzmann, Earl Kelly, Milton Kelly, Richard Larsen, Guy Larson, Lips, Litten, Longmire, Lowe, Luick, Melland, Morgan, Mutch, Nasset, Nething, Pyle, Redlin, Ringsak, Robinson, Roen, Ruemmele, Sands, Schultz, Sorlie, Stafne, Stroup, Torgerson, Trenbeath, Wenstrom, and Wilhite)

**Senate Concurrent Resolution "G"**. A Concurrent Resolution directing the legislative research committee to conduct a study for

the purpose of determining the size of a bond issue necessary to compensate North Dakota veterans of the Vietnam conflict and for the purpose of determining the period of time during which service in the armed forces of the United States or any of its allies might qualify Vietnam veterans for bonus compensation.

Introduction, first reading, 62.

Referred to Committee on Social Welfare and Veterans' Affairs.

Reported back, do pass, 74.

Second reading, 110.

Re-referred to Legislative Research Resolutions Committee, 110.

Indefinitely postponed, 1037.

**Senate Concurrent Resolution "H"** — (Beck, Becker, Berube, Butler, Chesrown, Christensen, Coughlin, Decker, Forkner, Freed, Geving, Goldberg, Hernet, Hofstrand, Holand, Jacobson, Kautzmann, Earl Kelly, Milton Kelly, Richard Larsen, Guy Larson, Lester Larson, Lips, Litten, Longmire, Lowe, Luick, Meschke, Melland, Morgan, Mutch, Nasset, Nething, Pyle, Rait, Redlin, Ringsak, Robinson, Roen, Ruemmele, Sands, Schultz, Sorlie, Stafne, Stroup, Torgerson, Trenbeath, Wenstrom, and Wilhite.

**Senate Concurrent Resolution "H".** A Concurrent Resolution recognizing North Dakota's favorite son, Mr. Lawrence Welk.

Introduction, first reading, 62.

Second reading, 63.

Passed, 63.

To House, 69.

Returned to Senate, 92.

Enrolled, 109.

Signed by President, 109.

Sent to House, 139.

Received from House, 143.

Message to Secretary of State, 155.

**Senate Concurrent Resolution "I"** — (Morgan and Ringsak)

**Senate Concurrent Resolution "I".** A Concurrent Resolution urging the Bureau of Public Roads to adopt standards allowing the use of yellow centerlines in the northern states.

Introduction, first reading, 63.

Referred to Committee on Transportation.

Reported back, do pass, 183.

Second reading, 200.

Passed, 200.

To House, 210.

Returned to Senate, 752.

Enrolled, 1102.

Signed by President, 1103.

Sent to House, 1103.

Received from House, 1104.

Message to Secretary of State, 1104.

**Senate Concurrent Resolution "J"** — (Larson (Burleigh), Stroup, Nasset, Melland, Lowe, Larsen, Luick, Hofstrand, Ruemmele, Redlin, Sands, Roen, Wenstrom, Hernet, and Berube)

**Senate Concurrent Resolution "J".** A Concurrent Resolution for the amendment of section 148 of the Constitution of the state of North Dakota, relating to a uniform system of free public schools.

Introduction, first reading, 100.  
 Referred to Committee on Education.  
 Reported back, amended, 192, 267.  
 Amendments adopted, 208, 267.  
 Engrossed, 215.  
 Second reading, 224, 366.  
 Amended from floor, 224.  
 Passed, 225.  
 Re-engrossed, 227, 287.  
 Reconsidered and re-referred to Committee on Education, 229.  
 Adopted, 367.  
 To House, 395.  
 Returned to Senate, 752.  
 Enrolled, 893.  
 Signed by President, 913.  
 Sent to House, 913.  
 Received from House, 958.  
 Message to Secretary of State, 960.

**Senate Concurrent Resolution "K" — (Lips and Meschke)**

**Senate Concurrent Resolution "K".** A Concurrent Resolution commending Secretary of State Ben Meier upon his election as president of the National Association of Secretaries of State.

Introduction, first reading, 100.  
 Second reading, 101.  
 Passed, 101.  
 To House, 103.  
 Revision and Correction, 118.  
 Returned to Senate, 124.  
 Enrolled, 189.  
 Signed by President, 189.  
 Sent to House, 203.  
 Received from House, 213.  
 Message to Secretary of State, 215.

**Senate Concurrent Resolution "L" — (Lips and Meschke)**

**Senate Concurrent Resolution "L".** A Concurrent Resolution commending Governor William L. Guy upon his election as chairman of the National Governor's Conference.

Introduction, first reading, 101.  
 Second reading, 101.  
 Passed, 101.  
 To House, 103.  
 Returned to Senate, 124.  
 Enrolled, 189.  
 Signed by President, 189.  
 Sent to House, 203.  
 Received from House, 213.  
 Message to Secretary of State, 215.

**Senate Concurrent Resolution "M" — (Larson (Burleigh))**

**Senate Concurrent Resolution "M".** A Concurrent Resolution urging the Corps of Engineers to construct and maintain at federal expense additional bank stabilization works on the Missouri River, North Dakota.

Introduction, first reading, 132.  
 Referred to Committee on Agriculture.  
 Reported back, amended, 415.

Amendments adopted, 457.  
 Engrossed, 467.  
 Second reading, 528.  
 Passed, 528.  
 Clincher, 533.  
 To House, 533.  
 Returned to Senate, 752.  
 Enrolled, 1102.  
 Signed by President, 1103.  
 Sent to House, 1103.  
 Received from House, 1104.  
 Message to Secretary of State, 1105.

**Senate Concurrent Resolution "N" — (Lips and Meschke)**

**Senate Concurrent Resolution "N".** A Concurrent Resolution to amend and reenact section 174 of the Constitution of the state of North Dakota, relating to the four-mill levy for state expenses and to authorize a bond issue.

Introduction, first reading, 132.  
 Referred to Committee on Finance and Taxation.  
 Reported back, without recommendation, 789.  
 Second reading, 952, 962.  
 Lost, 952, 962.  
 Reconsidered, 962.

**Senate Concurrent Resolution "O" — (Forkner)**

**Senate Concurrent Resolution "O".** A Concurrent Resolution providing for a study by the legislative research committee of means of coordination of law enforcement programs, agencies, improvement of police services, and of levels of law enforcement.

Introduction, first reading, 132.  
 Referred to Committee on Judiciary.  
 Reported back, amended, 218.  
 Re-referred to Legislative Research Resolutions Committee, 218.  
 Amendments adopted, 237.  
 Engrossed, 250.  
 Indefinitely postponed, 1037.

**Senate Concurrent Resolution "P" — (Forkner)**

**Senate Concurrent Resolution "P".** A Concurrent Resolution authorizing the appointment of a special joint committee to consider relocation of the Legislative portion of the state capitol building from Bismarck to a more suitable location.

Introduction, first reading, 132.  
 Second reading, 133.  
 Lost, 133.

**Senate Concurrent Resolution "Q" — (Coughlin, Larson (Burleigh), Butler, Schultz, Pyle, Nething, Becker, Lips, Torgerson, Morgan, Robinson, Nasset, Trenbeath, Wilhite, Kelly (Pt. Barnes), Kelly (Ramsey), Ruemmele, Forkner, Chesrown, Melland, Stafne, Ringsak, Sorlie, Stroup, and Holand)**

**Senate Concurrent Resolution "Q".** 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 in programs which the state determines needs additional money.

Introduction, first reading, 148.  
 Referred to Committee on State and Federal Government.  
 Reported back, do pass, 257.  
 Second reading, 279, 367.  
 Re-referred to Committee on State and Federal Government, 367.  
 Indefinitely postponed, 611.

**Senate Concurrent Resolution "R" — (Meschke and Lips)**

**Senate Concurrent Resolution "R".** A Concurrent Resolution endorsing the establishment by the President of the Red-Souris-Rainy River Basins Commission, authorizing appointment of the state member thereof and fixing his compensation, and pledging state support thereto.

Introduction, first reading, 148.  
 Referred to Committee on Natural Resources.  
 Reported back, 257.  
 Second reading, 279, 366.  
 Amended from floor, 366.  
 Engrossed, 366, 387.  
 Passed, 366.  
 To House, 395.  
 Returned to Senate, 947.  
 Enrolled, 1102.  
 Signed by President, 1103.  
 Sent to House, 1103.  
 Received from House, 1104.  
 Message to Secretary of State, 1105.

**Senate Concurrent Resolution "S" — (Meschke and Lips)**

**Senate Concurrent Resolution "S".** A Concurrent Resolution endorsing the establishment by the President of the Missouri River Basin Commission, authorizing appointment of the state member thereof and fixing his compensation, and pledging state support thereto.

Introduction, first reading, 148.  
 Referred to Committee on Natural Resources.  
 Reported back, do pass, 258.  
 Second reading, 279, 366.  
 Amended from floor, 366.  
 Engrossed, 366, 387.  
 Passed, 366.  
 To House, 395.  
 Returned to Senate, 947.  
 Enrolled, 1102.  
 Signed by President, 1103.  
 Sent to House, 1103.  
 Received from House, 1104.  
 Message to Secretary of State, 1105.

**Senate Concurrent Resolution "T" — (Longmire, Larsen, and Lowe)**

**Senate Concurrent Resolution "T".** A Concurrent Resolution expressing appreciation to Chester Fritz for his gifts to the University of North Dakota and for the benefit of the people of his native State.

Introduction, first reading, 192.  
 Second reading, 193.  
 Passed, 193.  
 To House, 203.

Returned to Senate, 220.  
 Enrolled, 284.  
 Signed by President, 287.  
 Sent to House, 297.  
 Received from House, 298.  
 Message to Secretary of State, 299.

**Senate Concurrent Resolution "U" — (Longmire, Larsen, and Lowe)**

**Senate Concurrent Resolution "U".** A Concurrent Resolution expressing appreciation to Dr. Maxwell M. Upson for the contribution toward the construction of a new engineering building on the campus of the University of North Dakota.

Introduction, first reading, 194.  
 Second reading, 194.  
 Passed, 195.  
 To House, 203.  
 Returned to Senate, 220.  
 Enrolled, 284.  
 Signed by President, 287.  
 Sent to House, 297.  
 Received from House, 298.  
 Message to Secretary of State, 299.

**Senate Concurrent Resolution "V" — (Decker, Lowe, and Becker)**

**Senate Concurrent Resolution "V".** A Concurrent Resolution directing the Legislative Research Committee to carry out a comprehensive study of unemployment insurance coverage for state, county and municipal employees.

Introduction, first reading, 195.  
 Referred to Committee on State and Federal Government.  
 Reported back, amended, 588; do pass, 1037.  
 Engrossed, 627.  
 Second reading, 628.  
 Re-referred to Legislative Research Resolutions Committee, 628.  
 Reconsidered, 1038.  
 Indefinitely postponed, 1038.

**Senate Concurrent Resolution "W" — (Wilhite)**

**Senate Concurrent Resolution "W".** A concurrent resolution relating to the import of crude oil and the determination of available supplies for national defense purposes.

Introduction, first reading, 219.  
 Referred to Committee on Natural Resources.  
 Reported back, amended, 515.  
 Amendments adopted, 522.  
 Engrossed, 560.  
 Second reading, 573.  
 Clincher, 573.  
 Passed, 573.  
 To House, 573.  
 Returned to Senate, 947.  
 Enrolled, 1102.  
 Signed by President, 1103.  
 Sent to House, 1103.  
 Received from House, 1104.  
 Message to Secretary of State, 1105.



**Senate Concurrent Resolution "X" — (Morgan and Holand)**

**Senate Concurrent Resolution "X".** A Concurrent Resolution expressing opposition to a proposed flood control project on the lower reach of the Sheyenne River.

Introduction, first reading, 260.  
 Referred to Committee on Agriculture.  
 Indefinitely postponed, 392.

**Senate Concurrent Resolution "Y" — (Chesrown, Ringsak, Roen, Morgan, Hernet, Nasset, Ruemmele, and Kautzmann)**

**Senate Concurrent Resolution "Y".** A Concurrent Resolution for the ratification of a proposed amendment to the Constitution of the United States, relating to succession to the Presidency and Vice Presidency and to cases where the president is unable to discharge the powers and duties of his office.

Introduction, first reading, 268.  
 Referred to Committee on State and Federal Government.  
 Reported back, do pass, 360.  
 Second reading, 405, 431, 463.  
 Clincher, 405, 463.  
 Passed, 405, 463.  
 Reconsidered, 405, 431, 438.  
 To House, 409.  
 Recorded roll call vote, 438.  
 Returned to House, 438.  
 Returned to Senate, 430, 458.  
 Senate requests return, 430, 451.  
 House requests return, 438.  
 Sent to House, 467.  
 Reconsidered, 463.  
 Received from House, killed, 987.

**Senate Concurrent Resolution "Z" — (Chesrown, Hernet, Ruemmele, Ringsak, Roen, Morgan, and Nasset)**

**Senate Concurrent Resolution "Z".** A Concurrent Resolution requesting the United State Congress to authorize and provide funds for the construction of a bridge over the Oahe Reservoir segment of the Missouri River.

Introduction, first reading, 268.  
 Referred to Committee on State and Federal Government.  
 Reported back, do pass, 361.  
 Second reading, 405.  
 Passed, 405.  
 To House, 424.  
 Returned to Senate, 523.  
 Enrolled, 632.  
 Signed by President, 638.  
 Sent to House, 643.  
 Received from House, 647.  
 Message to Secretary of State, 650.

**Senate Concurrent Resolution "AA" — (Trenbeath, Roen, Ringsak, and Ruemmele)**

**Senate Concurrent Resolution "AA".** A Concurrent Resolution urging the state board of higher education, the commissioner of higher education, and the president of the University of North

Dakota to consider the needs of the handicapped in the educational programs of the university and in planning additional building facilities.

Introduction, first reading, 269.  
 Referred to Committee on Education.  
 Reported back, do pass, 372.  
 Second reading, 408.  
 Passed, 408.  
 To House, 424.  
 Returned to Senate, 731.  
 Enrolled, 893.  
 Signed by President, 913.  
 Sent to House, 913.  
 Received from House, 996.  
 Message to Secretary of State, 998.

**Senate Concurrent Resolution "BB" — (Meschke and Lips)**

**Senate Concurrent Resolution "BB".** A Concurrent Resolution urging the Congress of the United States not to increase the tariff or tolls on the Saint Lawrence Seaway.

Introduction, first reading, 285.  
 Referred to Committee on State and Federal Government.  
 Reported back, do pass, 361.  
 Second reading, 405.  
 Passed, 405.  
 To House, 424.  
 Returned to Senate, 947.  
 Enrolled, 1102.  
 Signed by President, 1103.  
 Sent to House, 1103.  
 Received from House, 1104.  
 Message to Secretary of State, 1105.

**Senate Concurrent Resolution "CC" — (Becker, Luick, Chesrown, Holand and Lips)**

**Senate Concurrent Resolution "CC".** A Concurrent Resolution directing the Legislative Research Committee to conduct a study of the North Dakota Hail Insurance Department and program.

Introduction, first reading, 285.  
 Referred to Committee on State and Federal Government.  
 Indefinitely postponed, 612.

**Senate Concurrent Resolution "DD" — (Ringsak, Longmire, and Larsen)**

**Senate Concurrent Resolution "DD".** A Concurrent Resolution directing the legislative research committee to conduct a study of penal and charitable institutions of the state to determine whether functions performed by the board of administration or state health department should be transferred to other agencies.

Introduction, first reading, 299.  
 Referred to Committee on State and Federal Government.  
 Reported back, do pass, 588.  
 Re-referred to Legislative Research Resolutions Committee, 622.  
 Indefinitely postponed, 1038.

**Senate Concurrent Resolution "EE" — (Melland, Nasset, Goldberg, and Decker)**

**Senate Concurrent Resolution "EE".** A Concurrent Resolution urging the entire Congressional delegation from the State of North Dakota to introduce and strive for the adoption of a bill to amend existing statutes relating to the boundary line of time zones in the State of North Dakota.

Introduction, first reading, 300.  
 Referred to Committee on State and Federal Government.  
 Indefinitely postponed, 612.  
 Recorded vote, 612.

**Senate Concurrent Resolution "FF" — (Morgan and Luick)**

**Senate Concurrent Resolution "FF".** A concurrent resolution supporting needed channel improvements in and related to Antelope Creek west and north of Wahpeton, North Dakota, and urging the Corps of Engineers to expedite completion of its investigation and the formulation of a favorable report thereon.

Introduction, first reading, 323.  
 Referred to Committee on Natural Resources.  
 Re-referred to Committee on Agriculture, 344.  
 Reported back, do pass, 393.  
 Second reading, 423, 1026.  
 Passed, 423, 1026.  
 To House, 452.  
 Returned to Senate, amended, 999.  
 House amendments, 1001.  
 Senate concurs, 1026.  
 Enrolled, 1102.  
 Signed by President, 1103.  
 Sent to House, 1103.  
 Received from House, 1104.  
 Message to Secretary of State, 1105.

**Senate Concurrent Resolution "GG" — (Torgerson, Lips and Meschke)**

**Senate Concurrent Resolution "GG".** A Concurrent Resolution commending Mr. Jack Williams, Department Adjutant of the North Dakota American Legion, and making him an honorary member of the Fortieth Legislative Assembly, and declaring February 6, 1967, as American Legion Day in the state of North Dakota.

Introduction, first reading, 324.  
 Second reading, 324.  
 Passed, 325.  
 To House, 341.  
 Returned to Senate, 363.  
 Enrolled, 632.  
 Signed by President, 639.  
 Sent to House, 643.  
 Received from House, 647.  
 Message to Secretary of State, 650.

**Senate Concurrent Resolution "HH"—(Larson (Nelson - Pt. Walsh), Geving, Jacobson, Lowe, and Kelly (Ramsey))**

**Senate Concurrent Resolution "HH".** A concurrent resolution directing the legislative research committee to study state grants-in-aid, state tax-sharing programs, and problems related to the efficient management of fiscal affairs by political subdivisions.

Introduction, first reading, 325.  
 Referred to Committee on Finance and Taxation.  
 Reported back, do pass, 523.  
 Re-referred to Legislative Research Resolutions Committee, 523.  
 Indefinitely postponed, 1038.

**Senate Concurrent Resolution "II" — (Hofstrand)**

**Senate Concurrent Resolution "II".** A concurrent resolution relating to wetland acquisition and the development of natural resources on privately owned lands.

Introduction, first reading, 325.  
 Referred to Committee on Natural Resources.  
 Reported back, amended, 474.  
 Amendments adopted, 521.  
 Engrossed, 560.  
 Second reading, 573.  
 Passed, 573.  
 Clincher, 573.  
 To House, 573.  
 Returned to Senate, 947.  
 Enrolled, 1102.  
 Signed by President, 1103.  
 Sent to House 1104.  
 Received from House 1104.  
 Message to Secretary of State, 1105.

**Senate Concurrent Resolution "JJ" — (Hernett)**

**Senate Concurrent Resolution "JJ".** A concurrent resolution relating to prefiling and printing of bills in advance of sessions of the legislative assembly.

Introduction, first reading, 325.  
 Referred to Committee on State and Federal Government.  
 Reported back, do pass, 588.  
 Second reading, 623.  
 Passed, 623.  
 To House, 666.  
 Returned to Senate, 979.  
 Enrolled, 1102.  
 Signed by President, 1103.  
 Sent to House, 1104.  
 Received from House, 1104.  
 Message to Secretary of State, 1105.

**Senate Concurrent Resolution "KK" — (Hernett, Becker, and Rait)**

**Senate Concurrent Resolution "KK".** A Concurrent Resolution directing the Legislative Research Committee to carry out a comprehensive study of business and industrial legislative incentives.

Introduction, first reading, 344.  
 Referred to Committee on Industry, Business, and Labor.  
 Re-referred to Legislative Research Resolutions Committee, 455.  
 Reported back, do pass, 455.  
 Indefinitely postponed, 1038.  
 Placed on calendar, 1038.  
 Second reading, 1058.  
 Passed, 1058.  
 To House, 1059.  
 Returned to Senate, 1077.  
 Enrolled, 1102.

Signed by President, 1103.  
 Sent to House, 1104.  
 Received from House, 1104.  
 Message to Secretary of State, 1105.

**Senate Concurrent Resolution "LL" — (Mutch)**

**Senate Concurrent Resolution "LL".** A Concurrent Resolution relating to an economic boycott of certain farm organizations.

Introduction, first reading, 350.  
 Referred to Committee on Agriculture.  
 Indefinitely postponed, 415.

**Senate Concurrent Resolution "MM" — (Ringsak)**

**Senate Concurrent Resolution "M-M".** A Concurrent Resolution providing for the amendment of sections 28 and 34 of the Constitution of the state of North Dakota, relating to the qualifications for the office of state senator and state representative.

Introduction, first reading, 350.  
 Referred to Committee on State and Federal Government.  
 Indefinitely postponed, 612.  
 Divided report, 612, 613.

**Senate Concurrent Resolution "NN" — (Melland and Nething)**

**Senate Concurrent Resolution "N-N".** A Concurrent Resolution endorsing and supporting the construction of the authorized Pipestem Creek Dam and Reservoir, and urging an appropriation therefor.

Introduction, first reading, 350.  
 Referred to Committee on Natural Resources, 351.  
 Reported back, do pass, 515.  
 Second reading, 351, 549.  
 Passed, 549.  
 Clincher, 550.  
 To House, 557.  
 Returned to Senate, 947.  
 Enrolled, 1102.  
 Signed by President, 1103.  
 Sent to House, 1104.  
 Received from House, 1104.  
 Message to Secretary of State, 1105.

**Senate Concurrent Resolution "OO" — (Larsen, Melland, Geving, Coughlin, Becker, Stroup, Kautzmann, Roen, Pyle, Nething, Goldberg, Freed, Chesrown, Lowe, Decker, Butler, Jacobson, Litten, Morgan, Wilhite, Lips, Kelly (Pt. Barnes), and Larson (Burleigh))**

**Senate Concurrent Resolution "O-O".** A Concurrent Resolution for the amendment of section 121 of the Constitution of the state of North Dakota, relating to the elective franchise lowering the voting age from twenty-one to nineteen.

Introduction, first reading, 351.  
 Referred to Committee on Judiciary.  
 Reported back, do pass, 613.  
 Divided report, 613.  
 Second reading, 628, 681, 1036.  
 Passed, 682, 1036.  
 To House, 706.

Returned to Senate, amended, 999.  
 House amendments, 1001.  
 Senate Concurr, 1036.  
 Engrossed, 1102.  
 Enrolled, 1102.  
 Signed by President, 1103.  
 Sent to House, 1104.  
 Received from House, 1104.  
 Message to Secretary of State, 1105.

**Senate Concurrent Resolution "PP" — (Trenbeath and Torgerson)**

**Senate Concurrent Resolution "P-P".** A Concurrent Resolution for the amendment of the Constitution of the state of North Dakota, relating to issuance of dedicated revenue bonds by political subdivisions of the state and providing the methods for repayment thereof.

Introduction, first reading, 351.  
 Referred to Committee on Political Subdivision.  
 Reported back, do pass, 613.  
 Second reading, 628, 682, 984.  
 Placed at foot of calendar, 628.  
 Passed, 682, 985.  
 To House, 706.  
 Returned to Senate, amended, 948.  
 House amendments, 951.  
 Senate concurs, 984.  
 Engrossed, 1102.  
 Enrolled, 1102.  
 Signed by President, 1103.  
 Sent to House, 1104.  
 Received from House, 1104.  
 Message to Secretary of State, 1105.

**Senate Concurrent Resolution "QQ" — (R. Larsen)**

**Senate Concurrent Resolution "Q-Q".** A Concurrent Resolution directing the Legislative Research Committee to study a report entitled, "Library Services in North Dakota" and Library Services generally in the State of North Dakota and to make recommendations from such study.

Introduction, first reading, 351.  
 Referred to Committee on Education.  
 Reported back, amended, 515, 516.  
 Amendments adopted, 522.  
 Engrossed, 560.  
 Re-referred to Legislative Research Resolutions Committee, 574.  
 Indefinitely postponed, 1038.

**Senate Concurrent Resolution "RR" — (Butler, Decker, Rait,  
 and Goldberg)**

**Senate Concurrent Resolution "R-R".** A Concurrent Resolution directing the legislative research committee to study the various exemptions now in effect and available for tax purposes.

Introduction, first reading, 352.  
 Referred to Committee on Finance and Taxation.  
 Reported back, amended, 789.  
 Amendments adopted, 833.  
 Engrossed, 851.  
 Re-referred to Legislative Research Resolutions Committee, 789.  
 Indefinitely postponed, 1038.

**Senate Concurrent Resolution "SS" — (Becker)**

**Senate Concurrent Resolution "S-S".** A Concurrent Resolution directing the legislative research committee to study the feasibility of providing property tax limitations based upon current market value and to study other areas relating to property taxes levied for the purpose of improving assessment practices.

Introduction, first reading, 352.  
 Referred to Committee on Finance and Taxation.  
 Re-referred to Legislative Research Resolutions Committee, 523.  
 Reported back, do pass, 523, 1038.  
 Second reading, 1058.  
 Passed, 1058.  
 To House, 1059.  
 Enrolled, 1102.  
 Signed by President, 1103.  
 Sent to House, 1104.  
 Received from House, 1104.  
 Message to Secretary of State, 1105.

**Senate Concurrent Resolution "TT" — (Rait, Christensen, Decker, Becker, and Wenstrom)**

**Senate Concurrent Resolution "T-T".** A Concurrent Resolution directing a study by the legislative research committee of alternative methods of taxation of mineral rights.

Introduction, first reading, 352.  
 Referred to Committee on Finance and Taxation.  
 Re-referred to Legislative Research Resolutions Committee, 523.  
 Reported back, do pass, 523, 1038.  
 Second reading, 1058.  
 Passed, 1058.  
 To House, 1059.  
 Returned to Senate, 1077.  
 Enrolled, 1102.  
 Signed by President, 1103.  
 Sent to House, 1104.  
 Received from House, 1104.  
 Message to Secretary of State, 1105.

**Senate Concurrent Resolution "UU" — (Longmire, Wenstrom, Chesrown, and Holand)**

**Senate Concurrent Resolution "U-U".** A Concurrent Resolution for the amendment of sections 85, 90, 94, and 100 of the Constitution of the state of North Dakota relating to the powers of the judiciary, changing the selection of judges from an elective to an appointive-elective system, preserving the tenure of judges presently in office and those who would take office prior to the effective date of this amendment; to provide for the retirement, discipline and removal of supreme and district court judges; to provide for requirements to declare a law unconstitutional; providing for judicial districts, judicial council, and to repeal sections 88, 89, 92, 93, 95, 97, 98, 102, 104, 105, 106, 107, 108, 109, 112, 113, 114, 115, 116, 117, and 118, relating to procedures of state courts, all of such sections amended and repealed being a part of the Constitution of the state of North Dakota.

Introduction, first reading, 352.  
 Referred to Committee on Judiciary.  
 Reported back, amended, 713.  
 Amendments adopted, 749.

Engrossed, 787.  
Second reading, 857, 879, 1051.  
Passed, 880, 1051.  
Clincher, 891.  
Re-engrossed, 893.  
To House, 894.  
Returned to Senate, unchanged, 979; amended, 1042.  
House requests return, 1010.  
House amendments, 1042.  
Senate concurs, 1051.  
Enrolled, 1102.  
Signed by President, 1103.  
Sent to House, 1104.  
Received from House, 1104.  
Message to Secretary of State, 1105.

**Senate Concurrent Resolution "VV" — Kelly (Ramsey), Hofstrand, Beck, and Lester Larson)**

**Senate Concurrent Resolution "V-V".** A Concurrent Resolution relating to commemorative ceremonies in regard to the establishment of the Fort Totten Indian Reservation and the Fort Totten Military Post.

Introduction, first reading, 352.  
Second reading, 353.  
Passed, 353.  
To House, 395.  
Returned to Senate, 430.  
Enrolled, 632.  
Signed by President, 639.  
Sent to House, 643.  
Received from House, 647.  
Message to Secretary of State, 650.

**Senate Concurrent Resolution "WW" — (Mutch)**

**Senate Concurrent Resolution "W-W".** A Concurrent Resolution directing the legislative research committee to study the workmen's compensation bureau and its laws and procedures.

Introduction, first reading, 353.  
Referred to Committee on Industry, Business, and Labor.  
Returned from Committee and withdrawn, 431.

**Senate Concurrent Resolution "XX" — (Mutch)**

**Senate Concurrent Resolution "X-X".** A Concurrent Resolution requesting the Congress of the United States to propose to the people an amendment to the Constitution expressly prohibiting the government of the United States from engaging in enterprise in competition with its citizens, the supreme law of the land, and repealing the 16th amendment.

Introduction, first reading, 353.  
Referred to Committee on State and Federal Government.  
Returned to Senate, 480.  
Second reading, 480.  
Indefinitely postponed, 481.  
Recorded roll call vote, 481.



**Senate Concurrent Resolution "YY" — (Mutch)**

**Senate Concurrent Resolution "Y-Y".** A Concurrent Resolution providing that a special senate committee be appointed to investigate the John Birch Society.

Introduction, first reading, 353.

Indefinitely postponed, 353.

**Senate Concurrent Resolution "ZZ" — (Mutch)**

**Senate Concurrent Resolution "Z-Z".** A Concurrent Resolution requesting the Senate, the House of Representatives concurring therein, to recommend the need to support our local police; to ask the American Legion state commander to work with the North Dakota Support Your Local Police Committee; and to ask the Governor of North Dakota to declare Support Your Local Police Week.

Introduction, first reading, 354.

Referred to Committee on Judiciary.

Indefinitely postponed, 415.

**Senate Concurrent Resolution "AAA" — (Lips)**

**Senate Concurrent Resolution "AAA".** A Concurrent Resolution directing the legislative research committee to study the state employees' retirement program and the management and investment practices of all public funds belonging to the state.

Introduction, first reading, 354.

Referred to Committee on State and Federal Government.

Reported back, amended, 523, 1039.

Re-referred to Legislative Research Resolutions Committee, 523.

Amendments adopted, 589, 1039.

Engrossed, 603.

Second reading, 1039.

Sixth order of business, 1039.

Amended, 1039.

Passed, 1039.

Re-engrossed, 1059.

To House, 1059.

Returned to Senate, 1077.

Enrolled, 1102.

Signed by President, 1103.

Sent to House, 1104.

Received from House, 1104.

Message to Secretary of State, errata, 1105.

**Senate Concurrent Resolution "BBB" — (Lips and Meschke)**

**Senate Concurrent Resoluion "BBB".** A Concurrent Resolution directing the legislative research committee to conduct a study of state government reorganization for the establishment of a department of state business operations for the purpose of consolidating functions, improving services to the public and conserving governmental revenues, and to draft such legislation as shall be deemed advisable and to hold hearings thereon for presentation to and consideration by the Forty-first Legislative Assembly.

Introduction, first reading, 354.

Referred to Committee on State and Federal Government.

Reported back, do pass, 588.

Re-referred to Legislative Research Resolutions Committee, 623.

Second reading, 623.  
 Amended from floor, 623.  
 Engrossed, 627.  
 Indefinitely postponed, 1039.

**Senate Concurrent Resolution "CCC" — (Lips)**

**Senate Concurrent Resolution "CCC".** A Concurrent Resolution urging Congress to pass legislation which would effect a uniform closing time of the polling places throughout the United States during Presidential elections.

Introduction, first reading, 354.  
 Referred to Committee on Judiciary.  
 Reported back, do pass, 416.  
 Second reading, 436.  
 Passed, 436.  
 To House, 452.  
 Returned to Senate, indefinitely postponed, 832.

**Senate Concurrent Resolution "DDD" — (Lips and Meschke)**

**Senate Concurrent Resolution "DDD".** A Concurrent Resolution directing the legislative research committee to conduct a study of state government reorganization for the establishment of a department of business regulation for the purpose of consolidating functions, improving services to the public, and conserving governmental revenues, and to draft such legislation as shall be deemed advisable and to hold hearings thereon, for presentation to and consideration by the Forty-first Legislative Assembly.

Introduction, first reading, 354.  
 Referred to Committee on Industry, Business, and Labor.  
 Reported back, do pass, 455.  
 Re-referred to Legislative Research Resolutions Committee, 455.  
 Indefinitely postponed, 1039.

**Senate Concurrent Resolution "EEE" — (Committee on Judiciary)**

**Senate Concurrent Resolution "EEE".** A Concurrent Resolution relating to a study by the legislative research committee of the feasibility of modifying the doctrine of governmental immunity.

Introduction, first reading, 354.  
 Referred to Committee on Judiciary.  
 Reported back, do pass, 416, 1040.  
 Second reading, 436, 1058.  
 Re-referred to Legislative Research Resolutions Committee, 436.  
 Passed, 1058.  
 To House, 1059.  
 Returned to Senate, 1077.  
 Enrolled, 1102.  
 Signed by President, 1103.  
 Sent to House, 1104.  
 Received from House, 1104.  
 Message to Secretary of State, errata, 1105.

**Senate Concurrent Resolution "FFF" — (Melland, Nething, and Litten)**

**Senate Concurrent Resolution "FFF".** A Concurrent Resolution directing the legislative research committee to study the various state scholarship and loan funds administered by the state.

Introduction, first reading, 354.  
 Referred to Committee on Education.  
 Reported back, do pass, 848.  
 Second reading, 929, 1053.  
 Re-referred to Legislative Research Resolutions Committee, 929.  
 Indefinitely postponed, 1037.  
 Reconsidered, 1053.  
 Passed, 1053.  
 To House, 1059.  
 Returned to Senate, 1077.  
 Enrolled, 1102.  
 Signed by President, 1103.  
 Sent to House, 1104.  
 Received from House, 1104.  
 Message to Secretary of State, errata, 1105.

**Senate Concurrent Resolution "GGG"** — (Longmire, Geving, Ruemele, and Kelly (Ramsey))

**Senate Concurrent Resolution "GGG"**. A Concurrent Resolution expressing the policy of the state in its relations with tribal councils and tribal groups.

Introduction, first reading, 354.  
 Referred to Committee on Social Welfare and Veterans' Affairs.  
 Indefinitely postponed, 455.

**Senate Concurrent Resolution "HHH"** — (Committee on Appropriations)

**Senate Concurrent Resolution "HHH"**. A Concurrent Resolution directing the legislative research committee to study the farming operations of the various institutions of the state of North Dakota.

Introduction, first reading, 355.  
 Referred to Committee on State and Federal Government.  
 Reported back, do pass, 589, 1040.  
 Re-referred to Legislative Research Resolutions Committee, 623.  
 Second reading, 1058.  
 Passed, 1058.  
 To House, 1059.  
 Returned to Senate, 1077.  
 Enrolled, 1102.  
 Signed by President, 1103.  
 Sent to House, 1104.  
 Received from House, 1104.  
 Message to Secretary of State, errata, 1105.

**Senate Concurrent Resolution "III"** — Geving, Schultz, Pyle, Robinson, Nasset, and Wenstrom)

**Senate Concurrent Resolution "III"**. A Concurrent Resolution urging the news media, civic organizations, and service clubs to carry out vigorous campaigns promoting highway safety and the use of headlights at all times of the day and night so as to assist in reducing the traffic accident rate in North Dakota.

Introduction, first reading, 355.  
 Referred to Committee on Transportation.  
 Indefinitely postponed, 672.

**Senate Concurrent Resolution "JJJ"** — (Trenbeath and Pyle)

**Senate Concurrent Resolution "JJJ"**. A Concurrent Resolution authorizing and directing the legislative research committee to

study the feasibility of placing the administration of certain agricultural activities that are now administered by separate state boards, commissions and institutions under the jurisdiction of the state department of agriculture.

Introduction, first reading, 355.  
 Referred to Committee on Agriculture.  
 Reported back, do pass, 416.  
 Second reading, 436, 1058.  
 Re-referred to Legislative Research Resolution Committee, 436.  
 Placed on calendar, 1040.  
 Passed, 1058.  
 To House, 1059.  
 Returned to Senate, 1077.  
 Enrolled, 1102.  
 Signed by President, 1103.  
 Sent to House, 1104.  
 Message to Secretary of State, errata, 1105.

**Senate Concurrent Resolution "KKK" — (Stafne, Ringsak, and Longmire)**

**Senate Concurrent Resolution "KKK".** A Concurrent Resolution directing the legislative research committee to study the miscarriage and abortion statutes of the state to determine whether or not they are in need of amendment.

Introduction, first reading, 355.  
 Referred to Committee on Social Welfare and Veterans' Affairs.  
 Re-referred to Legislative Research Resolutions Committee, 455.  
 Reported back, do pass, 455.  
 Indefinitely postponed, 1040.

**Senate Concurrent Resolution "LLL" — (Nasset, Coughlin, Longmire, and Larson (Burleigh))**

**Senate Concurrent Resolution "LLL".** A Concurrent Resolution directing the North Dakota Association of School Administrators to urge the federal government and the North Dakota congressional delegation to refrain from allocating school funds directly to local school districts.

Introduction, first reading, 355.  
 Referred to Committee on Education.  
 Reported back, amended, 699, 700.  
 Amendments adopted, 720.  
 Engrossed, 744.  
 Second reading, 813.  
 Passed, 813.  
 Clincher, 816.  
 To House, 819.  
 Returned to Senate, 979.  
 Enrolled, 1102.  
 Signed by President, 1103.  
 Sent to House, 1104.  
 Received from House, 1104.  
 Message to Secretary of State, errata, 1105.

**Senate Concurrent Resolution "MMM" — (Meschke, Rait, Christensen, Berube, and Lester Larson)**

**Senate Concurrent Resolution "MMM".** A Concurrent Resolution requesting the Congress of the United States to expand federal

assistance to education, to consolidate present education grants, and to further improve on equalizing formulas.

Introduction, first reading, 355.  
 Referred to Committee on Education.  
 Returned from Committee, 829.  
 Withdrawn, 829.

**Senate Concurrent Resolution "NNN" — (Committee on Delayed Bills)**

**Senate Concurrent Resolution "NNN".** A Concurrent Resolution honoring Ralph Beede for his outstanding services to his community, state, and nation, and especially to the North Dakota Legislative Assembly.

Introduction, first reading, 636.  
 Second reading, 637.  
 Adopted, 637.  
 To House, 638.  
 Returned to Senate, 643.  
 Enrolled, 696.  
 Signed by President, 696.  
 Sent to House, 707.  
 Received from House, 731.  
 Message to Secretary of State, 744.

**Senate Concurrent Resolution "OOO" — (Rait and Lowe)**

**Senate Concurrent Resolution "OOO".** A Concurrent Resolution directing the legislative research committee to study the inclusion of medical disciplines under insurance contracts.

Introduction, first reading, 697.  
 Referred to Legislative Research Resolutions Committee.  
 Indefinitely postponed, 1040.

**Senate Concurrent Resolution "PPP" — (Committee on Delayed Bills)**

**Senate Concurrent Resolution "PPP".** A Concurrent Resolution directing the legislative research committee to study and review the feasibility of adopting a merit system for all state employees.

Introduction, first reading, 698.  
 Referred to Legislative Research Resolutions Committee.  
 Reported back, do pass, 1040.  
 Second reading, 1058.  
 Passed, 1059.  
 To House, 1059.  
 Returned to Senate, 1077.  
 Enrolled, 1102.  
 Signed by President, 1103.  
 Sent to House, 1104.  
 Received from House, 1104.  
 Message to Secretary of State, errata, 1105.

**Senate Concurrent Resolution "QQQ" — (Committee on Delayed Bills)**

**Senate Concurrent Resolution "QQQ".** A Concurrent Resolution directing the legislative research committee to appoint a special subcommittee on intrastate cooperation consisting of members of

the legislative assembly and representatives of political subdivisions and special advisory members from state government.

Introduction, first reading, 698.

Referred to Legislative Research Resolutions Committee.

Indefinitely postponed, 1040.

**Senate Concurrent Resolution "RRR" — (Committee on Delayed Bills)**

**Senate Concurrent Resolution "RRR".** A Concurrent Resolution establishing an interim legislative committee to act as conservators of the funds now held by the North Dakota Statehood Anniversary Committee and dissolving such Statehood Committee.

Introduction, first reading, 902.

Referred to Committee on State and Federal Government.

Reported back, do pass, 914.

Second reading, 953.

Passed, 954.

To House, 965.

Returned to Senate, 1042.

Enrolled, 1102.

Signed by President, 1103.

Sent to House, 1104.

Received from House, 1104.

Message to Secretary of State, errata, 1105.

**Senate Concurrent Resolution "SSS" — (Committee on Delayed Bills)**

**Senate Concurrent Resolution "SSS".** A Concurrent Resolution relating to the acceptance by the state of television transmitting antennas.

Introduction, first reading, 968.

Second reading, 969.

Passed, 969.

To House, 976.

Returned to Senate, 1002.

Enrolled, 1102.

Signed by President, 1103.

Sent to House, 1104.

Received from House, 1104.

Message to Secretary of State, errata, 1105.

# SENATE MEMORIAL RESOLUTIONS

## Senate Memorial Resolution No. 1 — (Lips)

**Senate Memorial Resolution No. 1.** A memorial resolution extending sympathy and condolence to Senator Frank Wenstrom upon the death of his mother.

Introduction, first reading, 57.

Second reading, 57.

Passed, 57.

Signed by President, 78.

Message to Secretary of State, 82.

## Senate Memorial Resolution No. 2 — (Committee on Senate Memorial Resolutions)

**Senate Memorial Resolution No. 2.** A Memorial Resolution for deceased members of the senate of the state of North Dakota.

Introduction, first reading, 708.

Enrolled, 893.

Message to Secretary of State, 914.

## Senate Memorial Resolution No. 3 — (Lips)

**Senate Memorial Resolution No. 3.** A Memorial Resolution extending sympathy and condolence to Senator Emil E. Kautzmann upon the death of his father.

Introduction, first reading, 851.

Second reading, 851.

Passed, 851.

Enrolled, 1103.

Signed by President, 1103.

Message to Secretary of State, 1105.

# SENATE RESOLUTIONS

## **Senate Resolution No. 1 — (Morgan, Schultz, Nasset)**

**Senate Resolution No. 1.** A Senate Resolution to appoint an Official Photographer for the Senate of the Fortieth Legislative Assembly of the State of North Dakota.

Introduction, first reading, 219.  
Second reading, 241.  
Passed, 241.  
Enrolled, 287.  
Signed by President, 287.  
Message to Secretary of State, 299.

## **Senate Resolution No. 2 — (Ringsak, Lips, and Meschke)**

**Senate Resolution No. 2.** A Resolution expressing the appreciation of the Senate for the establishment of emergency medical services for the use of members of the Legislative Assembly and visitors to the capitol.

Introduction, first reading, 349.  
Second reading, 350.  
Passed, 350.  
Enrolled, 487.  
Signed by President, 487.  
Message to Secretary of State, 492.

## **Senate Resolution No. 3 — (Hofstrand)**

**Senate Resolution No. 3.** A Resolution recognizing the achievements and services of Mr. R. D. Magill in the livestock and agriculture industry.

Introduction, first reading, 437.  
Second reading, 438.  
Passed, 438.  
Enrolled, 632.  
Signed by President, 638.  
Message to Secretary of State, 650.

## **Senate Resolution No. 4 — (Committee on Agriculture)**

**Senate Resolution No. 4.** A Resolution relating to crop reporting methods and procedures used in determining yields by the crop reporting service.

Introduction, first reading, 721.  
Second reading, 753.  
Passed, 753.  
Signed by President, 1103.  
Message to Secretary of State, 1105.



# RECORD OF HOUSE BILLS IN THE SENATE

## House Bill No. 501 —

**House Bill No. 501.** For an Act making an appropriation for the general operation, maintenance, plant improvements, and new buildings of the state institutions of higher learning of the State of North Dakota.

To Senate, 245.  
Introduction, first reading, 253.  
Referred to Committee on Appropriations.  
Reported back, amended, 934, 935.  
Amendments adopted, 954.  
Second reading, 964, 1080.  
Passed, 964, 1081.  
Clincher, 966.  
Returned to House, amended, 967.  
Conference Committee, 992, 993.  
House does not concur, 992.  
Conference Committee report, 1080.  
Received from House, 1098.  
Signed by President, 1099.  
Returned to House, 1100.

## House Bill No. 502 —

**House Bill No. 502.** For an Act making an appropriation for the general operation, maintenance, and improvements of the extension division and experiment stations of North Dakota State University of Agriculture and Applied Science.

To Senate, 296.  
Introduction, first reading, 300.  
Referred to Committee on Appropriations.  
Reported back, amended, 936.  
Amendments adopted, 954.  
Second reading, 964.  
Passed, 964.  
Clincher, 966.  
Returned to House, amended, 967.  
House concurs, 987.  
Received from House, 1098.  
Signed by President, 1099.  
Returned to House, 1100.

## House Bill No. 503 —

**House Bill No. 503.** For an Act making an appropriation out of the state highway fund in the state treasury for the operation, maintenance, equipment, supplies, outfitting of patrolmen, travel and miscellaneous expenses for the highway patrol.

To Senate, 347.  
Introduction, first reading, 381.  
Referred to Committee on Appropriations.  
Reported back, amended, 936.  
Amendments adopted, 954.  
Second reading, 970.  
Passed, 971.  
Clincher, 976.  
Returned to House, amended, 978.

House concurs, 987.  
Received from House, 1098.  
Signed by President, 1099.  
Returned to House, 1100.

**House Bill No. 504 —**

**House Bill No. 504.** A Bill for an Act making an appropriation to the State Historical Board for salary, clerkhire and miscellaneous expenses and the maintenance of the State Historical Board, and declaring an emergency.

To Senate, 225.  
Introduction, first reading, 227.  
Referred to Committee on Appropriations.  
Reported back, do pass, 827.  
Second reading, 888.  
Passed, 889.  
Emergency carried, 889.  
Returned to House, 890.  
Clincher, 891.  
Received from House, 1109.  
Signed by President, 1110.  
Returned to House, 1111.

**House Bill No. 505 —**

**House Bill No. 505.** A Bill for an Act making an appropriation to the North Dakota Park Service for administration, operation, maintenance, and development of state parks.

To Senate, 204.  
Introduction, first reading, 205.  
Referred to Committee on Appropriations.  
Reported back, amended, 936, 937.  
Amendments adopted, 954.  
Second reading, 971, 1074.  
Passed, 971, 1074.  
Clincher, 976.  
Returned to House, amended, 978.  
House does not concur, 992.  
Conference Committee, 992, 993.  
Conference Committee report, 1073.  
Received from House, 1109.  
Signed by President, 1110.  
Returned to House, 1111.

**House Bill No. 506 —**

**House Bill No. 506.** For an Act making an appropriation for the use of the North Dakota Economic Development Commission.

To Senate, 124.  
Introduction, first reading, 133.  
Referred to Committee on Appropriations.  
Reported back, amended, 393.  
Amendments adopted, 416.  
Second reading, 532.  
Passed, 533.  
Clincher, 533.  
Returned to House, amended, 534.  
House does not concur, 614.  
Conference Committee, 615.  
Conference Committee report, 919.

Received from House, 1098.  
Signed by President, 1099.  
Returned to House, 1100.

#### House Bill No. 507 —

**House Bill No. 507.** For an Act relating to an appropriation for the purpose of administering the provisions of Chapters 52-09 and 52-10 of the North Dakota Century Code, pertaining to administration costs of the Old Age and Survivor Insurance System and to social security coverage of public employees.

To Senate, 281.  
Introduction, first reading, 285.  
Referred to Committee on Appropriations.  
Reported back, do pass, 393.  
Second reading, 423.  
Passed, 423.  
Returned to House, 452.  
Received from House, 627.  
Signed by President, 627.  
Returned to House, 638.

#### House Bill No. 508 —

**House Bill No. 508.** A Bill for an Act making an appropriation to the livestock sanitary board for its operating and maintenance expense and for veterinary inspectors fees and expenses pertaining to licensed quarantined feedlots and livestock sales rings.

To Senate, 245.  
Introduction, first reading, 254.  
Referred to Committee on Appropriations.  
Reported back, amended, 585.  
Amendments adopted, 616.  
Second reading, 644.  
Passed, 644.  
Returned to House, amended, 667.  
House does not concur, 726.  
Conference Committee, 726, 754.  
Conference Committee report, 855, 1049.  
House concurs, 987.  
House adopts, 1048.  
Received from House, 1098.  
Signed by President, 1099.  
Returned to House, 1100.

#### House Bill No. 509 —

**House Bill No. 509.** For an Act providing an appropriation for the paying of salaries and other administrative expenses of the office of commissioner of veterans' affairs and the veterans' aid commission.

To Senate, 396.  
Introduction, first reading, 409.  
Referred to Committee on Appropriations.  
Reported back, do pass, 828.  
Second reading, 925.  
Passed, 925.  
Clincher, 943.  
Returned to House, 946.  
Received from House, 1098.  
Signed by President, 1098.  
Returned to House, 1100.

**House Bill No. 510 —**

**House Bill No. 510.** For an Act making an appropriation for the general maintenance, improvements and special projects for the North Dakota Soldiers' Home at Lisbon, North Dakota.

To Senate, 92.  
 Introduction, first reading, 102.  
 Referred to Committee on Appropriations.  
 Reported back, do pass, 361.  
 Second reading, 405.  
 Passed, 405.  
 Returned to House, 424.  
 Received from House, 627.  
 Signed by President, 627.  
 Returned to House, 638.

**House Bill No. 511 —**

**House Bill No. 511.** 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 the programs above mentioned.

To Senate, 341.  
 Introduction, first reading, 344.  
 Referred to Committee on Appropriations.  
 Reported back, amended, 745.  
 Amendments adopted, 799.  
 Second reading, 886.  
 Passed, 886.  
 Returned to House, amended, 890.  
 Clincher, 891.  
 House concurs, 958.  
 Received from House, 1094.  
 Signed by President, 1094.  
 Returned to House, 1094.

**House Bill No. 512 —**

**House Bill No. 512.** 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.

To Senate, 281.  
 Introduction, first reading, 285.  
 Referred to Committee on Appropriations.  
 Reported back, do pass, 700.  
 Second reading, 766.  
 Passed, 766.  
 Clincher, 775.  
 Returned to House, 778.  
 Received from House, 967.  
 Signed by President, 976.  
 Returned to House, 976.

**House Bill No. 513 —**

**House Bill No. 513.** 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.

To Senate, 234.  
Introduction, first reading, 243.  
Referred to Committee on Appropriations.  
Reported back, do pass, 713.  
Second reading, 794.  
Passed, 795.  
Clincher, 802.  
Returned to House, 804.  
Received from House, 997.  
Signed by President, 998.  
Returned to House, 998.

#### House Bill No. 514 —

**House Bill No. 514.** For an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the State Highway Department and to authorize expenditures for highway project construction costs.

To Senate, 470.  
Introduction, first reading, 517.  
Referred to Committee on Appropriations.  
Reported back, do pass, 700.  
Second reading, 767, 931.  
Re-referred to Committee on Appropriations, 767.  
Reported back, amended, 867, 868.  
Amendments adopted, 899.  
Passed, 932.  
Clincher, 943.  
Returned to House, amended, 946.  
House concurs, 958.  
Received from House, 1109.  
Signed by President, 1110.  
Returned to House, 1111.

#### House Bill No. 515 —

**House Bill No. 515.** For an Act making an appropriation for the purpose of paying salaries and miscellaneous expenses of the Workmen's Compensation Bureau.

To Senate, 281.  
Introduction, first reading, 286.  
Referred to Committee on Appropriations.  
Reported back, amended, 445, 446.  
Amendments adopted, 475.  
Second reading, 543.  
Passed, 544.  
Clincher, 544.  
Returned to House, amended, 557.  
House concurs, 614.  
Received from House, 647.  
Signed by President, 651.  
Returned to House, 660.

#### House Bill No. 516 —

**House Bill No. 516.** For an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the Game and Fish Department.

To Senate, 281.  
Introduction, first reading, 286.  
Referred to Committee on Appropriations.

Reported back, amended, 713.  
 Amendments adopted, 749.  
 Second reading, 857.  
 Passed, 857.  
 Returned to House, amended, 890.  
 Clincher, 891.  
 House does not concur, 916.  
 Conference Committee, 917, 918.  
 Conference Committee report, 956.  
 Received from House, 1098.  
 Signed by President, 1099.  
 Returned to House, 1100.

#### House Bill No. 517 —

**House Bill No. 517.** For an Act making an appropriation for the purpose of operating and maintaining the Teachers' Insurance and Retirement Fund.

To Senate, 314.  
 Introduction, first reading, 325.  
 Referred to Committee on Appropriations.  
 Reported back, do pass, 714.  
 Second reading, 795  
 Passed, 795.  
 Clincher, 802.  
 Returned to House, 804.  
 Received from House, 997.  
 Signed by President, 998.  
 Returned to House, 998.

#### House Bill No. 518 —

**House Bill No. 518.** 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.

To Senate, 310.  
 Introduction, first reading, 325.  
 Referred to Committee on Appropriations.  
 Reported back, do pass, 361.  
 Second reading, 405.  
 Passed, 406.  
 Returned to House, 424.  
 Received from House, 627.  
 Signed by President, 627.  
 Returned to House, 638.

#### House Bill No. 519 —

**House Bill No. 519.** For an Act making an appropriation for the operation, maintenance and miscellaneous expenses of the Poultry Improvement Board.

To Senate, 93.  
 Introduction, first reading, 102.  
 Referred to Committee on Appropriations.  
 Reported back, do pass, 427.  
 Second reading, 534.  
 Passed, 535.  
 Clincher, 538.  
 Returned to House, 538.

Received from House, 643.  
Signed by President, 643.  
Returned to House, 647.

#### House Bill No. 520 —

**House Bill No. 520.** 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.

To Senate, 492.  
Introduction, first reading, 565.  
Referred to Committee on Appropriations.  
Reported back, amended, 868.  
Amendments adopted, 899.  
Second reading, 932, 1064, 1083.  
Laid over one Legislative day, 932.  
Passed, 1064.  
Returned to House, amended, 1076.  
House does not concur, 1077.  
Conference Committee, 1077, 1078.  
Conference Committee report, 1083.  
Amended from floor, 1084.  
Received from House, 1109.  
Signed by President, 1110.  
Returned to House, 1111.

#### House Bill No. 521 —

**House Bill No. 521.** 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.

To Senate, 310.  
Introduction, first reading, 325.  
Referred to Committee on Appropriations.  
Reported back, do pass, 700.  
Second reading, 767.  
Passed, 767.  
Clincher, 775.  
Returned to House, 778.  
Received from House, 997.  
Signed by President, 998.  
Returned to House, 998.

#### House Bill No. 522 —

**House Bill No. 522.** For an Act to provide for payment of expenses to certain state officers, judges of district court and supreme court judges, making an appropriation, and declaring an emergency.

To Senate, 428.  
Introduction, first reading, 463.  
Referred to Committee on Appropriations.  
Reported back, do pass, 700.  
Second reading, 767.  
Passed, 767.  
Emergency carried, 767.  
Clincher, 775.  
Returned to House, 778.

Received from House, 967.  
Signed by President, 976.  
Returned to House, 976.

**House Bill No. 523 —**

**House Bill No. 523.** For an Act making an appropriation for the purpose of defraying the expenses of the maintenance and operation of the State Wheat Commission.

To Senate, 310.  
Introduction, first reading, 325.  
Referred to Committee on Appropriations.  
Reported back, amended, 633.  
Amendments adopted, 659.  
Second reading, 732, 919.  
Passed, 732, 919.  
Clincher, 736.  
Returned to House, amended, 744.  
House does not concur, 800.  
Conference Committee, 800, 816.  
Conference Committee report, 918, 919.  
Received from House, 1109.  
Signed by President, 1110.  
Returned to House, 1111.

**House Bill No. 524 —**

**House Bill No. 524.** For an Act making an appropriation to the State Water Conservation commission for general administrative expenses, maintenance and construction of dams; planning, surveying and construction expenses of multiple purpose water projects; and organizing water conservation and irrigation districts.

To Senate, 314.  
Introduction, first reading, 325.  
Referred to Committee on Appropriations.  
Reported back, amended, 937, 938.  
Amendments adopted, 954.  
Amended from floor, 954, 955.  
Second reading, 971.  
Passed, 972.  
Clincher, 976.  
Returned to House, amended, 978.  
House does not concur, 992.  
Conference Committee, 992, 993.  
Conference Committee report, 1074.  
Received from House, 1109.  
Signed by President, 1110.  
Returned to House, 1111.

**House Bill No. 525 —**

**House Bill No. 525.** For an Act making an appropriation for the operating and maintenance expenses of the Public Health Department.

To Senate, 314.  
Introduction, first reading, 326.  
Referred to Committee on Appropriations.  
Reported back, amended, 361.  
Amendments adopted, 395.  
Second reading, 434.  
Passed, 434.



Returned to House, amended, 452.  
 House concurs, 614.  
 Received from House, 647.  
 Signed by President, 651.  
 Returned to House, 660.

**House Bill No. 526 —**

**House Bill No. 526.** A Bill for an Act making an appropriation to the board of administration out of the general fund, the state highway fund and the interest and income capitol building fund for the purpose of constructing a new maintenance shop and capitol buildings and ground improvements, and declaring an emergency.

To Senate, 492.  
 Introduction, first reading, 565.  
 Referred to Committee on Appropriations.  
 Reported back, amended, 868, 869.  
 Amendments adopted, 899.  
 Second reading, 932, 1004.  
 Passed, 932, 1004.  
 Clincher, 943.  
 Returned to House, amended, 946.  
 House does not concur, 957.  
 Conference Committee, 957, 979.  
 Conference Committee report, amended, 1003.  
 Emergency carried, 1004.  
 Received from House, 1098.  
 Signed by President, 1099.  
 Returned to House, 1100.

**House Bill No. 527 —**

**House Bill No. 527.** For an Act making an appropriation for the purpose of administering the provisions of Chapter 54-50 of the North Dakota Century Code.

To Senate, 310.  
 Introduction, first reading, 326.  
 Referred to Committee on Appropriations.  
 Reported back, do pass, 938.  
 Second reading, 1045.  
 Indefinitely postponed, 1045.  
 Returned to House, 1068.

**House Bill No. 528 —**

**House Bill No. 528.** For an Act making an appropriation for salaries and expenses of the Governor's Council on Human Resources.

To Senate, 281.  
 Introduction, first reading, 286.  
 Referred to Committee on Appropriations.  
 Reported back, amended, 427.  
 Amendments adopted, 458.  
 Clincher, 538.  
 Second reading, 535, 920.  
 Passed, 535.  
 Returned to House, amended, 538.  
 House does not concur, 614.  
 Conference Committee, 615.  
 Conference Committee report, 724, 916.  
 Lost, 920.  
 Senate requests return, 920.

House refuses to return, 925.  
Received from House, 997.  
Signed by President, 998.  
Returned to House, 998.  
Passed, 1025.

**House Bill No. 529 —**

**House Bill No. 529.** A Bill for an Act making an appropriation to the North Dakota Heritage Commission to plan and design a heritage center and authorizing a heritage center construction fund.

To Senate, 492.  
Introduction, first reading, 565.  
Referred to Committee on Appropriations.  
Reported back, do pass, 700.  
Second reading, 768.  
Passed, 768.  
Clincher, 775.  
Returned to House, 778.  
Received from House, 967.  
Signed by President, 976.  
Returned to House, 977.

**House Bill No. 530 —**

**House Bill No. 530.** For an Act making an appropriation to meet the extraordinary expenses of law enforcement arising by reason of the location of Indian reservations.

To Senate, 225.  
Introduction, first reading, 227.  
Referred to Committee on Appropriations.  
Reported back, do pass, 428.  
Second reading, 535.  
Passed, 535.  
Clincher, 538.  
Returned to House, 538.  
Received from House, 643.  
Signed by President, 643.  
Returned to House, 647.

**House Bill No. 532 —**

**House Bill No. 532.** For an Act to amend and reenact section 57-50-04 of the North Dakota Century Code, relating to motor fuel tax refunds.

To Senate, 124.  
Introduction, first reading, 133.  
Referred to Committee on State and Federal Government.  
Reported back, do pass, 660.  
Second reading, 732.  
Passed, 733.  
Clincher, 736.  
Returned to House, 744.  
Received from House, 891.  
Signed by President, 903.  
Returned to House, 904.

**House Bill No. 533 —**

**House Bill No. 533.** For an Act to create and enact sections 16-04-02.1 and 40-09-17 of the North Dakota Century Code, provid-

ing a certificate of endorsement form, and providing for restrictions for members of the board of city commissioners, to provide that certain questions relating to financing political subdivisions shall not be submitted to the electorate for a specified time after the failure to approve such measures, to provide that political parties shall reorganize on a legislative district basis in 1967, 1968, and every two years thereafter, and to amend and reenact sections 1-01-50, 5-01-13, subsection 6 of section 11-11-14, sections 15-28-05, 15-28-06, 15-28-09, 16-01-02, 16-01-07, 16-03-01, 16-03-02, 16-04-02, 16-04-03, 16-04-04, 16-04-05, 16-04-06, 16-04-08, 16-04-11, 16-04-13, 16-04-15.1, 16-04-17, subsection 4 of section 16-04-20, sections 16-04-21, 16-04-26, 16-04-29, 16-05-03, 16-05-04, 16-05-05, 16-06-02, 16-06-04, 16-07-01, 16-07-02, 16-07-04, 16-07-09, 16-07-12, 16-08-04, 16-08-05, 16-08-07, 16-09-01, 16-09-02, 16-09-03, 16-09-05, 16-09-06, 16-09-07, 16-10-01, 16-10-02, 16-10-04, 16-10-06, 16-10-08, 16-10-17, 16-11-05, 16-11-07, 16-11-09, 16-11-11, 16-11-12, 16-12-04, 16-12-10, 16-12-14, 16-13-07, 16-13-13, 16-13-14, 16-13-16, 16-13-20, 16-13-21, 16-13-24, 16-13-33, 16-16-08, 16-17-02, 16-17-06, 16-17-08, 16-17-09, 16-17-10, 16-17-11, 16-17-13, 16-17-15, 16-17-16, subsection 3 of section 16-18-01, sections 16-18-03, 16-18-05, 16-18-06, 16-18-09, 16-18-14, 16-18-17, 16-18-18, 16-18-19, 16-20-04, 16-20-08, 16-20-17.1, 16-20-19, 16-21-03, 40-02-07, 40-02-11, 40-04-02, 40-08-08, 40-08-09, 40-12-08, 40-21-02, 40-21-07, 40-21-09, 40-21-12, 40-52-04, subsection 5 of section 54-01-26, and section 58-04-05, all of the North Dakota Century Code, relating to voting and elections and election petitions, polling places, officials, publications, certificates of endorsement, political parties, ballots, campaign expenses, residency, and procedures, and to repeal sections 16-01-13, 16-04-22, 16-04-23, 16-04-24, 16-05-07, 16-07-11, 16-10-07, 16-11-08, 16-13-22, 16-18-10, 16-18-13, 16-20-02, 16-20-03, and 16-20-21, relating to placing measures on the ballot, the filling of vacancies, the appointment of judges of election, and the method of filing statements of campaign expenses.

To Senate, 281.

Introduction, first reading, 286.

Referred to Committee on Judiciary.

Reported back, amended, 894, 895.

Amendments adopted, 955.

Second reading, 972, 1005.

Passed, 973, 1006.

Clincher, 976.

Returned to House, amended, 978.

House does not concur, 991.

Conference Committee, 991, 993.

Conference Committee report, further amends, 1004.

Received from House, 1109.

Signed by President, 1110.

Returned to House, 1111.

### House Bill No. 534 —

**House Bill No. 534.** For an Act to create and enact sections 25-04-05.1 and 25-04-13 of the North Dakota Century Code, providing for the transfer, visiting, release, placement, and guardianship of mentally deficient persons, and to amend and reenact subsection 3 of section 12-02-01, section 14-03-07, subsection 3 of section 14-03-17, section 15-34-02, subsections 4, 5, and 6 of section 15-34-03, section 15-34-07, subdivision b of subsection 1 of section 15-39-01, subdivision i of subsection 2 of section 15-39-01, sections 15-47-13, 15-47-26, subsections 2, 3, and 5 of section 25-01-01, sections 25-04-01, 25-04-02, 25-04-04, 25-04-05, 25-04-06, 25-04-07, 25-04-08, 25-04-08.1, 25-04-11, subsection 4 of section 27-16-08, sections 29-20-01, 29-20-02, subsection 4 of section 54-01-19, and subsection 14 of section 54-21-13 of the North Dakota Century Code, relating to terminology

of laws pertaining to the mentally deficient, admission of mentally deficient persons to a state institution, cost agreements, custody of minors who are mentally deficient, mentally deficient defendants, discharge of mentally deficient persons, nonresident mentally deficient persons, and examination of defendants appearing to be mentally deficient.

To Senate, 347.  
 Introduction, first reading, 381.  
 Referred to Committee on Social Welfare and Veterans' Affairs.  
 Reported back, do pass, 604.  
 Second reading, 645.  
 Passed, 645.  
 Returned to House, 666.  
 Received from House, 707.  
 Signed by President, 709.  
 Returned to House, 710.

#### House Bill No. 535 —

**House Bill No. 535.** For an Act to make an appropriation to the board of administration for the purpose of making minor remodeling changes and hiring additional attendants at the San Haven institution to permit the immediate transfer of mentally deficient residents from the Grafton state school to San Haven, and declaring an emergency.

To Senate, 64.  
 Introduction, first reading, 67.  
 Referred to Committee on Appropriations.  
 Reported back, do pass, 98, 455.  
 Re-referred to Committee on Social Welfare and Veteran's Affairs, 98.  
 Second reading, 536.  
 Emergency carried, 536.  
 Passed, 536.  
 Clincher, 538.  
 Returned to House, 538.  
 Received from House, 643.  
 Returned to House, 647.

#### House Bill No. 537 —

**House Bill No. 537.** For an Act to amend and reenact sections 25-09-04, 25-09-05, 25-09-06, 25-09-07, 25-09-08, and 25-09-11 of the North Dakota Century Code, relating to charges for the care and treatment of residents of the Grafton state school, methods of determining actual liability, and disposition of revenue, and to repeal section 25-09-06.1, relating to limitations on certain claims.

To Senate, 428.  
 Introduction, first reading, 463.  
 Referred to Committee on Social Welfare and Veterans' Affairs.  
 Reported back, do pass, 604.  
 Second reading, 651, 887, 1006.  
 Passed, 651, 887, 1006.  
 Reconsidered, 696.  
 Re-referred to Committee on Social Welfare and Veterans' Affairs, 696.  
 Reported back, amended, 745.  
 Amendments adopted, 799.  
 Returned to House, amended, 890.  
 House does not concur, 916.  
 Conference Committee, 916, 955.

Conference Committee report, 1006.  
 Received from House, 1109.  
 Signed by President, 1110.  
 Returned to House, 1111.

**House Bill No. 538 —**

**House Bill No. 538.** For an Act authorizing the superintendent of the Grafton state school to recommend a sterilization operation for a resident of such school upon receiving the approval of a board of professional personnel and the written consent of a relative or guardian, specifying the manner of obtaining and granting consent, prohibiting the superintendent from acting as guardian, providing for compensation of physicians and surgeons and limiting liability, and providing that parents may initiate such procedure.

To Senate, 234.  
 Introduction, first reading, 243.  
 Referred to Committee on Social Welfare and Veterans' Affairs.  
 Reported back, amended, 456.  
 Amendments adopted, 521.  
 Second reading, 590, 599.  
 Passed, 600.  
 Returned to House, 637.  
 House concurs, 699.  
 Received from House, 726.  
 Signed by President, 727.  
 Returned to House, 727.

**House Bill No. 539 —**

**House Bill No. 539.** For an Act to amend and reenact sections 15-01-02, 15-03-04, 15-03-15, and 15-03-18 of the North Dakota Century Code, relating to changing the investment list and procedures for the various permanent funds under the control of the board of university and school lands and providing an effective date.

To Senate, 565.  
 Introduction, first reading, 601.  
 Referred to Committee on Judiciary.  
 Reported back, do pass, 714.  
 Second reading, 801.  
 Passed, 802.  
 Clincher, 802.  
 Returned to House, 804.  
 Received from House, 1094.  
 Signed by President, 1094.  
 Returned to House, 1094.

**House Bill No. 540 —**

**House Bill No. 540.** For an Act to amend and reenact sections 15-10-08 and 15-10-16 of the North Dakota Century Code, relating to compensation and expenses of the state board of higher education and control of funds and appropriations of the institutions of higher learning, and declaring an effective date.

To Senate, 565.  
 Introduction, first reading, 601.  
 Referred to Committee on Judiciary.  
 Reported back, do pass, 714.  
 Second reading, 802.  
 Passed, 802.  
 Clincher, 816.

Returned to House, 819.  
Received from House, 1098.  
Signed by President, 1099.  
Returned to House, 1100.

#### House Bill No. 541 —

**House Bill No. 541.** A Bill for an Act to amend and reenact sections 27-02-01 and 27-15-05 of the North Dakota Century Code, relating to the selection of the chief justice of the supreme court and the duties of the judges of supreme court and district courts.

To Senate, 342.  
Introduction, first reading, 344.  
Reported back, amended, 604.  
Amendments adopted, 627.  
Second reading, 682.  
Passed, 683.  
Returned to House, amended, 710.  
House concurs, 787.  
Clincher, 802.  
Received from House, 891.  
Signed by President, 903.  
Returned to House, 904.

#### House Bill No. 543 —

**House Bill No. 543.** A Bill for an Act to amend and reenact subsection 3 of section 54-04-02 of the North Dakota Century Code, relating to the form of enrolled bills, and declaring an emergency.

To Senate, 45.  
Introduction, first reading, 47.  
Second reading, 47.  
Passed, 47.  
Emergency carried, 47.  
Returned to House, 54.  
Revision and correction, 55.  
Received from House, 79.  
Signed by President, 81.  
Returned to House, 81.  
Corrected on page 87.

#### House Bill No. 544 —

**House Bill No. 544.** A Bill for an Act to amend and reenact sections 39-08-13, 39-08-14, 39-16-03 of the North Dakota Century Code, relating to accident report forms, public inspection of reports relating to accidents, and abstracts of such forms.

To Senate, 139.  
Introduction, first reading, 149.  
Referred to Committee on Transportation.  
Reported back, amended, 456.  
Amendments adopted, 521.  
Second reading, 590.  
Passed, 590.  
Returned to House, amended, 637.  
House does not concur,  
Conference Committee, 798, 889.  
Conference Committee report, 955, 1049.  
Received from House, 1098.  
Signed by President, 1099.  
Returned to House, 1100.

**House Bill No. 545 —**

**House Bill No. 545.** For an Act to provide a state reimbursement program for state-supported high schools that provide a driver education program approved by the department of public instruction.

To Senate, 93.

Introduction, first reading, 102.

Referred to Committee on Transportation.

Indefinitely postponed, 446.

Returned to House, 488.

**House Bill No. 547 —**

**House Bill No. 547.** For an Act to create and enact chapter 39-16.1 and to amend and reenact section 39-16-05 of the North Dakota Century Code, relating to the financial responsibility of owners and operators of motor vehicles and the suspension of licenses, and to repeal subsection 9 of section 39-16-01 and sections 39-16-12, 39-16-13, 39-16-14, 39-16-15, 39-16-16, 39-16-17, 39-16-18, 39-16-19, 39-16-20, 39-16-21, 39-16-22, 39-16-23, 39-16-24, 39-16-25, 39-16-26, 39-16-27, and 39-16-28 of the North Dakota Century Code, relating to proof of financial responsibility.

To Senate, 139.

Introduction, first reading, 149.

Referred to Committee on Transportation.

Reported back, do pass, 446.

Second reading, 529.

Passed, 529.

Clincher, 533.

Returned to House, 533.

Received from House, 648.

Signed by President, 651.

Returned to House, 660.

**House Bill No. 548 —**

**House Bill No. 548.** For an Act to amend and reenact sections 19-01-02 and 19-08-04 of the North Dakota Century Code, relating to the powers and duties of the state laboratories commission, and to the inspection and chemical analysis of beverages.

To Senate, 281.

Introduction, first reading, 286.

Referred to Committee on Social Welfare and Veterans' Affairs.

Reported back, do pass, 458.

Second reading, 536.

Passed, 536.

Clincher, 538.

Returned to House, 538.

Signed by President, 643.

Received from House, 643.

Returned to House, 647.

**House Bill No. 551 —**

**House Bill No. 551.** A Bill for an Act to amend and reenact sections 55-03-01 and 55-03-02 of the 1965 Supplement to the North Dakota Century Code, relating to the protection of prehistoric sites and deposits.

To Senate, 220.

Introduction, first reading, 228.

Referred to Committee on Natural Resources.  
Reported back, do pass, 604.  
Second reading, 651.  
Passed, 652.  
Returned to House, 709.  
Received from House, 800.  
Signed by President, 810.  
Returned to House, 811.

**House Bill No. 553 —**

**House Bill No. 553.** For an Act to create and enact section 54-16-04.1 of the North Dakota Century Code, relating to powers of the emergency commission, and providing for an effective date.

To Senate, 225.  
Introduction, first reading, 228.  
Referred to Committee on Appropriations.  
Reported back, amended, 446.  
Amendments adopted, 475.  
Second reading, 544.  
Passed, 544.  
Clincher, 544.  
Returned to House, amended, 557.  
House concurs, 614.  
Received from House, 648.  
Signed by President, 651.  
Returned to House, 660.

**House Bill No. 555 —**

**House Bill No. 555.** A Bill for an Act making an appropriation for the purpose of providing emergency relief for counties suffering damage to highways in the flood of June 24, 1966, and declaring an emergency.

To Senate, 225.  
Introduction, first reading, 228.  
Referred to Committee on Appropriations.  
Reported back, amended, 700.  
Amendments adopted, 720.  
Second reading, 802.  
Passed, 803.  
Emergency carried, 803.  
Clincher, 816.  
Returned to House, amended, 819.  
House concurs, 958.  
Received from House, 1098.  
Signed by President, 1099.  
Returned to House, 1100.

**House Bill No. 558 —**

**House Bill No. 558.** For an Act to amend and reenact section 57-02-21 of the North Dakota Century Code, providing that persons over the age of sixty-five with an income of less than three thousand dollars per annum shall be exempt from the personal property tax, and providing a penalty for a false statement.

To Senate, 456.  
Introduction, first reading, 484.  
Referred to Committee on Finance and Taxation.  
Reported back, do pass, 627.  
Second reading, 684.



Passed, 685.  
 Returned to House, 709.  
 Received from House, 800.  
 Signed by President, 810.  
 Returned to House, 811.

**House Bill No. 559 —**

**House Bill No. 559.** For an Act to amend and reenact subsection 4 of section 39-21-32 of the 1965 Supplement to the North Dakota Century Code relating to brake equipment required on motor vehicles.

To Senate, 139.  
 Introduction, first reading, 149.  
 Referred to Committee on Transportation.  
 Reported back, do pass, 446.  
 Second reading, 529.  
 Passed, 530.  
 Clincher Motion, 533.  
 Returned to House, 533.  
 Received from House, 643.  
 Signed by President, 643.  
 Returned to House, 647.

**House Bill No. 560 —**

**House Bill No. 560.** For an Act to amend and reenact section 40-05-09.1 of the 1965 Supplement to the North Dakota Century Code relating to a tax levy for fire department stations.

To Senate, 106.  
 Introduction, first reading, 133.  
 Referred to Committee on Finance and Taxation.  
 Reported back, do pass, 524.  
 Second reading, 590, 686.  
 Passed, 591, 686.  
 Reconsidered, 615.  
 Re-referred to Committee on Finance and Taxation, 615.  
 Amended, 628.  
 Amendments adopted, 632.  
 Returned to House, amended, 710.  
 House concurs, 787.  
 Received from House, 891.  
 Signed by President, 903.  
 Returned to House, 904.

**House Bill No. 561 —**

**House Bill No. 561.** For an Act to amend and reenact sections 15-40-16, 15-40-19, and 15-40-29 of the North Dakota Century Code, relating to the time state and local school foundation payments shall be made.

To Senate, 234.  
 Introduction, first reading, 243.  
 Referred to Committee on Education.  
 Reported back, amended, 524.  
 Amendments adopted, 589.  
 Second reading, 616.  
 Passed, 617.  
 Emergency carried, 617.  
 Returned to House, amended, 637.  
 House concurs, 656.

Received from House, 656.  
Signed by President, 656.  
Returned to House, 656.

**House Bill No. 562 —**

**House Bill No. 562.** A Bill for an Act to amend and reenact section 40-57-09 of the North Dakota Century Code, and Section 40-57-10 of the 1965 Supplement to the North Dakota Century Code, relating to the sale of revenue bonds, and declaring an emergency.

To Senate, 106.  
Introduction, first reading, 133.  
Referred to Committee on Political Subdivision.  
Reported back, amended, 604, 605.  
Amendments adopted, 627.  
Second reading, 683.  
Passed, 683.  
Returned to House, amended, 710.  
House concurs, 787.  
Received from House, 891.  
Signed by President, 903.  
Returned to House, 904.

**House Bill No. 563 —**

**House Bill No. 563.** For an Act to amend and reenact sections 27-16-06, 27-16-18, and 27-16-31 of the North Dakota Century Code, relating to the confidentiality of juvenile court records and hearings and the publication of names of certain juvenile offenders.

To Senate, 183.  
Introduction, first reading, 195.  
Referred to Committee on Judiciary.  
Reported back, do pass, 416.  
Second reading, 533.  
Passed, 533.  
Clincher motion, 533.  
Returned to House, 533.  
Received from House, 643.  
Signed by President, 643.  
Returned to House, 647.

**House Bill No. 564 —**

**House Bill No. 564.** A Bill for an Act to repeal subsections 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 of section 51-10-06 and sections 51-10-09, 51-10-10, 51-10-11, 51-10-12, 51-10-13, 51-10-14, and 51-10-15 of the 1965 Supplement to the North Dakota Century Code, relating to the North Dakota Trade Commission.

To Senate, 262.  
Introduction, first reading, 269.  
Referred to Committee on Industry, Business and Labor  
Reported back without recommendations, 605.  
Second reading, 652, 705.  
Placed at foot of calendar, 652.  
Lost, 706.  
Clincher, 706.  
Returned to House, 727.  
Indefinitely postponed, 727.

**House Bill No. 566 —**

**House Bill No. 566.** A Bill for an Act to make a deficiency appropriation to pay salaries and wages of the Grafton state school, and declaring an emergency.

To Senate, 310.  
Introduction, first reading, 326.  
Referred to Committee on Appropriations.  
Reported back, do pass, 585.  
Second reading, 617.  
Passed, 617.  
Emergency carried, 617.  
Returned to House, 637.  
Received from House, 726.  
Signed by President, 727.  
Returned to House, 727.

**House Bill No. 570 —**

**House Bill No. 570.** A Bill for an Act to amend and reenact section 39-04-06 of the North Dakota Century Code relating to the elimination of the term thirty days after notification by regular mail.

To Senate, 144.  
Introduction, first reading, 162.  
Referred to Committee on Transportation.  
Reported back, do pass, 446.  
Second reading, 530.  
Passed, 530.  
Returned to House, 533.  
Received from House, 643.  
Signed by President, 643.  
Returned to House, 647.

**House Bill No. 571 —**

**House Bill No. 571.** A Bill for an Act to amend and reenact subsection 1 of section 39-21-29 of the North Dakota Century Code relating to . . . motor vehicle equipment.

To Senate, 144.  
Introduction, first reading, 162.  
Referred to Committee on Transportation.  
Reported back, do pass, 446.  
Second reading, 530.  
Passed, 530.  
Clincher Motion, 533.  
Returned to House, 534.  
Received from House, 643.  
Signed by President, 643.  
Returned to House, 647.

**House Bill No. 572 —**

**House Bill No. 572.** A Bill for an Act to amend and reenact subsection 3 of section 39-21-30 of the North Dakota Century Code relating to . . . motor vehicle equipment.

To Senate, 144.  
Introduction, first reading, 162.  
Referred to Committee on Transportation.  
Reported back, do pass, 446.

Second reading, 531.  
Passed, 531.  
Clincher Motion, 533.  
Returned to House, 534.  
Received from House, 643.  
Signed by President, 643.  
Returned to House, 647.

#### House Bill No. 573 —

**House Bill No. 573.** A Bill for an Act to amend and reenact section 39-02-03 of the North Dakota Century Code, relating to the powers and duties of the motor vehicle registrar.

To Senate, 144.  
Introduction, first reading, 162.  
Referred to Committee on Transportation.  
Reported back, do pass, 447.  
Second reading, 531.  
Passed, 531.  
Clincher Motion, 533.  
Returned to House, 534.  
Received from House, 643.  
Signed by President, 643.  
Returned to House, 647.

#### House Bill No. 575 —

**House Bill No. 575.** A Bill for an Act to amend and reenact sections 4-02-06, 4-02-21, 4-06-01, 4-06-02, 4-06-10, 4-06-11, 4-13-01, 4-13-04, 4-22-03, 4-23-13, 4-27-04, 23-22-02, 53-01-02, 54-16-01, 54-17-02, 54-21-02, 54-36-01, 55-01-01, 57-13-01, and 61-02-04 of the North Dakota Century Code, changing the name of the office of commissioner of agriculture and labor to commissioner of agriculture and removing him from the state historical society board.

To Senate, 124.  
Introduction, first reading, 134.  
Referred to Committee on State and Federal Government.  
Reported back, do pass, 267.  
Second reading, 365.  
Passed, 365.  
Returned to House, 396.  
Received from House, 470.  
Signed by President, 481.  
Returned to House, 488.

#### House Bill No. 577 —

**House Bill No. 577.** A Bill for an Act to amend and reenact section 15-39-28.1 of the 1965 Supplement to the North Dakota Century Code, relating to teachers' retirement annuities.

To Senate, 225.  
Introduction, first reading, 228.  
Referred to Committee on Education.  
Reported back, do pass, 673.  
Second reading, 760.  
Passed, 760.  
Clincher, 775.  
Returned to House, 778.  
Received from House, 967.  
Signed by President, 976.  
Returned to House, 977.

**House Bill No. 579 —**

**House Bill No. 579.** For an Act to amend and reenact section 15-52-09 of the North Dakota Century Code, relating to medical center expenditure of proceeds of the medical center one mill levy.

To Senate, 139.  
 Introduction, first reading, 149.  
 Referred to Committee on Finance and Taxation.  
 Reported back, do pass, 524.  
 Second reading, 591.  
 Passed, 591.  
 Returned to House, 621.  
 Received from House, 699.  
 Signed by President, 709.  
 Returned to House, 710.

**House Bill No. 580 —**

**House Bill No. 580.** A Bill for an Act relating to a highway tax distribution fund, and to amend and reenact sections 39-04A-02, 39-04-39, 57-40.1-07, 57-52-11, 57-53-09, and 57-54-14, relating to motor vehicle and fuel taxes and to repeal sections 39-04-39.1 and 57-54-15 of the North Dakota Century Code, relating to use and fuels taxes.

To Senate, 541.  
 Introduction, first reading, 566.  
 Referred to Committee on Appropriations.  
 Re-referred to Committee on Political Subdivision, 719.  
 Reported back, amended, 828.  
 Amendments adopted, 836.  
 Second reading, 836.  
 Passed, 839.  
 Clincher, 839.  
 Returned to House, amended, 842.  
 House concurs, 842.  
 Received from House, 843.  
 Signed by President, 843.  
 Returned to House, 843.

**House Bill No. 583 —**

**House Bill No. 583.** For an Act to create and enact subsection 3 of section 57-36-11 of the 1965 Supplement to the North Dakota Century Code and to amend and reenact section 57-36-24, subsection 2 of section 57-36-26 and subsection 2 of section 57-36-29 of the 1965 Supplement to the North Dakota Century Code, relating to the administration of the taxation of cigarettes and other tobacco products.

To Senate, 139.  
 Introduction, first reading, 149.  
 Referred to Committee on Finance and Taxation.  
 Reported back, do pass, 660.  
 Second reading, 733.  
 Passed, 733.  
 Clincher, 736.  
 Returned to House, 744.  
 Received from House, 891.  
 Signed by President, 903.  
 Returned to House, 904.

**House Bill No. 584 —**

**House Bill No. 584.** A Bill for an Act to amend and reenact section 15-47-35 of the North Dakota Century Code, relating to the number of days of permissible absence annually due to sickness that shall be provided in the employment contract of any teacher.

To Senate, 204.  
Introduction, first reading, 206.  
Referred to Committee on Education.  
Reported back, do pass, 673.  
Second reading, 760.  
Passed, 760.  
Clincher, 775.  
Returned to House, 778.  
Received from House, 967.  
Signed by President, 976.  
Returned to House, 977.

**House Bill No. 585 —**

**House Bill No. 585.** A Bill for an Act to create and enact subdivision h of subsection 3 of section 57-15-06 of the North Dakota Century Code, and to amend and reenact section 11-28-17, subdivisions f and g of subsection 3 of section 57-15-06, section 57-15-08, subsection 3 of section 57-15-12, and sections 57-15-14 and 57-15-20 of the North Dakota Century Code, relating to maximum mill levies for certain political subdivisions.

To Senate, 314.  
Introduction, first reading, 326.  
Referred to Committee on Finance and Taxation.  
Indefinitely postponed, 633.  
Returned to House, 667.

**House Bill No. 588 —**

**House Bill No. 588.** A Bill for an Act providing for the election of a county superintendent of schools to serve two or more counties or parts thereof, which office and area are to be served by a single county superintendent of schools to be established either upon a petition of the electorate or upon initiation of a plan by boards of county commissioners setting forth the area and approved by the electorate of such affected counties and providing for the sharing of the costs of such office.

To Senate, 565.  
Introduction, first reading, 601.  
Referred to Committee on Judiciary.  
Reported back, do pass, 700.  
Second reading, 768.  
Passed, 768.  
Clincher, 775.  
Returned to House, 778.  
Received from House, 967.  
Signed by President, 976.  
Returned to House, 977.

**House Bill No. 589 —**

**House Bill No. 589.** A Bill for an Act to amend and reenact section 40-11-12 of the North Dakota Century Code, relating to the commitment of guilty persons.

To Senate, 234.  
Introduction, first reading, 243.  
Referred to Committee on Judiciary.  
Reported back, do pass, 394.  
Foot of Calendar, 423.  
Second reading, 534, 598.  
Lost, 534, 598.  
Reconsidered, 582.  
Clincher, 598.  
Revision and correction, 631.  
Returned to House, 631.  
Indefinitely postponed, 638.

#### House Bill No. 591 —

**House Bill No. 591.** A Bill for an Act to amend and reenact section 39-04-39.1 of the 1965 Supplement to the North Dakota Century Code, relating to the distribution of motor vehicle use tax to local highway funds.

To Senate, 213.  
Introduction, first reading, 219.  
Referred to Committee on Finance and Taxation.  
Reported back, do pass, 524.  
Second reading, 591, 600, 1062.  
Passed, 600.  
Returned to House, 621, 1075.  
Received from House, 699.  
Signed by President, 709.  
Returned to House, 710.  
Transmitted to Senate over Governor's veto, 801.  
Reconsidered over Governor's veto, 1062.  
Placed on calendar, 1062.  
Lost 1062.

#### House Bill No. 592 —

**House Bill No. 592.** A Bill for an Act to repeal section 21-04-20 of the North Dakota Century Code, relating to reports of the state treasurer.

To Senate, 139.  
Introduction, first reading, 149.  
Referred to Committee on State and Federal Government.  
Reported back, do pass, 267.  
Second reading, 365.  
Passed, 366.  
Returned to House, 396.  
Received from House, 470.  
Signed by President, 481.  
Returned to House, 488.

#### House Bill No. 595 —

**House Bill No. 595.** A Bill for an Act to require motorcycle operators and passengers to wear protective helmets and to preclude the carrying of passengers on certain two-wheel motorcycles.

To Senate, 245.  
Introduction, first reading, 254.  
Referred to Committee on Transportation.  
Reported back, amended, 660.  
Amendments adopted, 698.  
Second reading, 768, 920.  
Passed 769, 920.

Clincher, 775.  
Returned to House, amended, 778.  
Conference Committee, 842, 889.  
House does not concur, 842.  
Conference Committee Report, 919.  
Received from House, 1098.  
Signed by President, 1099.  
Returned to House, 1100.

#### House Bill No. 596 —

**House Bill No. 596.** A Bill for an Act relating to the establishment of a milk stabilization board to regulate prices and trade practices within the fluid milk industry which industry is declared to be within the police power, making an appropriation, and providing a penalty.

To Senate, 428.  
Introduction, first reading, 464.  
Referred to Committee on Agriculture.  
Reported back, amended 633, 634.  
Divided report, 634.  
Re-referred to Committee on Appropriations, 659.  
Amended from floor, 659.  
Amendments adopted, 659.  
Do pass, 714.  
Second reading, 759.  
Passed, 759.  
Clincher 760, 775.  
Returned to House, amended, 778.  
House concurs, 914.  
Received from House, 1029.  
Signed by President, 1047.  
Returned to House, 1047.

#### House Bill No. 597 —

**House Bill No. 597.** A Bill for an Act to create section 20-03-35.1 of the North Dakota Century Code, relating to applications for special antelope licenses, and to amend and reenact section 20-03-35 of the North Dakota Century Code, relating to misrepresentation in application for license or permit.

To Senate, 281.  
Introduction, first reading, 286.  
Referred to Committee on Natural Resources.  
Reported back, do pass, 605.  
Second reading, 652.  
Passed, 652.  
Returned to House, 709.  
Received from House, 800.  
Signed by President, 810.  
Returned to House, 811.

#### House Bill No. 598 —

**House Bill No. 598.** A Bill for an Act to amend and reenact subsection 1 of section 36-04-06 of the North Dakota Century Code, relating to the bonds required of livestock dealers and agents.

To Senate, 144.  
Introduction, first reading, 162.  
Referred to Committee on Agriculture, 652.  
Reported back, amended, 585, 586.



Amendments adopted, 616.  
 Second reading, 652, 803, 985.  
 Re-referred to Committee on Agriculture, 652.  
 Reported back, do pass, 652.  
 Passed, 803, 985.  
 Clincher, 816.  
 Returned to House, amended, 819.  
 Conference Committee, 917, 921.  
 House does not concur, 916.  
 Conference Committee Report, 985, 1049.  
 Received from House, 1098.  
 Signed by President, 1099.  
 Returned to House, 1100.

#### House Bill No. 599 —

**House Bill No. 599.** A Bill for an Act to amend and reenact section 4-30-46 of the 1965 Supplement to the North Dakota Century Code, relating to the reporting of milk and milk products.

To Senate, 150.  
 Introduction, first reading, 162.  
 Referred to Committee on Agriculture.  
 Reported back, do pass, 586.  
 Second reading, 617.  
 Passed, 617.  
 Returned to House, 637.  
 Received from House, 726.  
 Signed by President, 727.  
 Returned to House, 728.

#### House Bill No. 600 —

**House Bill No. 600.** A Bill for an Act to amend and reenact section 4-30-03 of the 1965 Supplement to the North Dakota Century Code relating to the amount of bond to be furnished by applicants for license to purchase milk or cream from dairy producers.

To Senate, 245.  
 Introduction, first reading, 254.  
 Referred to Committee on Agriculture.  
 Reported back, amended, 714.  
 Amendments adopted, 749.  
 Second reading, 857.  
 Passed, 857.  
 Returned to House, amended, 890.  
 Clincher, 891.  
 House concurs, 958.  
 Received from House, 1094.  
 Signed by President, 1094.  
 Returned to House, 1094.

#### House Bill No. 601 —

**House Bill No. 601.** A Bill for an Act to amend and reenact section 15-47-32 of the 1963 Supplement to the North Dakota Century Code, relating to sharing educational programs.

To Senate, 144.  
 Introduction, first reading, 162.  
 Referred to Committee on Education.  
 Reported back, do pass, 524.  
 Second reading, 591.

Passed, 592.  
Returned to House, 621.  
Received from House, 699.  
Signed by President, 709.  
Returned to House, 710.

#### House Bill No. 602 —

**House Bill No. 602.** A Bill for an Act to amend and reenact section 15-20-04 of the North Dakota Century Code relating to school district contracts and joint programs.

To Senate, 144.  
Introduction, first reading, 162.  
Referred to Committee on Education.  
Reported back, do pass, 524.  
Second reading, 592.  
Passed, 592.  
Returned to House, 621.  
Received from House, 699.  
Signed by President, 709.  
Returned to House, 710.

#### House Bill No. 603 —

**House Bill No. 603.** A Bill for an Act to amend and reenact sections 15-20-06 and 15-40-04 of the North Dakota Century Code relating to cooperation of school boards in vocational education.

To Senate, 144.  
Introduction, first reading, 162.  
Referred to Committee on Education.  
Reported back, amended, 701.  
Second reading, 803.  
Passed, 803.  
Clincher, 816.  
Returned to House, amended, 819.  
Conference Committee, 917, 918.  
House does not concur, 917.  
Conference Committee Report, 1001, 1007.  
Received from House, 1098.  
Signed by President, 1099.  
Returned to House, 1100.

#### House Bill No. 604 —

**House Bill No. 604.** A Bill for an Act to amend and reenact section 15-20-01 of the North Dakota Century Code relating to federal funds for vocational education.

To Senate, 150.  
Introduction, first reading, 162.  
Referred to Committee on Education.  
Reported back, amended, 701.  
Amendments adopted, 721.  
Second reading, 803.  
Passed, 804.  
Clincher, 816.  
Returned to House, 819.  
House concurs, 958.  
Received from House, 1029.  
Signed by President, 1047.  
Returned to House, 1047.

**House Bill No. 606 —**

**House Bill No. 606.** A Bill for an Act to amend and reenact subsection 8 of section 18-10-06 and section 18-10-08 of the North Dakota Century Code, relating to the powers of boards of directors of rural fire protection districts and to the limitation of indebtedness of such districts.

To Senate, 139.  
 Introduction, first reading, 149.  
 Referred to Committee on Political Subdivision.  
 Reported back, do pass, 605.  
 Second reading, 652.  
 Passed, 653.  
 Returned to House, 709.  
 Received from House, 800.  
 Signed by President, 810.  
 Returned to House, 811.

**House Bill No. 607 —**

**House Bill No. 607.** A Bill for an Act making an appropriation for the department of labor for salaries and wages, fees and services, and supplies and materials for the period beginning January 1, 1967, and ending June 30, 1967, and declaring an emergency.

To Senate, 297.  
 Introduction, first reading, 300.  
 Referred to Committee on Appropriations.  
 Reported back, do pass, 343.  
 Second reading, 364.  
 Passed, 365.  
 Clincher, 365.  
 Emergency carried, 365.  
 Returned to House, 388.  
 Received from House, 413.  
 Signed by President, 413.  
 Returned to House, 417.

**House Bill No. 609 —**

**House Bill No. 609.** For an Act to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to the salaries of judges of the supreme court and district courts.

To Senate, 342.  
 Introduction, first reading, 344, 517.  
 Referred to Committee on Judiciary.  
 House requests return, 345.  
 Returned from Committee on Judiciary, 356.  
 To House, 361.  
 Returned to Senate, 470.  
 Referred to Committee on Judiciary, 517.  
 Reported back, do pass, 605.  
 Second reading, 653.  
 Passed, 653.  
 Returned to House, 709.  
 Received from House, 800.  
 Signed by President, 810.  
 Returned to House, 811.

**House Bill No. 611 —**

**House Bill No. 611.** For an Act to create and enact subsection 11 of Section 26-09-01 of the North Dakota Century Code providing

conditions to be complied with by foreign insurance companies before transacting business in state.

To Senate, 183.  
 Introduction, first reading, 195.  
 Referred to Committee on Industry, Business and Labor.  
 Reported back, do pass, 605.  
 Second reading, 653.  
 Passed, 654.  
 Returned to House, 709.  
 Received from House, 800.  
 Signed by President, 810.  
 Returned to House, 811.

#### House Bill No. 612 —

**House Bill No. 612.** For an Act to amend and reenact subsection 3 of section 26-08-11 of the 1965 Supplement to the North Dakota Century Code relating to the authorized investment of funds of insurance companies.

To Senate, 183.  
 Introduction, first reading, 195.  
 Referred to Committee on Industry, Business and Labor.  
 Reported back, do pass, 605.  
 Second reading, 654.  
 Passed, 654.  
 Returned to House, 709.  
 Received from House, 800.  
 Signed by President, 811.  
 Returned to House, 811.

#### House Bill No. 613 —

**House Bill No. 613.** A Bill for an Act to amend and reenact subsection 4 of section 26-08-05 of the North Dakota Century Code relating to the period of corporate existence permitted of a domestic insurance company.

To Senate, 183.  
 Introduction, first reading, 195.  
 Referred to Committee on Industry, Business and Labor.  
 Reported back, do pass, 606.  
 Second reading, 654.  
 Passed, 654.  
 Returned to House, 709.  
 Received from House, 800.  
 Signed by President, 811.  
 Returned to House, 811.

#### House Bill No. 615 —

**House Bill No. 615.** A Bill for an Act to repeal chapter 26-22 of the North Dakota Century Code, relating to the hail insurance department and providing an effective date.

To Senate, 316.  
 Introduction, first reading, 327.  
 Referred to Committee on Industry, Business and Labor.  
 Reported back, do pass, 606.  
 Second reading, 654, 995.  
 Amended from the floor, 655.  
 Passed, 655.  
 Returned to House, 710, 997.

House concurs, 787.  
 Received from House, 800, 1102.  
 Signed by President, 811, 1102 (Errata)  
 Returned to House, 811, 1102.  
 Transmitted to Senate over Governor's veto, 945.  
 Reconsidered, over Governor's veto, 995.  
 Clincher, 995.

#### House Bill No. 616 —

**House Bill No. 616.** A Bill for an Act to amend and reenact sections 39-13-03 and 39-10-04 of the North Dakota Century Code relating to parking and traffic signs within municipalities.

To Senate, 144.  
 Introduction, first reading, 163.  
 Referred to Committee on Political Subdivision.  
 Reported back, do pass, 606.  
 Second reading, 655.  
 Passed, 655.  
 Returned to House, 709.  
 Received from House, 800.  
 Signed by President, 811.  
 Returned to House, 811.

#### House Bill No. 618 —

**House Bill No. 618.** A Bill for an Act to amend and reenact subsection 6 of section 12-41-11 of the 1965 Supplement to the North Dakota Century Code, relating to the malicious injury to a freehold.

To Senate, 183.  
 Introduction, first reading, 195.  
 Reported back, do pass, 586.  
 Second reading, 617.  
 Passed, 618.  
 Returned to House, 637.  
 Received from House, 726.  
 Signed by President, 727.  
 Returned to House, 728.

#### House Bill No. 619 —

**House Bill No. 619.** A Bill for an Act to require the highway department to place all new signs which preclude the cultivation of the right-of-way alongside of existing highway signs, right-of-way posts, and natural obstructions to require the relocation of all existing such signs when requested, wherever such are not already located alongside of existing highway signs and right-of-way posts.

To Senate, 245.  
 Introduction, first reading, 254.  
 Referred to Committee on Transportation.  
 Reported back, do pass, 456.  
 Second reading, 536.  
 Passed, 537.  
 Clincher motion, 538.  
 Returned to House, 538.  
 Received from House, 643.  
 Signed by President, 643.  
 Returned to House, 647.

**House Bill No. 622 —**

**House Bill No. 622.** A Bill for an Act to amend and reenact section 20-01-17.1 of the North Dakota Century Code, relating to hunting on lands having unharvested crops or grazing livestock thereon and providing a penalty.

To Senate, 396.

Introduction, first reading, 410.

Referred to Committee on Natural Resources.

Indefinitely postponed, 673.

Returned to House, 710.

**House Bill No. 623 —**

**House Bill No. 623.** A Bill for an Act to preclude the hunting behind hounds, from a motor vehicle, upon land belonging to another, without first obtaining the permission of the owner or tenant, and providing a penalty.

To Senate, 396.

Introduction, first reading, 410.

Referred to Committee on Natural Resources.

Indefinitely postponed, 673.

Returned to House, 710.

**House Bill No. 624 —**

**House Bill No. 624.** A Bill for an Act to create and enact section 23-14-01.1 of the North Dakota Century Code, relating to the formation of health districts.

To Senate, 396.

Introduction, first reading, 410.

Referred to Committee on Social Welfare and Veterans' Affairs.

Reported back, do pass, 606.

Second reading, 656.

Passed, 656.

Returned to House, 709.

Received from House, 800.

Signed by President, 811.

Returned to House, 811.

**House Bill No. 625 —**

**House Bill No. 625.** A Bill for an Act to empower boards of county park commissioners to establish special service districts for the purpose of providing police protection and garbage removal services, and declaring an emergency.

To Senate, 245.

Introduction, first reading, 254.

Referred to Committee on Political Subdivisions.

Reported back, do pass, 606.

Second reading, 656, 731, 785.

Placed at foot of calendar, 657.

Amended from the floor, 732.

Amendments deleted, 732.

Re-amended and placed at foot of calendar, 732.

Amended from floor, 785.

Passed, 786.

Emergency carried, 786.

Clincher, 788.

Returned to House, 794.

House concurs, 914.  
 Received from House, 1094.  
 Signed by President, 1094.  
 Returned to House, 1094.

**House Bill No. 627 —**

**House Bill No. 627.** A Bill for an act to amend and reenact section 18-04-03 of the North Dakota Century Code, relating to failure to file certificate deemed waiver; exception.

To Senate, 234.  
 Introduction, first reading, 243.  
 Referred to Committee on Political Subdivision.  
 Indefinitely postponed, 640.  
 Returned to House, 867.

**House Bill No. 628 —**

**House Bill No. 628.** A Bill for an Act to establish a council on the arts and humanities, and defining its powers and duties.

To Senate, 573.  
 Introduction, first reading, 601.  
 Referred to Committee on Social Welfare and Veterans' Affairs.  
 Reported back, amended, 746.  
 Amendments adopted, 799.  
 Second reading, 887.  
 Passed, 887.  
 Clincher, 891.  
 Returned to House, 891.  
 House concurs, 958.  
 Received from House, 1094.  
 Signed by President, 1094.  
 Returned to House, 1095.

**House Bill No. 629 —**

**House Bill No. 629.** A Bill for an Act to amend and reenact section 37-18-04 of the North Dakota Century Code, relating to the duties and functions of the Commissioner of the Department of Veterans Affairs, and to create a new section under chapter 37-18 pertaining to the keeping and maintaining of records of veterans, and providing that such records and information contained therein be kept confidential, except for certain purposes.

To Senate, 204.  
 Introduction, first reading, 206.  
 Referred to Committee on Social Welfare and Veterans' Affairs.  
 Reported back, do pass, 456.  
 Second reading, 537.  
 Passed, 537.  
 Clincher motion, 538.  
 Returned to House, 538.  
 Received from House, 648.  
 Signed by President, 651.  
 Returned to House, 660.

**House Bill No. 630 —**

**House Bill No. 630.** A Bill for an Act to amend and reenact sections 29-10-33 and 29-10-34 of the North Dakota Century Code, relating to the functions and procedures of the grand jury, and to

repeal sections 29-10-35, 29-10-36, 29-10-37 and 29-10-38, relating to procedures on the issuance of a bench warrant.

To Senate, 310.  
Introduction, first reading, 326.  
Referred to Committee on Judiciary.  
Indefinitely postponed, 586.  
Returned to House, 638.

#### House Bill No. 631 —

**House Bill No. 631.** A Bill for an Act to amend and reenact subsection 7 of section 57-52-03 of the North Dakota Century Code and subsection 6 of section 57-53-01 of the North Dakota Century Code, relating to the definition of Special Fuel User.

To Senate, 213.  
Introduction, first reading, 220.  
Referred to Committee on Finance and Taxation.  
Reported back, do pass, 524.  
Second reading, 592.  
Passed, 592.  
Returned to House, 621.  
Received from House, 699.  
Signed by President, 709.  
Returned to House, 710.

#### House Bill No. 632 —

**House Bill No. 632.** A Bill for an Act to amend and reenact Section 57-50-05.1 of the North Dakota Century Code relating to motor fuel tax refunds to private individuals and corporations.

To Senate, 213.  
Introduction, first reading, 220.  
Referred to Committee on Finance and Taxation.  
Reported back, do pass, 525.  
Second reading, 593.  
Passed, 593.  
Returned to House, 621.  
Received from House, 699.  
Signed by President, 709.  
Returned to House, 710.

#### House Bill No. 634 —

**House Bill No. 634.** A Bill for an Act to authorize the establishment of highway engineering and technician scholarships at state institutions of higher learning, to authorize the expenditure of highway department operating funds therefor, and to repeal sections 24-02-07.1 and 24-02-07.2 of the North Dakota Century Code.

To Senate, 565.  
Introduction, first reading, 601.  
Referred to Committee on Appropriations.  
Reported back, do pass, 714.  
Second reading, 804.  
Passed, 804.  
Clincher, 816.  
Returned to House, 819.  
Received from House, 1098.  
Signed by President, 1099.  
Returned to House, 1100.



**House Bill No. 635 —**

**House Bill No. 635.** A Bill for an Act to amend and reenact section 47-06-08 and subsections 11 and 12 of section 61-24-08 and to create and enact subsection 13 of section 61-24-08 of the North Dakota Century Code, relating to the Garrison Diversion Conservancy District and to islands and lands in navigable streams.

To Senate, 220.  
 Introduction, first reading, 228.  
 Referred to Committee on State and Federal Government.  
 Reported back, amended, 660.  
 Amendments adopted, 698.  
 Second reading, 769.  
 Passed, 769.  
 Clincher, 775.  
 Returned to House, amended, 778.  
 House concurs, 914.  
 Received from House, 1029.  
 Signed by President, 1047.  
 Returned to House, 1047.

**House Bill No. 636 —**

**House Bill No. 636.** A Bill for an Act to amend and reenact subsection 1 of section 20-03-02 of the North Dakota Century Code, relating to game and fish licenses required of owners and lessees of land.

To Senate, 213.  
 Introduction, first reading, 220.  
 Referred to Committee on Natural Resources.  
 Reported back, do pass, 773.  
 Second reading, 858.  
 Passed, 858.  
 Returned to House, 890.  
 Clincher, 891.  
 Received from House, 1094.  
 Signed by President, 1094.  
 Returned to House, 1095.

**House Bill No. 637 —**

**House Bill No. 637.** A Bill for an Act to repeal sections 15-12-11 and 15-12-12 of the North Dakota Century Code, relating to the furnishing of lists of college publications to the county auditor and the duty of the county auditor to cause such lists to be published.

To Senate, 204.  
 Introduction, first reading, 206.  
 Referred to Committee on Political Subdivision.  
 Indefinitely postponed, 640.  
 Returned to House, 667.

**House Bill No. 638 —**

**House Bill No. 638.** A Bill for an Act to require residents and nonresidents to obtain a general game license before obtaining any specific license to hunt game birds or game animals.

To Senate, 528.  
 Introduction, first reading, 566.  
 Referred to Committee on Natural Resources.  
 Reported back, do pass, 773.  
 Second reading, 858.

Passed, 859.  
 Returned to House, 890.  
 Clincher, 891.  
 Received from House, 1098.  
 Signed by President, 1099.  
 Returned to House, 1100.

**House Bill No. 639 —**

**House Bill No. 639.** A Bill for an Act to amend and reenact subsection 1 of section 20-03-01 and subsection 1 of section 23-03-06 of the North Dakota Century Code, relating to authorizing the taking of game birds and game animals with a regular hunting license.

To Senate, 310.  
 Introduction, first reading, 326.  
 Referred to Committee on Natural Resources.  
 Reported back, do pass, 773.  
 Second reading, 859.  
 Passed, 859.  
 Clincher, 891.  
 Returned to House, 890.  
 Received from House, 1098.  
 Signed by President, 1099.  
 Returned to House, 1100.

**House Bill No. 640 —**

**House Bill No. 640.** A Bill for an Act to create and enact section 36-11-21 of the North Dakota Century Code, relating to fencing pits and oil well sites, and to constructing dikes around crude oil tanks by the operator, and providing for strict liability for loss or damage caused to livestock.

To Senate, 528.  
 Introduction, first reading, 566.  
 Referred to Committee on Natural Resources.  
 Indefinitely postponed, 773.  
 Returned to House, 811.

**House Bill No. 641 —**

**House Bill No. 641.** A Bill for an Act to amend and reenact subparagraph (2) of subdivision b of subsection 3 of section 39-04-39 of the North Dakota Century Code, relating to the distribution of motor vehicle registration fees.

To Senate, 541.  
 Introduction, first reading, 566.  
 Referred to Committee on Finance and Taxation.  
 Indefinitely postponed, 673.  
 Returned to House, 710.

**House Bill No. 642 —**

**House Bill No. 642.** A Bill for an Act to amend and reenact section 57-02-04 of the North Dakota Century Code, relating to the definition of real property, and to repeal subsections 9, 10, and 11 of section 57-02-05 of the North Dakota Century Code, relating to the definition of personal property.

To Senate, 220.  
 Introduction, first reading, 228.

Referred to Committee on Finance and Taxation.  
 Reported back, do pass, 525.  
 Second reading, 593.  
 Passed, 593.  
 Returned to House, 621.  
 Received from House, 699.  
 Signed by President, 709.  
 Returned to House, 710.

#### House Bill No. 645 —

**House Bill No. 645.** A Bill for an Act to amend and reenact subsection 2 of section 24-12-02 of the North Dakota Century Code relating to the obstruction of highways and to authorize any official having jurisdiction over a highway to order work or improvement thereon.

To Senate, 234.  
 Introduction, first reading, 243.  
 Referred to Committee on Transportation.  
 Reported back, do pass, 456.  
 Second reading, 537.  
 Passed, 538.  
 Clincher, 538.  
 Returned to House, 538.  
 Received from House, 643.  
 Signed by President, 643.  
 Returned to House, 647.

#### House Bill No. 646 —

**House Bill No. 646.** A Bill for an Act to amend and reenact section 44-03-01 of the North Dakota Century Code, allowing the Commissioner of Labor to appoint a Deputy Commissioner.

To Senate, 269.  
 Introduction, first reading, 275.  
 Referred to Committee on Industry, Business and Labor.  
 Reported back, do pass, 701.  
 Second reading, 769.  
 Passed, 770.  
 Clincher, 775.  
 Returned to House, 778.  
 Received from House, 967.  
 Signed by President, 976.  
 Returned to House, 977.

#### House Bill No. 647 —

**House Bill No. 647.** A Bill for an Act to amend and reenact subsection 6 of section 34-06.1-02 of the 1965 Supplement to the North Dakota Century Code, changing the definition of commissioner to mean commissioner of labor.

To Senate, 204.  
 Introduction, first reading, 206.  
 Referred to Committee on Industry, Business and Labor.  
 Reported back, do pass, 701.  
 Second reading, 770.  
 Passed, 770.  
 Clincher, 775.  
 Returned to House, 778.  
 Received from House, 967.  
 Signed by President, 976.  
 Returned to House, 977.

**House Bill No. 648 —**

**House Bill No. 648.** A Bill for an Act to amend and reenact subdivision h of subsection 2 of section 39-04-18 of the North Dakota Century Code, relating to the change of date of the harvest of agricultural products.

To Senate, 234.  
Introduction, first reading, 244.  
Referred to Committee on Transportation.  
Reported back, do pass, 447.  
Second reading, 531.  
Passed, 532.  
Clincher Motion, 533.  
Returned to House, 534.  
Received from House, 643.  
Signed by President, 643.  
Returned to House, 647.

**House Bill No. 650 —**

**House Bill No. 650.** A Bill for an Act to amend and reenact section 26-28-07 of the North Dakota Century Code, relating to deviations.

To Senate, 226.  
Introduction, first reading, 228.  
Referred to Committee on Industry, Business and Labor.  
Reported back, do pass, 606.  
Second reading, 657.  
Passed, 657.  
Returned to House, 709.  
Received from House, 801.  
Signed by President, 811.  
Returned to House, 811.

**House Bill No. 651 —**

**House Bill No. 651.** A Bill for an Act to amend and reenact Subsection 4 of Section 26-29-04 of the North Dakota Century Code, relating to rate filings.

To Senate, 316.  
Introduction, first reading, 327.  
Referred to Committee on Industry, Business, and Labor.  
Reported back, do pass, 606.  
Second reading, 657.  
Passed, 657.  
Returned to House, 709.  
Received from House, 820.  
Signed by President, 822.  
Returned to House, 827.

**House Bill No. 652 —**

**House Bill No. 652.** A Bill for an Act to amend and reenact Subsection 4 of Section 26-28-04 of the North Dakota Century Code, relating to rate filings.

To Senate, 316.  
Introduction, first reading, 327.  
Referred to Committee on Industry, Business, and Labor.  
Reported back, do pass, 606.  
Second reading, 657.

Passed, 658.  
Returned to House, 709.  
Received from House, 801.  
Signed by President, 811.  
Returned to House, 811.

**House Bill No. 653 —**

**House Bill No. 653.** A Bill for an Act to amend and reenact section 26-29-07 of the North Dakota Century Code, relating to deviations.

To Senate, 226.  
Introduction, first reading, 228.  
Referred to Committee on Industry, Business, and Labor.  
Reported back, do pass, 606.  
Second reading, 658.  
Passed, 658.  
Returned to House, 709.  
Received from House, 801.  
Signed by President, 811.  
Returned to House, 811.

**House Bill No. 654 —**

**House Bill No. 654.** A Bill for an Act to amend and reenact sections 12-43-01, 12-43-01.1, 12-43-04 and 12-43-05 of the North Dakota Century Code, relating to the sale and purchase of tobacco to and by persons under the age of eighteen.

To Senate, 281.  
Introduction, first reading, 287.  
Referred to Committee on Social Welfare and Veterans Affairs.  
Reported back, do pass, 606.  
Second reading, 658.  
Lost, 658.  
Clincher, 659.  
Returned to House, 710.

**House Bill No. 655 —**

**House Bill No. 655.** A Bill for an Act to amend and reenact sections 34-06-09, 34-06-11, and 34-06-12 of the North Dakota Century Code, relating to conferences to consider investigation by the commissioner of labor.

To Senate, 269.  
Introduction, first reading, 275.  
Referred to Committee on Industry, Business, and Labor.  
Reported back, do pass, 701.  
Second reading, 770.  
Passed, 770.  
Clincher, 775.  
Returned to House, 778.  
Received from House, 967.  
Signed by President, 976.  
Returned to House, 977.

**House Bill No. 656 —**

**House Bill No. 656.** A Bill for an Act to authorize the state board of higher education to convey certain land owned by the state of North Dakota, which land was formerly used for fairground purposes, and declaring an emergency.

To Senate, 234.  
Introduction, first reading, 244.  
Referred to Committee on Education.  
Reported back, do pass, 525.  
Second reading, 593.  
Passed, 594.  
Emergency carried, 594.  
Returned to House, 621.  
Received from House, 699.  
Signed by President, 709.  
Returned to House, 710.

#### House Bill No. 657 —

**House Bill No. 657.** A Bill for an Act to provide for authorization to the state board of higher education to grant easements upon real property under its administrative jurisdiction.

To Senate, 234 .  
Introduction, first reading, 244.  
Referred to Committee on Education.  
Reported back, do pass, 673.  
Second reading, 761.  
Passed, 761.  
Clincher, 775.  
Returned to House, 778.  
Received from House, 1029.  
Signed by President, 1047.  
Returned to House, 1047.

#### House Bill No. 658 —

**House Bill No. 658.** A Bill for an Act to amend and reenact sections 19-06-03 and 19-06-04 of the North Dakota Century Code, relating to the wholesale or retail sale of ice milk, and to provide that current licenses shall be extended.

To Senate, 396.  
Introduction, first reading, 410.  
Referred to Committee on Industry, Business, and Labor.  
Reported back, do pass, 586.  
Second reading, 618.  
Passed, 618.  
Returned to House, 637.  
Received from House, 726.  
Signed by President, 727.  
Returned to House, 728.

#### House Bill No. 659 —

**House Bill No. 659.** A Bill for an Act to amend and reenact section 54-03-21 of the North Dakota Century Code, relating to conflicts of interest of the members of the legislative assembly.

To Senate, 470.  
Introduction, first reading, 517.  
Referred to Committee on Industry, Business, and Labor.  
Indefinitely postponed, 915.  
Returned to House, 963.

#### House Bill No. 660 —

**House Bill No. 660.** A Bill for an Act to amend and reenact section 24-02-39 of the North Dakota Century Code relating to highway department building limitations.

To Senate, 204.  
 Introduction, first reading, 206.  
 Referred to Committee on State and Federal Government.  
 Reported back, do pass, 586.  
 Second reading, 618.  
 Passed, 619.  
 Returned to House, 637.  
 Received from House, 726.  
 Signed by President, 727.  
 Returned to House, 728.

**House Bill No. 661 —**

**House Bill No. 661.** A Bill for an Act to amend and reenact subsection 3 of section 57-15-14 of the North Dakota Century Code, relating to mill levies in high school districts.

To Senate, 528.  
 Introduction, first reading, 566.  
 Referred to Committee on Education.  
 Reported back, do pass, 845.  
 Second reading, 927.  
 Passed, 928.  
 Clincher, 943.  
 Returned to House, 946.  
 Received from House, 1098.  
 Signed by President, 1099.  
 Returned to House, 1100.

**House Bill No. 665 —**

**House Bill No. 665.** A Bill for an Act to amend and reenact section 39-04-17 of the North Dakota Century Code, relating to a certificate of the notary public showing compliance with the motor vehicle registration laws.

To Senate, 234.  
 Introduction, first reading, 244.  
 Referred to Committee on Transportation.  
 Reported back, do pass, 447.  
 Second reading, 532.  
 Passed, 532.  
 Clincher Motion, 533.  
 Returned to House, 534.  
 Received from House, 643.  
 Signed by President, 643.  
 Returned to House, 647.

**House Bill No. 666 —**

**House Bill No. 666.** A Bill for an Act to amend and reenact section 58-02-01 of the North Dakota Century Code relating to the organization of a township.

To Senate, 234.  
 Introduction, first reading, 244.  
 Referred to Committee on Political Subdivision.  
 Reported back, do pass, 607.  
 Second reading, 659.  
 Passed, 659.  
 Returned to House, 709.  
 Received from House, 801.  
 Signed by President, 811.  
 Returned to House, 811.

**House Bill No. 668 —**

**House Bill No. 668.** A Bill for an Act to amend and reenact sections 65-11-01, 65-11-02, 65-11-04, and 65-11-05 of the North Dakota Century Code, relating to the safety engineer; to repeal sections 65-11-03 and 65-11-06 of the North Dakota Century Code, relating to the safety engineer.

To Senate, 565.

Introduction, first reading, 601.

Referred to Committee on Industry, Business, and Labor.

Indefinitely postponed, 702.

Returned to House, 727.

**House Bill No. 669 —**

**House Bill No. 669.** A Bill for an Act to amend and reenact section 38-03-03 of the North Dakota Century Code, relating to clerical help of mine inspector.

To Senate, 541.

Introduction, first reading, 566.

Referred to Committee on Industry, Business, and Labor.

Reported back, do pass, 795.

Second reading, 884.

Passed, 885.

Returned to House, 890.

Clincher, 891.

Received from House, 1094.

Signed by President, 1094.

Returned to House, 1095.

**House Bill No. 670 —**

**House Bill No. 670.** A Bill for an Act to amend and reenact subsection 1 of section 57-02-12 of the North Dakota Century Code, relating to the listing of personal property and to provide a consignee with a lien for the amount of tax on consigned merchandise assessed to him.

To Senate, 428.

Introduction, first reading, 464.

Referred to Committee on Finance and Taxation.

Reported back, do pass, 660.

Second reading, 733.

Passed, 734.

Clincher, 736.

Returned to House, 744.

Received from House, 891.

Signed by President, 903.

Returned to House, 904.

**House Bill No. 672 —**

**House Bill No. 672.** A Bill for an Act to reduce civil liability of firemen, policemen or peace officers who render aid at the scene of an emergency while on duty.

To Senate, 245.

Introduction, first reading, 254.

Referred to Committee on Political Subdivision.

Reported back, do pass, 607.

Second reading, 676.

Passed, 677.



Returned to House, 709.  
 Received from House, 801.  
 Signed by President, 811.  
 Returned to House, 811.

**House Bill No. 673 —**

**House Bill No. 673.** A Bill for an Act to create and enact subsections 25, 26, and 27 of section 40-05-02 of the North Dakota Century Code, relating to the powers of cities.

To Senate, 342.  
 Introduction, first reading, 344.  
 Referred to Committee on Judiciary.  
 Reported back, do pass, 607.  
 Second reading, 677.  
 Passed, 677.  
 Returned to House, 709.  
 Received from House, 801.  
 Signed by President, 811.  
 Returned to House, 811.

**House Bill No. 674 —**

**House Bill No. 674.** A Bill for an Act to create and enact sections 29-01-06.1 and 29-11-10.1 of the North Dakota Century Code, relating to the trial of a defendant under a multiple count indictment or information, and to amend and reenact section 29-11-10, and subsections 1 and 2 of section 29-14-04 of the North Dakota Century Code, relating to charges of offenses and grounds for motion to quash.

To Senate, 428.  
 Introduction, first reading, 464.  
 Referred to Committee on Judiciary.  
 Reported back, do pass, 607.  
 Second reading, 677.  
 Passed, 677.  
 Returned to House, 709.  
 Received from House, 801.  
 Signed by President, 811.  
 Returned to House, 811.

**House Bill No. 676 —**

**House Bill No. 676.** A Bill for an Act to amend and reenact sections 65-05-01, 65-05-07, 65-05-08, 65-05-10, 65-05-13, 65-05-14, 65-05-17, and 65-05-26 of the North Dakota Century Code, relating to filing compensation claims, medical attention to injured employees, disability compensation, partial disability, scheduled injuries, permanent partial injuries, weekly compensation in death claims, and bureau burial expenses.

To Senate, 363.  
 Introduction, first reading, 383.  
 Referred to Committee on Industry, Business, and Labor.  
 Reported back, do pass, 702.  
 Second reading, 771.  
 Passed, 771.  
 Clincher, 775.  
 Returned to House, 778.  
 Received from House, 997.  
 Signed by President, 998.  
 Returned to House, 998.

**House Bill No. 678 —**

**House Bill No. 678.** A Bill for an Act to amend and reenact section 6-05-15.1 of the 1965 Supplement to the North Dakota Century Code, regarding commingling of trust funds.

To Senate, 347.  
Introduction, first reading, 382.  
Reported back, do pass, 586.  
Second reading, 619.  
Passed, 619.  
Returned to House, 637.  
Received from House, 726.  
Signed by President, 727.  
Returned to House, 728.

**House Bill No. 679 —**

**House Bill No. 679.** A Bill for an Act restricting the establishment of junkyards within one thousand feet of the nearest edge of the right of way on the state highway system and for the screening of any and all junkyards which are allowed to remain in existence with the approval of the highway commissioner, and for the removal of such junkyards when in the judgment of the highway commissioner the intent of this Act is not subserved and authority for the commissioner to acquire by gift, purchase, exchange or condemnation lands used for junkyards, and declaring an emergency.

To Senate, 347.  
Introduction, first reading, 382.  
Referred to Committee on Transportation.  
Reported, amended, 661.  
Amendments adopted, 698.  
Second reading, 771.  
Passed, 771.  
Clincher, 775.  
Returned to House, amended, 778.  
House concurs, 914.  
Received from House, 1094.  
Signed by President, 1094.  
Returned to House, 1095.

**House Bill No. 681 —**

**House Bill No. 681.** A Bill for an Act to amend and reenact section 57-37-24 of the North Dakota Century Code, relating to the distribution of estate taxes.

To Senate, 363.  
Introduction, first reading, 383.  
Referred to Committee on Finance and Taxation.  
Indefinitely postponed, 640.  
Returned to House, indefinitely postponed, 667.

**House Bill No. 683 —**

**House Bill No. 683.** A Bill for an Act to provide for the regulation and taxation of the sale, use and distribution of alcoholic beverages and licensing of wholesalers and retailers of such beverages and to repeal Title Five of the North Dakota Century Code, and providing a penalty.

To Senate, 316.  
 Introduction, first reading, 327.  
 Referred to Committee on Finance and Taxation.  
 Reported back, amended, 673.  
 Amendments adopted, 719.  
 Second reading, 805, 877.  
 Lost, 805.  
 Reconsidered, 805.  
 Revision and correction, 841.  
 Amended from floor, 877.  
 Passed, 878.  
 Clincher, 891.  
 Returned to House, amended, 891.  
 House concurs, 958.  
 Received from House, 1098.  
 Signed by President, 1099.  
 Returned to House, 1100.

#### House Bill No. 685 —

**House Bill No. 685.** A Bill for an Act to amend and reenact section 62-03-01 of the North Dakota Century Code, relating to prohibition against carrying concealed weapons or firearms.

To Senate, 347.  
 Introduction, first reading, 382.  
 Referred to Committee on Judiciary.  
 Reported back, do pass, 586.  
 Second reading, 619.  
 Passed, 620.  
 Returned to House, 637.  
 Received from House, 726.  
 Signed by President, 727.  
 Returned to House, 728.

#### House Bill No. 686 —

**House Bill No. 686.** A Bill for an Act to amend and reenact section 27-16-03 of the North Dakota Century Code, relating to juvenile commissioners and compensation therefor.

To Senate, 470.  
 Introduction, first reading, 517.  
 Referred to Committee on Judiciary.  
 Reported back, do pass, 702.  
 Second reading, 772.  
 Passed, 772.  
 Emergency carried, 772.  
 Clincher, 775.  
 Returned to House, 778.  
 Received from House, 967.  
 Signed by President, 976.  
 Returned to House, 977.

#### House Bill No. 691 —

**House Bill No. 691.** A Bill for an Act to amend and reenact section 25-12-01 of the North Dakota Century Code, relating to establishment of mental health and retardation service units.

To Senate, 396.  
 Introduction, first reading, 410.  
 Referred to Committee on Social Welfare and Veterans Affairs.  
 Reported back, do pass, 607.

Second reading, 678.  
 Passed, 678.  
 Returned to House, 709.  
 Received from House, 801.  
 Signed by President, 811.  
 Returned to House, 811.

#### House Bill No. 692 —

**House Bill No. 692.** A Bill for an Act to amend and reenact section 43-15-17 of the North Dakota Century Code, relating to qualifications of assistant registered pharmacist.

To Senate, 245.  
 Introduction, first reading, 254.  
 Referred to Committee on Industry, Business, and Labor.  
 Reported back, do pass, 587.  
 Second reading, 620.  
 Passed, 620.  
 Returned to House, 637.  
 Returned to House, 728.  
 Signed by President, 727.  
 Received from House, 726.

#### House Bill No. 693 —

**House Bill No. 693.** A Bill for an Act providing for a temporary commission for the purpose of making arrangements for functions honoring the dominion of Canada and the province of Manitoba in their centennial year, and providing an appropriation, and declaring an emergency.

To Senate, 310.  
 Introduction, first reading, 326.  
 Referred to Committee on State and Federal Government.  
 Re-referred to Committee on Appropriations, 587.  
 Reported back, do pass, 587.  
 Amended, 714.  
 Amendments adopted, 749.  
 Second reading, 859.  
 Passed, 860.  
 Emergency carried, 860.  
 Clincher, 891.  
 Returned to House, amended, 891.  
 House concurs, 958.  
 Received from House, 1109.  
 Signed by President, 1110.  
 Returned to House, 1111.

#### House Bill No. 694 —

**House Bill No. 694.** A Bill for an Act to amend and reenact section 40-45-08 of the North Dakota Century Code, relating to membership fees and assessments in police pension funds in cities.

To Senate, 234.  
 Introduction, first reading, 244.  
 Referred to Committee on Political Subdivision.  
 Reported back, do pass, 607.  
 Second reading, 678.  
 Passed, 678.  
 Returned to House, 709.  
 Received from House, 801.  
 Signed by President, 811.  
 Returned to House, 811.

**House Bill No. 695 —**

**House Bill No. 695.** A Bill for an Act to amend and reenact section 57-19-07 of the North Dakota Century Code relating to tax collections, and to amend and reenact section 57-19-08 of the North Dakota Century Code relating to personal liability.

To Senate, 428.  
 Introduction, first reading, 464.  
 Referred to Committee on Finance and Taxation.  
 Reported back, do pass, 661.  
 Second reading, 734.  
 Passed, 734.  
 Clincher, 736.  
 Returned to House, 744.  
 Received from House, 891.  
 Signed by President, 903.  
 Returned to House, 904.

**House Bill No. 697 —**

**House Bill No. 697.** A Bill for an Act to provide that nonpublic school students may be transported on public school buses when authorized by the school board of a public school district and under certain conditions.

To Senate, 316.  
 Introduction, first reading, 327.  
 Referred to Committee on Education.  
 Reported back, do pass, 673.  
 Second reading, 761.  
 Passed, 766.  
 Clincher, 775.  
 Returned to House, 778.  
 Received from House, 997.  
 Signed by President, 998.  
 Returned to House, 998.

**House Bill No. 698 —**

**House Bill No. 698.** A Bill for an Act to create and enact section 11-16-15 of the North Dakota Century Code, relating to a state's attorney's inquiry into felonies and misdemeanors.

To Senate, 470.  
 Introduction, first reading, 517.  
 Referred to Committee on Judiciary.  
 Indefinitely postponed, 702.  
 Returned to House, 727.

**House Bill No. 699 —**

**House Bill No. 699.** A Bill for an Act relating to district health units acquiring and disposing of real and personal property and providing for disposition of same upon dissolution.

To Senate, 347.  
 Introduction, first reading, 382.  
 Referred to Committee on Social Welfare and Veterans' Affairs.  
 Reported back, do pass, 746.  
 Second reading, 814.  
 Passed, 814.  
 Clincher, 816.  
 Returned to House, 819.

Received from House, 1029.  
Signed by President, 1047.  
Returned to House, 1047.

**House Bill No. 701 —**

**House Bill No. 701.** A Bill for an Act to amend and reenact section 39-04-44 of the North Dakota Century Code, relating to credits on destroyed vehicles.

To Senate, 363.  
Introduction, first reading, 383.  
Referred to Committee on Finance and Taxation.  
Reported back, do pass, 525.  
Second reading, 594.  
Passed, 594.  
Returned to House, 621.  
Received from House, 699.  
Signed by President, 709.  
Returned to House, 710.

**House Bill No. 702 —**

**House Bill No. 702.** A Bill for an Act to amend and reenact section 39-21-40 of the 1965 Supplement to the North Dakota Century Code relating to restrictions as to tire equipment.

To Senate, 347.  
Introduction, first reading, 382.  
Referred to Committee on Transportation.  
Reported back, do pass, 661.  
Second reading, 734.  
Passed, 734.  
Clincher, 736.  
Returned to House, 744.  
Received from House, 891.  
Signed by President, 903.  
Returned to House, 904.

**House Bill No. 704 —**

**House Bill No. 704.** A Bill for an Act to amend and reenact section 57-22-29 of the 1965 Supplement to the North Dakota Century Code, relating to contracts for personal property tax collection and validating contracts for the collection of personal property taxes.

To Senate, 470.  
Introduction, first reading, 517.  
Referred to Committee on Finance and Taxation.  
Reported back, do pass, 640.  
Second reading, 688.  
Passed, 688.  
Returned to House, 709.  
Received from House, 801.  
Signed by President, 811.  
Returned to House, 811.

**House Bill No. 705 —**

**House Bill No. 705.** A Bill for an Act to create and enact section 41-01-19 of the North Dakota Century Code, relating to subordinated obligations under the Uniform Commercial Code and to amend and

reenact section 41-02-35, subsection 3 of section 41-02-75, subsection 3 of section 41-02-81, subdivision f of subsection 4 of section 41-03-34, subsection 3 of section 41-03-57, subdivision b of subsection 2 of section 41-04-33, subsection 3 of section 41-07-15, subdivision b of subsection 1 of section 41-09-05, section 41-09-06, and subsection 2 of section 41-09-16 of the North Dakota Century Code, relating to the North Dakota Uniform Commercial Code in the areas of third party beneficiaries, defaults, payments, notices of dishonor, signatures, warehousemen's liens, chattel paper, and definitions, which all relate to corresponding provisions of the Uniform Commercial Code.

To Senate, 347.  
 Introduction, first reading, 382.  
 Reported back, amended, 607, 610.  
 Amendments adopted, 627.  
 Second reading, 683.  
 Passed, 684.  
 Returned to House, amended, 710.  
 House concurs, 787.  
 Received from House, 891.  
 Signed by President, 903.  
 Returned to House, 904.

#### House Bill No. 706 —

**House Bill No. 706.** A Bill for an Act to provide for the establishment of junior college boards of control.

To Senate, 316.  
 Introduction, first reading, 327.  
 Referred to Committee on Education.  
 Reported back, amended, 702.  
 Amendments adopted, 721.  
 Second reading, 805, 1007.  
 Passed, 806, 1008.  
 Clincher, 816.  
 Returned to House, amended, 819.  
 Conference Committee, 917, 918.  
 House does not concur, 917.  
 Conference Committee Report, 1007, 1049.  
 Received from House, 1098.  
 Signed by President, 1099.  
 Returned to House, 1100.

#### House Bill No. 708 —

**House Bill No. 708.** A Bill for an Act to repeal section 27-09-04 of the North Dakota Century Code, relating to when female persons shall be excused from jury service.

To Senate, 347.  
 Introduction, first reading, 382.  
 Referred to Committee on Judiciary.  
 Reported back, do pass, 587.  
 Second reading, 620.  
 Passed, 620.  
 Returned to House, 637.  
 Received from House, 726.  
 Signed by President, 727.  
 Returned to House, 728.

**House Bill No. 711 —**

**House Bill No. 711.** A Bill for an Act to create and enact sections 19-05-17, 19-05-18, and 19-05-19 of the North Dakota Century Code and to amend and reenact sections 19-05-01, 19-05-02, 19-05-03, 19-05-04, 19-05-05, 19-05-06, 19-05-07, 19-05-08, 19-05-09, 19-05-10, 19-05-11, 19-05-12, 19-05-13, 19-05-14, 19-05-15 and 19-05-16 of the North Dakota Century Code, relating to definition, sale, and the administration of the taxation of oleomargarine.

To Senate, 456.  
Introduction, first reading, 485.  
Referred to Committee on Finance and Taxation.  
Reported back, do pass, 629.  
Second reading, 685.  
Passed, 685.  
Returned to House, 709.  
Received from House, 891.  
Signed by President, 903.  
Returned to House, 904.

**House Bill No. 712 —**

**House Bill No. 712.** A Bill for an Act to amend and reenact subdivision (2) of subsection D. of section 52-09-20 of the North Dakota Century Code and to create and enact subparagraph (3) of subsection D. of section 52-09-20 of the North Dakota Century Code relating to definitions of primary insurance benefit under North Dakota Old Age and Survivor Insurance System.

To Senate, 396.  
Introduction, first reading, 410.  
Referred to Committee on Industry, Business, and Labor.  
Reported back, do pass, 610.  
Second reading, 678.  
Passed, 679.  
Returned to House, 709.  
Received from House, 820.  
Signed by President, 822.  
Returned to House, 727.

**House Bill No. 714 —**

**House Bill No. 714.** A Bill for an Act to amend and reenact sections 26-24-08 and 26-24-09 of the North Dakota Century Code, relating to insurance on public buildings.

To Senate, 363.  
Introduction, first reading, 384.  
Referred to Committee on Industry, Business and Labor.  
Reported back, amended, 629.  
Amendments adopted, 632.  
Second reading, 686, 994.  
Passed, 686; over Governor's veto, 995.  
Clincher, 686, 995.  
Returned to House, amended, 710, 997.  
House concurs, 787.  
Received from House, 818, 1102.  
Signed by President, 818, (errata) 1102.  
Returned to House, 819, 1102.  
Transmitted to Senate over Governor's veto, 971.  
Reconsidered over Governor's veto, 994.



**House Bill No. 715 —**

**House Bill No. 715.** A Bill for an Act to amend and reenact section 18-11-13, 18-11-16, 40-45-06, and 40-46-08 of the North Dakota Century Code, relating to investments of surplus funds in the cities' employees' pension fund, policemen's pension fund and alternate firemen's association general fund and state fund.

To Senate, 470.  
 Introduction, first reading, 517.  
 Referred to Committee on Industry, Business, and Labor.  
 Returned to Senate, 639.  
 Re-referred to Committee on Political Subdivision, 639.  
 Reported back, do pass, 746.  
 Second reading, 814.  
 Passed, 815.  
 Clincher, 816.  
 Returned to House, 819.  
 Received from House, 1098.  
 Signed by President, 1099.  
 Returned to House, 1100.

**House Bill No. 717 —**

**House Bill No. 717.** A Bill for an Act to amend and reenact sections 15-29-05 and 15-53-05 of the North Dakota Century Code, relating to the compensation of school board members and to the county committee for reorganization of school districts.

To Senate, 310.  
 Introduction, first reading, 326.  
 Referred to Committee on Education.  
 Reported back, do pass, 673.  
 Second reading, 761.  
 Passed, 762.  
 Clincher, 775.  
 Returned to House, 778.  
 Received from House, 997.  
 Signed by President, 998.  
 Returned to House, 998.

**House Bill No. 718 —**

**House Bill No. 718.** A Bill for an Act to amend and reenact sections 43-23-01, 43-23-04, subsection 2 of section 43-23-07, sections 43-23-08, and 43-23-13 of the North Dakota Century Code; and to create and enact subdivision g of subsection 1 of section 43-23-11 and subsection 9 of section 43-23-13 of the North Dakota Century Code, relating to the North Dakota Real Estate Commission and the licensing of brokers and salesmen.

To Senate, 396.  
 Introduction, first reading, 410.  
 Referred to Committee on Industry, Business and Labor.  
 Reported back, do pass, 587.  
 Re-referred to Committee on Judiciary, 621.  
 Reported back, do pass, 715.  
 Second reading, 806.  
 Amended from floor, 806.  
 Passed, 806.  
 Clincher, 816.  
 Returned to House, amended, 819.  
 House concurs, 958.

Received from House, 1098.  
Signed by President, 1099.  
Returned to House, 1100.

**House Bill No. 719 —**

**House Bill No. 719.** A Bill for an Act making an appropriation for the completion of the compilation and publishing of the records of those who served in World War II and the Korean hostilities.

To Senate, 541.  
Introduction, first reading, 567.  
Referred to Committee on Social Welfare and Veterans' Affairs.  
Reported back, amended, 746.  
Re-referred to Committee on Appropriations, 746.  
Amendments adopted, 800.  
Reported back, do pass, 869.  
Second reading, 929.  
Passed, 930.  
Clincher, 943.  
Returned to House, 946.  
House concurs, 958.  
Received from House, 1098.  
Signed by President, 1099.  
Returned to House, 1100.

**House Bill No. 720 —**

**House Bill No. 720.** A Bill for an Act to amend and reenact sections 12-44-33 and 40-18-12 of the North Dakota Century Code, relating to the performance of hard labor by convicts and the discounting of fines and judgments because of such hard labor.

To Senate, 363.  
Introduction, first reading, 384.  
Referred to Committee on Judiciary.  
Reported back, do pass, 610.  
Second reading, 679.  
Passed, 679.  
Returned to House, 709.  
Received from House, 891.  
Signed by President, 903.  
Returned to House, 904.

**House Bill No. 721 —**

**House Bill No. 721.** A Bill for an Act to provide for the use of revolving charge agreements in the sale of personal property at wholesale.

To Senate, 245.  
Introduction, first reading, 254.  
Referred to Committee on Industry, Business and Labor.  
Reported back, indefinitely postponed, 610.  
Reconsidered, 614.  
Returned to House, indefinitely postponed, 667.

**House Bill No. 722 —**

**House Bill No. 722.** A Bill for an Act providing for the annexation and exclusion of unincorporated areas by municipal corporations, and repealing chapter 40-51 of the North Dakota Century Code.

To Senate, 363.  
Introduction, first reading, 384.  
Referred to Committee on Political Subdivision.  
Reported back, do pass, 746.  
Second reading, 815.  
Passed, 815.  
Clincher, 816.  
Returned to House, 819.  
Received from House, 1109.  
Signed by President, 1110.  
Returned to House, 1111.

#### House Bill No. 723 —

**House Bill No. 723.** A Bill for an Act to amend and reenact section 40-55-09 of the North Dakota Century Code relating to the tax levy limitation for a public recreation system.

To Senate, 363.  
Introduction, first reading, 384.  
Referred to Committee on Finance and Taxation.  
Reported back, amended, 640.  
Amendments adopted, 664.  
Second reading, 762.  
Passed, 762.  
Clincher, 775.  
Returned to House, 778.  
House concurs, 914.  
Received from House, 1098.  
Signed by President, 1099.  
Returned to House, 1100.

#### House Bill No. 725 —

**House Bill No. 725.** A Bill for an Act to amend and reenact subsection 1. of section 25-01-01, relating to the definition of a mentally ill individual.

To Senate, 310.

#### House Bill No. 726 —

**House Bill No. 726.** A Bill for an Act to amend and reenact section 4-08-15 of the 1965 Supplement to the North Dakota Century Code, relating to levy for county agents work.

To Senate, 470.  
Introduction, first reading, 518.  
Referred to Committee on Finance and Taxation.  
Indefinitely postponed, 674.  
Returned to House, 710.

#### House Bill No. 727 —

**House Bill No. 727.** A Bill for an Act to create and enact subsection 23 of section 57-02-08 and section 57-20-09.1 of the North Dakota Century Code, relating to items of personal property exempt from taxation and providing discounts of twenty percent of personal property taxes upon personal property not assessed by the state board of equalization, and to amend and reenact section 57-02-04 of the North Dakota Century Code, relating to the definition of real property, allocating moneys to counties and their political subdivisions, making an appropriation, providing an effective date, and

to repeal sections 18-03-09, 37-01-27, subsections 9, 10, and 11 of section 57-02-05 and section 57-15-23 of the North Dakota Century Code, relating to the definition of personal property and imposition of the per capita school tax and exemptions thereto.

To Senate, 363.  
 Introduction, first reading, 384.  
 Referred to Committee on Finance and Taxation.  
 Reported back, amended, 796, 797.  
 Re-referred to Committee on Appropriations, 796.  
 Reported back, amended, 835.  
 Sixth order of business, 835.  
 Amendments adopted, 833, 835.  
 Placed on calendar, 835.  
 Second reading, 835, 1063.  
 Passed, 836.  
 Clincher, 839.  
 Returned to House, amended, 839.  
 House concurs, 842.  
 Received from House, 843.  
 Signed by President, 843.  
 Returned to House, 843.  
 Transmitted to Senate over Governor's veto, 962.  
 Reconsidered over Governor's veto, 1062.  
 Placed on calendar, 1062.  
 Lost, 1063.  
 Returned to House, 1075.

#### House Bill No. 728 —

**House Bill No. 728.** A Bill for an Act providing for the creation of a special commission on personal property taxes for the purpose of developing and presenting to the forty-first legislative assembly a program for the complete elimination of remaining personal property taxes, and declaring an emergency.

To Senate, 363.  
 Introduction, first reading, 384.  
 Referred to Committee on Finance and Taxation.  
 Reported back, amended, 789.  
 Lost, 833.  
 Amendments from the floor, 833.  
 Adopted, 833.  
 Second reading, 833.  
 Passed, 834.  
 Clincher, 839.  
 Returned to House, amended, 839.  
 House concurs, 842.  
 Received from House, 843.  
 Signed by President, 843.  
 Returned to House, 843.  
 Revision and correction, 850.

#### House Bill No. 729 —

**House Bill No. 729.** A Bill for an Act to amend and reenact sections 57-35-04, and 57-35.1-02 of the North Dakota Century Code, relating to the taxation of banks, trust companies, and building and loan associations.

To Senate, 316.  
 Introduction, first reading, 327, 328.  
 Referred to Committee on Finance and Taxation.

Reported back, do pass, 640.  
Second reading, 688.  
Passed, 689.  
Returned to House, 709.  
Received from House, 820.  
Signed by President, 822.  
Returned to House, 827.

#### House Bill No. 731 —

**House Bill No. 731.** A Bill for an Act to provide for the imposition of a two and one-quarter per cent sales tax and use tax, exemptions thereto, manner of collection and administration, appeals, penalties, refunds, and allocation of revenues; and to repeal chapters 57-39 and 57-40 of the North Dakota Century Code, and declaring an emergency.

To Senate, 316.  
Introduction, first reading, 328.  
Referred to Committee on Finance and Taxation.  
Reported back, amended, 661, 662.  
Amendments adopted, 698.  
Second reading, 737.  
Amended from floor, 737.  
Passed, 738.  
Emergency carried, 738.  
Returned to House, amended, 744.  
House concurs, 748.  
Signed by President, 787.  
Returned to House, 787.  
Received from House, 787.

#### House Bill No. 732 —

**House Bill No. 732.** A Bill for an Act to provide for reservation of all minerals in sales of lands made by the board of university and school lands, and commissioner of university and school lands, except for leasing of such minerals and generally describing the lands to which such reservation shall apply.

To Senate, 316.  
Introduction, first reading, 328.  
Referred to Committee on State and Federal Government.  
Indefinitely postponed, 674, 846.  
Reconsidered, 708.  
Re-referred to Committee on State and Federal Government, 708.  
Returned to House, indefinitely postponed, 946.

#### House Bill No. 733 —

**House Bill No. 733.** A Bill for an Act to amend and reenact section 21-06-08 of the North Dakota Century Code, relating to the authority of the state or any department, division, bureau, commission, board, authority, agency or political subdivision thereof to contract with the United States of America or any agency thereof for the purchase of any equipment, supplies, materials or other property.

To Senate, 296.  
Introduction, first reading, 300.  
Referred to Committee on State and Federal Government.  
Reported back, do pass, 641.  
Second reading, 689.  
Passed, 689.

Returned to House, 709.  
Received from House, 820.  
Signed by President, 822.  
Returned to House, 827.

**House Bill No. 736 —**

**House Bill No. 736.** A Bill for an Act to amend and reenact section 16-06-02 of the North Dakota Century Code relating to the publication of notice of any general election and section 46-05-03 of the North Dakota Century Code relating to the publication of legal notices and providing the fees to be paid therefor.

To Senate, 565.  
Introduction, first reading, 601.  
Referred to Committee on Judiciary.  
Second reading, 772.  
Passed, 772.  
Clincher, 775.  
Returned to House, 778.  
Received from House, 967.  
Signed by President, 976.  
Returned to House, 977.

**House Bill No. 738 —**

**House Bill No. 738.** A Bill for an Act to amend and reenact section 15-03-09 of the North Dakota Century Code, relating to the term, interest and payment of farm loans in which the board of university and school lands make investment.

To Senate, 310.  
Introduction, first reading, 326.  
Referred to Committee on State and Federal Government.  
Reported back, do pass, 662.  
Second reading, 734.  
Passed, 735.  
Clincher, 736.  
Returned to House, 744.  
Received from House, 891.  
Signed by President, 903.  
Returned to House, 904.

**House Bill No. 739 —**

**House Bill No. 739.** A Bill for an Act to create and enact section 15-06-19.1 of the North Dakota Century Code, providing for the exchange of lands under control of the board of university and school lands with lands of the United States.

To Senate, 396.  
Introduction, first reading, 410.  
Referred to Committee on State and Federal Government.  
Reported back, do pass, 663.  
Second reading, 735.  
Passed, 735.  
Clincher, 736.  
Returned to House, 745.  
Received from House, 891.  
Signed by President, 903.  
Returned to House, 904.

**House Bill No. 743 —**

**House Bill No. 743.** A Bill for an Act to amend and reenact subsection 3 of section 11-10-10 of the 1965 Supplement to the North Dakota Century Code, relating to the salaries and expenses of county commissioners.

To Senate, 310.  
Introduction, first reading, 327.  
Referred to Committee on Political Subdivision.  
Reported back, amended, 773.  
Amendments adopted, 800.  
Second reading 887.  
Passed, 888.  
Clincher, 891.  
Returned to House, amended, 891.  
House concurs, 958.  
Received from House, 1109.  
Signed by President, 1110.  
Returned to House, 1111.

**House Bill No. 744 —**

**House Bill No. 744.** A Bill for an Act to amend and reenact section 20-06-07 of the North Dakota Century Code, relating to methods of taking fish.

To Senate, 363.  
Introduction, first reading, 384.  
Referred to Committee on Natural Resources.  
Reported back, do pass, 773.  
Second reading, 870.  
Passed, 870.  
Returned to House, 890.  
Clincher, 891.  
Received from House, 1098.  
Signed by President, 1099.  
Returned to House, 1100.

**House Bill No. 745 —**

**House Bill No. 745.** A Bill for an Act providing an appropriation for the construction of a dormitory building and for an administration building at the International Peace Garden Music Camp, and declaring an emergency.

To Senate, 363.  
Introduction, first reading, 384.  
Referred to Committee on State and Federal Government.  
Reported back, do pass, 587.  
Re-referred to Committee on Appropriations, 587.  
Reported back, amended, 703.  
Re-referred to Committee on Appropriations, 721.  
Reported back, do pass, 746.  
Second reading, 884.  
Passed, 884.  
Emergency carried, 884.  
Returned to House, 890.  
Clincher, 891.  
Received from House, 1109.  
Signed by President, 1110.  
Returned to House, 1112.

**House Bill No. 746 —**

**House Bill No. 746.** A Bill for an Act to allow courts to award prevailing plaintiff's attorney fees against the defendant in a tort action.

To Senate, 457.

Introduction, first reading, 485.

Referred to Committee on Judiciary.

Indefinitely postponed, 611.

Returned to House, indefinitely postponed, 638.

**House Bill No. 747 —**

**House Bill No. 747.** A Bill for an Act to amend and reenact section 65-05-09 of the North Dakota Century Code, relating to total disability; weekly and aggregate compensation.

To Senate, 363.

Introduction, first reading, 384.

Referred to Committee on Industry, Business, and Labor.

Reported back, do pass, 703.

Second reading, 778.

Passed, 779.

Clincher, 787.

Returned to House, 793.

Received from House, 967.

Signed by President, 976.

Returned to House, 977.

**House Bill No. 748 —**

**House Bill No. 748.** A Bill for an Act to amend and reenact section 29-06-15 of the North Dakota Century Code, relating to arrests without a warrant.

To Senate, 310.

Introduction, first reading, 327.

Referred to Committee on Judiciary.

Reported back, do pass, 587.

Second reading, 621.

Passed, 621.

Returned to House, 637.

Received from House, 726.

Signed by President, 727.

Returned to House, 728.

**House Bill No. 749 —**

**House Bill No. 749.** A Bill for an Act to amend and reenact sections 18-04-05 and 18-04-07 of the North Dakota Century Code, relating to the distribution of insurance taxes to fire departments and to the disbursement of these funds by municipalities and providing an appropriation.

To Senate, 296.

Introduction, first reading, 300.

Referred to Committee on Political Subdivision.

Reported back, amended, 773, 774.

Amendments adopted, 800.

Second reading, 888.

Passed, 888.

Clincher, 891.

Returned to House, amended, 891.



House concurs, 958.  
 Received from House, 1109.  
 Signed by President, 1110.  
 Returned to House, 1111.

#### House Bill No. 752 —

**House Bill No. 752.** A Bill for an Act to provide for municipal parking authorities.

To Senate, 428.  
 Introduction, first reading, 464.  
 Referred to Committee on Political Subdivision.  
 Reported back, do pass, 746.  
 Second reading, 815.  
 Passed, 816.  
 Clincher, 816.  
 Returned to House, 819.  
 Received from House, 1109.  
 Signed by President, 1110.  
 Returned to House, 1111.

#### House Bill No. 753 —

**House Bill No. 753.** A Bill for an Act to amend and reenact section 57-12-01.1 of the 1965 Supplement to the North Dakota Century Code, relating to spot checks of real and personal property assessments.

To Senate, 428.  
 Introduction, first reading, 464.  
 Referred to Committee on Finance and Taxation.  
 Indefinitely postponed, 674.  
 Returned to House, 710.

#### House Bill No. 755 —

**House Bill No. 755.** A Bill for an Act to amend and reenact subsections 1 and 2 of section 39-12-04 of the 1965 Supplement to the North Dakota Century Code, relating to width, height, and length limitations on vehicles.

To Senate, 310.  
 Introduction, first reading, 327.  
 Referred to Committee on Transportation.  
 Reported back, amended, 663.  
 Amendments adopted, 698.  
 Second reading, 779, 875 (2), 1009.  
 Placed at foot of calendar, 779.  
 Amended from floor, 875.  
 Passed as amended from floor, 875.  
 Reconsidered, 875.  
 Clincher, 891.  
 Returned to House, amended, 891.  
 Conference Committee, 1002, 1047.  
 Senate does not concur, 1002.  
 Conference Committee Report, 1008.  
 House does not concur, 1047.  
 Received from House, 1098.  
 Signed by President, 1099.  
 Returned to House, 1100.

**House Bill No. 757 —**

**House Bill No. 757.** A Bill for an Act to amend and reenact sections 18-01-01, 18-01-04, 18-01-05, 26-24-03 and 54-12-01 of the North Dakota Century Code, and to repeal subsection 10 of section 26-01-02 of the North Dakota Century Code, providing for the transfer of the office of state fire marshal from the insurance commissioner to the attorney general, and providing for its operation in conjunction with the bureau of criminal identification and apprehension.

To Senate, 470.  
 Introduction, first reading, 518.  
 Referred to Committee on State and Federal Government.  
 Reported back, do pass, 641.  
 Second reading, 690.  
 Passed, 690.  
 Returned to House, 709.  
 Received from House, 818.  
 Signed by President, 818.  
 Returned to House, 819.

**House Bill No. 759 —**

**House Bill No. 759.** A Bill for an Act to create and enact section 11-10-11.1 of the North Dakota Century Code, relating to every county having at least one deputy sheriff or office deputy sheriff.

To Senate, 457.  
 Introduction, first reading, 485.  
 Referred to Committee on Judiciary.  
 Indefinitely postponed, 703.  
 Returned to House, 727.

**House Bill No. 760 —**

**House Bill No. 760.** A Bill for an Act to amend and reenact section 20-04-09 of the North Dakota Century Code, relating to when bird dogs may not be trained or permitted to run loose.

To Senate, 363.  
 Introduction, first reading, 385.  
 Referred to Committee on Natural Resources.  
 Reported back, amended, 627, 628.  
 Amendments adopted, 632.  
 Second reading, 687.  
 Passed, 687.  
 Returned to House, amended, 710.  
 House concurs, 787.  
 Received from House, 891.  
 Signed by President, 903.  
 Returned to House, 904.

**House Bill No. 761 —**

**House Bill No. 761.** A Bill for an Act to create and enact a section of the North Dakota Century Code, relating to a uniform allowance for sheriffs and full-time deputy sheriffs, excluding office deputies.

To Senate, 316.  
 Introduction, first reading, 328.  
 Referred to Committee on Political Subdivision.  
 Reported back, do pass, 746.  
 Second reading, 816.

Passed, 816.  
 Clincher, 816.  
 Returned to House, 819.  
 Received from House, 1098.  
 Signed by President, 1099.  
 Returned to House, 1100.

#### House Bill No. 763 —

**House Bill No. 763.** A Bill for an Act extending the time for filing income tax returns and extending the time for payment of income tax and eliminating the attachment of interest and penalty during extension period for members of the armed forces and merchant marine serving outside of boundaries of the United States, providing a termination date and declaring an emergency.

To Senate, 220.  
 Introduction, first reading, 228.  
 Referred to Committee on Finance and Taxation.  
 Reported back, do pass, 525.  
 Second reading, 596.  
 Passed, 596.  
 Emergency carried, 596.  
 Returned to House, 621.  
 Received from House, 699.  
 Signed by President, 709.  
 Returned to House, 710.

#### House Bill No. 765 —

**House Bill No. 765.** A Bill for an Act to amend section 39-21-08 of the 1965 Supplement to the North Dakota Century Code, by the creation of subsection 5, relating to the lighting equipment required on certain vehicles.

To Senate, 470.  
 Introduction, first reading, 518.  
 Referred to Committee on Transportation.  
 Indefinitely postponed, 674.  
 Returned to House, 710.

#### House Bill No. 766 —

**House Bill No. 766.** A Bill for an Act to amend and reenact section 34-14-08 of the 1965 Supplement to the North Dakota Century Code, relating to the amount of wages assignable to the commissioner of labor for collection.

To Senate, 528.  
 Introduction, first reading, 567.  
 Referred to Committee on Industry, Business, and Labor.  
 Reported back, do pass, 703.  
 Second reading, 779.  
 Passed, 779.  
 Clincher, 787.  
 Returned to House, 793.  
 Received from House, 967.  
 Signed by President, 976.  
 Returned to House, 977.

#### House Bill No. 767 —

**House Bill No. 767.** A Bill for an Act to prevent unfair competition and unfair trade practices in the sale of cigarettes; to prohibit

sales of cigarettes below cost; to protect and stabilize the collection of taxes on the sale of cigarettes and revenues from the licensing of persons engaged in the sale of cigarettes; to confer powers and impose duties on the State Tax Commissioner and on persons as herein defined, engaged in the sale of cigarettes at retail or wholesale; and providing remedies and imposing penalties for violations thereof.

To Senate, 528.  
Introduction, first reading, 567.  
Referred to Committee on Finance and Taxation.  
Indefinitely postponed, 674.  
Divided report, 674.  
Reconsidered, 696.  
Placed at foot of calendar, 696.  
Second reading, 766.  
Lost, 766.  
Clincher, 766.

#### House Bill No. 768 —

**House Bill No. 768.** A Bill for an Act relating to the filing of exemption affidavits with the tax commissioner by organizations exempt from income tax.

To Senate, 220.  
Introduction, first reading, 228.  
Referred to Committee on Finance and Taxation.  
Reported back, do pass, 525.  
Second reading, 596.  
Passed, 596.  
Returned to House, 621.  
Received from House, 699.  
Signed by President, 709.  
Returned to House, 710.

#### House Bill No. 769 —

**House Bill No. 769.** A Bill for an Act to amend and reenact section 6-03-14 of the North Dakota Century Code, relating to paying and receiving stations.

To Senate, 316.  
Introduction, first reading, 328.  
Referred to Committee on Industry, Business, and Labor.  
Reported back, do pass, 796.  
Second reading, 885.  
Passed, 885.  
Returned to House, 890.  
Clincher, 891.  
Received from House, 1094.  
Signed by President, 1094.  
Returned to House, 1095.

#### House Bill No. 770 —

**House Bill No. 770.** A Bill for an Act to accept the cession of the state of Minnesota to the state of North Dakota of a certain parcel of real property and declaring an emergency.

To Senate, 310.  
Introduction, first reading, 327.  
Referred to Committee on State and Federal Government.  
Reported back, do pass, 641.

Second reading, 690.  
 Passed, 690.  
 Emergency carried, 690.  
 Returned to House, 709.  
 Received from House, 820.  
 Signed by President, 822.  
 Returned to House, 827.

**House Bill No. 772 —**

**House Bill No. 772.** A Bill for an Act to create and enact subsection 4 of section 43-23-06 and to amend and reenact section 43-23-05, subsection 3 of section 43-23-06, sections 43-23-07, 43-23-08, 43-23-09, 43-23-10, 43-23-11, 43-23-12, 43-23-13, and 43-23-14 of the North Dakota Century Code, relating to licensing real estate mortgage brokers.

To Senate, 245.  
 Introduction, first reading, 254.  
 Referred to Committee on Industry, Business, and Labor.  
 Reported back, do pass, 587.  
 Returned to House, 637.  
 Received from House, 726.  
 Signed by President, 727.  
 Returned to House, 728.

**House Bill No. 774 —**

**House Bill No. 774.** A Bill for an Act to amend and reenact subsection 3 of section 15-35-02 of the 1965 Supplement to the North Dakota Century Code, relating to admission of light in elementary and high schools, and declaring an emergency.

To Senate, 428.  
 Introduction, first reading, 464.  
 Referred to Committee on Education.  
 Reported back, do pass, 674.  
 Second reading, 762.  
 Passed, 762.  
 Emergency carried, 762.  
 Clincher, 775.  
 Returned to House, 778.  
 Received from House, 997.  
 Signed by President, 998.  
 Returned to House, 998.

**House Bill No. 776 —**

**House Bill No. 776.** A Bill for an Act to amend and reenact section 59-03-02 of the North Dakota Century Code, relating to the purposes for which express trusts are created, and to provide a method of holding real property in trust with certain limited powers.

To Senate, 428.  
 Introduction, first reading, 464.  
 Referred to Committee on Judiciary.  
 Reported back, do pass, 703.  
 Second reading, 779.  
 Passed, 780.  
 Clincher, 787.  
 Returned to House, 793.  
 Received from House, 997.  
 Signed by President, 998.  
 Returned to House, 998.

**House Bill No. 777 —**

**House Bill No. 777.** A Bill for an Act to amend and reenact section 15-62-02 of the North Dakota Century Code, relating to scholarship loans, and making an appropriation.

To Senate, 565.

Introduction, first reading, 601.

Referred to Committee on Education.

Indefinitely postponed, 938.

Returned to House, indefinitely postponed, 963.

**House Bill No. 778 —**

**House Bill No. 778.** A Bill for an Act to amend and reenact section 57-38-38 of the 1965 Supplement to the North Dakota Century Code, relating to notice of federal audit of return, consent for future audit, penalties, and to provide for an effective date.

To Senate, 428.

Introduction, first reading, 464.

Referred to Committee on Finance and Taxation.

Reported back, do pass, 629.

Second reading, 685.

Passed, 686.

Returned to House, 709.

Received from House, 820.

Signed by President, 822.

Returned to House, 827.

**House Bill No. 779 —**

**House Bill No. 779.** A Bill for an Act to amend and reenact section 64-02-10 of the North Dakota Century Code, relating to the fees for inspection of weighing and measuring devices.

To Senate, 428.

Introduction, first reading, 465.

Referred to Committee on Agriculture.

Reported back, do pass, 715.

Second reading, 806.

Passed, 806.

Clincher, 816.

Returned to House, 819.

Received from House, 1098.

Signed by President, 1099.

Returned to House, 1100.

**House Bill No. 780 —**

**House Bill No. 780.** A Bill for an Act to provide a method of determining amount of tax liability when mathematical errors are made on returns filed with the tax commissioner.

To Senate, 220.

Introduction, first reading, 229.

Referred to Committee on Finance and Taxation.

Reported back, do pass, 641.

Second reading, 690, 692.

Passed, 691.

Reconsidered, 692.

Amended from floor, 692.

Returned to House, amended, 710.

House concurs, 787.

Received from House, 891.  
Signed by President, 903.  
Returned to House, 904.

**House Bill No. 781 —**

**House Bill No. 781.** A Bill for an Act to make a portion of excise taxes levied on aviation gasoline and jet motor fuel used by aircraft not refundable, to provide for the allocation and distribution of the proceeds, to make an appropriation for administrative expense, and to repeal chapter 57-56 of the North Dakota Century Code, relating to a special excise tax on aviation fuels.

To Senate, 428.  
Introduction, first reading, 465.  
Referred to Committee on Finance and Taxation.  
Indefinitely postponed, 703.  
Clincher, 703.  
Returned to House, 727.

**House Bill No. 782 —**

**House Bill No. 782.** 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, providing limitations thereon, and to repeal sections 10-06-01, 10-06-02, 10-06-03, and 10-06-05 of the North Dakota Century Code, relating to the prohibition of corporate farming.

To Senate, 470.  
Introduction, first reading, 518.  
Reported back, do pass, 587.  
Referred to Committee on Agriculture.  
Second reading, 622, 644, 877.  
Laid over one legislative day, 622.  
Passed over Governor's veto, 877.  
Returned to House, 666, 889.  
Received from House, 707, 1102.  
Signed by President, 709, 1102 (Errata)  
Returned to House, 710, 1102.  
Transmitted to Senate over Governor's veto, 801.  
Reconsidered, 845.  
Clincher, 891.

**House Bill No. 783 —**

**House Bill No. 783.** A Bill for an Act to amend and reenact subsection 9 of section 52-06-02 of the North Dakota Century Code relating to receipt of military retirement payments as a disqualification for unemployment compensation benefits.

To Senate, 363.  
Introduction, first reading, 385.  
Referred to Committee on Industry, Business, and Labor.  
Reported back, do pass, 703.  
Second reading, 780.  
Passed, 780.  
Clincher, 787.  
Returned to House, 793.  
Received from House, 967.  
Signed by President, 976.  
Returned to House, 977.

**House Bill No. 784 —**

**House Bill No. 784.** A Bill for an Act to amend and reenact section 35-20-11 of the North Dakota Century Code, providing a summary method for foreclosure of special liens.

To Senate, 470.  
Introduction, first reading, 518.  
Referred to Committee on Judiciary.  
Reported back, do pass, 703.  
Second reading, 780.  
Passed, 781.  
Clincher, 787.  
Returned to House, 793.  
Received from House, 967.  
Signed by President, 976.  
Returned to House, 977.

**House Bill No. 785 —**

**House Bill No. 785.** A Bill for an Act to amend and reenact sections 60-03-02 and 60-03-04 of the North Dakota Century Code, relating to the agent for process, the licensing of roving grain and hay buyers, limiting the liability on the bond therefor and requiring the Public Service Commission to make orders upon defalcations on the bond.

To Senate, 529.  
Introduction, first reading, 567.  
Referred to Committee on Judiciary.  
Reported back, do pass, 703.  
Second reading, 781.  
Passed, 781.  
Clincher, 787.  
Returned to House, 793.  
Received from House, 997.  
Signed by President, 998.  
Returned to House, 998.

**House Bill No. 786 —**

**House Bill No. 786.** A Bill for an Act to amend and reenact section 20-11-13 of the North Dakota Century Code, relating to state's consent to United States' acquisition of areas for migratory bird reservations.

To Senate, 363.  
Introduction, first reading, 385.  
Referred to Committee on Natural Resources.  
Indefinitely postponed, 675.  
Returned to House, 710.

**House Bill No. 788 —**

**House Bill No. 788.** A Bill for an Act to amend and reenact section 15-40-12 of the North Dakota Century Code, relating to state support for elementary and secondary education.

To Senate, 541.  
Introduction, first reading, 567.  
Referred to Committee on Education.  
Indefinitely postponed, 846.  
Returned to House, indefinitely postponed, 946.



**House Bill No. 791 —**

**House Bill No. 791.** A Bill for an Act to amend and reenact section 20-02-31 of the North Dakota Century Code, relating to meetings and duties of the game and fish advisory board.

To Senate, 541.  
 Introduction, first reading, 567.  
 Referred to Committee on Natural Resources.  
 Reported back, do pass, 774.  
 Second reading, 870.  
 Passed, 871.  
 Returned to House, 890.  
 Clincher, 891.  
 Received from House, 1098.  
 Signed by President, 1099.  
 Returned to House, 1100.

**House Bill No. 792 —**

**House Bill No. 792.** A Bill for an Act to amend and reenact section 11-27-01 of the North Dakota Century Code, relating to the sale of property by boards of county commissioners.

To Senate, 428.  
 Introduction, first reading, 465.  
 Referred to Committee on Finance and Taxation.  
 Reported back, amended, 675.  
 Amendments adopted, 719.  
 Second reading 807.  
 Passed, 807.  
 Clincher, 816.  
 Returned to House, amended, 819.  
 House concurs, 958.  
 Received from House, 1098.  
 Signed by President, 1099.  
 Returned to House, 1100.

**House Bill No. 794 —**

**House Bill No. 794.** A Bill for an Act to provide for the qualification and licensing of insurance agents; and providing a penalty; and to repeal sections 26-10-13, 26-17-01, 26-17-03, 26-17-04, and 26-17-05 of the North Dakota Century Code relating to licensing, liability, suspension and revocation of licenses, and review of the commissioner's orders.

To Senate, 457.  
 Introduction, first reading, 485.  
 Referred to Committee on Industry, Business and Labor.  
 Reported back, do pass, 914.  
 Second reading, 954, 1056.  
 Re-referred to Committee on Appropriations, 954.  
 Reported back, do pass, 975.  
 Passed, 1056.  
 Clincher, 1056.  
 Returned to House, 1059.  
 Received from House, 1109.  
 Signed by President, 1110.  
 Returned to House, 1112.

**House Bill No. 795 —**

**House Bill No. 795.** A Bill for an Act to amend and reenact section 15-27-06 of the North Dakota Century Code, relating to limitations on power to detach and attach territory.

To Senate, 363.  
 Introduction, first reading, 385.  
 Referred to Committee on Education.  
 Reported back, amended, 846.  
 Amendments adopted, 898.  
 Second reading, 930.  
 Passed, 930.  
 Clincher, 943.  
 Returned to House, amended, 946.  
 House concurs, 958.  
 Received from House, 1098.  
 Signed by President, 1099.  
 Returned to House, 1100.

#### House Bill No. 796 —

**House Bill No. 796.** A Bill for an Act to amend and reenact section 64-02-13 of the North Dakota Century Code, to require the owner of weighing and/or measuring apparatus to have the same inspected at least once each year.

To Senate, 316.  
 Introduction, first reading, 328.  
 Referred to Committee on Agriculture.  
 Reported back, amended, 715.  
 Amendments adopted, 749.  
 Second reading, 763, 871.  
 Amended from floor, 763.  
 Passed, 763, 871.  
 Clincher, 891.  
 Returned to House, amended, 891.  
 House concurs, 958.  
 Received from House, 1094.  
 Signed by President, 1094.  
 Returned to House, 1095.

#### House Bill No. 797 —

**House Bill No. 797.** A Bill for an Act to amend and reenact section 11-10-20 of the North Dakota Century Code relating to location of county offices.

To Senate, 316.  
 Introduction, first reading, 328.  
 Referred to Committee on Political Subdivision.  
 Reported back, do pass, 774.  
 Second reading, 871.  
 Passed, 872.  
 Returned to House, 890.  
 Clincher, 891.  
 Received from House, 1098.  
 Signed by President, 1099.  
 Returned to House, 1100.

#### House Bill No. 798 —

**House Bill No. 798.** A Bill for an Act to amend and reenact sections 55-08-05, 55-08-07, and 55-08-14, of the North Dakota Century Code, relating to the acquisition, construction, reconstruction, improvement, betterment, and extension of special service projects by the North Dakota park service, the charges and fees for service provided by such projects, the appropriation of the revenues thereof to the park fund and state park revenue bond fund, and the

issuance of revenue bonds to pay capital costs of such projects, and authorizing the issuance of revenue bonds to finance certain projects.

To Senate, 316.  
Introduction, first reading, 328.  
Referred to Committee on State and Federal Government.  
Reported back, do pass, 675.  
Second reading, 763.  
Amended from floor, 763.  
Passed, 763.  
Clincher, 775.  
Returned to House, amended, 778.  
House concurs, 914.  
Received from House, 1094.  
Signed by President, 1094.  
Returned to House, 1095.

#### House Bill No. 799 —

**House Bill No. 799.** A Bill for an Act to repeal section 54-17-05 of the North Dakota Century Code, relating to the powers of the governor as a member of the industrial commission.

To Senate, 565.  
Introduction, first reading, 602.  
Referred to Committee on Industry, Business, and Labor.  
Reported back, indefinitely postponed, 828.  
Returned to House, 860.

#### House Bill No. 800 —

**House Bill No. 800.** A Bill for an Act for the purpose of creating and establishing an educational television commission, designating membership, powers, and providing for an appropriation.

To Senate, 529.  
Introduction, first reading, 567.  
Referred to Committee on Education.  
Indefinitely postponed, 846.  
Recorded vote, 846.  
Returned to House, indefinitely postponed, 946.

#### House Bill No. 801 —

**House Bill No. 801.** A Bill for an Act to create and enact section 52-10-11 of the North Dakota Century Code related to divided retirement systems for social security coverage.

To Senate, 296.  
Introduction, first reading, 300.  
Referred to Committee on Political Subdivision.  
Reported back, do pass, 747.  
Second reading, 823.  
Passed, 823.  
Clincher, 839.  
Returned to House, 839.  
Received from House, 1109.  
Signed by President, 1111.  
Returned to House, 1112.

#### House Bill No. 802 —

**House Bill No. 802.** A Bill for an Act to amend and reenact sections 4-09-02, 4-09-03, 4-09-07, and 4-09-20 of the North Dakota

Century Code, transferring the state seed department and its powers and duties to the commissioner of agriculture.

To Senate, 529.  
Introduction, first reading, 567.  
Referred to Committee on Agriculture.  
Indefinitely postponed, 715.  
Recorded vote, 715.  
Returned to House, 778.

#### House Bill No. 803 —

**House Bill No. 803.** A Bill for an Act to transfer certain moneys from the accumulated and undivided profits of the bank of North Dakota to the general fund of this state.

To Senate, 396.  
Introduction, first reading, 410.  
Referred to Committee on State and Federal Government.  
Reported back, amended, 675.  
Amendments adopted, 719.  
Roll call vote, 720.  
Second reading, 807.  
Amended from floor, 807.  
Passed, 808.  
Clincher, 816.  
Returned to House, amended, 819.  
House concurs, 958.  
Received from House, 1029.  
Signed by President, 1047.  
Returned to House, 1047.

#### House Bill No. 804 —

**House Bill No. 804.** A Bill for an Act to transfer certain moneys from the accumulated profits of the state mill and elevator association to the general fund of this state.

To Senate, 541.  
Introduction, first reading, 567.  
Referred to Committee on State and Federal Government.  
Reported back, amended, 675.  
Amendments adopted, 720.  
Roll call vote, 720.  
Second reading, 808.  
Amended from floor, 808.  
Passed, 808.  
Clincher, 816.  
Returned to House, amended, 819.  
House concurs, 958.  
Received from House, 1109.  
Signed by President, 1110.  
Returned to House, 1111.

#### House Bill No. 805 —

**House Bill No. 805.** A Bill for an Act to amend and reenact subsection 2 of section 6-08-16 of the 1965 Supplement to the North Dakota Century Code, relating to issuing checks or drafts without sufficient funds or credit.

To Senate, 363.  
Introduction, first reading, 385.  
Referred to Committee on Industry, Business, and Labor.

Indefinitely postponed, 828.  
Returned to House, 860.

**House Bill No. 807 —**

**House Bill No. 807.** A Bill for an Act to amend and reenact sections 12-18-07 and 20-16-01 of the North Dakota Century Code, relating to the poisoning of predatory animals, insects, and rodents and the disposal of the same, and to authorize the poisoning of certain non-game species of birds.

To Senate, 541.  
Introduction, first reading, 568.  
Referred to Committee on Natural Resources.  
Reported back, do pass, 774.  
Second reading, 872.  
Passed, 872.  
Returned to House, 890.  
Clincher, 891.  
Received from House, 1109.  
Signed by President, 1110.  
Returned to House, 1111.

**House Bill No. 809 —**

**House Bill No. 809.** A Bill for an Act to create and enact subsection 19 of section 20-01-01 and section 20-06-15 of the North Dakota Century Code, relating to the definition and regulation of private fish hatcheries, and to amend and reenact sections 20-03-02, 20-03-07, 20-06-01, 20-06-10, and 20-07-01 of the North Dakota Century Code, relating to circumstances under which residents and non-residents are not required to possess a hunting, trapping, or fishing license, the duration of fishing seasons, commercial sales of fish, and property rights in wild fur-bearing animals and fish, and declaring an emergency.

To Senate, 363.  
Introduction, first reading, 385.  
Referred to Committee on Natural Resources.  
Reported back, do pass, 611.  
Second reading, 679.  
Amended from floor, 679, 680.  
Passed, 680.  
Emergency carried, 680.  
Returned to House, amended, 710.  
House concurs, 787.  
Received from House, 967.  
Signed by President, 976.  
Returned to House, 977.

**House Bill No. 811 —**

**House Bill No. 811.** A Bill for an Act to amend and reenact section 6-03-38 of the North Dakota Century Code, and to create and enact subsection 10 of section 10-04-06 of the North Dakota Century Code, relating to the use of the assets of a bank and the exemption of transactions from the corporation law of the state of North Dakota, and declaring an emergency.

To Senate, 396.  
Introduction, first reading, 411.  
Referred to Committee on Industry, Business, and Labor.  
Reported back, amended, 587, 588.  
Amendments adopted, 616.

Second reading, 680.  
 Passed, 680.  
 Emergency carried, 680.  
 Returned to House, 710.  
 House concurs, 787.  
 Received from House, 820.  
 Signed by President, 822.  
 Returned to House, 827.

#### House Bill No. 814 —

**House Bill No. 814.** A Bill for an Act to authorize the state board of higher education to transfer the custody and control of certain land presently under the custody and control of the Dickinson substation of the North Dakota state agricultural experiment station to the Dickinson state college for use by said college for the construction and maintenance of a stadium and supporting facilities, providing an appropriation, and declaring an emergency.

To Senate, 565.  
 Introduction, first reading, 602.  
 Referred to Committee on Agriculture.  
 Reported back, amended, 715, 716.  
 Amendments adopted, 749.  
 Second reading, 873, 1009.  
 Passed, 873, 1010.  
 Emergency carried, 873.  
 Clincher, 891.  
 Returned to House, amended, 891.  
 House does not concur, 916.  
 Conference Committee, 916, 955.  
 Conference Committee report, 1009, 1049.  
 Received from House, 1099.  
 Signed by President, 1099.  
 Returned to House, 1101.

#### House Bill No. 816 —

**House Bill No. 816.** A Bill for an Act to amend and reenact sections 37-14-01, 37-14-03.3, 37-14-03.5, 37-14-04, 37-14-06, 37-14-07, 37-14-08, and 37-14-15 of the North Dakota Century Code, relating to the veterans' aid commission and loans to veterans, and making an appropriation.

To Senate, 396.  
 Introduction, first reading, 411.  
 Referred to Committee on Social Welfare and Veterans' Affairs.  
 Reported back, do pass, 747.  
 Re-referred to Committee on Appropriations, 747.  
 Do pass, 789.  
 Second reading, 885.  
 Passed, 885.  
 Returned to House, 890.  
 Clincher, 891.  
 Received from House, 1109.  
 Signed by President, 1110.  
 Returned to House, 1111.

#### House Bill No. 819 —

**House Bill No. 819.** A Bill for an Act to amend and reenact section 11-14-13, subsection 6 of section 15-29-12, and sections 21-03-40 and 21-04-18 of the North Dakota Century Code, providing that school district treasurers may be custodians of sinking funds of

school districts when authorized by the school board and that county treasurers shall remit school funds monthly.

To Senate, 396.  
 Introduction, first reading, 411.  
 Referred to Committee on Education.  
 Reported back, amended, 846, 847.  
 Amendments adopted, 899.  
 Second reading, 930.  
 Passed, 931.  
 Clincher, 943.  
 Returned to House, amended, 946.  
 House does not concur, 957.  
 Conference Committee, 957, 979.  
 Conference Committee report, 1010.  
 Received from House, 1110.  
 Signed by President, 1111.  
 Returned to House, 1112.

**House Bill No. 821 —**

**House Bill No. 821.** A Bill for an Act to amend and reenact section 36-11-01 of the North Dakota Century Code, relating to livestock running at large, and providing penalties.

To Senate, 428.  
 Introduction, first reading, 465.  
 Referred to Committee on Agriculture.  
 Reported back, do pass, 716.  
 Second reading, 808.  
 Amended from floor, 808.  
 Passed, 809.  
 Clincher, 816.  
 Returned to House, amended, 819.  
 House concurs, 958.  
 Received from House, 1029.  
 Signed by President, 1047.  
 Returned to House, 1047.

**House Bill No. 822 —**

**House Bill No. 822.** A Bill for an Act to authorize the control, prevention, and abatement of pollution of the surface waters of the state, and providing a penalty.

To Senate, 541.  
 Introduction, first reading, 568.  
 Referred to Committee on Natural Resources.  
 Reported back, amended, 774.  
 Amendments adopted, 800.  
 Second reading, 927, 1017.  
 Passed, 927, 1018.  
 Clincher, 943.  
 Returned to House, amended, 946.  
 House does not concur, 958.  
 Conference Committee, 958, 979.  
 Conference Committee report, 1017.  
 Received from House, 1110.  
 Signed by President, 1111.  
 Returned to House, 1112.

**House Bill No. 823 —**

**House Bill No. 823.** A Bill for an Act to amend and reenact section 39-08-18 of the North Dakota Century Code, relating to

open liquor containers and drinking alcoholic beverages in motor vehicles, and providing a penalty.

To Senate, 470.  
Introduction, first reading, 518.  
Referred to Committee on Judiciary.  
Reported back, amended, 704.  
Amendments adopted, 721.  
Second reading, 809.  
Passed, 809.  
Clincher, 816.  
Returned to House, amended, 819.  
House concurs, 958.  
Received from House, 1099.  
Signed by President, 1100.  
Returned to House, 1101.

#### House Bill No. 825 —

**House Bill No. 825.** A Bill for an Act to amend and reenact section 24-07-03 of the 1965 Supplement to the North Dakota Century Code, relating to the closing of section line roads.

To Senate, 310.  
Introduction, first reading, 327.  
Referred to Committee on Transportation.  
Reported back, do pass, 663.  
Second reading, 735.  
Passed, 736.  
Clincher, 736.  
Returned to House, 745.  
Received from House, 891.  
Signed by President, 903.  
Returned to House, 904.

#### House Bill No. 826 —

**House Bill No. 826.** A Bill for an Act to amend and reenact subsections 2, 3, and 4 of section 57-14-08 of the North Dakota Century Code, relating to the general reassessment of property when ordered by the board of county commissioners or state tax commissioner and the establishment of a new board of equalization to review such reassessments when ordered.

To Senate, 363.  
Introduction, first reading, 385.  
Referred to Committee on Finance and Taxation.  
Reported back, amended, 629.  
Amendments adopted, 632.  
Second reading, 687, 691.  
Placed at foot of calendar, 687.  
Passed, 691.  
Returned to House, amended, 710.  
House concurs, 787.  
Received from House, 820.  
Signed by President, 822.  
Returned to House, 827.

#### House Bill No. 827 —

**House Bill No. 827.** A Bill for an Act to create subsection 9 of section 12-60-07 of the North Dakota Century Code, relating to the powers of the bureau of criminal identification, to amend and reenact subsection 8 of section 12-60-07 of the North Dakota Century



Code, relating to the powers and duties of the bureau of criminal identification of the attorney general's office, and to repeal section 54-12-12 of the North Dakota Century Code, relating to the powers and duties of the inspectors of the attorney general's licensing department.

To Senate, 529.  
 Introduction, first reading, 568.  
 Referred to Committee on Judiciary.  
 Reported back, do pass, 704.  
 Second reading, 781.  
 Passed, 782.  
 Clincher, 787.  
 Returned to House, 793.  
 Received from House, 967.  
 Signed by President, 976.  
 Returned to House, 977.

#### House Bill No. 828 —

**House Bill No. 828.** A Bill for an Act to amend and reenact section 39-08-01 of the North Dakota Century Code, relating to the prohibition of driving while under the influence of intoxicating liquor or narcotic drugs, and the penalty therefor.

To Senate, 457.  
 Introduction, first reading, 485.  
 Referred to Committee on Judiciary  
 Indefinitely postponed, 716.  
 Returned to House, 778.

#### House Bill No. 830 —

**House Bill No. 830.** A Bill for an Act to amend and reenact section 15-34-12 of the North Dakota Century Code, relating to contracts for school transportation.

To Senate, 541.  
 Introduction, first reading, 568.  
 Referred to Committee on Education.  
 Reported back, do pass, 847.  
 Second reading, 928.  
 Passed, 928.  
 Clincher, 943.  
 Returned to House, 946.  
 Received from House, 1099.  
 Signed by President, 1100.  
 Returned to House, 1101.

#### House Bill No. 833 —

**House Bill No. 833.** A Bill for an Act creating and enacting sections 57-38-58, 57-38-59, 57-38-60, 57-38-61, 57-38-62, 57-38-63, 57-38-64 and 57-38-65 of the North Dakota Century Code, relating to withholding of income taxes from wages of nonresident employees, declaration and payment of estimated income, amendment of declaration, and providing an effective date and penalties.

To Senate, 457.  
 Introduction, first reading, 485.  
 Referred to Committee on Finance and Taxation.  
 Reported back, do pass, 641; amended, 790.  
 Amendments adopted, 834.

Placed at foot of calendar, 691.  
 Re-referred to Committee on Finance and Taxation, 696.  
 Amended from floor, 1044.  
 Placed at foot of calendar, 1045.  
 Amended from floor, 1057.  
 Placed at foot of calendar, 1057.  
 Passed, 1061.  
 Returned to House, amended, 1076.  
 House does not concur, 1077.  
 Conference Committee, 1077, 1078.  
 Conference Committee report, 1081.  
 Received from House, 1110.  
 Signed by President, 1111.  
 Returned to House, 1112.

#### House Bill No. 835 —

**House Bill No. 835.** A Bill for an Act to amend and reenact subsection 6 of section 57-38-18, sections 57-38-26 and 57-38-27, and subsections 1 and 4 of section 57-38-31, of the North Dakota Century Code, relating to income tax deductions and exemptions under the state income tax law.

To Senate, 457.  
 Introduction, first reading, 485.  
 Referred to Committee on Finance and Taxation.  
 Indefinitely postponed, 641.  
 Returned to House, indefinitely postponed, 667.

#### House Bill No. 838 —

**House Bill No. 838.** A Bill for an Act to provide for the apportionment of personal property belonging to a single coal mining company operating in two or more counties.

To Senate, 470.  
 Introduction, first reading, 518.  
 Referred to Committee on Finance and Taxation.  
 Indefinitely postponed, 675.  
 Placed on calendar, 675.  
 Second reading, 763, 883.  
 Placed at foot of calendar, 763.  
 Lost, 883.  
 Returned to House, indefinitely postponed, 947.

#### House Bill No. 839 —

**House Bill No. 839.** A Bill for an Act to amend and reenact section 50-26-01 of the 1965 supplement to the North Dakota Century Code relating to committees of the council on human resources; and amend and reenact section 50-26-04 of the 1965 supplement to the North Dakota Century Code relating to the executive committee of the council on human resources.

To Senate, 347.  
 Introduction, first reading, 383.  
 Referred to Committee on Social Welfare and Veterans' Affairs.  
 Reported back, do pass, 611.  
 Second reading, 680.  
 Passed, 681.  
 Returned to House, 709.  
 Received from House, 820.  
 Signed by President, 822.  
 Returned to House, 827.

**House Bill No. 840 —**

**House Bill No. 840.** A Bill for an Act to amend and reenact section 40-24-16 of the 1965 Supplement to the North Dakota Century Code, relating to the certification and payment of taxes collected by the county treasurer.

To Senate, 363.  
 Introduction, first reading, 385.  
 Referred to Committee on Finance and Taxation.  
 Re-referred to Committee on Finance and Taxation, 615.  
 Reported back, do pass, 525.  
 Second reading, 596, 687.  
 Passed, 597, 687.  
 Reconsidered, 615.  
 Amended, 629.  
 Amendments adopted, 632.  
 Returned to House, amended, 710.  
 House concurs, 787.  
 Received from House, 891.  
 Signed by President, 903.  
 Returned to House, 904.

**House Bill No. 841 —**

**House Bill No. 841.** A Bill for an Act to amend and reenact section 32-08-06 of the North Dakota Century Code, relating to plaintiff's undertaking in attachment.

To Senate, 529.  
 Introduction, first reading, 568.  
 Referred to Committee on Judiciary.  
 Reported back, amended, 704.  
 Amendments adopted, 721.  
 Second reading, 809.  
 Passed, 810.  
 Clincher, 816.  
 Returned to House, amended, 819.  
 House concurs, 958.  
 Received from House, 1099.  
 Signed by President, 1100.  
 Returned to House, 1101.

**House Bill No. 842 —**

**House Bill No. 842.** A Bill for an Act to amend and reenact section 26-01-04 of the North Dakota Century Code, relating to fees chargeable by the commissioner of insurance.

To Senate, 529.  
 Introduction, first reading, 568.  
 Referred to Committee on Industry, Business, and Labor.  
 Reported back, do pass, 704.  
 Second reading, 782.  
 Passed, 782.  
 Clincher, 787.  
 Returned to House, 794.  
 Received from House, 968.  
 Signed by President, 976.  
 Returned to House, 977.

**House Bill No. 843 —**

**House Bill No. 843.** A Bill for an Act to amend and reenact section 26-27-14 of the North Dakota Century Code, relating to licensing of sales representatives.

To Senate, 470.  
Introduction, first reading, 518.  
Referred to Committee on Industry, Business, and Labor.  
Reported back, do pass, 704.  
Second reading, 782.  
Passed, 782.  
Clincher, 787.  
Returned to House, 794.  
Received from House, 968.  
Signed by President, 976.  
Returned to House, 977.

**House Bill No. 844 —**

**House Bill No. 844.** A Bill for an Act to amend and reenact section 26-27.1-18 of the North Dakota Century Code, relating to licensing of sales representatives.

To Senate, 470.  
Introduction, first reading, 518.  
Referred to Committee on Industry, Business, and Labor.  
Reported back, do pass, 704.  
Second reading, 782.  
Passed, 783.  
Clincher, 787.  
Returned to House, 794.  
Received from House, 968.  
Signed by President, 976.  
Returned to House, 977.

**House Bill No. 845 —**

**House Bill No. 845.** A Bill for an Act to amend and reenact section 26-26-14 of the North Dakota Century Code, relating to licensing of sales representatives.

To Senate, 470.  
Introduction, first reading, 518.  
Referred to Committee on Industry, Business, and Labor.  
Reported back, do pass, 704.  
Second reading, 783.  
Passed, 783.  
Clincher, 787.  
Returned to House, 794.  
Received from House, 968.  
Signed by President, 976.  
Returned to House, 977.

**House Bill No. 846 —**

**House Bill No. 846.** A Bill for an Act authorizing the state board of higher education to enter into an agreement with the North Dakota 4-H Club Foundation, Incorporated, to allow such foundation to build a 4-H Center on lands of the North Dakota state university of agriculture and applied science, with title to such center passing to the state upon completion of the construction of the building.

To Senate, 457.  
 Introduction, first reading, 485.  
 Referred to Committee on Education.  
 Reported back, do pass, 675.  
 Second reading, 763.  
 Passed, 764.  
 Clincher, 775.  
 Returned to House, 778.  
 Received from House, 968.  
 Signed by President, 976.  
 Returned to House, 977.

**House Bill No. 848 —**

**House Bill No. 848.** A Bill for an Act to create and enact subsection 19 of section 15-29-08 of the North Dakota Century Code relating to school board's authority to organize.

To Senate, 363.  
 Introduction, first reading, 385.  
 Referred to Committee on Education.  
 Reported back, amended, 847.  
 Amendments adopted, 899.  
 Second reading, 931.  
 Passed, 931.  
 Clincher, 943.  
 Returned to House, amended, 946.  
 House concurs, 958.  
 Received from House, 1099.  
 Signed by President, 1100.  
 Returned to House, 1101. —

**House Bill No. 852 —**

**House Bill No. 852.** A Bill for an Act to amend and reenact sections 37-17-03 and 37-17-04 of the North Dakota Century Code relating to the appointment of a civil defense director and a civil defense advisory committee.

To Senate, 470.  
 Introduction, first reading, 519.  
 Referred to Committee on State and Federal Government.  
 Reported back, do pass, 663.  
 Second reading, 736.  
 Passed, 736.  
 Clincher, 736.  
 Returned to House, 745.  
 Received from House, 891.  
 Signed by President, 903.  
 Returned to House, 904.

**House Bill No. 855 —**

**House Bill No. 855.** A Bill for an Act to amend and reenact section 12-46-19 of the North Dakota Century Code, permitting North Dakota industrial school students freer use of acquired moneys.

To Senate, 396.  
 Introduction, first reading, 411.  
 Referred to Committee on Industry, Business, and Labor.  
 Reported back, do pass, 641.  
 Second reading, 692.  
 Passed, 692.

Returned to House, 709.  
Received from House, 801.  
Signed by President, 811.  
Returned to House, 811.

**House Bill No. 859 —**

**House Bill No. 859.** A Bill for an Act to create section 65-08-04 of the North Dakota Century Code, providing for agreements between states relating to conflicts of jurisdiction; to amend sections 65-08-01, and 65-08-02, relating to extraterritorial coverage, when and how furnished, and reciprocity in extraterritorial application of compensation acts of various states provided.

To Senate, 541.  
Introduction, first reading, 568.  
Referred to Committee on Industry, Business, and Labor.  
Reported back, do pass, 705.  
Second reading, 783.  
Passed, 784.  
Clincher, 787.  
Returned to House, 794.  
Received from House, 968.  
Signed by Speaker, 976.  
Returned to House, 977.

**House Bill No. 860 —**

**House Bill No. 860.** A Bill for an Act to provide for the form of drivers licenses and relating to fees for costs of preparation and issuance.

To Senate, 565.  
Introduction, first reading, 602.  
Referred to Committee on Finance and Taxation.  
Re-referred to Committee on Transportation, 639.  
Returned to Senate, 639.  
Indefinitely postponed, 747.  
Placed on calendar, 747.  
Second reading, 824.  
Amended from floor, 824.  
Passed, 824.  
Clincher, 839.  
Returned to House, amended, 839.  
House concurs, 1057.  
Indefinitely postponed, 1057.

**House Bill No. 862 —**

**House Bill No. 862.** A Bill for an Act to amend and reenact section 39-09-02 of the North Dakota Century Code, relating to motor vehicle speed limitations, and providing a termination date.

To Senate, 470.  
Introduction, first reading, 519.  
Referred to Committee on Transportation.  
Reported back, do pass, 747.  
Divided report, 747.  
Second reading, 834, 870.  
Amended from floor, 834, 835.  
Placed below House Bill No. 693, 835.  
Passed, 870.  
Clincher, 891.  
Returned to House, amended, 891.

House does not concur, 916.  
 Conference Committee, 916, 955.  
 Conference Committee report, 1010.  
 Received from House, 1110.  
 Signed by President, 1111.  
 Returned to House, 1112.

#### House Bill No. 863 —

**House Bill No. 863.** A Bill for an Act to amend and reenact section 6-09-15 of the North Dakota Century Code, relating to bank loans, and to repeal sections 6-09-18, 6-09-19, 6-09-20, 6-09-21, 6-09-22, 6-09-23, 6-09-24, 6-09-30, 6-09-31 and 6-09-32, of the North Dakota Century Code, relating to farm loans made by The Bank of North Dakota.

To Senate, 396.  
 Introduction, first reading, 411.  
 Referred to Committee on Industry, Business, and Labor.  
 Reported back, amended, 611.  
 Amendments adopted, 627.  
 Second reading, 684.  
 Passed, 684.  
 Returned to House, amended, 710.  
 House concurs, 787.  
 Received from House, 891.  
 Signed by President, 904.  
 Returned to House, 904.

#### House Bill No. 864 —

**House Bill No. 864.** A Bill for an Act relating to the issuance by the state engineer of perfected water permits for water taken from wells.

To Senate, 470.  
 Introduction, first reading, 519.  
 Referred to Committee on Natural Resources.  
 Indefinitely postponed, 922.  
 Returned to Senate, indefinitely postponed, 963.

#### House Bill No. 865 —

**House Bill No. 865.** A Bill for an Act relating to the issuance by the state engineer of perfected water permits for water taken from wells.

To Senate, 470.  
 Introduction, first reading, 519.  
 Referred to Committee on Natural Resources.  
 Indefinitely postponed, 922.  
 Returned to House, indefinitely postponed, 963.

#### House Bill No. 867 —

**House Bill No. 867.** A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to exemption for nonresident individual.

To Senate, 428.  
 Introduction, first reading, 465.  
 Referred to Committee on Finance and Taxation.  
 Reported back, do pass, 641.  
 Second reading, 693.

Passed, 693.  
Returned to House, 709.  
Received from House, 801.  
Signed by President, 811.  
Returned to House, 811.

**House Bill No. 869 —**

**House Bill No. 869.** A Bill for an Act authorizing any political subdivision, at its option, to procure liability and casualty insurance protecting the political subdivision or the employees thereof against claims or loss arising out of the operation of an airport; and providing for waiver of governmental immunity in the event such insurance is purchased.

To Senate, 347.  
Introduction, first reading, 383.  
Referred to Committee on Political Subdivision.  
Returned from Committee on Political Subdivision and re-referred to Committee on Judiciary, 589.  
Reported back, amended, 717.  
Amendments adopted, 749.  
Second reading, 873.  
Passed, 873.  
Clincher, 891.  
Returned to House, amended, 891.  
House concurs, 958.  
Received from House, 1094.  
Signed by President, 1094.  
Returned to House, 1095.

**House Bill No. 870 —**

**House Bill No. 870.** A Bill for an Act to amend and reenact sections 27-05.1-02, 27-05.1-06, 27-05.1-08, 27-05.1-09, 27-05.1-10, 27-05.1-16, and 27-05.1-18 of the North Dakota Century Code, relating to the operation of family courts, and declaring an emergency.

To Senate, 529.  
Introduction, first reading, 568.  
Referred to Committee on Judiciary.  
Reported back, do pass, 717.  
Second reading, 810.  
Passed, 810.  
Clincher, 816.  
Returned to House, 819.  
Received from House, 1099.  
Signed by President, 1100.  
Returned to House, 1101.

**House Bill No. 871 —**

**House Bill No. 871.** A Bill for an Act to create and enact a new subsection to section 57-02-08 of the North Dakota Century Code, relating to property tax exemptions.

To Senate, 457.  
Introduction, first reading, 485.  
Referred to Committee on Finance and Taxation.  
Reported back, do pass, 641.  
Second reading, 693.  
Passed, 693.  
Returned to House, 709.



Received from House, 801.  
Signed by President, 811.  
Returned to House, 811.

**House Bill No. 873 —**

**House Bill No. 873.** A Bill for an Act making an appropriation to the state historical board for salaries and wages for the period beginning January 1, 1967, and ending June 30, 1967, and declaring an emergency.

To Senate, 316.  
Introduction, first reading, 328.  
Referred to Committee on Appropriations.  
Reported back, do pass, 588.  
Second reading 622.  
Passed, 622.  
Emergency carried, 622.  
Returned to House, 637.  
Received from House, 726.  
Signed by President, 727.  
Returned to House, 728.

**House Bill No. 875 —**

**House Bill No. 875.** A Bill for an Act to amend and reenact section 1 of house bill number 543 of the fortieth legislative assembly of the state of North Dakota, relating to the form of enrolled bills.

To Senate, 347.  
Introduction, first reading, 383.  
Referred to Committee on State and Federal Government.  
Indefinitely postponed, 676.  
Returned to House, 710.

**House Bill No. 877 —**

**House Bill No. 877.** A Bill for an Act to amend and reenact subsection 2 of section 34-12-01 and section 34-12-02, and to amend and reenact section 34-12-03 by creating and enacting subdivision k of subsection 2 of the 1965 Supplement to the North Dakota Century Code relating to the North Dakota Labor-Management Relations Act and defining "Employers" therein to include state and its political subdivisions, providing that certain public employees shall have no right to strike, and relating to unfair labor practices.

To Senate, 541.  
Introduction, first reading, 568.  
Referred to Committee on Industry, Business, and Labor.  
Indefinitely postponed, 717.  
Returned to House, 778.

**House Bill No. 879 —**

**House Bill No. 879.** A Bill for an Act to amend and reenact section 57-05-01 of the North Dakota Century Code, relating to the assessment of railroad property by the state board of equalization.

To Senate, 457.  
Introduction, first reading, 486.  
Referred to Committee on Finance and Taxation.  
Reported back, do pass, 642.  
Second reading, 693.

Passed, 694.  
 Returned to House, 709.  
 Received from House, 820.  
 Signed by President, 822.  
 Returned to House, 827.

#### House Bill No. 882 —

**House Bill No. 882.** A Bill for an Act to amend and reenact sections 57-34-02 and 57-34-03 of the 1965 Supplement to the North Dakota Century Code, relating to reports of telephone companies of taxes to be assessed against them.

To Senate, 363.  
 Introduction, first reading, 385.  
 Referred to Committee on Finance and Taxation.  
 Reported back, do pass, 525.  
 Second reading, 597.  
 Passed, 597.  
 Returned to House, 621.  
 Received from House, 699.  
 Signed by President, 709.  
 Returned to House, 710.

#### House Bill No. 883 —

**House Bill No. 883.** A Bill for an Act to amend and reenact sections 57-23-04, 57-23-05 and 57-23-08 of the North Dakota Century Code, relating to property tax abatement procedures.

To Senate, 428.  
 Introduction, first reading, 465.  
 Referred to Committee on Finance and Taxation.  
 Reported back, do pass, 663.  
 Second reading, 736, 1060.  
 Passed, 736.  
 Clincher, 736.  
 Returned to House, 745.  
 Received from House, 891.  
 Signed by President, 904.  
 Returned to House, 904.

#### House Bill No. 884 —

**House Bill No. 884.** A Bill for an Act to amend and reenact sections 15-40-18 and 15-40-19, subsection 11 of section 57-01-06, and section 57-15-24 of the North Dakota Century Code, to delete the use of sales ratio studies in computing state aid to county equalization funds, and to provide that such study shall not apply to agricultural and ranch lands, and to repeal section 57-01-08, relating to the effective date when such study shall be used in regard to computing per-pupil payments.

To Senate, 565.  
 Introduction, first reading, 602.  
 Referred to Committee on Education.  
 Reported back, amended, 938, 942.  
 Amendments adopted, 955.  
 Second reading, 1053.  
 Lost, 1056.  
 Clincher, 1056.  
 Returned to House, 1059.

**House Bill No. 886 —**

**House Bill No. 886.** A Bill for an Act to amend and reenact Section 57-15-44 of the North Dakota Century Code relating to the city tax levy for acquiring real estate for public buildings, and repealing Sections 57-15-45 and 57-15-46 of the North Dakota Century Code.

To Senate, 347.  
 Introduction, first reading, 383.  
 Referred to Committee on Political Subdivision.  
 Reported back, do pass, 847.  
 Second reading, 928.  
 Passed, 929.  
 Clincher, 943.  
 Returned to House, 946.  
 Received from House, 1099.  
 Signed by President, 1100.  
 Returned to House, 1101.

**House Bill No. 889 —**

**House Bill No. 889.** A Bill for an Act to amend and reenact Section 54-02-07 of the North Dakota Century Code providing for the Theodore Roosevelt Rough Rider Awards.

To Senate, 347.  
 Introduction, first reading, 383.  
 Referred to Committee on State and Federal Government  
 Reported back, do pass, 676.  
 Second reading, 764.  
 Passed, 764.  
 Clincher, 775.  
 Returned to House, 778.  
 Received from House, 968.  
 Signed by President, 976.  
 Returned to House, 977.

**House Bill No. 894 —**

**House Bill No. 894.** A Bill for an Act to permit the state board of higher education to erect steel and prefabricated buildings at the institutions under their control on the basis of plans approved by the state construction superintendent.

To Senate, 316.  
 Introduction, first reading, 329.  
 Referred to Committee on Education.  
 Reported back, amended, 705.  
 Amendments adopted, 721.  
 Second reading, 812.  
 Lost, 812.  
 Clincher, 816.  
 Returned to House, indefinitely postponed, 819.

**House Bill No. 895 —**

**House Bill No. 895.** A Bill for an Act to allow a county which has a vacancy in the office of county superintendent of schools to enter into an agreement with an adjacent county to provide services to such county, and declaring an emergency.

To Senate, 316.  
 Introduction, first reading, 329.

Referred to Committee on Education.  
Reported back, do pass, 676.  
Second reading, 764.  
Passed, 765.  
Emergency carried, 765.  
Clincher, 775.  
Returned to House, 778.  
Received from House, 968.  
Signed by President, 976.  
Returned to House, 977.

#### House Bill No. 897 —

**House Bill No. 897.** A Bill for an Act to amend and reenact subsections 1 and 2 of section 57-38-04 of the North Dakota Century Code to provide for exclusion of income of a nonresident received from personal or professional services performed in this state if the state in which the nonresident resides grants reciprocal treatment. to residents of this state.

To Senate, 986.  
Revision and correction, 963.  
Returned to House, 1093.

#### House Bill No. 898 —

**House Bill No. 898.** A Bill for an Act to amend and reenact section 11-13-02.1 of the North Dakota Century Code, relating to preparation of statistical material by county officials.

To Senate, 296.  
Introduction, first reading, 300.  
Referred to Committee on Political Subdivision.  
Reported back, do pass, 747.  
Second reading, 823.  
Passed, 824.  
Clincher, 839.  
Returned to House, 839.  
Received from House, 1029.  
Signed by President, 1047.  
Returned to House, 1047.

#### House Bill No. 900 —

**House Bill No. 900.** A Bill for an Act to amend and reenact subdivision b of subsection 2 and subsection 5 of section 39-04-19 of the North Dakota Century Code, relating to motor vehicle registration fees.

To Senate, 565.  
Introduction, first reading, 602.  
Referred to Committee on Transportation.  
Reported back, 747.  
Indefinitely postponed, 747.  
Placed on calendar, 747.  
Second reading, 825, 1032.  
Amended from Floor, 825, 827.  
Passed, 827, 1032.  
Clincher, 839.  
Returned to House, amended, 839.  
House does not concur, 922.  
Conference Committee, 922.  
Conference Committee report, 1029; amended, 1029, 1031.  
Received from House, 1110.

Signed by President, 1111.  
Returned to House, 1112.

**House Bill No. 904 —**

**House Bill No. 904.** A Bill for an Act to amend and reenact section 13-04-01 of the 1965 Supplement to the North Dakota Century Code, relating to bank installment loans.

To Senate, 470.  
Introduction, first reading, 519.  
Referred to Committee on Industry, Business, and Labor.  
Reported back, amended, 796.  
Amendments adopted, 834.  
Second reading, 926.  
Passed, 926.  
Clincher, 943.  
Returned to House, amended, 946.  
House concurs, 958.  
Received from House, 1099.  
Signed by President, 1100.  
Returned to House, 1101.

**House Bill No. 906 —**

**House Bill No. 906.** A Bill for an Act relating to unauthorized insurance, classifying transactions constituting doing an insurance business, subjecting those insurers and their agents to the jurisdiction and regulation of the commissioner of insurance, levying a tax on gross premiums, providing for the issuance of process and jurisdiction of court proceedings, providing exceptions and defining violations and providing penalties therefor.

To Senate, 541.  
Introduction, first reading, 569.  
Referred to Committee on Industry, Business, and Labor.  
Reported back, amended, 914, 915.  
Amendments adopted, 955.  
Second reading, 973, 1082.  
Passed, 974, 1082.  
Clincher, 976, 1082.  
Returned to House, amended, 978.  
House does not concur, 991.  
Conference Committee, 992, 993.  
Conference Committee report, 1081.

**House Bill No. 909 —**

**House Bill No. 909.** A Bill for an Act to require persons, corporations, associations, or organizations 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.

To Senate, 347.  
Introduction, first reading, 383.  
Referred to Committee on Political Subdivision.  
Reported back, do pass, 747.  
Second reading, 824.  
Passed, 824.  
Clincher, 839.  
Returned to House, 839.  
Received from House, 1029.  
Signed by President, 1047.  
Returned to House, 1047.

**House Bill No. 911 —**

**House Bill No. 911.** A Bill for an Act to amend and reenact sections 40-24-11 and 40-24-12 of the 1965 Supplement to the North Dakota Century Code, relating to the regulations in certifying special assessments and furnishing statements thereof.

To Senate, 470.  
Introduction, first reading, 519.  
Referred to Committee on Finance and Taxation.  
Reported back, do pass, 676.  
Second reading, 765.  
Passed, 765.  
Clincher, 775.  
Returned to House, 778.  
Received from House, 968.  
Signed by President, 976.  
Returned to House, 977.

**House Bill No. 913 —**

**House Bill No. 913.** A Bill for an Act to amend and reenact section 26-17-10 of the 1965 Supplement to the North Dakota Century Code, relating to exceptions for foreign insurance and surety companies having local agents.

To Senate, 529.  
Introduction, first reading, 569.  
Referred to Committee on Industry, Business, and Labor.  
Reported back, do pass, 797.  
Second reading, 885.  
Passed, 886.  
Returned to House, 890.  
Clincher, 891.  
Received from House, 1094.  
Signed by President, 1094.  
Returned to House, 1095.

**House Bill No. 914 —**

**House Bill No. 914.** A Bill for an Act to provide that automobile liability insurance shall not be canceled without proper notice, with reason for cancellation to be provided, and for nonliability of parties.

To Senate, 492.  
Introduction, first reading, 566.  
Referred to Committee on Industry, Business, and Labor.  
Reported back, amended, 797.  
Amendments adopted, 834.  
Second reading, 926.  
Passed, 927.  
Clincher, 943.  
Returned to House, amended, 946.  
House concurs, 958.  
Received from House, 1110.  
Signed by President, 1111.  
Returned to House, 1112.

**House Bill No. 916 —**

**House Bill No. 916.** A Bill for an Act to define the word "proceedings" as used in statutes requiring the publication thereof.

To Senate, 316.  
Introduction, first reading, 329.  
Referred to Committee on Political Subdivision.  
Indefinitely postponed, 774.  
Returned to House, 811.

#### House Bill No. 917 —

**House Bill No. 917.** A Bill for an Act to amend chapter 57-38 of the North Dakota Century Code by creating and enacting a new section thereto, relating to the election of a corporation to have its undistributable taxable income included in the gross income of its shareholders; and to provide an effective date.

To Senate, 457.  
Introduction, first reading, 486.  
Referred to Committee on Finance and Taxation.  
Reported back, do pass, 642.  
Second reading, 705, 766, 951.  
Placed at foot of calendar, 705, 766.  
Passed, 951.  
Clincher, 961.  
Returned to House, 966.  
Received from House, 1099.  
Signed by President, 1100.  
Returned to House, 1101.

#### House Bill No. 925 —

**House Bill No. 925.** A Bill for an Act to repeal section 20-01-18 of the North Dakota Century Code, relating to the enforcement of laws governing hunting on private premises.

To Senate, 529.  
Introduction, first reading, 569.  
Referred to Committee on Natural Resources.  
Reported back, do pass, 774.  
Second reading, 873.  
Passed, 874.  
Returned to House, 890.  
Clincher, 891.  
Received from House, 1099.  
Signed by President, 1100.  
Returned to House, 1101.

#### House Bill No. 926 —

**House Bill No. 926.** A Bill for an Act to provide for the regulation of the development and production of certain subsurface minerals, and providing a penalty.

To Senate, 396.  
Introduction, first reading, 411.  
Referred to Committee on Natural Resources.  
Reported back, do pass, 611.  
Second reading, 681.  
Passed, 681.  
Returned to House, 709.  
Received from House, 820.  
Signed by President, 822.  
Returned to House, 827.

**House Bill No. 928 —**

**House Bill No. 928.** A Bill for an Act relating to the promotion, advertising, research and development of Irish potatoes; creating a state potato council and prescribing its powers, duties and authority; prescribing a tax on potato production, providing for its collection; making an appropriation and providing penalties for the violation of this Act, and declaring an emergency.

To Senate, 529.  
 Introduction, first reading, 569.  
 Referred to Committee on Finance and Taxation.  
 Returned from Committee, 615.  
 Re-referred to Committee on Agriculture, 615.  
 Reported back, do pass, 717.  
 Re-referred to Committee on Appropriations, 717.  
 Do pass, 828.  
 Second reading, 925.  
 Passed, 926.  
 Clincher, 943.  
 Returned to House, 946.  
 Received from House, 1110.  
 Signed by President, 1111.  
 Returned to House, 1112.

**House Bill No. 929 —**

**House Bill No. 929.** A Bill for an Act to provide for the filing of Federal Tax Liens, Releases, and Notices thereof, and to make uniform the law with reference thereto.

To Senate, 363.  
 Introduction, first reading, 386.  
 Referred to Committee on Finance and Taxation.  
 Reported back, do pass, 525.  
 Second reading, 597.  
 Passed, 598.  
 Returned to House, 621.  
 Received from House, 699.  
 Signed by President, 709.  
 Returned to House, 710.

**House Bill No. 932 —**

**House Bill No. 932.** A Bill for an Act to amend and reenact sections 15-40-18, 15-40-19, and 57-15-24 of the North Dakota Century Code, relating to sums due county equalization funds and county mill levies, and to repeal section 57-01-08 of the North Dakota Century Code, relating to the sales ratio study.

To Senate, 541.  
 Returned to House, 574.  
 House requests return, 574.

**House Bill No. 933 —**

**House Bill No. 933.** A Bill for an Act to provide a state fossil.

To Senate, 529.  
 Introduction, first reading, 569.  
 Referred to Committee on Natural Resources.  
 Reported back, do pass, 774.  
 Second reading, 874.  
 Passed, 874.



Returned to House, 890.  
Clincher, 891.  
Received from House, 1099.  
Signed by President, 1100.  
Returned to House, 1101.

#### House Bill No. 937 —

**House Bill No. 937.** A Bill for an Act to amend and reenact section 57-03-05 of the North Dakota Century Code, relating to the assessment of grains stored in commercial elevators, warehouses, and granaries.

To Senate, 457.  
Introduction, first reading, 486.  
Referred to Committee on Finance and Taxation.  
Reported back, amended, 642.  
Amendments adopted, 664.  
Second reading, 765.  
Passed, 765.  
Clincher, 775.  
Returned to House, amended, 778.  
House concurs, 914.  
Received from House, 997.  
Signed by President, 997.  
Returned to House, 997.

#### House Bill No. 938 —

**House Bill No. 938.** A Bill for an Act to allow municipalities to discontinue municipal parking lots when a higher and better use for the property exists.

To Senate, 457.  
Introduction, first reading, 486.  
Referred to Committee on Political Subdivision.  
Reported back, do pass, 775.  
Second reading, 874.  
Passed, 875.  
Returned to House, 890.  
Clincher, 891.  
Received from House, 1099.  
Signed by President, 1100.  
Returned to House, 1101.

#### House Bill No. 939 —

**House Bill No. 939.** A Bill for an Act to amend and reenact section 18-11-10 of the North Dakota Century Code, relating to the tax levy formula for alternate firemen's associations.

To Senate, 396.  
Introduction, first reading, 411.  
Referred to Committee on Political Subdivision.  
Reported back, do pass, 747.  
Second reading, 824.  
Passed, 824.  
Returned to House, 839.  
Received from House, 1029.  
Signed by President, 1047.  
Returned to House, 1047.

**House Bill No. 940 —**

- **House Bill No. 940.** A Bill for an Act to amend and reenact section 54-03-20 of the North Dakota Century Code, relating to allowances for expenses of members of the legislative assembly, and declaring an emergency.

To Senate, 932.  
 Introduction, first reading, 932.  
 Referred to Committee on Appropriations.  
 Indefinitely postponed, 942.  
 Returned to House, indefinitely postponed, 963.

**House Bill No. 941 —**

**House Bill No. 941.** A Bill for an Act to create and enact a new chapter to the North Dakota Century Code imposing a three-quarters of one percent motor vehicle excise tax, exemptions there-to, manner of collection, penalties, allocation of revenue and to repeal chapters 57-39.1 and 57-40.1 of the North Dakota Century Code.

To Senate, 758.  
 Introduction, first reading, 773.  
 Referred to Committee on Finance and Taxation.  
 Reported back, do pass, 790.  
 Second reading, 799, 994.  
 Passed, 800; over Governor's veto, 994.  
 Emergency carried, 800.  
 Returned to House, 805, 997.  
 Received from House, 810, 1102.  
 Signed by President, errata, 810, 1102.  
 Returned to House, 810, 1102.  
 Transmitted to Senate over Governor's veto, 945.  
 Reconsidered, over Governor's veto, 994.  
 Clincher, 995.

**House Bill No. 943 —**

**House Bill No. 943.** A Bill for an Act to amend and reenact section 3, subsections 5 and 8 of section 4, sections 9 and 28, subsection 3 of section 29, and section 34 of House Bill Number 731 as approved by the Fortieth Legislative Assembly, and to amend and reenact sections 1 and 3 of Senate Bill Number 403 as approved by the Fortieth Legislative Assembly, relating to the imposition sections of the sales and use tax laws, exemptions from the sales and use taxes, records and resale certificates of retailers, to repeal section 27 of House Bill Number 731 as approved by the Fortieth Legislative Assembly, providing an effective date, and declaring an emergency.

To Senate, 916.  
 Introduction, first reading, 922.  
 Referred to Committee on Finance and Taxation.  
 Reported back, do pass, 938.  
 Second reading, 1043.  
 Passed, 1043.  
 Emergency carried, 1043.  
 Returned to House, 1048.  
 Received from House, 1099.  
 Signed by President, 1100.  
 Returned to House, 1101.

# HOUSE CONCURRENT RESOLUTIONS

## House Concurrent Resolution "A" —

**House Concurrent Resolution "A".** A concurrent resolution to amend and reenact sections 124, 125, 127, and 129, relating to the voting franchise and to repeal sections 122, 123, 126, and 128, relating to the voting franchise; to amend and reenact section 130, relating to municipal corporations; to repeal sections 132, 133, 135, 136, 137, 138, 140, 141, 142, 143, 144, 145, and 146, relating to other corporations; to repeal section 151, relating to education; to amend and reenact sections 153, 154, 155, and 156, relating to school and public lands and to repeal sections 157, 158, 159, 160, 161, 162, and 164, relating to school and public lands; to amend and reenact sections 168, 170, 172, and 173, relating to county and township organization and to repeal section 166, relating to county and township organization; to amend and reenact sections 176 and 179, relating to revenue and taxation; to amend and reenact sections 185 and 186, relating to public debt and public works; to repeal section 187 and Articles 59 and 65, relating to public debt and public works; to amend and reenact section 202, relating to methods of amending the state Constitution; to amend and reenact Article 33 of the Amendments, relating to recall provisions; to amend and reenact section 212, relating to the exchange "black lists"; to repeal sections 209 and 214, relating to the labor of children and original legislative apportionment; to amend and reenact section 215, relating to public institutions, and to repeal section 216 and Article 19 of the Amendments, relating to public institutions; to amend and reenact Article 54 of the Amendments relating to the state board of higher education; to amend and reenact Article 56 of the Amendments relating to gasoline taxes; and to repeal sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26 of the Schedule to the Constitution of the state of North Dakota; all such sections and Articles of Amendments, amended and repealed, being a part of the Constitution of the state of North Dakota.

To Senate, 565.

Introduction, first reading, 601.

Referred to Committee on Judiciary.

Reported back, amended, 894.

Amendments adopted, 955.

Second reading, 974.

Passed, 975.

Returned to House, amended, 978.

House does not concur, 991.

Conference Committee, 992, 993.

Conference Committee report, 1037, 1049.

Received from House, 1110.

Signed by President, 1111.

Returned to House, 1112.

## House Concurrent Resolution "B" —

**House Concurrent Resolution "B".** A concurrent resolution urging the Bureau of Outdoor Recreation and the North Dakota congressional delegation to advocate for the inclusion of provisions within the Land, Water, and Conservation Fund Act which would make possible the construction of weather-protective buildings specifically equipped to provide year-around indoor recreation activities free from uncertain weather conditions.

Introduction, first reading, 67.

Referred to Committee on State and Federal Government.

Reported back, do pass, 258.

Second reading, 280, 366.

Passed, 367.  
 Returned to House, 396.  
 Received from House, 648.  
 Signed by President, 651.  
 Returned to House, 660.

#### House Concurrent Resolution "D" —

**House Concurrent Resolution "D".** A concurrent resolution inviting Mr. Louis W. Menk to address members of the Fortieth Legislative Assembly.

To Senate, 40.  
 Introduction, first reading, 45.  
 Second reading, 45.  
 Adopts, 45.  
 Passed, 45.  
 Returned to House, 54.  
 Received from House, 71.  
 Signed by President, 71.  
 Returned to House, 72.

#### House Concurrent Resolution "E" —

**House Concurrent Resolution "E".** A Concurrent Resolution expressing appreciation to the adjutant general, the national guard, Francis Elliott, and Gilbert Gervais, the "University Bards" directed by Mr. James T. Fudge, the Bismarck High School Symphonettes directed by Mr. Harold Van Heuvelen, the Bismarck High School Swing Band directed by Mr. Gordon Knaak, and the governor's reception committee for their activities in making the inauguration activities a success.

To Senate, 428.  
 Introduction, first reading, 589.  
 Second reading, 590.  
 Passed, 590.  
 Returned to House, 594.  
 Received from House, 648.  
 Signed by President, 651.  
 Returned to House, 660.

#### House Concurrent Resolution "F" —

**House Concurrent Resolution "F".** A Concurrent Resolution inviting the Honorable Floyd E. Dominy, National Commissioner, Bureau of Reclamation, Department of Interior, to address the Legislative Assembly of the State of North Dakota meeting in joint session.

To Senate, 60.  
 Introduction, first reading, 67.  
 Second reading, 68.  
 Passed, 68.  
 To House, 81.  
 Received from House, 83.  
 Signed by President, 84.  
 Returned to House, 85.

#### House Concurrent Resolution "G" —

**House Concurrent Resolution "G".** A Concurrent Resolution commending Milton R. Young, Senior Senator from North Dakota,

on the twenty-second anniversary of his dedicated, devoted and loyal service for the state of North Dakota and our Nation.

To Senate, 60.  
 Introduction, first reading, 68.  
 Second reading, 68.  
 Passed, roll call vote, 69.  
 To House, 81.  
 Received from House, 102.  
 Signed by President, 103.  
 Returned to House, 103.

#### House Concurrent Resolution "H" —

**House Concurrent Resolution "H".** A Concurrent Resolution providing and designating House and Senate employees and naming and fixing their salaries.

To Senate, 85.  
 Introduction, first reading, 93.  
 Referred to Committee on Employment.  
 Reported back, amended, 139.  
 Amendments adopted, 140.  
 Second reading, 140.  
 Passed, 140.  
 To House, 140.  
 Revision and correction, 144.  
 House concurs, 144.  
 Returned to Senate, 187.  
 Signed by President, 187.  
 Returned to House, 188.

#### House Concurrent Resolution "I" —

**House Concurrent Resolution "I".** A Concurrent Resolution relating to the incentive system for the payment of salaries and wages in public and private employment.

To Senate, 106.  
 Introduction, first reading, 134.  
 Referred to Committee on Industry, Business, and Labor.  
 Reported back, do pass, 611.  
 Second reading, 681.  
 Passed, 681.  
 Returned to House, 709.  
 Received from House, 891.  
 Signed by President, 904.  
 Returned to House, 904.

#### House Concurrent Resolution "J" —

**House Concurrent Resolution "J".** A Concurrent Resolution expressing approval of the manner in which progress towards the Garrison diversion is being undertaken.

To Senate, 106.  
 Introduction, first reading, 134.  
 Referred to Committee on Agriculture.  
 Reported back, do pass, 718.  
 Second reading, 812.  
 Passed, 812.  
 Clincher, 816.  
 Returned to House, 819.  
 Received from House, 1110.

Signed by President, 1111.  
Returned to House, 1112.

#### House Concurrent Resolution "K" —

**House Concurrent Resolution "K".** A Concurrent Resolution directing a study by the Legislative Research Committee for the purpose of recommending legislation which will facilitate and enable the rehabilitation and reclamation of strip and surface mining areas in North Dakota.

To Senate, 218.  
Introduction, first reading, 229.  
Referred to Committee on Natural Resources.  
Reported back, amended, 322.  
Re-referred to Legislative Research Resolutions Committee, 322.  
Amendments adopted, 345.  
Second reading, 401.  
Passed, 401.  
Returned to House, amended, 424.  
House concurs, 614.  
Received from House, 648.  
Signed by President, 651.  
Returned to House, 660.

#### House Concurrent Resolution "L" —

**House Concurrent Resolution "L".** A Concurrent Resolution directing the state board of higher education to prepare a long-range ten-year plan for capital improvements at state institutions under its jurisdiction, to prepare a plan for the maximum utilization of classrooms and physical facilities, to prepare a plan for the elimination of unjustified and duplicate programs, to prepare a plan and establish the use and purpose for which each institution under its jurisdiction is intended, and to report on such plans to the subcommittee on budget of the legislative research committee by no later than December 1, 1968, and to the Forty-first Legislative Assembly.

To Senate, 310.  
Introduction, first reading, 329.  
Referred to Committee on Education.  
House requests return, 488.  
Returned to House, 492.  
To Senate, 822.  
Reported back, do pass, 847.  
Second reading, 929.  
Passed, 929.  
Returned to House, 946.  
Received from House, 1110.  
Signed by President, 1111.  
Returned to House, 1112.

#### House Concurrent Resolution "M" —

**House Concurrent Resolution "M".** A concurrent resolution urging the Congress of the United States to pass enabling legislation authorizing the remittance of up to ten percent of federal income taxes paid by each state to the state where such revenue originates.

To Senate, 470.  
Introduction, first reading, 519.  
Referred to Committee on Finance and Taxation.  
Reported back, amended, 828, 829.

Amendments adopted, 849.  
 Second reading, 929.  
 Passed, 929.  
 Returned to House, amended, 946.  
 House concurs, 958.  
 Received from House, 1110.  
 Signed by President, 1111.  
 Returned to House, 1112.

#### House Concurrent Resolution "O" —

**House Concurrent Resolution "O".** A concurrent resolution for the amendment of sections 41, 53, and 56 of the Constitution of the state of North Dakota, relating to commencement of the term of the members of the legislative assembly; meeting times of the legislative assembly; and providing for a pre-session orientation conference.

To Senate, 296.  
 Introduction, first reading, 300.  
 Referred to Committee on State and Federal Government.  
 Reported back, amended, 663.  
 Amendments adopted, 698.  
 Second reading, 784, 876; amended from floor, 876.  
 Passed, 784, 876.  
 Clincher, 891.  
 Returned to House, amended, 891.  
 House does not concur, 916.  
 Conference Committee, 916, 955.  
 Conference Committee report, 1010.  
 Received from House, 1110.  
 Signed by President, 1111.  
 Returned to House, 1112.

#### House Concurrent Resolution "P" —

**House Concurrent Resolution "P".** A concurrent resolution urging the president and the congress to review the fiscal relationships of the several states and the federal government.

To Senate, 492.  
 Introduction, first reading, 566.  
 Referred to Committee on Finance and Taxation.  
 Reported back, do pass, 789.  
 Second reading, 952.  
 Passed, 952.  
 Returned to House, 967.  
 Received from House, 1110.  
 Signed by President, 1111.  
 Returned to House, 1112.

#### House Concurrent Resolution "S" —

**House Concurrent Resolution "S".** A Concurrent Resolution for the amendment of section 183 of the Constitution of the state of North Dakota, relating to the limit on the amount of indebtedness that may be incurred by any political subdivision, and providing an effective date.

To Senate, 492.  
 Introduction, first reading, 566.  
 Referred to Committee on Political Subdivision.

Indefinitely postponed, 847.  
 Recorded vote, 847.  
 Returned to House, indefinitely postponed, 947.

#### House Concurrent Resolution "T" —

**House Concurrent Resolution "T".** A Concurrent Resolution commending the great nation of Canada for her one hundred years of progress in this her Centennial Year 1967.

To Sénate, 245.  
 Introduction, first reading, 254.  
 Second reading, 255.  
 Passed, 255.  
 To House, 272.  
 Returned to Senate, 305.  
 Signed by President, 306.  
 Sent to House, 315.

#### House Concurrent Resolution "V" —

**House Concurrent Resolution "V".** A Concurrent Resolution relating to the marking of historical, archaeological, and paleontological sites along the Lewis and Clark trail and periodic on-site inspections thereof.

To Senate, 245.  
 Introduction, first reading, 255.  
 Amendments adopted, 616.  
 Second reading, 255.  
 Passed, 255.  
 To House, 272.  
 Returned to Senate, 305.  
 Signed by President, 306.  
 Sent to House, 315.

#### House Concurrent Resolution "W" —

**House Concurrent Resolution "W".** A Concurrent Resolution directing the legislative research committee to conduct a study of the eminent domain laws and judicial decisions in this state relating thereto and the practices of land appraisals connected therewith, for the purpose of determining the advisability of revising such laws, and to prepare appropriate bills for submission to and consideration by the Forty-first Legislative Assembly.

To Senate, 1042.  
 Introduction, first reading, 1065.  
 Second reading, 1065.  
 Passed, 1065.  
 Returned to House, 1076.  
 Received from House, 1110.  
 Signed by President, 1111.  
 Returned to House, 1112.

#### House Concurrent Resolution "X" —

**House Concurrent Resolution "X".** A Concurrent Resolution requesting that the taking line for the Garrison and Oahe Reservoirs be surveyed and marked as soon as possible.

To Senate, 269.  
 Introduction, first reading, 275.  
 Referred to Committee on Natural Resources.



Reported back, do pass, 611.  
 Second reading, 681.  
 Passed, 681.  
 Returned to House, 709.  
 Received from House, 891.  
 Signed by President, 904.  
 Returned to House, 904.

#### House Concurrent Resolution "Y" —

**House Concurrent Resolution "Y".** A Concurrent Resolution directing the North Dakota workmen's compensation bureau to conduct a study of possible formulas that would provide a ratio of benefits to the average weekly wage and/or the cost of living raises.

To Senate, 529.  
 Introduction, first reading, 569.  
 Referred to Committee on Industry, Business, and Labor.  
 Reported back, do pass, 705.  
 Second reading, 784.  
 Passed, 784.  
 Clincher, 788.  
 To House, 794.  
 Received from House, 968.  
 Signed by President, 976.  
 Returned to House, 977.

#### House Concurrent Resolution "Z" —

**House Concurrent Resolution "Z".** A Concurrent Resolution urging the legislature of the state of Minnesota to amend certain laws regarding compulsory inspection of North Dakota-graded grain before warehousing in Minnesota public terminal warehouses.

To Senate, 470.  
 Introduction, first reading, 519.  
 Referred to Committee on Agriculture.  
 Reported back, do pass, 718.  
 Second reading, 812.  
 Passed, 812.  
 Clincher, 816.  
 Returned to House, 819.  
 Received from House, 1110.  
 Signed by President, 1111.  
 Returned to House, 1112.

#### House Concurrent Resolution "A-1" —

**House Concurrent Resolution "A-1".** A Concurrent Resolution directing the board of administration to modify certain portions of the state capitol building to make such building more accessible and usable by the physically handicapped.

To Senate, 831.  
 Introduction, first reading, 848.  
 Referred to Committee on State and Federal Government.  
 Reported back, do pass, 915.  
 Second reading, 1043.  
 Passed, 1044.  
 Returned to House, 1048.  
 Received from House, 1110.  
 Signed by President, 1111.  
 Returned to House, 1112.

**House Concurrent Resolution "B-1" —**

**House Concurrent Resolution "B-1".** A Concurrent Resolution directing the state industrial commission to establish credit terms for the operation of the state mill and elevator.

To Senate, 310.  
 Introduction, first reading, 329. \*  
 Referred to Committee on State and Federal Government.  
 Reported back, do pass, 642.  
 Second reading, 705.  
 Passed, 705.  
 Returned to House, 722.  
 Received from House, 891.  
 Signed by President, 904.  
 Returned to House, 904.

**House Concurrent Resolution "E-1" —**

**House Concurrent Resolution "E-1".** A Concurrent Resolution directing the attorney general to petition the interstate commerce commission to alter the western boundary of the central standard time zone so that the mountain standard time zone in North Dakota would begin at the west bank of the Missouri River, in North Dakota.

To Senate, 492.  
 Introduction, first reading, 566.  
 Referred to Committee on State and Federal Government.  
 Reported back, do pass, 938.  
 Second reading, 978.  
 Amended from floor, 978.  
 Passed, 978.  
 Returned to House, amended, 978.  
 House does not concur, 991.  
 Conference Committee, 992, 993.  
 Conference Committee report, 1029.  
 Voice vote, 1045.  
 Received from House, 1110.  
 Signed by President, 1111.  
 Returned to House, 1112.

**House Concurrent Resolution "F-1" —**

**House Concurrent Resolution "F-1".** A Concurrent Resolution requesting that the industrial commission take immediate steps to enforce all laws and rules with which it is charged relating to the oil and gas industry.

To Senate, 646.  
 Introduction, first reading, 694.  
 Referred to Committee on Natural Resources.  
 Indefinitely postponed, 775.  
 Returned to House, 811.

**House Concurrent Resolution "G-1" —**

**House Concurrent Resolution "G-1".** A Concurrent Resolution for the submission to the electorate of an amendment to Article 60 of the Amendments to the North Dakota Constitution, relating to a mill levy for the support of the North Dakota state medical center at the University of North Dakota.

To Senate, 541.  
 Introduction, first reading, 569.  
 Referred to Committee on Appropriations.  
 Indefinitely postponed, 829.  
 Returned to House, 860.

#### House Concurrent Resolution "H-1" —

**House Concurrent Resolution "H-1".** A Concurrent Resolution directing the Public Welfare Board of North Dakota to coordinate social services for the benefit of the people of North Dakota.

To Senate, 831.  
 Introduction, first reading, 848.  
 Referred to Committee on State and Federal Government.  
 Reported back, do pass, 915.  
 Second reading, 1044.  
 Passed, recorded vote, 1044.  
 Returned to House, 1048.  
 Received from House, 1110.  
 Signed by President, 1111.  
 Returned to House, 1112.

#### House Concurrent Resolution "N-1" —

**House Concurrent Resolution "N-1".** A Concurrent Resolution urging the Congress of the United States to pass legislation allowing admissibility of voluntary confessions in evidence and to provide for reasonable interrogation of arrested persons or to submit a constitutional amendment clarifying the 5th Amendment.

To Senate, 667.  
 Introduction, first reading, 694.  
 Referred to Committee on Judiciary.  
 Reported back, do pass, 718.  
 Second reading, 812.  
 Passed, 812.  
 Clincher, 816.  
 Returned to House, 819.  
 Received from House, 1110.  
 Signed by President, 1111.  
 Returned to House, 1112.

#### House Concurrent Resolution "P-1" —

**House Concurrent Resolution "P-1".** A Concurrent Resolution authorizing and directing the state department of health to inspect the health and sanitary conditions of railroad locomotives and cabooses subject to the jurisdiction of the public service commission.

To Senate, 667.  
 Introduction, first reading, 694.  
 Referred to Committee on Industry, Business, and Labor.  
 Reported back, do pass, 797.  
 Second reading, 952.  
 Passed, 952.  
 Returned to House, 967.  
 Received from House, 1110.  
 Signed by President, 1111.  
 Returned to House, 1112.

**House Concurrent Resolution "Q-1" —**

**House Concurrent Resolution "Q-1".** A Concurrent Resolution requesting the Congress of the United States to direct the Interstate Commerce Commission to investigate the carload freight rates applicable to small grains and to prescribe such rates, charges, rules, and regulations as it shall find reasonable and otherwise lawful in the premises.

To Senate, 470.  
Introduction, first reading, 519.  
Referred to Committee on Transportation.  
Reported back, do pass, 663.  
Second reading, 755.  
Passed, 755.  
Clincher, 775.  
Returned to House, 778.  
Received from House, 1110.  
Signed by President, 1111.  
Returned to House, 1112.

**House Concurrent Resolution "S-1" —**

**House Concurrent Resolution "S-1".** A Concurrent Resolution providing for the amendment of section 121 of the Constitution of the state of North Dakota, relating to the elective franchise.

To Senate, 667.  
Introduction, first reading, 694.  
Referred to Committee on Judiciary.  
Indefinitely postponed, 718.  
Returned to House, 778.

**House Concurrent Resolution "T-1" —**

**House Concurrent Resolution "T-1.** A Concurrent Resolution directing the legislative research committee to conduct a study of the advisability of confining young adults between the ages of eighteen and twenty-one at the state penitentiary, state farm or North Dakota industrial school.

To Senate, 1042.  
Introduction, first reading, 1065.  
Second reading, 1066.  
Indefinitely postponed, 1066.  
Returned to House, 1076.  
Received from House, 1110.  
Signed by President, 1111.  
Returned to House, 1112.

**House Concurrent Resolution "U-1" —**

**House Concurrent Resolution "U-1".** A Concurrent Resolution urging the governor to organize committees on interstate relations.

To Senate, 602.  
Introduction, first reading, 603.  
Referred to Committee on State and Federal Government.  
Indefinitely postponed, 676.  
Returned to House, 710.

**House Concurrent Resolution "X-1" —**

**House Concurrent Resolution "X-1".** A Concurrent Resolution requesting the Army Corps of Engineers and the Bureau of Indian

Affairs to take necessary action for the construction of a bridge over the Little Missouri arm of the Garrison Reservoir in Dunn county, North Dakota, on the Ft. Berthold Indian Reservation.

To Senate, 602.  
 Introduction, first reading, 603.  
 Referred to Committee on State and Federal Government.  
 Reported back, do pass, 664.  
 Second reading, 756.  
 Passed, 756.  
 Clincher, 775.  
 Returned to House, 778.  
 Received from House, 1094.  
 Signed by President, 1094.  
 Returned to House, 1095.

#### House Concurrent Resolution "Z-1" —

**House Concurrent Resolution "Z-1".** A Concurrent Resolution urging a reevaluation by the Congress of toll charges for use of the St. Lawrence Seaway.

To Senate, 602.  
 Introduction, first reading, 604.  
 Referred to Committee on State and Federal Government.  
 Indefinitely postponed, 676.  
 Returned to House, 710.

#### House Concurrent Resolution "B-2" —

**House Concurrent Resolution "B-2".** A Concurrent Resolution requesting that a two-year study be made of the laws relating to certificates of public convenience and necessity for extensions of service by electric suppliers and the extensions of electric transmission and distribution lines of electric utilities.

To Senate, 667.  
 Introduction, first reading, 694.  
 Referred to Committee on Industry, Business, and Labor.  
 Reported back, amended, 915.  
 Amendments adopted, 955.  
 Second reading, 975, 1086.  
 Passed, 975, 1087.  
 Returned to House, amended, 978.  
 House concurs, 987.  
 House does not concur, 1025.  
 Conference Committee, 1025, 1053, 1078, 1085.  
 Conference Committee report, 1078, 1085, 1086.  
 Received from House, 1110.  
 Signed by President, 1111.  
 Returned to House, 1112.

#### House Concurrent Resolution "D-2" —

**House Concurrent Resolution "D-2"** A Concurrent Resolution directing the legislative research committee with the cooperation of the state board of higher education and state board of public school education to conduct a study of vocational and technical education, and to make a report to the legislative assembly.

To Senate, 1042.  
 Introduction, first reading, 1066.  
 Second reading, 1066.  
 Passed, 1066.

Returned to House, 1076.  
 Received from House, 1110.  
 Signed by President, 1111.  
 Returned to House, 1112.

#### House Concurrent Resolution "E-2" —

**House Concurrent Resolution "E-2".** A Concurrent Resolution commending the Bismarck Police Commissioner and policemen for services rendered during the blizzard of February 22, 1967.

To Senate, 758.  
 Introduction, first reading, 849.  
 Second reading, 849.  
 Passed, 849.  
 Returned to House, 890.  
 Received from House, 1110.  
 Signed by President, 1111.  
 Returned to House, 1112.

#### House Concurrent Resolution "G-2" —

**House Concurrent Resolution "G-2".** A Concurrent Resolution paying tribute to North Dakota men who have died in Vietnam.

To Senate, 1001.  
 Introduction, first reading, 1018.  
 Second reading, 1018.  
 Passed, 1018.  
 Returned to House, 1029.  
 Received from House, 1110.  
 Signed by President, errata, 1111.  
 Returned to House, 1112.

#### House Concurrent Resolution "H-2" —

**House Concurrent Resolution "H-2".** A Concurrent Resolution providing for the completion of the legislative journals of the house and senate.

To Senate, 1040.  
 Introduction, first reading, 1066.  
 Second reading, 1066.  
 Passed, 1067.  
 Returned to House, 1076.  
 Received from House, 1110.  
 Signed by President, errata, 1111.  
 Returned to House, 1112.

#### House Concurrent Resolution "I-2" —

**House Concurrent Resolution "I-2".** 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.

To Senate, 1040.  
 Introduction, first reading, 1067.  
 Second reading, 1067.  
 Passed, amended from floor, 1067.  
 Returned to House, amended, 1076.  
 House concurs, 1077.  
 Received from House, 1110.  
 Signed by President, 1111.  
 Returned to House, 1112.